

WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL

JUNE 18, 2012 - 6:00 P.M.

Meeting called to order.

Opening Announcement

Pledge of Allegiance & Moment of Silence

Roll Call & Determination of Quorum

Presentation - Certificate of Recognition - Josephine Caranci, 100th Birthday

Work Session

Discussion on 2013 Triathlon - Race Director Stephen Del Monte

Kevin Maloney - Update on Coast Guard Life Saving Station - Councilman Douglass

Review of Cable Franchise Renewal Agreement

Review of Consent & Regular Agenda Items

Consent Agenda

- Approval of Minutes June 4, 2012
- Membership Applic. NJ State Fireman's Assoc. - Robert Gould, Jr. & Cody Sheets for Townbank Volunteer Fire Co.
- Res. #2012-144 Payment of Vouchers, \$ 2,050,752.10
- Res. #2012-145 Appointment of Blane Steinman Architects Without Public Bidding (Prof contract - Millman Center Renovations)
- Res. #2012-146 Approval of Lower Township Future Wastewater Facilities and Service Area Map, Endorsing Wastewater Facilities and Service Areas in Lower Township (DEP requirement)
- Res. #2012-147 Requesting Release of Maintenance Guarantee for The Grand at Diamond Beach; Block 700.01 Lots 3-9, et al (Improvements installed and acceptable)
- Res. #2012-148 Approval for Fireworks by Grucci, Inc. To Load A Fireworks Barge In Lower Township (Annual Approval)
- Res. #2012-149 Authorizing Assistance to Lower Township Youth Groups (Lower Twp. Little League & Lower Cape Hockey Assoc. \$1500 each from Rec. Budget)
- Res. #2012-150 Annual Renewal of Liquor Licenses for the year 2012-2013 (Annual Approval)
- Res. #2012-151 Submission of a Small Cities Housing Rehabilitation Application, \$200,000. (Annual Application)
- Res. #2012-152 Public Facilities Grant Application \$400,000, Various ADA Improvements (Annual Application)
- Res. #2012-153 Bid Acceptance and Contract Award for Tide Flex Check Valves or Equal (Outfall Project)
- Res. #2012-154 Bid Acceptance and Contract Award for Material & Pipe Supplies (Outfall Project)
- Res. # 2012-155 Approving Project Proposal Between Hatch Mott MacDonald and the Township of Lower for Permitting and Engineering Services For Beach Drive Pedestrian Access Improvement Project
- Res. #2012-156 Resolution Authorizing Payment to Subcontractor and Acceptance of Discharge of Lien (Payment to Atlantic Ariel, subcontractor)
- Res. #2012-157 Resolution Urging passage by the New Jersey Legislature of the Jessica Lunsford Act (requesting 2500 ft child protection zone - schools, playgrounds or child care centers)
- Ord. #2012-15 An Ordinance Granting Renewal of Municipal Consent to Comcast of Wildwood, LLC to Construct, Connect, Operate and Maintain a Cable Television and Communications System in Lower Township, New Jersey 1st rdg (Cable franchise agreement - 15 years) 2nd rdg & public hearing 7/2

Regular Agenda

- Res. #2012-158 Appointment to the Planning Board of Adjustment (1 alternate member)
- Res. #2012-159 Appointment to the Zoning Board of Adjustment (3 regular members/1 alt member)
- Ord. #2012-11 An Ordinance Amending Chapter 400 of the Revised General Ordinances of the Township of Lower 2012 (Establishing guidelines for Beekeeping in Lower Twp.) 2nd reading & public Hearing

Administrative Reports

Department Monthly Reports - Animal Control, Dog Licensing, Construction, Engineer, Municipal Clerk, Municipal Court, Police, Tax Collector, Treasurer, Vital Statistics

Council Comments

Call to the Public

Closed Session

Res. #2012-160

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." (Collective Bargaining Update - Teamsters; Possible Land Acquisition)

Return to Open

Res. # 2012-161

A Resolution To Ratify the Memorandum of Understanding Between Lower Township and Teamsters Local Union No. 676

Adjournment

PUBLIC INFORMATION

ANNUAL DOG LICENSES DUE. Any dog over 6 months, must be licensed. Proof of rabies vaccination required. If spayed/neutered, vet certificate required. Fee \$7.20 if not spayed/neutered and \$4.20 if spayed/neutered

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

ALL RENTAL PROPERTIES REQUIRE LICENSE AND FIRE INSPECTION - All rentals, commercial or residential, whether yearly or seasonal require a mercantile license and a fire inspection and real estate taxes must be current. Applications for both the required fire inspection and the mercantile license are available at the Municipal Building, 2600 Bayshore Road, Villas and on the Township's website - www.townshipoflower.org, under Form Center.

Regular & Work Session Meeting Minutes - June 4, 2012

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on June 4, 2012 at 6:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

The Assistant 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 Walt Craig
Councilmember Glenn Douglass
Deputy Mayor Kevin Lare
Mayor Michael Beck

Also present: William Blaney, Solicitor, Michael Voll, Manager and Asst. Clerk Picard

Work Session

Discussion on Ordinance # 2012-11 An Ordinance Establishing Guidelines for Beekeeping

Mayor Beck stated the first item on the work session is to craft an Ordinance which will establish guidelines on bee keeping in Lower Township. The Mayor stated that both sides are represented here this evening and requested all speakers who wish to address Council state their names, address and speak clearly as this is a complicated issue.

Bill Easley, President of the New Jersey Bee Keeping Association addressed Council and stated he represents approximately 150 members throughout New Jersey. He stated they are concerned that the proposed changes to the Ordinance may effect bee keepers all over the state. Mr. Easley stated that the Association always suggests new keepers have two hives to see how each one progresses and is concerned that the new restrictions, which deviate from the state guidelines, limits the number of hives. Mr. Easley stated he has done some research on Ordinances in other states and thanks this Council for taking the initiative to provide regulations and permitting hives on smaller lots. Mr. Easley requested Council consider having two hives on 1/4 acre lot.

John Perille, 5 Misty Lane, addressed Council and stated he doesn't care what a neighbor does on his property as long as it does not endanger the neighbors. He stated he has no problems with beekeepers, except for if the hive swarms and makes a nest in his yard, who is responsible for removing it, who pays. Mr. Perille stated he would have no problem with one hive, but the neighbors should have been notified.

Joan Dougherty, Misty Lane, addressed Council and stated there are already bee hives on her street, but the person does not live at the property the hives are on. If a person wants to have hives, have them on the property where you live.

Mike McGurk, President of JCBA addressed Council and stated if the bees swarm and take up residence, his organization would remove them for free. Mayor Beck stated he thought they swarm when they hit a certain number. Mr. McGurk replied that is why many people split hives. Mayor Beck questioned the average number of bees in a hive. Mr. McGurk replied in the winter it could be 20,000 and the summer can reach 60,000.

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Joan Armstrong, North Cape May, addressed Council and stated her neighbor currently has two hives on the property and she does not appreciate it. She stated the hives have been there for 1 month and stated 43 people per year die from bee stings.

David Harrison, Misty Lane, addressed Council and questioned if something happens, who is liable? Attorney Blaney replied the Township would not be liable because they are not the Township's bees. Mayor Beck stated he was told some states require signs to be posted that there are bees on the property. Mr. Harrison questioned the number of signatures needed to repeal this Ordinance if it is passed.

Phyllis Smith addressed Council and stated bees do not require 24/7 supervision. She stated you can make sure the bees do not swarm by making sure they have the required room.

Carl Schneckeburger, Strawberry Lane, addressed Council and stated he noticed that this Township seems to ban things when a few people get up and complain. He stated a bee will sting when it is threatened. He stated that people want to see things banned for 22,000 people because a few people complain. He stated there are bees all over, without bees, there will be no food, no gardens, no winery. He also questioned why it only takes 3 people complaining to have something banned, but it takes over 700 signatures to change it.

Robert Steele addressed Council and stated he is a beginner beekeeper and the owner of two properties in North Cape May. He lives in one property and home schools his children, has his gardens and bee hives on the other. Mr. Steele stated he had tried to speak with the neighbors before regarding other issues, but did not get good feedback from them. Mr. Steele stated that beekeeping is educational for his children and the bees pollinate his garden and provide his family with food. Mr. Steele stated his children are afraid of the neighbors. He also informed all that the honeybee is the New Jersey state insect.

Gary Shemp, Middle Township resident and business owner addressed Council and stated he was the former owner of All Seasons Pest Management for 30 years and thanked Council for the public forum to speak on this issue. He stated nothing he can say will alleviate the concerns of the neighbors, but stated he has been a beekeeper for 5 years. He stated that honeybees are man-kinds most beneficial insect. Globally, there is a huge problem with the decline in the number of honeybees, but in New Jersey, you are helping to promote beekeeping. He stated you can find other sweeteners, but you can not find other pollinators. Mr. Shemp requested Council consider reasonable guidelines.

Pat Bowman addressed Council and stated she has been a beekeeper for 30 years in Lower Township. She stated education about beekeeping is very important and she would urge those who are fearful to join the beekeepers association and learn all about it. She stated she has five grandchildren and takes the proper cautions like making sure her colonies are fenced off. Ms. Bowman requested Council not litigate by fear. Mayor Beck stated it is a safety factor. Suppose your neighbor has 1/4 acre lot and has three hives on it, a neighborhood kid shoots a basketball and it accidentally hits the hive, you have a problem. Mayor Beck stated maybe there should be setbacks from houses, schools, playgrounds. Mayor Beck stated he understands the importance of honeybees and has read a lot on the subject, but if the ball hits the hive, do the bees come after the child. Ms. Bowman replied they would come out, but would probably go after the ball. Mayor Beck reiterated we all understand the need for honey bees, but is requesting Council place setbacks from schools and playgrounds. Mr. Easley stated regarding the ball hitting the hive, there would be a disruption to the hive, but the bees would calm down pretty easily.

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Councilmember Douglas stated he was in Lancaster over the weekend and did not even realize he was standing next to an observatory hive.

Councilmember Conrad stated he supports the Ordinance but believes it needs changes. He agrees that signage should be provided and likes the idea of setbacks and the maximum of two hived for small yards. He also agrees that the neighbors should be notified and fact sheets could be given out.

Councilmember Craig stated he believes there are safety issues and does not want to see over-regulation. He believes the Ordinance is a good compromise but could use some tweaking and perhaps some set-backs for some areas. He also agreed with proper signage and a limit of two hives for smaller lots. He also stated he would agree to grandfather in those who are already established beekeepers.

Councilmember Douglass stated there is a lot of information to digest and believes this Ordinance should be tabled and some of the suggestions of tonight be taken into consideration and a compromise be reached. Councilmember Douglass offered a motion to table the Ordinance until it is revised and then reviewed.

Deputy Mayor Lare questioned if the Misty Lane residents are looking for an outright ban. A resident replied they do not want a ban, but felt if hives are on a neighboring property, someone should live at the property. Deputy Mayor Lare stated this state is already over-regulated and over-taxed and this Ordinance itself is conflicted.

Council continued to discuss all aspects of beekeeping including the number of hives on a certain sized property, set backs, signage and after continued debate, it was agreed that the matter will be re-introduced at the next meeting with all the proper changes to the Ordinance.

Discussion on Proposed Fishing Pier - Mayor Beck & Councilman Conrad

Mayor Beck stated that he, Councilman Conrad, Manager Voll and Planning Director Bill Galestok met with DEP Representatives on May 8th to discuss the possibility of a fishing pier in Lower Township, and stated it was a good meeting. Mayor Beck reiterated that it takes a community to build a pier and this will take time. This meeting with the DEP was the first step and went better than expected. There were no red flags on the idea, and the DEP is actually excited about the project. Bill Galestok stated when you meet with the DEP and Army Corp, they generally go around the room and on this project we received positive input from everyone and they are looking forward to receiving the application.

Debbie Johns, Rec Advisory Board, addressed Council and stated the board met and is unanimously in favor of the project and suggested Council put a committee together to continue exploring the idea. Ms. Johns stated prior to moving forward, Council would need to authorize funding to take the project to the next level.

Mayor Beck stated that the Township went as far as it can go without having some specific ideas and costs. He stated the location would be part of the Bayshore Heritage By-way and would benefit not just our Township, but all near-by communities as well. The Mayor stated we are looking into if other levels of government can help with some of the funding for the project.

Councilmember Conrad stated this is a project that this Township can take pride in. Lower Township started as a fishing Community and we need to get people involved. This is a great idea for people of all ages.

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Debbie Colubiale, Lower Township resident and member of Chamber of Commerce, addressed Council and stated as a resident, she has seen tremendous growth in the Township and the pier would only add to it. Ms. Colubiale, as a realtor in the Township, has seen more and more people vacation here, buy second homes here and retire here. She stated as a member of the Chamber, she believes the pier will enhance economic growth in the area.

Mayor Beck stated he will reach out to the neighbors and address all their concerns.

Councilmember Douglass states he walks his dogs along the Bay and the response he has been receiving from the residents is tremendous. This community had many piers along the bay in years past and many people will come to the pier just to view the sunsets. Councilman Douglass stated he believes it is the perfect area and idea.

Deputy Mayor Lare stated he believes it is an outstanding idea we should move full steam ahead.

Mayor Beck stated he will speak with the engineer to get something to go shopping with. He stated this needs to be a community project any everyone needs to do their part. This project has to be done tastefully and done right.

Presentation on Roseanne Avenue Drainage - Hatch Mott Mac Donald

Mark Sray, Hatch Mott McDonald, updated Council regarding the drainage issue at Roseanne Ave and stated they have gathered a lot of information dating back to the installation of the pipe which was in the early 70's. In 1980, Council authorized an investigation and found inspections could not be done without de-watering the lines due to sediments. Mr. Sray referred to the map and explained the blue line indicated the sand level on 1986 and the red line indicates the level as of this past March. The diver, which was recently authorized by this Council, found some areas of pipe with less than 18" of open space. Mr. Sray summarized the findings stating the lines have lost 60% of their capacity due to sediment and the pipe was laid relatively flat. Mayor Beck questioned if the Cox Hall Creek Project will help this situation at all. Mr. Sray replied you may see some small improvement on small storms, but a big storm will still back the water up. Mayor Beck stated Council is aware of and appreciates the situation the neighbors are in and wants to help them. Manager Voll stated letters were sent out to all the neighbors regarding tonight's meeting and the mosquito control commission has also been out and cleaned some of the ends of the pipes out. Councilman Douglass questioned if the vac-all jet could be used to move some of the sediment out and then send the camera in. Mr. Sray replied there is over 14 tons of material in the line as well as some structural issues with portions of the pipe.

Sally Yerk, 229 Roseanne Ave stated she has been her house since 1979 and had a lot of work done in her backyards including french drains. Most of the residents on the street get water pumped out from their property. She stated she hopes what ever is done will not make the situation worse.

Jim O'Reilly addressed Council and stated there is very little movement of water near the outflow and needs to have his sump pump running continually.

Deputy Mayor Lare stated there is a health concern with stagnant water laying in the pipes, and a concern that the area

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is saturated when the rest of the town is dry. He stated this is going to be a very large expense for the tax payers, but this project has been kicked around for over 20 years.

Bill Rogers, Roseanne Ave, addressed Council and said the residents were told over 2 years ago that a high speed pump would be installed to help with the situation and was never done. Mr. Sray replied they had been looking into a pump design, but when the report surfaced with all the deficiencies, the project switched gears to see what was further upstream.

Tom Quiqq, Suzanne Avenue, addressed Council and stated he has replaced his sidewalks 3 times and the Township has paved his road 3 times, when it rains, moderate rain still accumulates on his lawn.

Councilmember Conrad requested the engineers recommendations. Mr. Sray recommended the Township start by getting the pipe cleaned out and have the sediment removed and disposed of. Mr. Sray stated he has been in contact with a company that is able to move 10 tons of material a day and a project this size would take approximately 7 months. Deputy Mayor Lare questioned if once the clean-out is started, and pipes need to be replaced, could the contract be structured to go to a reconstruction phase? Mr. Sray replied it could.

After a brief discussion, Manager Voll stated he would meet with Gary Douglass and the engineer to come up with a plan and get back to Council.

Review of Draft Sewer Service Area Map - William Galestok, Planning Director

William Galestok updated Council on the revised map which will be going to the County, showing the area that the DEP removed from the map. Mr. Galestok stated he and Mr. Ecker from the MUA reviewed the map and this is the version that will now be submitted to the County who will then submit it to the DEP and then they will return a marked up version to the Township.

Review of Consent & Regular Agenda Items

Consent Agenda

Approval of Minutes	May 21, 2012
Res. #2012-136	Payment of Vouchers, \$ 2,080,680.77
Res. #2012-137	Approval of Precious Metal License for Nicholas DiFrederico T/A Rt. 73 Gold & Silver and Nina Saffold T/A Lucky Finds (New licensees for annual license)
Res. #2012-138	Authorizing Pay Out of Terminal Leave (T. Will retirement - \$37,719.17)
Res. #2012-139	Authorization for Refund of Taxes (Refunds for overpayments on 2 properties)
Res. #2012-140	Award of Contract to Center of Community Arts (Summer art program for youth, not to exceed \$13,000)
Res. #2012-141	Approval of Cold Spring Presbyterian Church's Application to Conduct a Flea Market (June 23)
Res. #2012-142	Acceptance and Contract Award for Weight-Exercise Room Equipment (for the Recreation Dept. Award to Dynamic Fitness, \$18,043.95)

Motion to approve the consent agenda moved by Councilmember Conrad, seconded by Councilmember Douglass.

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	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
CRAIG			X			
DOUGLASS		X	X			
LARE			X			
BECK			X			

Regular Agenda

Res. #2012-143 Payment of Vouchers \$35,000.00 (Rescue Squad per contractual agreement)
 Motion to adopt moved by Councilmember Craig, seconded by Councilmember Douglass.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD					X	
CRAIG	X		X			
DOUGLASS		X	X			
LARE			X			
BECK			X			

Ord. #2012--11 An Ordinance Amending Chapter 400 of the Revised General Ordinance of the Township of Lower 2012, 2nd rdg., (Establishing Guidelines for Beekeeping) and public hearing. Copies of the Ordinance were posted and made available to the public - Tabled from the May 21, 2012 Council Meeting

Motion to Table Ordinance #2012-11 moved by Councilmember Conrad, seconded by Councilmember Douglass.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
CRAIG			X			
DOUGLASS		X	X			
LARE			X			
BECK			X			

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Ord. #2012-14 An Ordinance Amending the Code of the Township of Lower, Chapter 529, Secondhand Merchants and Dealers of Precious Metals, 2nd rdg. & public hearing (Changes to fees, bonding & other requirements) Copies of this Ordinance were posted on the bulletin boards and made available to the public.

Mayor Beck thanked the Police Department for all their help and input regarding second hand merchants and the sale of precious metals.

Public Comment -

Janet Fox, North Cape May addressed Council and told them about her nephew stealing her jewelry and what she had to go through to get it back. She stated the dealer received stolen goods and believes there should be stronger restrictions out in place.

Peter Wilson, North End Thrift Shop, addressed council and stated he is the owner of the North End Thrift Shop at 901 Bayshore Road. He thanked the Police for treating him with respect and courtesy and stated he holds merchandise for 20 to 30 days prior to re-selling it. He said he is in agreement with the stricter regulations but feels the time for holding merchandise should be perhaps not more than 30 days, but definitely more than five.

Desiree Spire, owner of Valentino's, addressed Council and stated they are in favor of the \$10,000 bond requirement. She stated that one troy ounce of gold as of today, is valued at \$1,600.00. She stated she is also in favor of background checks for all involved. She stated they work hand-in-hand with the police department and approximately 90% of the transactions are legitimate. Her business is 100% on board with the changes.

Motion to adopt moved by Councilmember Douglass, seconded by Councilmember Craig.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
CRAIG		X	X			
DOUGLASS	X		X			
LARE			X			
BECK			X			

Administrative Reports

Manager Michael Voll gave a report of the happenings in the Township. Report attached

Council Comments

Councilman Douglass spoke on the Ferry Road project currently going on and stated the brochure about the project is

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available to the public. Manager Voll added this is a DRBA project.

Mayor Beck reminded all of the musical programs at the Fishing Creek School begin on Friday, June 15th. He also reminded everyone that Election is June 5th. He stated that June 8th is world ocean day and informed the public that the Lower Township pool is scheduled to open on June 23rd.

Call to the Public

George Dougherty addressed Council and stated the Outdoor Woodburners seem to be a hot potato issue. The Planning Board said they do not have the authority to change the Ordinance and will be sending it back to the Council. Mr. Dougherty stated there are residents who feel the only way to get the ban back would be to file a class action suit against the Township for failure to protect the Health and Welfare of the residents, but they will wait until after Council gets the issue back from the Environmental Commission and then see what happens prior to filing the suit.

Pete Wilson addressed Council and stated he owns a property at 9 West Webber Ave and the North End Thrift Shop on Bayshore Road and stated most of his business consists of house clean-outs. He stated his motto is recycle, reuse and re-purpose and sometimes leaves stuff out for non-profits to pick up at a later date. He requested Council change the current Ordinance to allow him to have sales at the property, he would confirm with the "no more than 3 per year" and would have the area cleaned up by Mondays. Manager Voll replied yard sale permits are for residential use and Mr. Wilson owns a commercial establishment. Manager Voll stated there have been complaints about the condition of his property, items all over the sidewalks – the Township is trying to clean up the area. Mayor Beck stated he has received complaints about items being left out. Mr. Wilson stated people are dumping stuff at his place. Attorney Blaney suggested maybe he install camera at the site.

Adjournment

There being no further business, motion to adjourn moved by Councilmember Douglass, seconded by Councilman Conrad. Motion to adjourn unanimous by verbal 'ayes". Meeting adjourned at 8:28p.m.

Mayor

Township Clerk

Approved:

Managers' Report
June 4th, 6 PM

Farmers Market will start up again this year on Friday evening, July 13th @ 4:30-8PM, Recreation Dept. met with over 20 vendors recently. Music, Cape May Brewery and local wineries invited for adult tasting.

Rotary Park has recently given a face lift. The pavilion has a new roof and painted by local Girl Scout project. They also plan on planting flowers around the sign out front.

Starting last Saturday, we have an inspector patrolling the Township for Code violation, construction activity, and yard sale permits. Inspector spoke with many residents to get their grass cut and other minor issues.

We have been working with Atlanta Care to have a full time "Medic Unit" located at the Erma FD. We are planning to have the unit stationed on July 1st! Erma FD has been very cooperative in housing the Medic 5 unit.

Pool in NCM to open on Saturday, June 23rd, also many new improvements will forthcoming at the Recreation Center, weight room equipment, flat screen televisions in game room. Jim and Mitch are doing a good job in providing for our kids and residents with exciting recreation programs. We will be refurbishing the Millman Center starting late summer. The remodeling will give the residents a facility that they will be proud to use.

Community Reminder: Trash cans have a weight limit of 50lbs., and no larger than 32 gallons. Also "House Numbers" on all Township properties. This is so important for our public safety community.

We have two viable message signs at the PD. For the second time this Friday night a Drunk Driver hit the sign by CJ's tavern.

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00390 BENCHMARK PROFESSIONAL SEMINAR*	12-01316	05/17/12	TRAINING	Open	195.00	0.00		
00403 BLUE WAVE EXPRESS CAR WASH*	12-01627	06/12/12	CAR WAS - DPS	Open	200.00	0.00		
00406 BLANEY & DONOHUE, PA	12-00554	02/24/12	EXP 2012 (\$40K)BAL 28,587.50	Open	6,425.00	0.00		
00425 CAROL A. BRAND	12-01531	06/11/12	JUNE PRIMARY ELECTION 2012	Open	225.00	0.00		
00426 EVELYN BRENTANO	12-01519	06/11/12	JUNE PRIMARY ELECTION 2012	Open	225.00	0.00		
00429 KAREN BRIDGES	12-01587	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
00432 MICHAEL BROGAN	12-01633	06/12/12	MEDICAL/VISION	Open	271.62	0.00		
00611 COUNTY OF CAPE MAY	12-01394	05/30/12	MARCH FUEL BILL	Open	34,291.19	0.00		
	12-01495	06/08/12	GASOLINE APRIL 2012	Open	<u>32,626.96</u>	0.00		
					66,918.15			
00616 ANIMAL ALLIANCE OF CAPE	12-01664	06/14/12	CLINIC MAY 17 AND JUNE 17	Open	250.00	0.00		
	12-01665	06/14/12	CLINIC MAY 31, 2012	Open	<u>200.00</u>	0.00		
					450.00			
00651 MUNICIPAL UTIL AUTH DUMP FEES	12-01658	06/13/12	DUMPING FEES APRIL/MAY	Open	129,515.83	0.00		
00736 CAPE PRINTING EXPRESS*	12-01106	04/30/12	BUSINESS CARDS- MAYOR BECK	Open	49.00	0.00		
00775 CAPRIONI PORTABLE TOILETS, INC*	12-01625	06/12/12	PORTA POTTIES MONTHLY RENTAL	Open	217.13	0.00		
00784 CAPE MAY STAR & WAVE	12-01450	06/04/12	LEGAL NOTICES 5/23/2012	Open	132.06	0.00		
	12-01662	06/13/12	6/6/12 NOTICE OF ADOPTION	Open	<u>14.26</u>	0.00		
					146.32			
00807 CDW-GOVERNMENT INC*	12-01327	05/18/12	DISPATCH FAX	Open	298.50	0.00		
00825 COMCAST*	12-01655	06/13/12	INTERNET SERVICE DPW	Open	190.36	0.00		
01087 ANTHONY J. COSTANZO	12-01533	06/11/12	JUNE PRIMARY ELECTION 2012	Open	225.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01092 CONTINENTAL FIRE & SAFETY, INC*	12-01487	06/04/12	SERVICE FIRE EXTINGUISHERS	Open	117.00	0.00		
01109 LOIS JANE CRAMER	12-01548	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
01130 GAYLE HADLEY	12-01475	06/04/12	PAYMENT TO ZUMBA INSTRUCTOR	Open	180.00	0.00		
01170 VERIZON WIRELESS* F/S	12-01632	06/12/12	FIRE CELL PHONE 4/27-5/26/12	Open	72.45	0.00		
01171 VERIZON WIRELESS - TOWNHALL	12-01478	06/04/12	CELL PHONE APR 24- MAY 23, 2012	Open	1,058.17	0.00		
01245 G & K SERVICES CO*	12-01657	06/13/12	UNIFORM RENTAL	Open	918.79	0.00		
01278 EDWARD DOUGHERTY	12-01491	06/04/12	MEDICAL CLAIMS	Open	126.00	0.00		
01443 ERMA VOLUNTEER FIRE CO	12-01481	06/04/12	PRIMARY ELECTION 2012	Open	300.00	0.00		
01532 JACQUELINE U HENDERSON	12-01550	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
01579 BEATRICE M. FLANIGAN	12-01559	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
01581 FIRST ASSEMBLY OF GOD CHURCH	12-01480	06/04/12	PRIMARY ELECTION 2012	Open	150.00	0.00		
01602 THOMSON WEST*	12-01355	05/21/12	NJ STAT 2012 824959814	Open	140.00	0.00		
01641 GALL'S INC*	12-00920	04/05/12	NEW VEHICLE OUTFITTING	Open	160.00	0.00		
	12-01255	05/16/12	2 NP710-HOLSTER	Open	24.97	0.00		
					<u>184.97</u>			
01685 W W GRAINGER, INC.*	12-01279	05/16/12	ELECTRIC 24 HR WALL CLOCK	Open	45.35	0.00		
01733 FRANCIS MCLAUGHLIN	12-01569	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
01734 CHURCH'S SEASHORE NURSERY INC*	12-01361	05/23/12	FREEMAN DOUGLASS PARK	Open	919.00	0.00		
01767 WILLIAM R. HARTLEY, SR	12-01540	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01781 HATCH MOTT MACDONALD, LLC*								
	11-02505	09/12/11	DRAINAGE INVESTIGATION/	Open	538.50	0.00		B
	11-03226	11/16/11	2011-294 BAYSHORE ESTATE \$26k	Open	4,321.43	0.00		
	12-01508	06/11/12	ESCROW	Open	<u>1,655.99</u>	0.00		
					6,515.92			
01791 CINDY S. HARTLEY								
	12-01513	06/11/12	JUNE PRIMARY ELECTION 2012	Open	225.00	0.00		
01793 ANNA M. HASSON								
	12-01541	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
01806 ANTHONY J HARVATT, II, ESQ								
	12-00985	04/17/12	BOARD SOLICITOR SALARY	Open	466.66	0.00		
	12-01509	06/11/12	RESOLUTIONS	Open	<u>150.00</u>	0.00		
					616.66			
02027 JESCO INC*								
	12-01339	05/18/12	PARTS FOR BACKHOE/DPW	Open	460.52	0.00		
02108 KEEN COMPRESSED GAS CO*								
	12-01389	05/25/12	BOTTLED GAS FOR GARAGE	Open	106.75	0.00		
02117 KEEP AMERICA BEUTIFUL*								
	12-01226	05/14/12	Recycling Community Day	Open	203.00	0.00		
02208 PENNY BECICA-KRAUS								
	12-01520	06/11/12	JUNE PRIMARY ELECTION 2012	Open	225.00	0.00		
02248 LAWMEN SUPPLY*								
	11-02829	10/17/11	FIREARMS,HOLSTERS, MAGAZINES	Open	7,967.80	0.00		
	12-00938	04/09/12	NEW VEHICLE OUTFITTING	Open	<u>3,974.95</u>	0.00		
					11,942.75			
02320 LOWER TOWNSHIP BRD OF EDUCATN								
	12-00968	04/11/12	2012 SCHOOL TAX 7/01-12/2012	Open	1,495,251.40	0.00		B
02411 MENEAR'S TREE SERVICE*								
	12-01442	06/04/12	2 CUT TREES - MINDY PARK	Open	400.00	0.00		
02465 BARBARA MAHON								
	12-01514	06/11/12	JUNE PRIMARY ELECTION 2012	Open	225.00	0.00		
02466 ROBERT E. MAHON								
	12-01518	06/11/12	JUNE PRIMARY ELECTION 2012	Open	225.00	0.00		
02541 ROBERT D. MARTIN, JR								
	12-01490	06/04/12	MEDICAL CLAIMS	Open	22.00	0.00		
02654 LORETTA MCKENZIE								
	12-01605	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02715	MODERN HANDLING EQUIP CO*	12-00392	02/08/12	PARTS FOR MOWER PS1067944	Open	535.70	0.00		
03003	NEW JERSEY DIVISION OF	12-01381	05/24/12	2012-2013 LIQUOR LICENSES	Open	84.00	0.00		
03104	NORTHEAST IND.&MARINE SUPPLY*	12-01223	05/14/12	PARTS FOR CHIPPER/PRESSURE WSH	Open	1,787.14	0.00		
03144	NAOMI NICHOLS	12-01572	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
03285	PARA PLUS TRANSLATIONS, INC.*	12-01320	05/17/12	INTERPRETER	Open	185.89	0.00		
03288	KATHRYN PATTERSON	12-01535	06/11/12	JUNE PRIMARY ELECTION 2012	Open	225.00	0.00		
03289	THOMAS W. PATTERSON	12-01610	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
03296	PARISH OF ST. JOHN NEUMANN	12-01479	06/04/12	PRIMARY ELECTION 2012	Open	675.00	0.00		
03301	RED BANK VETERINARY HOSPITAL	12-01624	06/12/12	EMERGENCY VET SERVICE	Open	54.00	0.00		
03387	POGUE INC. *	12-01429	05/30/12	PRE-EMPLOYMENT TESTING/DPW	Open	790.00	0.00		
03458	JOANN H. RASH	12-01532	06/11/12	JUNE PRIMARY ELECTION 2012	Open	225.00	0.00		
03465	R&R ELECTRONICS, INC.*	12-01275	05/16/12	SPEED TRAILER REPAIR	Open	3,019.82	0.00		
03466	R & R SPECIALTIES	12-01405	05/30/12	9" X 12" FLOATING ACRYLIC	Open	75.00	0.00		
03507	JEAN ROBSON	12-01534	06/11/12	JUNE PRIMARY ELECTION 2012	Open	225.00	0.00		
03512	JEANETTE SMITH-REEVES	12-01551	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
03518	RIGGINS, INC.*	12-01437	06/04/12	OFF-HIGHWAY DIESEL/DPW	Open	844.25	0.00		
03608	SEAWAVE CORPORATION*	12-01309	05/16/12	ADVERTISEMENT FOR COMMUNITY DAY	Open	315.00	0.00		
03640	MADLINE R. SHOWERS	12-01615	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03656 JOHN W. SKOWRONSKI	12-01524	06/11/12	JUNE PRIMARY ELECTION 2012	Open	225.00	0.00		
03664 AUDREY L. SMITH	12-01583	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
03679 BARBARA SLONIS	12-01528	06/11/12	JUNE PRIMARY ELECTION 2012	Open	225.00	0.00		
03706 NICHOLAS C. SMARGIASSI	12-01537	06/11/12	JUNE PRIMARY ELECTION 2012	Open	225.00	0.00		
03805 TOWNBANK VOLUNTEER FIRE CO.	12-01482	06/04/12	PRIMARY ELECTION 2012	Open	450.00	0.00		
03820 MUNICIPAL UTIL. AUTH ON CALL	12-01336	05/18/12	ONE-CALL MESSAGES/DPW	Open	144.69	0.00		
03852 CATHERINE A. TURNEY	12-01584	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
03935 STAPLES BUSINESS ADVANTAGE*	12-01350	05/21/12	3 x 2 CORK BOARD- CHERRY FRAME	Open	59.91	0.00		
03971 VERIZON WIRELESS	12-01438	06/04/12	MDT WIRELESS 6737111676	Open	673.33	0.00		
04043 FLORENCE WESOLOWSKI	12-01617	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
04049 SUSAN JACKSON	12-01371	05/24/12	PARKING REIMBURSEMENT	Open	10.00	0.00		
04059 THOMAS WILL	12-01489	06/04/12	MEDICAL CLAIMS	Open	149.01	0.00		
04097 CINTAS FIRST AID AND SAFETY*	12-01427	05/30/12	FIRST-AID KIT SUPPLIES/DPW	Open	209.14	0.00		
04117 BILL ROLLINS	12-01373	05/24/12	LACROSSE OFFICIAL 4/14/12 GAME	Open	60.00	0.00		
04123 TAMMY DECKER	12-01477	06/04/12	PAYMENT TO PILATES INSTRUCTOR	Open	21.00	0.00		
04150 BARRY, CORRADO, GRASSI &	12-01387	05/25/12	REFUND	Open	25.00	0.00		
04235 COLLEEN P GALLAGHER	12-01593	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
04266 NJ DEPT OF HEALTH&SENIOR SVCS	12-01511	06/11/12	MAY 2012 DOG LICENSE	Open	451.20	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04283 CATHERINE JOSAPHOUITCH	12-01613	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
04284 ALICE SCATTONE	12-01594	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
04286 MICHAEL MULRANEY	12-01515	06/11/12	JUNE PRIMARY ELECTION 2012	Open	225.00	0.00		
04532 ROBERTA K YOUNG	12-01591	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
05000 THE ILLUSION MAKER*	12-01308	05/16/12	RECYCLING PROGRAM @ SCHOOL	Open	725.00	0.00		
4104 DOUGLASS LANDSCAPING LLC*	12-00687	03/09/12	LANDSCAPING/MAINTENANCE	Open	6,490.63	0.00		B
5041 NAZDAR COMPANY*	12-01337	05/18/12	PARTS FOR SIGN MACHINE/DPW	Open	131.35	0.00		
5044 VICKI COLE	12-01468	06/04/12	LACROSSE OFFICIAL 5/24/12	Open	45.00	0.00		
5057 JEFF HURLEY	12-01372	05/24/12	LACROSSE OFFICIAL	Open	56.00	0.00		
5060 JOSEPH SMITH	12-01383	05/25/12	RELEASE OF ESCROW FEES	Open	6,591.06	0.00		
5062 DIANE GANON	12-01434	05/30/12	REIMBURSEMENT FOR CONTAINER	Open	33.97	0.00		
5063 MIKE HICKMAN	12-01474	06/04/12	SOCCER REFEREE	Open	90.00	0.00		
AGHAK MARYAM AGHAKHANI	12-01589	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
AMANA ANTHONY AMAND	12-01581	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
AMAND BERNICE AMAND	12-01552	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
BAKERF FRED BAKER	12-01544	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
BAUMG EMMA JANE BAUMGARDNER	12-01618	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
BINGH ROBERT F. BINGHAM	12-01604	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
BOERN RALPH BOERNER	12-01588	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
BOSNA KAREN MANETTE BOSNA	12-01476	06/04/12	PAYMENT TO YOGA CLASS	Open	90.00	0.00		
BOYLED DOLORES P. BOYLE	12-01566	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
BOYLEK KATHLEEN BOYLE	12-01563	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
BUCKD DIANE E PANNELLI	12-01536	06/11/12	JUNE PRIMARY ELECTION 2012	Open	225.00	0.00		
BUONO MARTHA BUONOPANE	12-01571	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
CARROLL TERRY A CARROLL	12-01598	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
CARROT CARROT-TOP INDUSTRIES, INC*	12-01407	05/30/12	US FLAGS AND NJ STATE FLAGS	Open	933.00	0.00		
CZES MARY LOU CZESCIK	12-01567	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
DOLLARD MADELINE DOLLARD	12-01564	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
DOLLJ JAMES T. DOLLARD	12-01586	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
EDWA RITA EDWARDS	12-01601	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
FANI PATRICIA FANIEL	12-01575	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
FARNELL JAMES FARNELL	12-01619	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
FBINA FBINAA NJ CHAPTER*	12-01317	05/17/12	TRAINING	Open	250.00	0.00		
FREAS JEAN FREAS	12-01557	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
FREG ELIZABETH FREGA	12-01561	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
G-YAP CENTER FOR COMMUNITY ARTS	12-01623	06/12/12	SUMMER ART CAMP	Open	6,500.00	0.00		B

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
GAFF PATRICIA A. GAFFNEY	12-01573	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
GASSER COZETTE GASSER	12-01554	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
GIAIRO ANN GIAIRO	12-01580	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
HARTL WILLIAM HARTLEY, JR	12-01560	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
HARTLEY CHRISTINE HARTLEY	12-01546	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
HELVE ANN HEAP-HELVESTON	12-01527	06/11/12	JUNE PRIMARY ELECTION 2012	Open	225.00	0.00		
HOFFMAN BARBARA HOFFMAN	12-01516	06/11/12	JUNE PRIMARY ELECTION 2012	Open	225.00	0.00		
HUGH CHARLES HUGHES III	12-01562	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
JASP JANET JASPERSE	12-01607	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
JASPC CRAIG JASPERSE	12-01592	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
JASPD DEBBIE L JASPERSE	12-01596	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
KEEND DOLORES RAMBO	12-01576	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
KINGR RICHARD KING	12-01602	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
KIRSCHN SCOTT KIRSCHNER	12-01614	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
LAMOC CHARLES LAMONTE	12-01538	06/11/12	JUNE PRIMARY ELECTION 2012	Open	225.00	0.00		
LETI MARY LETIZIO	12-01529	06/11/12	JUNE PRIMARY ELECTION 2012	Open	225.00	0.00		
LETIZIO BARTOLOMEO J LETIZIO	12-01590	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
LIPS JOHN LIPSETT	12-01521	06/11/12	JUNE PRIMARY ELECTION 2012	Open	225.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
LIPSM MARGARET LIPSETT	12-01612	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
LISTW JOAN LISTWAN	12-01582	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
LOGUEC CHARLOTTA LOGUE	12-01620	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
LONEP PATRICIA LONERGAN	12-01512	06/11/12	JUNE PRIMARY ELECTION JUDGE	Open	225.00	0.00		
MARROR ROBERT H MARRO	12-01565	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
MCCABE IDAMAY MCCABE	12-01597	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
MCGR DANIEL MCGRANAGHAN	12-01525	06/11/12	JUNE PRIMARY ELECTION 2012	Open	225.00	0.00		
MCGRAN CARLIE MCGRANAGHAN	12-01522	06/11/12	JUNE PRIMARY ELECTION 2012	Open	225.00	0.00		
MCMAST SANDRA MCMASTER	12-01357	05/23/12	LACROSSE OFFICIAL 5/16/12	Open	30.00	0.00		
MEIER SHAINÉ P MEIER	12-01600	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
MEIERH HELEN T MEIER	12-01530	06/11/12	JUNE PRIMARY ELECTION 2012	Open	225.00	0.00		
MILLER PAULA MILLER	12-01543	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
MOORER REBECCA MOORE	12-01616	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
MORRIC CRAIG R MORRISON	12-01547	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
MORRIS DANIELLE MORRISON	12-01542	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
NOTARY TREASURER STATE OF NJ NOTARY	12-01634	06/12/12	NOTARY E KREIS/C CRIPPEN	Open	50.00	0.00		
NOTO JOSEPH J. NOTORFRANCESCO	12-01510	06/11/12	JUNE PRIMARY ELECTION JUDGE	Open	225.00	0.00		
OBRI PHYLLIS O'BRIEN	12-01585	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
OSBORN VIRGINIA OSBORN	12-01549	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
PETERSON PATRICIA PETERSON	12-01606	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
PRODO MATTHIAS P PRODOEHL	12-01595	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
RAUD DOROTHY M RAUDENBUSH	12-01599	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
RODG ROSE MARIE RODGERS	12-01577	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
SANTA DENISE SANTAGATA	12-01526	06/11/12	JUNE PRIMARY ELECTION 2012	Open	225.00	0.00		
SHEMAN KAREN A SHEMANSKI	12-01539	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
SILCOTT JAMES SILCOTT	12-01611	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
SMITHKM KATHLEEN M SMITH	12-01553	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
SMITHS SHEILA D SMITH	12-01649	06/13/12	VISION	Open	128.00	0.00		
SOMER ELIZABETH M SOMERS	12-01517	06/11/12	JUNE PRIMARY ELECTION 2012	Open	225.00	0.00		
STARN KENNETH E STARNES	12-01494	06/08/12	MED SUPP 2012	Open	400.00	0.00		
STEBL RALPH P STEBLEIN	12-01603	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
SYKEJ JOE SYKES	12-01465	06/04/12	SOCCER REFEREE	Open	165.00	0.00		
VLISSOP JON VLISSOPOULOS	12-01545	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
WEISSM BEATRICE WEISSMAN	12-01578	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
WEISSMAN WAYNE WEISSMAN	12-01579	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
WERN JOSEPH WERNER	12-01609	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
WESTD DEBORAH A WEST	12-01558	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
WOLTJ JOAN WOLTJEN	12-01608	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
YABOR PATRICIA YABOR	12-01555	06/11/12	JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		

Total Purchase Orders: 203 Total P.O. Line Items: 265 Total List Amount: 2,050,692.10 Total Void Amount: 0.00

PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
WESTD DEBORAH A WEST	12-01558	06/11/12 JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		
WOLTJ JOAN WOLTJEN	12-01608	06/11/12 JUNE PRIMARY ELECTION 2012	Open	200.00	0.00		

Vendor	PO #	Description	Amount
NJ Div of Motor Vehicle	12-01483	Registration & Title	\$60.00
Total Manual Bill List			\$ 60.00
Total Brought Forward – Computer Bill List			\$ 2,050,692.10
TOTAL BILL LIST			\$ 2,050,752.10

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on June 18, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-145

TITLE: APPOINTMENT OF BLANE STEINMAN ARCHITECTS WITHOUT PUBLIC BIDDING

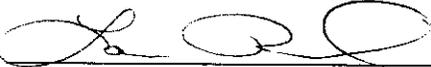
WHEREAS, the Township of Lower ("Township") has a need to acquire an Architect as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Township has determined and certified in writing that the value of the acquisition will exceed \$17,500, and Blane Steinmann Architects has submitted a proposal indicating that they will provide the goods or services described above for a price not to exceed \$57,500.00; and

WHEREAS, the anticipated term of this contract is until the completion of The Millman Center Renovations project; and

WHEREAS, the CFO has determined sufficient funds will be available in the current budget as follows:

Appropriation # C.04.55.395.910

Signature 

WHEREAS, Blane Steinman Architects has completed and submitted a Business Entity Disclosure Certification which certifies that Blane Steinman Architects has not made any reportable contributions to a political or candidate committee in the Township of Lower in the previous one year, and that the contract will prohibit the Blane Steinman Architects from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lower hereby approves a contract with Blane Steinman Architects for the goods and services herein described and that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution and that a notice of Award of Professional Contract for the above appointment shall be published in the Township's Official paper.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council at a meeting held on June 18, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

CONTRACT FOR ARCHITECTURAL SERVICES

Date: May 30, 2012

Client: Township of Lower
c/o Margaret Vitelli QPA - Purchasing Agent
2600 Bayshore Road
Villas, NJ 08251
609-886-2005 x123
mvitelli@townshipoflower.org

Architect: Blane Steinman Architects
2220 Route 9 North
Clermont, New Jersey 08210

Project: Renovations to:
Millman Center
1105 Seashore Road
Lower Township

The Architect shall provide professional services for the project in accordance with the terms and conditions of this agreement.

Project Description / Program

Renovation to the existing Millman Center located in Lower Township, NJ. The existing wood frame structure currently is used as a Senior Center and a meeting space for several private organizations and will continue to function as such after the renovations are complete.

Preliminary Building Program

Will include items discussed at our original design meeting and stated under the "Millman Center Scope of Work" listed below

Scope of Work

- • Exterior Landscaping including new sod
- Site Construction Fencing
- Misc. asphalt repair, curbing, sidewalk repair-minor work
- Remove and replace (13) exterior windows (with exception of newly replaced front picture windows)
- New Interior Doors
- New Interior floor finishes in Social Room (most likely carpet)
- New Interior floor finish in other areas (VCT)
- Remove wood paneling in 'Social Room' and replace with sheetrock
- New window/door trim, baseboard, wainscoting and crown molding in Social Room
- New Paint in entire interior building
- Kitchen renovation to include small oven and hood
- New Fire Suppression (none currently exists)
- Remove existing acoustical ceiling and lighting in Social Room and replace with Sheetrock Ceiling and new recessed lighting
- New Hardwood Stage and Dance floor in Social Room
- New ductwork in entire building (HVAC equipment was recently replaced)
- New Audio system
- Renovation of existing bathroom (See description of renovation attached)
- New Fire / Burglar Alarm system, & misc. emergency lighting
- Demolition and new walls in Pottery room / Pottery Storage.
- New tankless water heaters
- Existing siding and roofing to remain
- New light fixtures

Deliverables

- Develop and submit Schematic Design, Design Development and Construction Documents (including Permit Application Sets).
- Provide Bid Administration Services
- Provide Construction Administration Services
- Prepare Technical Specifications
- Fire Protection (Suppression) design-documentation is to effectively be "Performance Specifications" grade, defining what the system design-intent is, without explicitly and elaborately detailing. Fire Protection shop drawings for Permit Application Submission to the Local Authority having jurisdiction shall be the responsibility of Contractor or his Sub-Contractor; sealed, signed by an independent Professional Engineer.

Professional Services

A. Schematic Design (Phase I) –

1. Measurement and documentation of the “Existing” building.
2. Development of preliminary architectural plan schematics design.
3. Review Building Code & ADA requirements within existing building.
4. Revise drawings based on the owner’s input. *(up to 4 meetings included)*

B. Construction Drawings (Phase II) –

1. Preparation, from the approved “Schematic Drawings”, of drawings, details and specifications as required for bidding and permit application. These documents will include but are not limited to the following:
 - a. Existing Conditions/Demolition Plan
 - b. Architectural Plans and Elevations
 - c. Electrical and Lighting Plan
 - d. Mechanical Plan
 - e. Plumbing Plan
 - f. Fire Protection
 - g. Construction Details and Plan
 - h. Full Construction Specifications

C. Bid Administration (Phase III) -

1. Produce Bid Packages
2. Schedule and attend Pre-Bid Meetings
3. Prepare Addenda to Bid Packages, if necessary
4. Attend Bid openings and review Bids
5. Bid Evaluation & Analysis
6. Recommendation of Award

D. Construction Administration (Phase IV) – *(based on 16 week construction time)*

1. Set-up and attend Pre-Construction Meetings
2. Review shop drawings and submittals
3. Attend scheduled field construction meetings
4. Prepare Charge orders, as required
5. Prepare Pay Applications, as required
6. Prepare Punch Lists

Contract Notes

- This contract does not include a property survey, site design, landscaping or parking layout.
- This contract does not include the selection of specific bar or kitchen equipment, Ansul System Design or venting required for kitchen equipment.
- This contract does not include the selection of specific furniture, finishes, or additional interior design services.
- This contract does not include the services of a structural engineer. If a structural engineer is required due to unforeseen existing building conditions, permitting agencies or a change in the scope of work we will provide you with an additional proposal for structural services.
- This contract includes (4) four meetings with the client during the Schematic Design Phase of the project. Any additional meetings with the client or meetings with review agencies, committees, boards, councils, etc. will be billed on an hourly basis.
- This contract does not include the preparation of the Owner / Contractor Agreement.
- This contract includes conceptual construction cost estimates only. The Architect does not and cannot guarantee that bids will not vary from the owner's budget.
- This contract does not include value engineering or scope of work adjustment if the construction bids are over the construction budget. All revisions to the Bid Documents due to construction cost budget overages will be billed on an hourly basis.
- This contract includes Construction Administration Services for a (16) sixteen week construction schedule only. If the project exceeds a (16) sixteen week construction the client will be billed on an hourly basis.
- This contract does not include site visits for reasons not described under Professional Services, Construction Administration (Phase IV). All additional site visits during the construction phase will be billed on an hourly basis.
- This contract does not include Field Construction Administration provided by our consultants. Site visits during the construction phase by our consultants, if required, will be billed at the consultant's hourly rate.
- This contract does not include fire pump, on site water storage for fire suppression or electrical service upgrade design services. If these services are required they will be billed at the consultant's hourly rate.

Fee for Professional Services

Professional Services as described above for the following fee(s):

Phase I - Schematic Design:

A. <u>Initial Retainer</u>	\$ 6,400.00
Total Phase I	\$ 6,400.00

Phase II - Construction Drawings:

A. Architectural Services.....	\$7,820.00
B. Architectural Specifications.....	\$6,750.00*
C. Mechanical, Plumbing, Electrical & Fire Protection System <u>Engineering Services</u>	<u>\$16,330.00*</u>
Total Phase II	\$30,900.00*

Phase III – Bid Administration:

A. <u>Architectural</u>	\$4,200.00
Total Phase III	\$4,200.00

Phase IV – Construction Administration: *(based on 16 week construction time)*

A. Architectural.....	\$14,000.00
B. <u>Mechanical, Plumbing, Electrical</u>	<u>\$2,000.00</u>
Total Phase IV	\$16,000.00

Total Phase I, Phase II, Phase III & Phase IV..... **\$57,500.00***

*Consultant fees are based on proposals furnished by the consultant. The consultant will provide a revised proposal in the event of additional work or a change in the scope of work requested by the client or required by permitting agencies.

Additional Expenses

The Architect shall be reimbursed by the client for additional expenses as listed below. These additional expenses will be itemized on the invoice for each professional service where incurred.

1. The client shall pay additional professional fees at an hourly rate of Principal- \$175/hr, Project Architect- \$125/hr, Draftsman- \$85/hr, clerical- \$50/hr if changes are made by the client to the previously agreed upon design program requirements, approved design development drawings, bid documents or final construction documents. The Architect shall notify the client with an estimate of additional fees prior to the commencement of such work.
2. The client shall reimburse the Architect for all postage and handling expenses incurred as related to the Project
3. All photocopying and reproduction is a reimbursable expense and will be billed at our standard rates

Payment Schedule

Professional Services as described above for the following fee(s):

Schematic Design (Phase I)

Retainer.....	\$6,400.00
Total for Phase I.....	\$6,400.00

Construction Drawings (Phase II)

1. 50% Completion of Construction Drawings.....	\$15,450.00
2. 100% Completion of Construction Drawings.....	\$15,450.00
Total for Phase II.....	\$30,900.00

Bid Administration (Phase III)

100% Completion of Bid Administration.....	\$4,200.00
Total for Phase III.....	\$4,200.00

Construction Administration (Phase IV) (based on 16 week construction time)

1. 50% Completion of Construction Administration.....	\$8,000.00
2. 100% Completion of Construction Administration.....	\$8,000.00
Total for Phase IV.....	16,000.00

Total Phase I, Phase II, Phase III & Phase IV..... \$57,500.00*

*Consultant fees are based on proposals furnished by the consultant. The consultant will provide a revised proposal in the event of additional work or a change in the scope of work requested by the client or required by permitting agencies.

Additional Services (Optional):

Payment will be due upon receipt.

Additional Expenses:

Payment will be due upon receipt.

The Client's Responsibilities

1. The client shall provide full information, including a complete program, regarding the requirements for the Project. Architect will assist client with program.

2. The client shall furnish outside engineers, consultants and tests as deemed necessary by any agency having jurisdiction or the Architect.
3. The client shall pay all fees to all agencies having jurisdiction over the project.

Terms and Conditions

1. Termination: This agreement may be terminated by either party through no fault of the owner or designers. In the event of termination, the designers and their consultants shall be compensated for the percentage of work completed up to date of termination.
2. During the construction phase of the project and for a two-week period beyond completion, the Architect's sign will be placed in a visible location on the property.
3. All outstanding balances for contracted services, as well as, additional expenses must be paid in full prior to issuance of sealed drawings for building permit application.
4. Payment of our fees for professional services rendered is in no way contingent upon approval of our plans or documentation by any agency reviewing the same.
5. Accounts unpaid 30 days after the invoice date may be subject to a monthly service charge of 1.5% on the unpaid balance. In the event the account, or any portion thereof, remains unpaid 120 days after billing, the Client shall pay all costs of collection, including reasonable attorney's fees.
6. The scope of work does not include any items not specifically mentioned. If the scope of work is modified substantially by the requirements of the Client, Planning/Zoning Board or any other reviewing agency, the fees within the agreement shall be subject to negotiation. Not included in this proposal are revisions to plans required by any agency reviewing the same. All revisions will be invoiced on a time and material basis.
7. Work will be stopped if any portion of this agreement has not been met.

This Agreement executed on (date) _____

Client: _____

Architect: _____

Blane E. Steinman, RA NJ Cert. #AI 12174

**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.

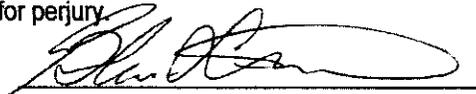
2. The Business Entity is seeking the award of a Professional Services Contract or Unspecifiable Services Contract pursuant to the exceptions from public bidding under Sections 5(1) of the Local Public Contracts Law, N.J.S.A. 40A:11-1; et seq.

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.

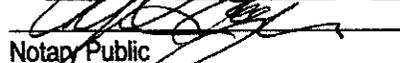
4. Also in accordance with the Pay-to-Play Ordinance, I am disclosing that the following represents all of the contributions that were made by the Business Entity and, to the best of my knowledge, all principals owning 10% more of the Business Entity's equity, their respective spouses, and all of the 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>
	<i>N/A</i>	

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.



Sworn and Subscribed to before me
this 15th day of June, 2012.


Notary Public

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 B Contractor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that the business entity by the name Blane Steinman Architects LLC 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).

Thomas Conrad	
Walt Craig	Any present or future candidate committee or
Glenn Douglass	joint candidate committee or local political party
Kevin Lare	committee formed for the election of members of
Michael E. Beck	the Lower Township governing body.

Part II B 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
Blane Steinman	270 Fidler Road, Dennisville, NJ 08214

Part 3 B 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: Blane Steinman Architects, LLC
 Signed: [Signature] Title: ARCHITECT / OWNER
 Print Name: BLANE STEINMAN Date: 6/14/12

Subscribed and sworn before me this 14th day of JUNE, 2012.

My Commission expires: CHRISTOPHER L. HAYES
 NOTARY PUBLIC OF NEW JERSEY
 MY COMMISSION EXPIRES 9-23-13

[Signature]
 (Affiant)
 (Print name & title of affiant) (Corporate Seal)

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

RESOLUTION #2012-146

TITLE: APPROVAL OF LOWER TOWNSHIP FUTURE WASTEWATER FACILITIES AND SERVICE AREA MAP, ENDORSING WASTEWATER FACILITIES AND SERVICE AREAS IN LOWER TOWNSHIP

WHEREAS, pursuant to state regulations, municipal water quality management plans must be in compliance with its regional wastewater management planning agency which, in the case of Lower Township, requires that same be in compliance with the Cape May County Wastewater Management Plan; and

WHEREAS, on January 17, 2012, the New Jersey State Legislature adopted an Act (P.L.2011, c.203) requiring that, within 180 days, each wastewater management planning agency prepare and submit an existing and future sewer service area map to the New Jersey Department of Environmental Protection as a foundational document of the county's future wastewater management plan; and

WHEREAS, in conjunction with the Cape May County Planning Department and Maser Consulting, P.A., the Township of Lower has developed its Future Wastewater Facilities and Service Areas Map prepared by Matthew V. Ecker, PE, PP,CME, Executive Director for Lower Township MUA; and

WHEREAS, at a meeting of the Lower Township Council occurring June 4,2012, the Lower Township Council did discuss the Future Wastewater Facilities and Service Areas Map.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, in the County of Cape May and State of New Jersey, as follows:

1. The Township Council does hereby endorse the Future Wastewater Facilities and Service Areas Map (Maser, Draft Sewer Service Area Map, dated May 22, 2012) for purposes of delineating potential future wastewater facilities and service areas

within the Township of Lower for purposes of submission of same to the Cape May County Planning Department and New Jersey Department of Environmental Protection.

2. A copy of this Resolution with the attached Wastewater Facilities and Service Areas Map be forwarded to the Cape May County Planning Department for their review and consideration.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on June 18, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-147

TITLE: A RESOLUTION REQUESTING RELEASE OF MAINTENANCE GUARANTEE FOR THE GRAND AT DIAMOND BEACH; Block 700.01, Lots 3-9, et al.; Escrow #Z03-12-06

WHEREAS, Diamond Beach, LP posted a Maintenance Guarantee with the Township of Lower, in the amount of \$184,826.85; and

WHEREAS, the Township Engineer has recommended that the improvements have been properly installed and are presently acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, the Governing body thereof, that the Maintenance Guarantee is released.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on June 18, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-148

**TITLE: APPROVAL FOR FIREWORKS BY GRUCCI, INC. TO LOAD A
FIREWORKS BARGE IN LOWER TOWNSHIP**

WHEREAS, Fireworks by Grucci, Inc. Has requested permission to load a barge in Lower Township for a fireworks display on July 4th in Atlantic City; and

Whereas, Fireworks by Grucci, Inc. has provided proof of liability Insurance as required by Uniform Fire Code Section 5:18-3.27 and signed the Hold Harmless agreement required,

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower that Fireworks by Grucci, Inc. is hereby granted permission to load the "fireworks barge" for Atlantic City on July 4th (rain date July 5th) in Lower Township in accordance with all other necessary approvals.

I hereby certify this is the original resolution adopted by the Township Council at the meeting of June 18, 2012

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

May 24, 2012

TO: Colleen Horwath
COMPANY: Lower Township Municipal Hall
2600 Bayshore Road Villas
Villas, NJ 08251
PHONE: 609-886-2005 ext. 41
FAX: 609-886-9488
E-mail: chorwath@townshipoflower.org
FROM: Ed Rubio



Dear Mr. Perry:

Please see the attached regarding the following program:

Event: Atlantic City Alliance – Atlantic City, NJ
Location: Barge off Pier Shops at Caesar's
Latitude: 39° 20' 58.29" N
Longitude: 74° 25' 58.79" W
Date: July 4, 2012
Rain Date: July 5, 2012
Time: 9:00 PM
Duration: 23 – 25 Minutes

Attached please find the following documents for loading in the Township of Lower:

- 1) Application for Fire Safety Permit Lower Township
- 2) Certificate of Insurance, for Lower Township
- 3) Letter to Cape May County Fire Marshal
- 4) Hold Harmless Agreement for Lower Township
- 5) Copy of our Pyrotechnician, Joe Mercante's License
- 6) ATF Licenses
- 7) MSDS forms

The following permits have also been applied for in Atlantic City:

1. USCG application packet
2. Atlantic City Solicitor's Office
3. Application for Fire Safety Permit Atlantic City
4. FAA request for a letter of No Objection
5. Fish and Wildlife Letter of Intent
6. DEP Letter of Intent
7. Production Itinerary

If you have any questions or need any further information, please feel free to contact me.

Sincerely,

Edward Rubio

Edward Rubio
Logistics Manager
Fireworks by Grucci, Inc.
Cell 516-658-4486

Fireworks by Grucci, Inc.
One Grucci Lane
Brookhaven, NY 11719

Office #: (631) 286-0088
Fax #: (631) 286-9036
E-mail: ERubio@grucci.com

THE FIRST FAMILY OF FIREWORKS

BUREAU OF FIRE SAFETY
Township of Lower
407 Breakwater Road
Erma, New Jersey 08204
(609) 889-0404

APPLICATION FOR PERMIT

The Uniform Fire Code states:

"Permits shall be required, and obtained from the local enforcing agency for the activities specified in this section, except where they are an integral part of a process or activity by reason of which a use is required to be registered and regulated as a life hazard use. Permits shall at all times be kept in the premises designated therein and shall at all times be subject to inspection by the fire official." [N.J.A.C. 5:70-2.7(a)]

Date of application: May 31, 2012

Location where activity will occur Barge loading at Atlantic Cape Fisher
985 Ocean Dr., Lower Township, NJ

Date July 4, 2012 Time 9:30 PM

Applicant Name Edward Rubio Address 1 Grucci Lane Brookhaven, NY

Organization Name Fireworks by Grucci, Inc.

Phone/Fax Number 631-286-0088 / 9036 Emerg.# 516-658-4486

Block/Lot _____ Registration# _____

The above named applicant hereby requests permission to conduct the following activity at the above indicated location:

Outdoor fireworks display discharging 1.4 G and 1.3 G pyrotechnics

And for the keeping, storage, occupancy, sale, handling or manufacture of the following:

Storage / Loading will be outside of Atlantic City, NJ

(State quantities for each category to be stored, or used and the method stored or used:)

See attached pyrotechnic product count

I hereby acknowledge that I have read this application, that the information given is correct, and that I am the owner, or duly authorized to act in the owner's behalf and as such hereby agree to comply with the applicable requirements of the fire code as well as any specific conditions imposed by the fire official.

Edward Rubio
Applicant Signature

Fire Official Signature

310.00
Fee Amount

3
Permit Type



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
4/20/2012

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Britton-Gallagher and Associates, Inc. 6240 SOM Center Rd. Cleveland OH 44139	CONTACT NAME: PHONE (A/C, No, Ext): 440-248-4711 FAX (A/C, No): 440-544-1234 E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE NAIC #	
INSURED Fireworks By Grucci, Inc. and/or Pyrotechnique By Grucci, Inc. and/or Philny Effects, Inc. One Grucci Lane Brookhaven NY 11719	INSURER A: New Hampshire Insurance Co 23841	
	INSURER B: Granite State Insurance Co. 23809	
	INSURER C: NY State Fund - Melville	
	INSURER D: Lexington Ins Co 19437	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 2013123711 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT 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. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR	WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC			1619937-04	2/17/2012	2/17/2013	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$50,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			CA62659119	2/17/2012	2/17/2013	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
D	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$10,000			013136655	2/17/2012	2/17/2013	EACH OCCURRENCE \$4,000,000 AGGREGATE \$4,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	12673978	11/29/2011	11/29/2012	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$Unlimited E.L. DISEASE - EA EMPLOYEE \$Unlimited E.L. DISEASE - POLICY LIMIT \$Unlimited

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Date: July 4, 2012; Rain Date: July 5, 2012
 Location: Barge 1000' directly off the Pier Shops, Atlantic City, NJ
 Additional Insured(s): Atlantic City Alliance; North Star Marine, Inc.; Atlantic Cape Fishery; City of Atlantic City; Atlantic City Fire Department; State of New Jersey; New Jersey Bureau of Fire Safety; Lower Township Police Department; Lower Township

CERTIFICATE HOLDER Atlantic City Alliance Boardwalk Hall 2301 Boardwalk Atlantic City NJ 08401	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
---	--

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June 7, 2012

TO: David Perry
COMPANY: Bureau of Fire Safety
ADDRESS: 407 Breakwater Road
Erma, NJ 08204
PHONE: 609-889-0404
FAX: 609-889-8876
FROM: Ed Rubio



Dear Mr. Perry:

Please see the attached regarding the following program:

Event: Atlantic City Alliance – Atlantic City, NJ
Location: Barge off Pier Shops at Caesar's
Latitude: 39° 20' 58.29" N
Longitude: 74° 25' 58.79" W
Date: July 4, 2012
Rain Date: July 5, 2012
Time: 9:00 PM
Duration: 23 – 25 Minutes

We have applied for:

Attached please find the following documents:

- 1) Application for Fire Safety Permit Township of Lower
- 2) Certificate of Insurance
- 3) Copy of our Pyrotechnician, Joe Mercante's License

The following were also applied for:

1. Atlantic City Display Permit
2. USCG Permit
3. FAA
4. Atlantic City Solicitor's Office

If you have any questions or need any further information, please feel free to contact me.

Sincerely,

Edward Rubio

Edward Rubio
Logistics Manager
Fireworks by Grucci, Inc.
Cell 516-658-4486

Fireworks by Grucci, Inc.
One Grucci Lane
Brookhaven, NY 11719

Office #: (631) 286-0088
Fax #: (631) 286-9036
E-mail: ERubio@grucci.com

THE FIRST FAMILY OF FIREWORKS

FIREWORKS DISPLAY
HOLD HARMLESS AGREEMENT

Between the Borough/Township/City/County of Lower
and Fireworks by Grucci Inc. (Contractor).

WITNESSETH:

1. Fireworks by Grucci Inc. (Contractor) agrees to release, indemnify and hold harmless the Borough/Township/City/County of Lower from and against any loss, damage or liability, including attorneys' fees and expenses incurred by the latter entities and their respective employees, agents, volunteers or other representatives arising out of or in any manner relating to the manufacture, installation, firing or disassembly of any pyrotechnic equipment or device and/or the supervision and presentation thereof.

2. The applicant has furnished the Certificate of Insurance with limits of liability described below:

Workers Compensation/Employers Liability: 12673978

General Liability: 1619937-03

Automobile Liability: CA62659118

Umbrella Liability: 013136655

A true copy of the Certificate of Insurance is attached indicating the member entity and applicable associations, recreations or committees formed by the member entity to organize the "event" must be named as additional insured on all liability policies.

3. The facilities will be used for the following purpose and no other:

Event: Fireworks Display Date: July 4, 2012 Rain Date: July 5, 2012

Dated: 5/31/12 Signed: Carl M. [Signature] Logistics Manager
(Contractor)

Witness Cheryl [Signature]

ES-P-167 (R-7-03)



NEW JERSEY DEPARTMENT OF LABOR
OFFICE OF SAFETY COMPLIANCE
PO BOX 386, TRENTON, NJ 08625-0386

AUDIT NO.
9432

PERMIT TO USE EXPLOSIVES

Grade: P Expiration Date: 1/31/2013
Fee: \$400 Permit Number: 003283

Joseph Mercante
100 Capitol Court
St Charles, MO 63301

ES-P-167 (R-7-03)



NEW JERSEY DEPARTMENT OF LABOR
OFFICE OF SAFETY COMPLIANCE
PO BOX 386, TRENTON, NJ 08625-0386

AUDIT NO.
9432

PERMIT TO USE EXPLOSIVES

Grade: P Expiration Date: 1/31/2013
Fee: \$400 Permit Number: 003283

Joseph Mercante
100 Capitol Court
St Charles, MO 63301



DEPARTMENT OF THE TREASURY - BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

LICENSE/PERMIT (18 U.S.C. CHAPTER 40, EXPLOSIVES)

In accordance with the provisions of Title XI, Organized Crime Control Act of 1970, and the regulations issued thereunder (27 CFR Part 566) you may engage in the activity specified in this license/permit within the limitations of Chapter 40, Title 18, United States Code and the regulations issued thereunder, until the expiration date shown. See "WARNING" and "NOTICES" on back.

DIRECT ATF CORRESPONDENCE TO	Christopher R. Reeves Chief, Federal Explosives Licensing Center (FELC) Bureau of Alcohol, Tobacco, Firearms and Explosives 244 Needy Road Martinsburg, West Virginia 25405 Telephone: 1-877-265-3332 Fax: 1-304-812-4401	License/Permit Number	6-NY-103-23-3E-12225
		Expiration Date	May 1, 2013

NAME: FIREWORKS BY GRUCCI INC
 Mailing Address: CHANGES? You must notify the FELC at least 10 days before the move.
 1 GRUCCI LANE
 BROOKHAVEN, NY 11719-0000

TYPE OF LICENSE OR PERMIT: 23-IMPORTER OF HIGH EXPLOSIVES

CHIEF, FEDERAL EXPLOSIVES LICENSING CENTER (FELC)
Christopher R. Reeves
 Christopher R. Reeves

PURCHASING CERTIFICATION
 I certify that this is a true copy of a license/permit issued to me to engage in the activity specified.
 Mailing Address: CHANGES? You must notify the FELC at least 10 days before the change.
Jonna Shultz Butts
 (SIGNATURE OF LICENSEE/PERMITTEE)
 FIREWORKS BY GRUCCI INC
 1 GRUCCI LANE ATTN: EDWARD RUBIO
 BROOKHAVEN, NY 11719-0000

The licensee/permittee named herein shall use a reproduction of this license/permit to assist a transferor of explosives to verify the identity and status of the licensee/permittee as provided in 27 CFR Part 566. The signature on each reproduction must be an ORIGINAL signature.

ATF F 5400.14/5400.15, Part 1 (8/89)



DEPARTMENT OF THE TREASURY - BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

LICENSE/PERMIT (18 U.S.C. CHAPTER 40, EXPLOSIVES)

In accordance with the provisions of Title XI, Organized Crime Control Act of 1970, and the regulations issued thereunder (27 CFR Part 566) you may engage in the activity specified in this license/permit within the limitations of Chapter 40, Title 18, United States Code and the regulations issued thereunder, until the expiration date shown. See "WARNING" and "NOTICES" on back.

DIRECT ATF CORRESPONDENCE TO	Christopher R. Reeves Chief, Federal Explosives Licensing Center (FELC) Bureau of Alcohol, Tobacco, Firearms and Explosives 244 Needy Road Martinsburg, West Virginia 25405 Telephone: 1-877-265-3332 Fax: 1-304-812-4401	License/Permit Number	6-NY-103-23-3E-12224
		Expiration Date	May 1, 2013

NAME: FIREWORKS BY GRUCCI INC
 Mailing Address: CHANGES? You must notify the FELC at least 10 days before the move.
 1 GRUCCI LANE
 BROOKHAVEN, NY 11719-9423

TYPE OF LICENSE OR PERMIT: 20-MANUFACTURER OF HIGH EXPLOSIVES

CHIEF, FEDERAL EXPLOSIVES LICENSING CENTER (FELC)
Christopher R. Reeves
 Christopher R. Reeves

PURCHASING CERTIFICATION
 I certify that this is a true copy of a license/permit issued to me to engage in the activity specified.
 Mailing Address: CHANGES? You must notify the FELC at least 10 days before the change.
Jonna Shultz Butts
 (SIGNATURE OF LICENSEE/PERMITTEE)
 FIREWORKS BY GRUCCI INC
 1 GRUCCI LANE ATTN: EDWARD RUBIO
 BROOKHAVEN, NY 11719-9423

The licensee/permittee named herein shall use a reproduction of this license/permit to assist a transferor of explosives to verify the identity and status of the licensee/permittee as provided in 27 CFR Part 566. The signature on each reproduction must be an ORIGINAL signature.

ATF F 5400.14/5400.15, Part 1 (8/89)

Material Safety Data Sheet

May be used to comply with
 OSHA's Hazard Communication Standard,
 29 CFR 1910.1200. Standard must be
 consulted for specific requirements.

U.S. Department of Labor

Occupational Safety and Health Administration
 (Non-Mandatory Form)
 Form Approved
 OMB No. 1218-0072

IDENTITY (As Used on Label and List) Fireworks, 1.3G, UN0335, PGII		Note: Blank spaces are not permitted. If any item is not applicable, or no information is available, the space must be marked to indicate that.		
Section I				
Manufacturer's Name Fireworks by Grucci, Inc.		Emergency Telephone Number 1-800-255-3924		
Address (Number Street, City, State, ZIP) One Grucci Lane		Telephone Number for Information 631-286-0088		
Brookhaven, NY 11719		Date Prepared 7/21/2006		
		Signature of Preparer (optional)		
Section II – Hazardous Ingredients/Identity Information				
Hazardous Components (Specific Chemical Identity: Common Name(s))		OSHA PEL	ACGIH TLV	Other Limits Recommended % (optional)
Contains explosive and pyrotechnic compositions. - These items are classified as Fireworks, 1.3G, UN0335, PGII by DOT.				
No chemical components are released during normal handling and storage of shells.				
Section III – Physical/Chemical Characteristics				
Boiling Point		n/a	Specific Gravity (H ₂ O = 1)	n/a
Vapor Pressure (mm Hg)		n/a	Melting Point	n/a
Vapor Density (AIR = 1)		n/a	Evaporation Rate (Butyl Acetate = 1)	n/a
Solubility in Water Slight				
Appearance and Odor All chemical composition is contained in hard cardboard or plastic casing.				
Section IV – Fire and Explosion Hazard Data				
Flash Point (Method Used) n/a		Flammable Limits n/a	LEL n/a	UEL n/a
Extinguishing Media Do not attempt to fight fire in vicinity of display fireworks - evacuate area.				
Special Fire Fighting Procedures Evacuate fire area immediately and seek shelter. Follow established emergency action plan.				
Unusual Fire and Explosion Hazards Display fireworks may mass explode in a fire situation.				

Section V – Reactivity Data

Stability	Unstable	<input type="checkbox"/>	Conditions to Avoid No open flames, smoking, or moisture in vicinity of stored fireworks.
	Stable	<input checked="" type="checkbox"/>	Avoid friction or impact.

Incompatibility (Materials to Avoid) Do not allow fireworks to get soaking wet.

Hazardous Decomposition or Byproducts Smoke generated during use of devices may contain small amounts of carbon monoxide, hydrogen sulfide, and nitrogen oxides. Avoid prolonged inhalation.

Hazardous Polymerization	May Occur	<input type="checkbox"/>	Conditions to Avoid
	Will Not Occur	<input checked="" type="checkbox"/>	

Section VI – Health Hazard Data

Route(s) of Entry:	Inhalation? <input type="checkbox"/>	Skin? <input type="checkbox"/>	Ingestion? <input type="checkbox"/>
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Health Hazards (Acute and Chronic) No chemical components are released during normal handling of shells. However, ground level smoke generated during shooting of public displays may contain gasses which may cause irritation of eyes or mucous membrane. Prolonged inhalation of smoke should be avoided.

Carcinogenicity: No	NTP? No	IARC Monographs? No	OSHA Regulated? No
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Signs and Symptoms of Exposure Prolonged exposure to smoke generated during shooting of shells may cause shortness of breath and irritation of eyes and mucous membranes.

Medical Conditions Generally Aggravated by Exposure Persons with pre-existing respiratory conditions (i.e. asthma, emphysema, etc.) should avoid inhalation of smoke.

Emergency and First Aid Procedures Move to fresh air and avoid further exposure to smoke.

Section VII – Precautions for Safe Handling and Use

Steps to Be Taken in Case Material is Released or Spilled Absolutely no smoking or open flames in vicinity of spilled material. Carefully pick up and place spilled items in cardboard cartons. Sweep up any exposed chemical composition with a natural fiber brush.

Waste Disposal Method Soak any exposed chemical composition with water, sweep up with natural fiber brush and dispose of by burning in compliance with local, state, and federal regulations.

Precautions to Be Taken in Handling and Storing Keep fireworks cool and dry. Avoid impact with shipping cartons. Absolutely no smoking in vicinity of fireworks.

Other Precautions None

Section VIII – Control Measures

Respiratory Protection (Safety Type) None required when handling finished items.

Ventilation	Local Exhaust n/a	Special n/a
	Mechanical (General) n/a	Other n/a

Protective Gloves None required

Eye Protection n/a

Other Protective Clothing or Equipment n/a

Work/Hygienic Practices No smoking in vicinity of fireworks.

Material Safety Data Sheet

May be used to comply with
 OSHA's Hazard Communication Standard,
 29 CFR 1910.1200. Standard must be
 consulted for specific requirements.

U.S. Department of Labor

Occupational Safety and Health Administration
 (Non-Mandatory Form)
 Form Approved
 OMB No. 1218-0072

IDENTITY (As Used on Label and List) Consumer Fireworks, 1.4G		Note: Blank spaces are not permitted. If any item is not applicable, or no information is available, the space must be marked to indicate that.		
Section I				
Manufacturer's Name Fireworks by Grucci, Inc.		Emergency Telephone Number 1-800-255-3924		
Address (Number Street, City, State, ZIP) One Grucci Lane Brookhaven, NY 11719		Telephone Number for Information 631-286-0088		
		Date Prepared July 21, 2006		
		Signature of Preparer (optional)		
Section II – Hazardous Ingredients/Identity Information				
Hazardous Components (Specific Chemical Identity: Common Name(s))	OSHA PEL	ACGIH TLV	Other Limits Recommended	% (optional)
Contains pyrotechnic composition - a solid mixture of oxidizer and fuel that will burn if ignited. These items are classified as 1.4G explosive by DOT.				
No chemical composition is exposed during normal handling and storage.				
Section III – Physical/Chemical Characteristics				
Boiling Point	n/a	Specific Gravity (H ₂ O = 1)	n/a	
Vapor Pressure (mm Hg)	n/a	Melting Point	n/a	
Vapor Density (AIR = 1)	n/a	Evaporation Rate (Butyl Acetate = 1)	n/a	
Solubility in Water Slight				
Appearance and Odor All pyrotechnic composition is contained in a cardboard casing.				
Section IV – Fire and Explosion Hazard Data				
Flash Point (Method Used) n/a	Flammable Limits n/a	LEL n/a	UEL n/a	
Extinguishing Media Flood with water if a small amount of fireworks is involved.				
Special Fire Fighting Procedures Do not use suffocation methods - devices contain their own oxygen. If a large amount of fireworks are involved, allow them to burn and prevent spread of fire.				
Unusual Fire and Explosion Hazards Fireworks will burn rapidly in the event of fire.				

Section V - Reactivity Data

Stability	Unstable	<input type="checkbox"/>	Conditions to Avoid Open flames, smoking.
	Stable	<input checked="" type="checkbox"/>	
Incompatibility (Materials to Avoid) Exposure to water may cause items to deteriorate.			
Hazardous Decomposition or Byproducts Smoke, nitrogen oxides, and sulfur oxides may be produced in a fire.			
Hazardous Polymerization	May Occur	<input type="checkbox"/>	Conditions to Avoid
	Will Not Occur	<input checked="" type="checkbox"/>	

Section VI - Health Hazard Data

Route(s) of Entry:	Inhalation? <input type="checkbox"/>	Skin? <input type="checkbox"/>	Ingestion? <input type="checkbox"/>
Health Hazards (Acute and Chronic) Exposure to finished items does not pose any health hazard.			

Carcinogenicity: No	NTP? No	IARC Monographs? No	OSHA Regulated? No
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Signs and Symptoms of Exposure n/a

Medical Conditions Generally Aggravated by Exposure n/a

Emergency and First Aid Procedures n/a

Section VII - Precautions for Safe Handling and Use

Steps to Be Taken in Case Material is Released or Spilled No smoking or open flames in vicinity of spilled material. Carefully pick up and place spilled items in cardboard cartons. Sweep up any exposed chemical composition with a natural fiber brush.

Waste Disposal Method In accordance with local, state, and federal regulations.

Precautions to Be Taken in Handling and Storing Avoid open flames, smoking, and high temperatures (above 120°F). Keep shipping cartons cool and dry.

Other Precautions None

Section VIII - Control Measures

Respiratory Protection (Safety Type) None required when handling finished items.

Ventilation	Local Exhaust n/a	Special n/a
	Mechanical (General) n/a	Other n/a

Protective Gloves None required

Eye Protection n/a

Other Protective Clothing or Equipment n/a

Work/Hygienic Practices No smoking in vicinity of fireworks.

May 31, 2012

Judi Ludovico
Atlantic City Alliance
Boardwalk Hall/2301 Boardwalk
Atlantic City, NJ 08401
Phone: 609-348-7809
Cell: 917-584-6242
jludovico@atlanticcityalliance.net



Event: Atlantic City Alliance – Atlantic City, NJ
Location: Barge off Pier Shops at Caesar's
Latitude: 39° 20' 58.29" N
Longitude: 74° 25' 58.79" W
Date: July 4, 2012
Rain Date: July 5, 2012
Time: 9:00 PM
Duration: 23 – 25 Minutes

Dear Mr. Esher:

Attached please find the following documents:

- 1) Application for Fire Safety Permit Atlantic City
- 2) Township of Lower Application
- 3) Certificate of Insurance
- 4) FAA Notification Letter
- 5) Fish and Wildlife Letter of Intent
- 6) DEP Letter of Intent
- 7) Letter of Intent to Pay for Inspector's Overtime
- 8) Copy of our Pyrotechnician, Joe Mercante's License
- 9) Production Itinerary
- 10) Pyrotechnic Product Count
- 11) Material Safety Data Sheets
- 12) Site Plan
- 13) Copy of our Company's ATF License
- 14) Outdoor Display Check List with Conformations

Enclosed are two additional packets.

Please sign letter of intent to pay employee overtime, attach a check for \$331.00 to cover the permit fees and send with all original documents to:

**Mr. James Foley, Assistant Chief
Atlantic City Fire Department
2715 Atlantic Avenue
1st Floor – Suite 111
Atlantic City, NJ 08401**

Please attach a check for \$310.00 to cover the permit fees and send with all original documents to:

**Bureau of Public Safety – Township of Lower
407 Breakwater Road
Erma, NJ 08204**

If you have any questions or need any further information, please feel free to contact me.

Sincerely,

Edward Rubio
Logistics Manager
Fireworks by Grucci, Inc.
Cell 516-658-4486

Fireworks by Grucci, Inc.
One Grucci Lane
Brookhaven, NY 11719

Office #: (631) 286-0088
Fax #: (631) 286-9036
E-mail: ERubio@grucci.com

THE FIRST FAMILY OF FIREWORKS

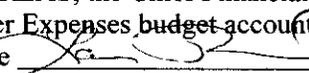
TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION #2012-149

Title: AUTHORIZING ASSISTANCE TO LOWER TOWNSHIP YOUTH GROUPS

WHEREAS, the Township wishes to provide assistance to the Lower Township Little League and Lower Cape Hockey League; and

WHEREAS, the Township has budgeted \$1,500 for each youth group in the Recreation Other Expenses budget; and

WHEREAS, the Chief Financial Officer has certified the availability of funds in the Recreation Other Expenses budget account #2-01-28-370-252 and #2-01-28-370-259 as evidenced by signature 

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 the Lower Township Little League and the Lower Cape Hockey League in the amount of \$1,500 each is hereby authorized.

I hereby certify the foregoing to be a resolution adopted by the Township Council on June 18, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-150

TITLE: ANNUAL RENEWAL OF LIQUOR LICENSES FOR THE YEAR 2012-2013

WHEREAS, applications have been made by the persons, firms, and/or corporations hereinafter named for renewal of Plenary Retail Consumption Licenses, Plenary Retail Distributions Licenses and/or Club Licenses, heretofore granted by this issuing authority; and,

WHEREAS, all things required to be done by the said applicants have been done, including the payment of the required fees and all laws and regulations for the control of alcoholic beverages and,

WHEREAS, no written objections to the renewals have been received, and

WHEREAS, this governing body is of the opinion that said applications should be granted and licenses issued,

NOW, THEREFORE, BE IT RESOLVED, by the Township Council, the Municipal Issuing Authority, that the licenses be issued to the person, firms and/or corporations named on the attached Schedule "A" for the period of one year commencing July 1, 2012 through June 30, 2013.

I hereby certify this is the original resolution adopted by the Township Council at the meeting of June 18, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

SCHEDULE "A"

<u>Number</u>	<u>Name & Address</u>	<u>Type</u>	<u>Amount</u>
0505-31-021-001	Lt. Charles Buddy Lewis Veterans Home Association 6 E. Delaware Parkway Villas, NJ 08251 t/a Lt. Charles Buddy Lewis Veterans	Club	\$150.00
0505-31-022-001	Stella Maris Home Association 324 Breakwater Road Cape May, NJ 08251 t/a Stella Maris Home Association	Club	\$150.00
0505-31-023-003	Villas Fishing Club, Inc. 301 Pennsylvania Ave. Villas, NJ 08251 t/a Villas Fishing Club	Club	\$150.00
0505-31-024-001	Sunset Beach Sportsmen's Club Sunset Blvd. , Lower Township Cape May Point, NJ 08212 t/a Sunset Beach Sportsmen Club	Club	\$150.00
0505-31-026-003	Lower Township Moose Lodge #1054 Loyal Order of Moose 569 Seashore Road Cape May, NJ 08204 t/a Lower Township Moose Lodge #1054	Club	\$150.00
0505-31-031-002	Greater Cape May Elks Lodge #2839 901 Bayshore Road Villas, NJ 08251 t/a Greater Cape May Elks Lodge #2839 Benevolent and America Inc.	Club	\$150.00
0505-31-030-001	Grand Beach Club 600 E. Rochester Avenue Wildwood Crest, NJ 08260 t/a Grand Beach Club	Club	\$150.00
0505-31-029-001	Diamond Beach Beach Club 600 E. Raleigh Avenue Wildwood Crest, NJ 08260 t/a Diamond Beach Beach Club	Club	\$150.00
0505-32-001-012	Renaissance Beverages III, LLC 3845 Bayshore Road N. Cape May, NJ 08204 t/a Gorman's Wines & Spirits	PRC (Broad C)	\$2000.00

0505-33-003-007	Buttonwood Manor Inc. 3832 Bayshore Road N. Cape May, NJ 08204 t/a The Bayshore	PRC	\$2,000.00
0505-33-005-005	Cape May Pub Inc Rt. 9 Florence Avenue Cape May, NJ 08204 t/a Cape May National Golf Club	PRC	\$2000.00
0505-33-006-007	The Cold Spring Fish & Supply Co. Fisherman's Wharf, P.O. Box 497 Cape May, NJ 08204 t/a Lobster House & Bar, The Raw Bar	PRC	\$2000.00
0505-33-007-004	Two Mile Crab House, LLC. Fishdock Road Wildwood, NJ 08260 t/a Two Mile Crab House	PRC	\$2000.00
0505-33-008-006	Ford Creek LLC 954 Ocean Drive Cape May, NJ 08204 t/a Harbor View Restaurant	PRC	\$2000.00
0505-33-009-009	Driftwood Cove LLC 1200 Route 9 Cape May, NJ 08204 t/a Lucky Bones	PRC	\$2000.00
0505-33-010-007	CJ Holding 1 LLC 3729 Bayshore Road N. Cape May, NJ 08204 t/a CJ's American Grill	PRC	\$2000.00
Special Conditions	<p>The outside patio area is used as a waiting area for dining patrons with no table service and no consumption of food.</p> <p>The outdoor patio area consist of not more than 12 tables and that the bar area shall not have any seating.</p> <p>There shall be no live music outside of the premises. Recorded music as well as sound from a large screen television at the bar area will be permitted provided that the sound complies with applicable Township ordinances.</p> <p>The patio area be open only from the hours of 12:00 noon until 10:00 p.m.</p> <p>There shall be no signs advertising or indicating that the outdoor waiting area is a "bar".</p>		
0505-33-011-003	Sunset Lake LLC 8100 Bayview Drive, Lower Twp. Wildwood Crest, NJ 08260 t/a Bayview Inn	PRC	\$2000.00
0505-33-012-008	Harbour Side, Inc. 5101 Shawcrest Road, Lower Township Wildwood, NJ 08260 t/a Lighthouse Pointe Restaurant	PRC	\$2000.00

0505-33-015-009	Marie Nicole Inc. 9510 Pacific Avenue Wildwood Crest, NJ 08260 t/a Marie Nicole's	PRC	\$2000.00
Special Conditions	This license shall be operated at the eating establishment, serving alcoholic beverages only to dining customers, no more than six seats for waiting customers, not bar only customers. No seating after 10:30 p.m., no package sales of alcoholic beverages.		
0505-33-016-005	Del Bay, LLP Scott Ave. & Beach Drive N. Cape May, NJ 08204 t/a Harpoon Henry's	PRC	\$2000.00
0505-33-017-006	Jake's Bar & Grill, Inc. 5-7 W. Delaware Parkway, Villas, NJ 08251 t/a Jake's Bar & Grill	PRC	\$2000.00
0505-33-019-008	A & J Blue Claw, Inc. 9901 Ocean Drive, Lower Township Cape May, NJ 08204 t/a Tall Ships room, Axelsson's Blue Claw Restaurant	PRC	\$2000.00
0505-33-020-004	Marco Voeks, Inc. 9600 Pacific Ave., Lower Township Wildwood Crest, NJ 08260 t/a Fitzpatrick's Crest Tavern	PRC	\$2000.00
0505-36-014-004	Achristavest Pier 6600 LLC 9701 Atlantic Ave., Wildwood Crest, NJ 08260 T/A Pier 6600 Motor Inn	PRC	\$2000.00
Special Conditions	This license shall be exercised only during such period of time as the establishment is in operation as a hotel/motel containing at least 100 sleeping rooms equipped furnished for accommodation of guests.		
0505-44-013-006	Matteras Liquor 908 Route 109 Cape May, NJ 08204 t/a Cape Liquors	PRD	\$1000.00
0505-44-018-005	O'Doyal's Inc. 1900 Bayshore Road Villas, NJ 08251 t/a Villas Country Liquor Store	PRD	\$1000.00
0505-44-028-003	Acme Markets Inc. 3845 Bayshore Road N. Cape May, NJ 08204 t/a Acme	PRD	\$1000.00

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

RESOLUTION #2012-151

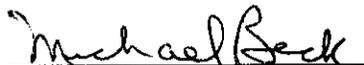
Title: Submission of a Small Cities Housing Rehabilitation Application, \$200,000

WHEREAS, the Township of Lower desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$200,000 to carry out a project for the purpose of subsidizing the rehabilitation of homes owned and occupied by low and moderate income homeowners in Lower Township; and

BE IT THEREFORE RESOLVED,

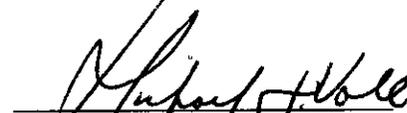
- 1) that the Mayor and Township Council does hereby authorize the application for such a grant; and,
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of the agreement; and also, upon receipt of the fully executed agreement form the Department, does further authorize the expenditure of funds pursuant to the terms of said agreement between the Township of Lower and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:



(signature)
Michael Beck

Mayor



(signature)
Michael J. Voll

Township Manager

I hereby certify the foregoing to be a resolution adopted by the Township Council on June 18, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

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

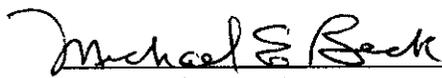
RESOLUTION #2012-152

Title: PUBLIC FACILITIES GRANT APPLICATION FOR \$400,000, VARIOUS ADA IMPROVEMENTS

WHEREAS, the Township of Lower desires to apply for and obtain a grant from the New Jersey Department of Community Affairs Small Cities CDGB Public Facilities Program for approximately \$400,000 to carry out a project to improve community facilities to comply with ADA; and

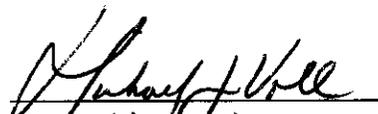
BE IT THEREFORE RESOLVED, that the Township of Lower does hereby authorize the application for such a grant; and, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of the agreement; and also, upon receipt of the fully executed agreement form the Department, does further authorize the expenditure of funds pursuant to the terms of said agreement between the Township of Lower and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, the agreement, and any other documents in connection therewith:


(signature)

Michael E. Beck

Mayor


(signature)

Michael J. Voll

Township Manager

I hereby certify the foregoing to be a resolution adopted by the Township Council on June 18, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012- 153

TITLE: BID ACCEPTANCE AND CONTRACT AWARD FOR TIDE FLEX CHECK VALVES OR EQUAL

WHEREAS, the Notice to Bidders for Tide Flex Check Valves or Equal was advertised on May 23, 2012 and accepted on June 13, 2012 at 11:00 a.m.; and

WHEREAS, two proposals were submitted and reviewed by the QPA, and the Public Works Superintendent; and

WHEREAS, the qualified bidder complied with the specifications and supplied all required certifications and bid documents and the CFO has determined sufficient funds are available in the budget as follows:

Appropriation: Option 1: SCRF 2-01-56-150-251
Option 2: Roads 04-55-382-691

CFO Signature: 

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the contract for the above is hereby awarded to the lowest qualified responsible bidder as follows:

AWARD TO: CATERINA SUPPLY INC.

OPTION #1 ✓ \$ 32,050.00

OPTION #2 \$ 8,030.00

TOTAL AWARD \$ 40,080.00

BE IT FURTHER RESOLVED, the purchase order shall serve as the contract.

I hereby certify the foregoing resolution was adopted by the Township Council at a meeting held on June 18, 2012

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-154

TITLE: BID ACCEPTANCE AND CONTRACT AWARD FOR MATERIAL & PIPE SUPPLIES

WHEREAS, the Notice to Bidders for Pipe & Pipe Supplies was advertised on May 23, 2012 and accepted on June 13, 2012 at 11:00 a.m.; and

WHEREAS, three proposals were submitted and reviewed by the QPA and the Public Works Superintendent; and

WHEREAS, the lowest bidders complied with the specifications and supplied all required certifications and bid documents

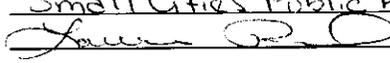
NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the contract for the above is hereby awarded to the lowest qualified responsible bidders for Options listed below and the CFO has determined sufficient funds are available in the budget as follows:

BID A - OPTION #1 - Tr-Flex CL52 Ductile Iron ADS N-12 HP Pipe and Pipe Supplies (Items 1-8)

AWARD TO: HD SUPPLY WATERWORKS LTD.

TOTAL: ✓ \$86,692.00

Appropriation: Small Cities Public Facilities 201-56-750-351

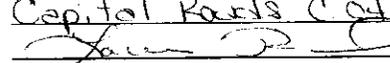
CFO Signature: 

BID A - OPTION #2 - Tr-Flex CL 52 Ductile Iron, ADS N-12 HP Pipe and Pipe Supplies (Items 1-8)

AWARD TO: CATERINA SUPPLY INC.

TOTAL: \$36,076.00

Appropriation: Capital Roads C 04 55 382-691

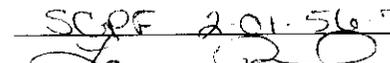
CFO Signature: 

BID B - OPTION #1 Lumber Product for Outfall Project (Items 1-7)

AWARD TO: ✓ MARTIN PILING & LUMBER CO.

TOTAL: \$38,180.22

Appropriation: SCPF 201-56-750-351

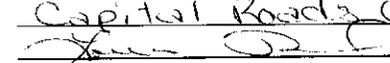
CFO Signature: 

BID B - OPTION #2 Lumber Products for Outfall Project (Items 1-10)

AWARD TO: MARTIN PILING & LUMBER CO.

TOTAL: \$23,227.10

Appropriation: Capital Roads C 04 55 382-691

CFO Signature: 

BID C - OPTION #1 Nuts, Bolts and Washers for Outfall Project (Items 1-5)

AWARD TO: MARTIN PILING & LUMBER CO.

TOTAL: ✓ \$7,781.40

Appropriation: SCPF 201-56-750-351

CFO Signature: 

BE IT FURTHER RESOLVED, the purchase order shall serve as the contract.

I hereby certify the foregoing resolution was adopted by the Township Council at a meeting held on June 18, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-155

TITLE: RESOLUTION APPROVING PROJECT PROPOSAL BETWEEN HATCH MOTT MACDONALD AND THE TOWNSHIP OF LOWER FOR PERMITTING AND ENGINEERING SERVICES FOR BEACH DRIVE PEDESTRIAN ACCESS IMPROVEMENT PROJECT

WHEREAS, Hatch Mott MacDonald is currently serving as the Municipal Engineer (the "Engineer") based upon a Contract For Services which sets forth their standard hourly rates as approved by the Township Council and executed by the Mayor and Clerk (the "Engineer's Contract"); and

WHEREAS, the Engineer has provided a separate fee proposal for Topographic Survey & Base Map Preparation, NJDEP Individual CAFRA Application, Permit Plans and Reimbursable Services & Direct Expenses for proposed public access improvements along Beach Drive, which is set forth on EXHIBIT A attached hereto (the "Project Proposal"); and

WHEREAS, the Township Council desires to approve the Project Proposal and the CFO has certified the availability of funds in the budget by her signature below:

Appropriation: C.04.55.397.910

CFO Signature: 

NOW, THEREFORE, BE IT RESOLVED, by the Township of Lower, County of Cape May, State of New Jersey, that:

1. The Project Proposal between Hatch Mott MacDonald and the Township of Lower, in the form attached hereto as EXHIBIT A, for a total amount of \$ 51,500. is hereby approved.
2. That the Mayor and Clerk are hereby authorized and directed to execute the Project Proposal on behalf of the Township of Lower, and to take any and all other actions necessary to effectuate the purposes thereof.
3. All of the terms and conditions of the Engineer's Contract except for the specific terms and conditions of the Project Proposal shall continue in full force and effect and the Project Proposal shall be deemed a supplement thereto.

I hereby certify the foregoing to be an original resolution adopted by the Township Council of the Township of Lower at a meeting held on June 18, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						



**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

June 11, 2012

Via email: gdouglasslowertownship@comcast.net & 1st Class Mail

Mr. Gary Douglass, CPWM
Township of Lower
2600 Bayshore Road
Villas, NJ 08251

**RE: Permitting and Engineering Proposal (Revised)
Beach Drive Pedestrian Access Improvement Project
Township of Lower, Cape May County, New Jersey**

Dear Mr. Douglass:

On August 23, 2011 NJDEP representatives met with the Township and HMM at the site to discuss the permit feasibility of proposed public access improvements along Beach Drive. As discussed with the NJDEP, the existing Beach Drive roadway consists of a varied width paved cartway with on-street parking on the northbound side and portions of the southbound lane partially impeded by drifting sand from the adjoining dunes. The roadway currently supports vehicular traffic and is utilized in an uncontrolled manner by pedestrians (1) for ingress to and egress from the many beach access paths along the roadway, and (2) for recreation as a "walkway" along the bay front.

To improve the presently limited pedestrian access conditions the Township proposed a beach-walk project to the NJDEP that will consist of a new six feet wide concrete sidewalk and concrete vertical curb along 1.5 miles of the Delaware Bay side of the roadway. As explained the project will improve public safety while minimizing impacts to the dunes abutting the roadway. The project will also include Federal and State required ADA improvements at adjacent street intersections. The NJDEP agreed in principle that due to the importance of the roadway to the general public for safe waterfront access, it is reasonable that the project will meet applicable Coastal Zone Management standards for a CAFRA permit. The Township anticipates that the project construction will be funded with grant monies from the NJDOT Municipal Aid Program. To support future applications for grant funds the Township wishes to apply for an NJDEP CAFRA permit for this above referenced project.

As a follow-up to our meeting please find enclosed herewith our proposal to complete the professional surveying, engineering and environmental permitting required to prepare an NJDEP CAFRA permit application for the above referenced project. As requested, we will submit an application to the NJDEP for the construction of pedestrian safety and access improvements to Beach Drive (from Lincoln Avenue to Pinewood Road).

Task 1	Topographic Survey & Base Map Preparation
---------------	--

A field survey of the project area will be performed for the purposes of identifying topographic features and other information as required to satisfy permit application



requirements and to prepare the necessary permit plans. The following outlines our proposed scope of services for work included under Task 1 for the project:

- HMM will establish survey control for the site. The Horizontal Datum will be NAD83 (NJ State Plane Coordinate System) and the Vertical Datum will be NAVD 88;
- Undertake a specific topographic survey of the project area (1.5 miles) identifying all features required at a 100-foot interval (maximum). The field survey and base plan will include existing spot elevations recorded in the field and contours at an appropriate interval;
- Existing County LIDAR information (2-foot contour interval) will be utilized in the base mapping in locations where the proposed improvements will impact the dune;
- Existing roadway centerline and edge of pavement elevations (on western side of Beach Drive only) will be collected;
- HMM will prepare base maps for the project to be used as the permit plan which will be forwarded to the NJDEP (See Task 2) as part of the permit application; and
- **It is assumed that the physical centerline of Beach Drive is located in the center of the right-of-way and that the proposed improvements will fall within the existing Township right-of-way; therefore no boundary survey to establish the actual right-of-way lines has been included in this proposal.**

We propose to complete the scope of work outlined above (Task 1) for the Beach Drive Access Improvement project for the lump sum amount of **\$18,400**.

Task 2	NJDEP Individual CAFRA Application
---------------	---

Under the NJDEP Coastal Permit Program Rules N.J.A.C. 7:7-2.1(a)1, a CAFRA permit shall be required for any development in the CAFRA area located on a beach or dune. The location of the proposed beach-walk improvements meets the above criteria; therefore an Individual CAFRA permit will be required for the proposed activities. The following outlines our proposed scope of services for work included under Task 2 for the project:

- Research 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 and CAFRA application submission;
- Preliminary review indicates that potential Endangered or Threatened Wildlife or Plant Species are 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-C.4 to demonstrate that identified species habitat would not be adversely affected by the proposed project;

- 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 Township representatives; and
- Monitor and respond to NJDEP information requests to deem application complete for final review and review of permit and conditions with the Township.

We propose to complete the scope of work outlined above (**Task 2**) for the Beach Drive Access Improvement project for the lump sum amount of **\$14,200**.

This lump sum cost for **Task 2** is based on the following:

1. The lump sum cost, as outlined above, is for the initial submittal of the project plans to the NJDEP Land Use Regulation Program, and includes all work required to fulfill general CAFRA application submittal requirements. Our scope of work does not include the cost for any additional requests from regulatory and governmental agencies not previously specified or identified, or subsequent revisions to the CAFRA application based on 1) major project revisions or modifications; 2) issues resulting from public comment; or 3) responses to permit conditions. Any work associated with the above additional requests, revisions or modifications will be considered outside the scope of work included herein.
2. The Township will pay all of the permit application fees required for the project.

Task 3

Permit Plans

A set of permit plans will be prepared for the proposed access improvements which will include all of the required information to secure the above referenced permit. HMM will provide the following services under Task 3:

- Utilizing the survey information and base maps prepared under Task 1, HMM will show the proposed beach-walk improvements for the project including regrading of a portion of the existing dunes (where it conflicts with the proposed sidewalk improvements), concrete vertical curb, sidewalk, striping and signage.
- Show the proposed location of ADA compliant ramps, striping and signage along the western side of Beach Drive (full length of project) and along the eastern side of Beach Drive (from Lincoln Boulevard to Emerson Avenue) on the permit plans, however, construction ready plans of those improvements including detailed grading of the areas will be prepared in future phases upon Township authorization;
- Due to the area of new impervious surface created by the installation of new concrete sidewalk (approx. 1.09 acres) this project will be considered a major



development and will require conformance to N.J.A.C. 7:8. N.J.A.C. 7:8 established certain design and performance standards for major developments intended to minimize the adverse impact of stormwater runoff on water quality and water quantity and loss of groundwater recharge in receiving water bodies.

Due to the location of the project adjacent to the Delaware Bay and the "clean" stormwater runoff generated from the sidewalk we do not anticipate that stormwater calculations for recharge, runoff quality or runoff quantity will be required for the sidewalk portion of the project and therefore have not included that cost in our scope of work/proposal. As part of the CAFRA application we will prepare a report which will: include a description of the new impervious improvements; request waivers from providing calculations for stormwater recharge, quality and quantity; and provide justifications in support of the waiver requests.

- Show the approximate location of new inlets, stormwater pipe and tie-ins to existing outfall lines at low points that may be created along the western side of Beach Drive. Stormwater calculations shall be provided to establish the location and size of any new stormwater management system that is required due to the installation of new curb which modifies existing drainage patterns; and
- Prepare a set of permit plans required to secure the CAFRA permit.

We propose to complete the scope of work outlined above (**Task 3**) for the Beach Drive Access Improvement project for the lump sum amount of **\$17,900**.

Due to the scope and cost of this project the work will be constructed in phases as grant money is secured from various sources. As such, our proposed scope of work does not include final survey and design and preparation of construction plans and specifications for public bidding of the project phases. This future work will vary depending upon the grant money secured and the project limits of the future phased construction project(s). Once the scope of each project phase is determined, HMM will provide a separate proposal to complete the necessary construction documents.

Task 4	Reimbursable Services & Direct Expenses
---------------	--

The scope of work under this section includes the following services and direct expenses that will be spent during our scope of work for the entire project (Tasks 1 thru 3):

- Attendance at Meetings (NJDEP, Township, etc. if required)
- Travel, Postage and Public Notifications. The CAFRA application will require two (2) newspaper notices in the Township's official newspaper. HMM will prepare the notice under Task 4's budget, however, payment for the publications will be billed to the Township directly by the newspaper.
- Reproduction of plans and applications for all permit applications

For budgeting purposes, we estimate meeting attendance and printing costs of **\$1,000**. We propose to perform the work under Task 4 based upon a reimbursable method of



compensation for the actual time required and at the actual hourly rates for the individual(s) employed in accordance with our current rate schedule.

FEE SUMMARY			
<u>Scope Of Work</u>	<u>Description</u>	<u>Payment Method</u>	<u>Cost/Budget</u>
Task 1	Topographic Survey & Base Map Preparation	Lump Sum	\$18,400
Task 2	NJDEP Individual CAFRA Permit App.	Lump Sum	\$14,200
Task 3	Permit Plans	Lump Sum	\$17,900
Task 4	Reimbursable Services & Direct Expenses	Reimbursable (Budget)	\$1,000
TOTAL			\$51,500

We thank you for the opportunity to provide this Scope of Work for the Beach Drive Access 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

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

Steven C. Morey, CEP
Associate
T609.465.9377 F 609.465.5270
steven.morey@hatchmott.com

cc (via Email): Michael Voll, Township Manager

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

RESOLUTION #2012-156

TITLE: RESOLUTION AUTHORIZING PAYMENT TO SUBCONTRACTOR AND ACCEPTANCE OF DISCHARGE OF LIEN

WHEREAS, in connection with the project for replacement of the recreation building roof, the subcontractor, Atlantic Aerial, filed a municipal mechanics lien claim, in the amount of \$4902.56, which amount was payable from the contractor, Gen II, Inc., to Atlantic Aerial for work performed on the project; and

WHEREAS, the amount claimed by Atlantic Aerial was part of an available from the contract amount which has previously been certified and appropriated by the Chief Financial Officer for the project; and

WHEREAS, by way of Change Order #4, Gen II agreed that the Township could withhold the amount of \$4902.56, from payments due to Gen II, in order to satisfy Atlantic Aerial and discharge the lien; and

WHEREAS, in exchange for such payment, Atlantic Aerial has agreed to discharge the line in question; the Township has reviewed the form of discharge and the Solicitor has recommend its acceptance;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower in the County of Cape May and State of New Jersey, duly assemble in public session this 18th day of June, 2012, that the aforementioned payment to Atlantic Aerial be and hereby is authorized, conditioned upon the simultaneous deliver by Atlantic Aerial of the discharge of lien.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on June 18, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-157

**TITLE: RESOLUTION URGING PASSAGE BY THE NEW JERSEY LEGISLATURE
OF THE JESSICA LUNSFORD ACT**

WHEREAS, the Township of Lower in the County of Cape May and State of New Jersey, attempted, for the safety of children, to create safety zones into which registered sex offenders could not move, but such ordinances were determined by the Courts of the state of New Jersey to be invalid; and

WHEREAS, there are presently bills pending in the New Jersey State Senate and State Assembly, which have been pending in some form since at least 2005, which create such safety zones and other protections for children, by mandate of state law; and

WHEREAS, the bill, the "Jessica Lunsford Act," revises the sentencing of certain sex offenders and persons who harbor them, requires electronic monitoring for certain sex offenders and creates child protection zones and

WHEREAS, the bill requires electronic monitoring for sex offenders who prey on minors if the offender has been released on bail or from incarceration; and

WHEREAS, The bill also requires the Chairman of the State Parole Board also to establish and implement such a system for sex offenders whose victim was under 18 years of age. The system is to provide for lifetime tracking of such offenders upon their release from incarceration; and

WHEREAS, additionally, this bill expands Megan's Law to restrict sex offenders from residing in areas frequented by children and establishes child protection zones by making it a crime of the fourth degree for a sex offender whose risk of re-offense has been assessed as high to reside within 2,500 feet of an elementary or secondary school, playground or child care center; and

WHEREAS, the bill also imposes increased penalties on persons who commit sex crimes against minors between 25 years and life imprisonment, of which the person must serve 25 years before being eligible for parole; and

WHEREAS, the bill is named for Jessica Lunsford, the Florida girl who was sexually assaulted and murdered by a known and previously convicted sex offender who gained early release from prison, and is modeled on legislation which was enacted by the State of Florida; and

WHEREAS, the Township Council of the Township of Lower believes that the time has come for the passage of the Jessica Lunsford Act without further delay for the protection of the children of the Township of Lower and the children of the state of New Jersey.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower in the County of Cape May and State of New Jersey, as follows:

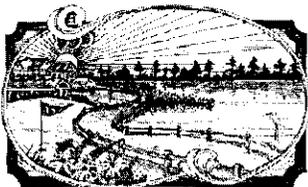
1. The preamble of this Resolution is hereby incorporated by reference and made the findings of the Township of Lower;
2. The Township Council urges the New Jersey State Legislature to immediately adopt the Jessica Lunsford Act, without further delay, for the protection of our children;

3. The Clerk is hereby authorized and directed to send a copy of this Resolution to the members of the District One legislative delegation as well as to the office of the Speaker of the State Assembly, the Senate President and the Governor of the State of New Jersey.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on June 18, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						



**TOWNSHIP OF GALLOWAY
MUNICIPAL COUNCIL**

**MAYOR
Don Purdy**

Tom Bassford
Dennis Kleiner

Anthony J. Coppola
Brian Tyrrell

Jim Gorman
Whitney Ullman

300 E. JIMMIE LEEDS ROAD, GALLOWAY NJ 08205
(609) 652-3700 X. 260 FAX: (609) 652-1967

April 18, 2012

Michael Voll, Manager
Lower Township
2600 Bay Shore Road
Villas, NJ. 08251-1399

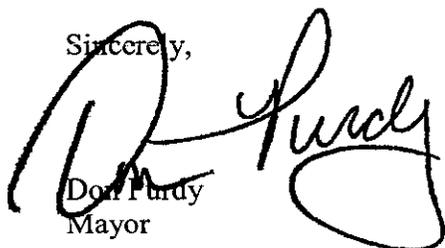
Dear Mr. Voll:

We are sending you this letter in support of the Jessica Lunsford Act, and hope that you join us in writing to your legislators who are involved in passing the pending legislation particularly Assembly Bill A2027/S642 & Senate Bill S380.

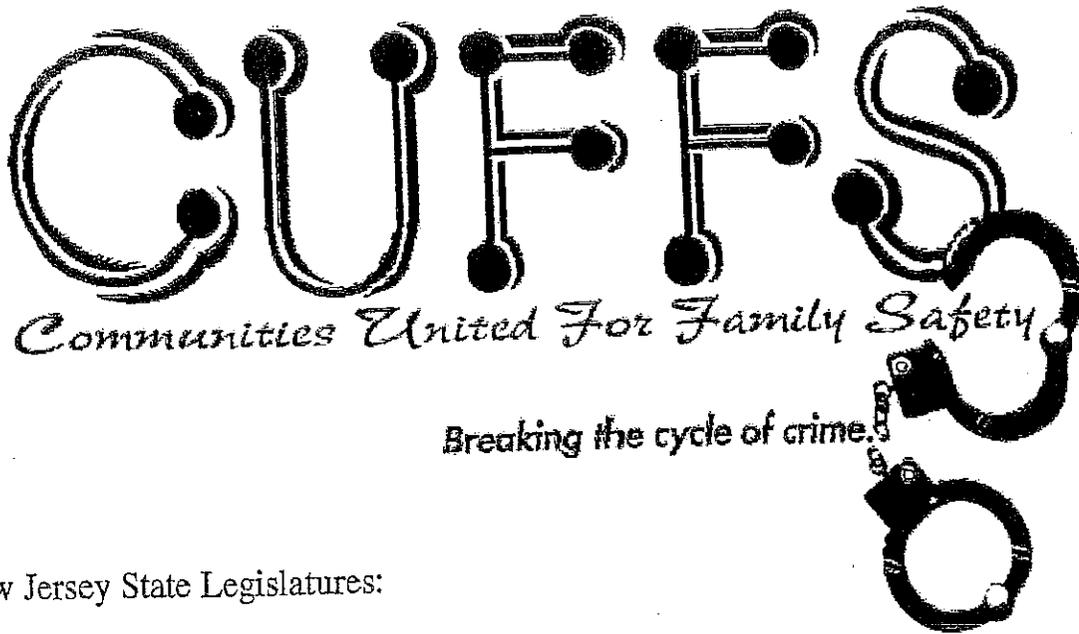
Enclosed is a letter sent from CUFFS (Communities United for Family Safety), a Galloway Township volunteer group, who are urging us to pass and enact the Jessica Lunsford Act, since the New Jersey State Supreme Court ruled that municipalities cannot designate child safety zones.

Thank you for your support in helping to move the Jessica Lunsford Act forward and enact it statewide to secure the safety & welfare of our children.

Sincerely,



Don Purdy
Mayor



Dear New Jersey State Legislatures:

We the C.U.F.F.S. Committee (Communities United For Family Safety) are sending this letter in support of the Jessica Lunsford Act. We have been in full support of this legislation for many years. We have been to many of your offices lobbying for our State legislatures to get it passed in New Jersey. Now, more than ever, we feel this is the time to pass and enact the Jessica Lunsford Act. As you are all aware, the New Jersey State Supreme Court ruled that the municipalities cannot be in control of designating "child safety zones", which would prohibit registered sexual predators from residing near or loitering in places where children regularly congregate.

Most states have already passed the Jessica Lunsford Act into law. New Jersey is one of only 8 states without this law enacted. We are confused and dismayed as to why our great State has failed to do so. Are our children not worthy of such legislation that will seek tougher penalties on those harboring and abetting registered sex offenders? Are our children not entitled to have designated safety zones, such as playgrounds, schools, schoolyards, daycare centers and such? Does it offend the legislatures to impose mandatory sentencing for crimes in which our innocent children are attacked viciously, suffer rape and even violent deaths? How many victimized children does it take to give New Jersey a wake-up call? Too many have waited to long. The safety of children should be our first and foremost concern and should supercede the rights of any known sex offender.

Therefore, we are now imploring each and every one of you, at this time, to act without haste in getting this act passed so our children and families in New Jersey have these protections and recourses which are duly deserved.

Sincerely,

The C.U.F.F.S. Committee

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

ORDINANCE #2012-15

AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST OF WILDWOOD, LLC TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN LOWER TOWNSHIP, NEW JERSEY.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF LOWER TOWNSHIP, CAPE MAY COUNTY, NEW JERSEY, AS FOLLOWS:

SECTION 1. PURPOSE OF THE ORDINANCE

The municipality hereby grants to Comcast renewal of its non-exclusive Municipal Consent to place in, upon, across, above, over and under highways, streets, alleys, sidewalks, easements, public ways and public places in the municipality, poles, wires, cables, underground conduits, manholes and other television conductors, fixtures, apparatus and equipment as may be necessary for the construction, operation and maintenance in the Municipality of a cable television and communications system.

SECTION 2. DEFINITIONS

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. Such meaning or definition of terms is supplemental to those definitions of the Federal Communications Commission ("FCC") rules and regulations, 47 C.F.R. Subsection 76.1 et seq., and the Cable Communications Policy Act, 47 U.S.C. Section 521 et seq., as amended, and the Cable Television Act, N.J.S.A. 48:5A-1 et seq., and shall in no way be construed to broaden, alter or conflict with the federal and state definitions:

- a. "Township" or "Municipality" is the Township of Lower, County of Cape May, State of New Jersey.
- b. "Company" is the grantee of rights under this Ordinance and is known as Comcast of Wildwood, LLC
- c. "Act" or "Cable Television Act" is Chapter 186 of the General Laws of New Jersey, and subsequent amendments thereto, N.J.S.A. 48:5A-1, et seq.
- d. "FCC" is the Federal Communications Commission.
- e. "Board" or "BPU" is the Board of Public Utilities, State of New Jersey.
- f. "Office" or "OCTV" is the Office of Cable Television of the Board.
- g. "Basic Cable Service" means any service tier, which includes the retransmission of local television broadcast signals as defined by the FCC.
- h. "Application" is the Company's Application for Renewal of Municipal Consent.
- i. "Primary Service Area" or "PSA" consists of the area of the Municipality currently served with existing plant as set forth in the map annexed to the Company's Application for Municipal Consent.

SECTION 3. STATEMENT OF FINDINGS

Public hearings conducted by the municipality, concerning the renewal of Municipal Consent herein granted to the Company were held after proper public notice pursuant to the terms and conditions of the Act and the regulations of the Board adopted pursuant thereto. Said hearings, having been fully open to the public, and the municipality, having received at said public hearings all comments regarding the qualifications of the Company to receive this renewal of Municipal Consent, the Municipality hereby finds that the Company possesses the necessary legal, technical, character, financial and other qualifications and that the Company's operating and construction arrangements are adequate and feasible.

SECTION 4. DURATION OF FRANCHISE

The non-exclusive Municipal Consent granted herein shall expire 15 years from the date of expiration of the previous Certificate of Approval issued by the Board with a 10-year automatic renewal as provided by N.J.S.A. 48:5A-19 and 25, and N.J.A.C. 14:18-13.6.

In the event that the Municipality shall find that the Company has not substantially complied with the material terms and conditions of this Ordinance, the Municipality shall have the right to petition the OCTV, pursuant to N.J.S.A. 48:5A-47, for appropriate action, including modification and/or termination of the Certificate of Approval; provided however, that the Municipality shall first have given the Company written notice of all alleged instances of non-compliance and an opportunity to cure same within ninety (90) days of that notification.

SECTION 5. FRANCHISE FEE

Pursuant to the terms and conditions of the Act, the Company shall, during each year of operation under the consent granted herein, pay to the Municipality two percent (2%) of the gross revenues from all recurring charges in the nature of subscription fees paid by subscribers for cable television reception service in the Municipality or any higher amount permitted by the Act or otherwise allowable by law, whichever is greater.

SECTION 6. FRANCHISE TERRITORY

The consent granted under this Ordinance to the renewal of the franchise shall apply to the entirety of the Municipality and any property subsequently annexed hereto.

SECTION 7. EXTENSION OF SERVICE

The Company shall be required to proffer service to any residence or business along any public right-of-way in the Primary Service Area, as set forth in the Company's Application. Any extension of plant beyond the Primary Service Area shall be governed by the Company's Line Extension Policy, as set forth in the Company's Application.

SECTION 8. CONSTRUCTION REQUIREMENTS

Restoration: In the event that the Company or its agents shall disturb any pavement, street surfaces, sidewalks, driveways, or other surface in the natural topography, the Company shall, at its sole expense, restore and replace such places or things so disturbed in as good a condition as existed prior to the commencement of said work.

Relocation: If at any time during the period of this consent, the Municipality shall alter or change the grade of any street, alley or other way or place the Company, upon reasonable notice by the Municipality, shall remove, re-lay or relocate its equipment, at the expense of the Company.

Removal or Trimming of Trees: During the exercise of its rights and privileges under this franchise, the Company shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks or other public places of the municipality so as to prevent the branches of such trees from coming in contact with the wires and cable of the Company. Such trimming shall be only to the extent necessary to maintain proper clearance of the Company's wire and cables.

SECTION 9. CUSTOMER SERVICE

In providing services to its customers, the Company shall comply with N.J.A.C. 14:18-1, et seq. and all applicable state and federal statutes and regulations. The Company shall strive to meet or exceed all voluntary company and industry standards in the delivery of customer service and shall be prepared to report on it to the municipality upon written request of the Municipality Administrator or Clerk.

- a. The Company shall continue to comply fully with all applicable state and federal statutes and regulations regarding credit for outages, the reporting of same to regulatory agencies and notification of same to customers.
- b. The Company shall continue to fully comply with all applicable state and federal statutes and regulations regarding the availability of devices for the hearing impaired and the notification of same to customers.
- c. The Company shall use every reasonable effort to meet or exceed voluntary standards for telephone accessibility developed by the National Cable Television Association (NCTA).
- d. Nothing herein shall impair the right of any subscriber or the Municipality to express any comment with respect to telephone accessibility to the Complaint Officer, or impair the right of the Complaint Officer to take any action that is permitted under law.

SECTION 10. MUNICIPAL COMPLAINT OFFICER

The Office of Cable Television is hereby designated as the Complaint Officer for the Municipality pursuant to N.J.S.A. 48:5A-26(b). All complaints shall be received and processed in accordance with N.J.A.C. 14:17-6.5. The Municipality shall have the right to request copies of records and reports pertaining to complaints by Municipality customers from the OCTV.

SECTION 11. LOCAL OFFICE

During the term of this franchise, and any renewal thereof, the Company shall maintain a business office or agent in accordance with N.J.A.C. 14:18-5.1 for the purpose of receiving, investigating and resolving all local complaints regarding the quality of service, equipment malfunctions, and similar matters. Such a business office shall have a publicly listed toll-free telephone number and be open during standard business hours, and in no event (excepting emergent circumstances) less than 9:00 A.M. to 5:00 P.M., Monday through Friday.

SECTION 12. PERFORMANCE BONDS

During the life of the franchise the Company shall give to the municipality a bond in the amount of twenty-five thousand (\$25,000.00) dollars. Such bond shall be to insure the faithful performance of all undertakings of the Company as represented in its application for municipal consent incorporated herein.

SECTION 13. SUBSCRIBER RATES

The rates of the Company shall be subject to regulation as permitted by federal and state law.

SECTION 14. COMMITMENTS BY THE COMPANY

- a. The Company shall provide Expanded Basic or a similar tier of cable television service on one (1) outlet at no cost to each qualified existing and future school in the Municipality, public and private, elementary, intermediate and secondary, provided the school is within 175 feet of active cable distribution plant. Each additional outlet installed, if any, shall be paid for on a materials plus labor basis by the school requesting service.
- b. The Company shall provide Expanded Basic or a similar tier of cable television service at no cost on one (1) outlet to each qualified existing and future police, fire, emergency management facility and public library in the Municipality, provided the facility is located within 175 feet of active cable distribution plant. Each additional outlet installed, if any, shall be paid for on a materials plus labor basis by the Municipality.
- c. The Company shall provide free basic Internet service, via high-speed cable modem, to one (1) non-networked personal computer in each qualified existing and future public school in the City, elementary, intermediate and secondary, at no charge provided the facility is located within 175 feet of active cable distribution plant. The Internet service shall be installed on a personal computer that is accessible to the students and not for administrative use only.
- d. The Company shall provide free basic Internet access via high-speed cable modem on one (1) non-networked personal computer in each qualified existing and future public library at no charge provided the facility is located within 175 feet of active cable distribution plant. The Internet service shall be installed on a personal computer that is accessible to library patrons and not for administrative use only.
- e. Within six months of the issuance of a Renewal Certificate of Approval by the BPU, the Company shall provide to the Municipality a one-time Technology Grant in the amount of one-hundred thousand dollars (\$100,000) to meet the technology and/or cable related needs of the community.

SECTION 15. EDUCATIONAL AND GOVERNMENTAL ACCESS

- a. The Company will continue to provide one channel for educational and governmental ("EG") access for the residents of Lower Township.
- b. The Company will provide and maintain the cable, modulators and equipment necessary for the Township education-government access channel to send a signal to the Companies, and to receive the return feed signal. The Company will not be responsible for the acquisition or maintenance of any studio facility or equipment used for the access channel including, but not limited to cameras, editing decks, monitors, character generators, etc.

- c. The Company does not relinquish its ownership of or ultimate right of control over a channel by designating it for EG use. An EG access user – whether an educational or government user – acquires no property or other interest by virtue of the use of a channel so designated, and may not rely on the continued use of a particular channel number, no matter how long the same channel may have been designated for such use.
- d. The Company shall not exercise editorial control over any educational or governmental use of channel capacity, except Company may refuse to transmit any educational or governmental access program or portion of an educational or governmental access program that contains obscenity, indecency, or nudity.
- e. The governing body of the Municipality shall be responsible for developing, implementing, and enforcing rules for EG Access programming.
- f. Educational Access. "Educational Access" shall mean noncommercial use for educational purposes that is managed, scheduled, and programmed by local educational institutions such as public or private schools, but not "home schools," community colleges, and/or universities.
- g. Government Access. "Government Access" shall mean noncommercial use by the governing bodies, for the purpose of showing the public local government at work.
- h. Company Use of Fallow Time. Because blank or underutilized EG channels are not in the public interest, in the event the Municipality or other EG access users elect not to fully program their EG access channel, Company may program unused time on those channels (at its discretion and for any purpose), subject to reclamation by the Municipality upon no less than 60 days written notice.
- i. Indemnification. The Municipality shall indemnify the Company for any liability, loss, or damage it may suffer due to violation of the intellectual property rights of third parties on the EG channel and from claims arising out of the Municipalities' rules for or administration of access.
- j. Company Use of Fallow Time. Because blank or under-utilized EG channels are not in the public interest, in the event the Municipality or other EG access users elect not to fully program their EG access channel, Company may program unused time on those channels subject to reclamation by the Municipality upon no less than 60 days written notice.

SECTION 16. EMERGENCY USES

The Company will comply with the Emergency Alert System ("EAS") rules in accordance with applicable state and federal statutes and regulations.

The Company shall in no way be held liable for any injury suffered by the municipality or any other person, during an emergency, if for any reason the municipality is unable to make full use of the cable television system as contemplated herein.

SECTION 17. LIABILITY INSURANCE

The Company shall at all times maintain a comprehensive general liability insurance policy with a single limit amount of \$1,000,000 covering liability for any death, personal injury, property

damages or other liability arising out of its construction and operation of the cable television system, and an excess liability (or "umbrella") policy in the amount of \$5,000,000.

SECTION 18. INCORPORATION OF THE APPLICATION

All of the statements and commitments contained in the Application or annexed thereto and incorporated therein, and any amendment thereto, except as modified herein, are binding upon the Company as terms and conditions of this consent. The Application and other relevant writings submitted by the Company shall be annexed hereto and made a part hereof by reference provided same do not conflict with applicable State or Federal law.

SECTION 19. COMPETITIVE EQUITY

Should the Municipality grant a franchise to construct, operate and maintain a cable television system to any other person, corporation or entity on terms materially less burdensome or more favorable than the terms contained herein, the Company may substitute such language that is more favorable or less burdensome for the comparable provision of this Ordinance subject to the provisions of N.J.A.C. 14:17-6.7.

SECTION 20. SEPARABILITY

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and its validity or unconstitutionality shall not affect the validity of the remaining portions of the Ordinance.

SECTION 21. THIRD PARTY BENEFICIARIES

Nothing in this Franchise or in any prior agreement is or was intended to confer third-party beneficiary status on any member of the public to enforce the terms of such agreements or Franchise.

SECTION 22. EFFECTIVE DATE

This Ordinance shall take effect immediately upon issuance of a Renewal Certificate of Approval from the BPU.

Thomas Conrad, Councilmember

Walt Craig, Councilmember

Glenn Douglass, Councilmember

Kevin Lare, Councilmember

Attest: _____
Claudia R. Kammer, Township Clerk

Michael Beck, Mayor

Adopted: _____, 2012

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

RESOLUTION #2012-158

TITLE: APPOINTMENT TO THE PLANNING BOARD OF ADJUSTMENT

WHEREAS, Chris McDuell, Alternate Member has a term expiring on June 30, 2012, and

WHEREAS, Council has reviewed the applications on file including those of all members who have applied for reappointment.

NOW, THEREFORE, BE IT RESOLVED the following individuals are hereby appointed.

<u>Name</u>	<u>Type</u>	<u>Term Exp.</u>
	Alternate Member	June 30, 2012

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on June 18, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

FOR TOWNSHIP USE ONLY

Res. # _____

Board/Comm./Auth. _____

Term Exp. _____

Replaced _____ or Reappointed _____

RECEIVED
5-18-12

TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

NAME Christophe McDuell

CITY AND STATE Cold Spring, NJ

YEARS OF RESIDENCY IN TOWNSHIP 25 OCCUPATION Contractor

Please **number in order of preference** which ones you wish to be considered for.

____ Cable Television Advisory Board

____ Environmental Commission

____ Historic Preservation Commission

____ Citizen Advisory Board

____ Municipal Utilities Authority

Planning Board

____ Recreation Advisory Board

____ Zoning Board of Adjustment

I hereby apply to perform public service on the following municipal authority, boards or commissions. List any education, prior volunteer experience or work related experience, or other civic involvement which could be of use to the authority, board or commission you have listed above.

I've been on the planning board for the past 3 yrs.

Date: 5/18 Signature: Chris McDuell (VALID FOR ONE YEAR FROM DATE OF RECEIPT)

Return to: Clerk's Office, 2600 Bayshore Road, Villas, NJ 08251

***PERSONAL INFORMATION NOT SUBJECT TO PUBLIC DISCLOSURE**

Address of Residence _____ Email _____

Primary Phone Number _____ Work Phone Number _____

*The information in this section is considered personal information, and is therefore deemed confidential for the purpose of P.L. 1963, c.73 (C.47:1A-1 et seq.) and P.L. 2001, c.404 (C.47:1A-5 et al.).

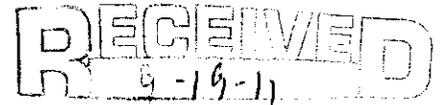
FOR TOWNSHIP USE ONLY

Res. # _____

Board/Comm./Auth. _____

Term Exp. _____

Replaced _____ or Reappointed _____



TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

NAME JOHN S. LOUDERBACK

CITY AND STATE CAPE MAY (TRANQUILITY), N.J.
PARK

YEARS OF RESIDENCY IN TOWNSHIP 33 OCCUPATION BUSINESS OWNER

Please **number in order of preference** which ones you wish to be considered for.

- Citizen Advisory Board
- Environmental Commission
- Municipal Utilities Authority

- 1 Planning Board
- Recreation Advisory Board
- Zoning Board of Adjustment

I hereby apply to perform public service on the following municipal authority, boards or commissions. List any education, prior volunteer experience or work related experience, or other civic involvement which could be of use to the authority, board or commission you have listed above.

AS AN EMPLOYEE OF ATLANTIC COUNTY DEPT OF PLANNING, I HAVE ALMOST
10 YEARS EXPERIENCE IN CIVIL DRAFTING & DESIGN. WHILE WORKING
MOSTLY ON ROAD RECONSTRUCTION PROJECTS, I DEVELOPED A KEEN
INTEREST IN THE DEVELOPMENT ^{OF} PROJECTS AND THEIR IMPACT ON THEIR
SURROUNDING COMMUNITIES.

Date: 9/19/11 Signature: [Signature] (VALID FOR ONE YEAR FROM DATE OF RECEIPT)

Return to: Clerk's Office, 2600 Bayshore Road, Villas, NJ 08251

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

RESOLUTION #2012- 159

TITLE: APPOINTMENT TO THE ZONING BOARD OF ADJUSTMENT

WHEREAS, Michael DiStefano, Regular Member, James Hanson, Regular Member, Robert Sweeten, Regular Member and Christopher Kobik, Alternate Member have terms expiring on June 30, 2012, and

WHEREAS, Council has reviewed the applications on file including those of all members who have applied for reappointment.

NOW, THEREFORE, BE IT RESOLVED the following individuals are hereby appointed.

<u>Name</u>	<u>Type</u>	<u>Term Exp.</u>
	Regular Member	June 30, 2016
	Regular Member	June 30, 2016
	Regular Member	June 30, 2016
	Alternate Member	June 30, 2014

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on June 18, 2012

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

FOR TOWNSHIP USE ONLY

Res. # _____ Board/Comm./Auth. _____

Term Exp. _____ Replaced _____ or Reappointed

TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

RECEIVED
5-7-12

NAME Michael Di Stefano

CITY AND STATE North Cape May NJ 08204

YEARS OF RESIDENCY IN TOWNSHIP 56 OCCUPATION REALTOR - Cashier

Please **number in order of preference** which ones you wish to be considered for.

- _____ Cable Television Advisory Board
- _____ Environmental Commission
- _____ Historic Preservation Commission
- _____ Citizen Advisory Board

- _____ Municipal Utilities Authority
- _____ Planning Board
- _____ Recreation Advisory Board
- 1 _____ Zoning Board of Adjustment

I hereby apply to perform public service on the following municipal authority, boards or commissions. **List any education, prior volunteer experience or work related experience, or other civic involvement which could be of use to the authority, board or commission you have listed above.**

See Attached

Date: 05-07-12 Signature: Michael Di Stefano (VALID FOR ONE YEAR FROM DATE OF RECEIPT)

Return to: Clerk's Office, 2600 Bayshore Road, Villas, NJ 08251

Michael Di Stefano

There are many challenges facing our Township now that it has been "discovered". While change is inevitable we, the citizens, have the opportunity to shape that change through research, discussion, and implementation of programs and policies that are in the best interest of our community. For 56 years I have lived and worked in Lower Township with my circle of colleagues, friends and acquaintances ever widening. This community has provided me with many opportunities and I would like to bring my expertise and talents to the Zoning Board of Adjustment so I can help shape our future.

My experiences include the following:

- REALTOR® – Seven Years
- Landlord – 23 Years
- General Contractor – One time
- Banking – 28 Years including Residential Lending & Construction Loans
- Zoning Board Member – Six years

Service Organizations:

- Lower Township Kiwanis – Charter Member, Vice President & Board Member
- Greater Cape May Elks – Charter Member
- March of Dimes - Past Cape May Co. Committee Member & Logistics Chair

Areas of Expertise:

- Marketing
- Financing
- Knowledge of Lower Township and the Surrounding Communities
- Housing Needs
- Primary and Investment Property Owner
- Knowledge of Land Use

Skills and Talents:

- Communication Skills
- Knowledge Based Decision Making
- Even Tempered
- Diligent and Steadfast
- Reliable and Dependable
- Discreet

FOR TOWNSHIP USE ONLY

Res. # _____ Board/Comm./Auth. _____

Term Exp. _____ Replaced _____ or Reappointed

TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

NAME James Hanson

CITY AND STATE Lower Twp., NJ

YEARS OF RESIDENCY IN TOWNSHIP 30+ OCCUPATION self Employed

Please number in order of preference which ones you wish to be considered for.

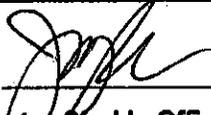
- Cable Television Advisory Board
- Environmental Commission
- Historic Preservation Commission
- Citizen Advisory Board

- Municipal Utilities Authority
- Planning Board
- Recreation Advisory Board
- Zoning Board of Adjustment

I hereby apply to perform public service on the following municipal authority, boards or commissions. List any education, prior volunteer experience or work related experience, or other civic involvement which could be of use to the authority, board or commission you have listed above.

Please accept this application for re-appointment to the Lower Twp Zoning Board.

I have served on this Board from 1994 to 2000; and from 2004 to present. I have also served as Chairman from 1998-2000 and from 2005 to present. I feel I am worthy and well qualified to continue serving at the Boards pleasure.

Date: 5/2/12 Signature:  (VALID FOR ONE YEAR FROM DATE OF RECEIPT)

Return to: Clerk's Office, 2600 Bayshore Road, Villas, NJ 08251

FOR TOWNSHIP USE ONLY

Res. # _____

Board/Comm./Auth. _____

Term Exp. _____

Replaced _____ or Reappointed

TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

RECEIVED
5-17-12

NAME Robert J. Sweeten

CITY AND STATE Erma, NJ

YEARS OF RESIDENCY IN TOWNSHIP 11 OCCUPATION Financial Services Rep.

Please **number in order of preference** which ones you wish to be considered for.

- _____ Cable Television Advisory Board
- _____ Environmental Commission
- _____ Historic Preservation Commission
- _____ Citizen Advisory Board

- _____ Municipal Utilities Authority
- _____ Planning Board
- _____ Recreation Advisory Board
- 1 Zoning Board of Adjustment

I hereby apply to perform public service on the following municipal authority, boards or commissions. List any education, prior volunteer experience or work related experience, or other civic involvement which could be of use to the authority, board or commission you have listed above.

I have served on the ZBA since 2003 and wish to continue
servicing on the ZBA. My current term expires 6-30-2012 and
I am seeking another term on the Board.

Date: 5-10-2012 Signature: [Handwritten Signature]

(VALID FOR ONE YEAR FROM DATE OF RECEIPT)

Return to: Clerk's Office, 2600 Bayshore Road, Villas, NJ 08251

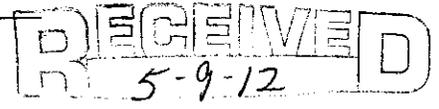
FOR TOWNSHIP USE ONLY

Res. # _____

Board/Comm./Auth. _____

Term Exp. _____

Replaced _____ or Reappointed _____



TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

NAME CHRISTOPHER KOBIK

CITY AND STATE TOWNSHIP OF LOWER, NJ

YEARS OF RESIDENCY IN TOWNSHIP 30 OCCUPATION SCHOOL ADMINISTRATOR
76' - 84 91' - PRESENT

Please number in order of preference which ones you wish to be considered for.

- Cable Television Advisory Board
- Environmental Commission
- Historic Preservation Commission
- Citizen Advisory Board
- Municipal Utilities Authority
- Planning Board
- Recreation Advisory Board
- Zoning Board of Adjustment

I hereby apply to perform public service on the following municipal authority, boards or commissions. List any education, prior volunteer experience or work related experience, or other civic involvement which could be of use to the authority, board or commission you have listed above.

MA IN EDUCATIONAL ADMINISTRATION

PREVIOUS SERVICE ON ZBA + CTAB

KIWANIS CLUB OF CAPE MAY + LOWER TWP

T-BALL + SOFTBALL COACH

VARIOUS BENEFIT PERFORMANCES AS A MUSICIAN

OPERATED CHARTER + PARTY FISHING BOATS OUT OF LOWER TWP / 15 YEARS

TEACHER, PRINCIPAL, DIRECTOR OF CURRICULUM + INSTRUCTION LCMRSB

Date: 5/7/12 Signature: [Signature] (VALID FOR ONE YEAR FROM DATE OF RECEIPT)

Return to: Clerk's Office, 2600 Bayshore Road, Villas, NJ 08251

1st Rdy 5/7
2nd Rdy 5/21
Tabled
3rd 6/4

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

ORDINANCE #2012- 11

AN ORDINANCE AMENDING CHAPTER 400 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LOWER 2012

(ESTABLISHING GUIDELINES FOR BEEKEEPING IN THE TOWNSHIP OF LOWER)

SECTION 1. Section 400 of the Revised General Ordinances of the Township of Lower is hereby amended as follows:

[New Section]

§ 400-57(H) Allow beekeeping on small lots as a Permitted Use in Township of Lower.

§400-57(H)(1) **Authority; enforcement.**

1. This article is adopted pursuant to the authority of the Mayor and Council of the Township of Lower.
2. The Township of Lower Code Enforcement Officer, or any other person who may hereafter be designated by resolution is hereby authorized in the name and on behalf of the Township of Lower to undertake and prosecute any proceedings necessary or appropriate to enforce compliance with this article.

§ 400-57(H)(2) **Purpose.**

To allow the keeping of bees in Lower Township on small lots in populated areas according to the best management practices of the New Jersey Department of Agriculture.

§ 400-57(H)(3) **Guidelines for keeping honey bees**

New Jersey State best management practices shall be followed by all bee keepers in order to avoid conflict with other neighborhood property owners:

1. The number of hives of honey bees according to lot size shall be governed by the table below:
 - a. Lot size of ½ acre or less; one (1) hive.
 - b. Lot size of ½ acre to one (1) acre; two (2) hives
 - c. Lot size of one (1) acre to two (2) acres; three hives.
 - d. Lot sizes over two (2) acres; no restriction.
2. No hive of honey bees will be maintained within 15 feet of a boundary line of the property on which the hive is located.
3. All colonies must be located at least 25 feet from a public sidewalk, alley, street or roads.
4. All apiaries must have on site an adequate source of water within 25 feet of the hive(s) at all times (especially between March 1st and October 31st).
5. A six (6) feet high solid fence or hedge must be erected, along the property line, in the rear yard, if the colonies are within fifteen (15) feet of a neighbor's property.

6. All bee equipment and hives must be maintained in good condition.
7. All colonies must be kept in moveable frame hives in accordance with N.J.S.A. 4:6-10.
8. All colonies must be inspected by a qualified beekeeper or his delegate no less than three times between March 1 and October 1 of each year.
9. A substantial fence must be erected at least four (4) feet in height to prevent animals and children from coming into close contact with the hives.
10. Bee hives shall be located in the rear yard only.

§ 400-57(H)(4) **Registration**

All bee yard locations with a lot size of less than, or equal to, two (2) acres shall be registered as beekeepers with the New Jersey Department of Agriculture.

SECTION 2. All other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such 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 provisions of this Ordinance are hereby declared to be severable.

SECTION 4. Upon final passage and publication according to law, a copy of the Ordinance shall forthwith be certified by an appropriate officer of the Township of Lower and filed with the Secretary of State.

SECTION 5. This Ordinance shall take effect twenty (20) days after final passage and publication as provided by law.

Thomas Conrad, Councilmember

Walt Craig, Councilmember

Glenn Douglass, Councilmember

Kevin Lare, Councilmember

Michael Beck, Mayor

Attest: _____
Claudia R. Kammer, Township Clerk

Adopted: _____, 2012.

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

ORDINANCE #2012-11(A)

AN ORDINANCE AMENDING CHAPTER 400 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LOWER 2012

(ESTABLISHING GUIDELINES FOR BEEKEEPING IN THE TOWNSHIP OF LOWER)

Section 1. Section 400 of the Revised General Ordinances of the Township of Lower is hereby amended as follows:

[New Section]

§ 400-57(H) Allow beekeeping on small lots as a Permitted Use in Township of Lower.

§400-57(H)(1) **Authority; enforcement.**

1. This article is adopted pursuant to the authority of the Mayor and Council of the Township of Lower.

2. The Township of Lower Code Enforcement Officer, or any other person who may hereafter be designated by resolution is hereby authorized in the name and on behalf of the Township of Lower to undertake and prosecute any proceedings necessary or appropriate to enforce compliance with this article.

§ 400-57(H)(2) **Purpose.**

To allow the keeping of bees in Lower Township on small lots in populated areas according to local best management practices which are established hereunder and may be supplemented from time-to-time Rules and Regulations for Beekeeping to be established by Resolution of the Township Council upon recommendation of the Zoning Officer.

§ 400-57(H)(3) **Guidelines for keeping honey bees**

New Jersey State best management practices shall be followed by all bee keepers in order to avoid conflict with other neighborhood property owners:

1. The number of hives of honey bees according to lot size shall be governed by the table below:

- a. Lot size of ½ acre or less; two (2) hives.
- b. Lot size of ½ acre to one (1) acre; three (3) hives
- c. Lot size of one (1) acre to four (4) acres; four (4) hives.
- d. Lot sizes over two (2) acres; no restriction.

2. No hive of honey bees will be maintained within 15 feet of a boundary line of the property on which the hive is located.

3. All colonies must be located at least 25 feet from a public sidewalk, alley, street or roads.

4. All apiaries must have on site an adequate source of water within 25 feet of the hive(s) at all times (especially between March 1st and October 31st).

5. A six (6) feet high solid fence or hedge must be erected, along the property line, in the rear yard, if the colonies are within fifteen (15) feet of a neighbor's property.

6. All bee equipment and hives must be maintained in good condition.

7. All colonies must be kept in moveable frame hives in accordance with N.J.S.A. 4:6-10.
8. All colonies must be inspected by a qualified beekeeper or his delegate no less than three times between March 1 and October 1 of each year.
9. A substantial fence must be erected at least four (4) feet in height to prevent animals and children from coming into close contact with the hives.
10. Bee hives shall be located in the rear yard only.
11. Conspicuous signage shall be placed around the hive area(s), visible and readable from twenty five (25) feet, reading: Caution – Bee Hives.
12. ENHANCED SET BACK REQUIREMENT: For any bee hive to be placed in an area contiguous to any public park, school or recreation area or any place of public accommodation where groups of people would typically gather outdoors, a set back of at least fifty (50) feet shall be maintained from such contiguous property.

§ 400-57(H)(4) **Registration**

All bee yard locations with a lot size with the New Jersey Department of Agriculture.

§ 400-57(H)(5) All other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such inconsistency.

§ 400-57(H)(6) 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 provisions of this Ordinance are hereby declared to be severable.

§ 400-57(H)(7) Upon final passage and publication according to law, a copy of the Ordinance shall forthwith be certified by an appropriate officer of the Township of Lower and filed with the Secretary of State.

§ 400-57(H)(8) This Ordinance shall take effect twenty (20) days after final passage and publication as provided by law.

Thomas Conrad, Councilmember

Walter Craig, Councilmember

Glenn Douglass, Councilmember

Kevin Lare, Councilmember

Michael Beck, Mayor

Attest: _____
 Claudia R. Kammer, Township Clerk

Adopted: _____

ANIMAL CONTROL MONTHLY REPORT

MONTH OF May 2012

ACO steve parker DATE 5/30/2012

	DOGS	CATS	WILDLIFE
TOTAL CALLS	25	7	18
TO SHELTER	4	2	kittens-3
RETURNED	8	0	0
TO VET	1	1	0
DOA	1	0	0
WARNINGS	0	0	0
TICKETS	0	0	0
BITES	3	1	0
QUARANTINES	0	0	0
OTHER	2	0	0

*OTHER includes complaints of barking dogs ,dogs left outside too long ,other disturbances and reports of animal abuse or neglect.

Additional Comments

New Jersey State Department of Health and Senior Services
 Infectious and Zoonotic Disease Program
 PO Box 369
 Trenton, New Jersey 08625-0360

FOR STATE USE ONLY	
Check # _____	Amount _____
Date of check _____	
Trans. Number _____	
Date of Trans. _____	

Monthly Dog License Report

A: IDENTIFICATION

Municipality : TOWNSHIP OF LOWER County: CAPE MAY Date: 6/ 4/2012

B: LICENSE DATA

1. Period Covered	From: 05/01/2012	To: 05/31/2012
2. First License # of this report	1324	
3. Last License # of this report	1519	
4. Last License # of last report	1323	
5. Total Licenses issued this report	196	

C: LICENSES ISSUED FOR WHICH NO MONEY IS SUBMITTED

List individually all licenses issued for which no fee is submitted.

D: PILOT CLINIC FUND

Surcharge for all licenses issued except for seeing eye & hearing ear .

Numbers: 196 Amount : \$39.20

E: ANIMAL POPULATION CONTROL FUND

Additional surcharge for licenses issued for non-spayed & non-neutered dogs except for seeing eye and hearing ear.

Number: 72 Amount: \$216.00

F: FEE DATA

1. Total licenses reported with registration fee :	\$196.00
2. Total Amount due for pilot clinic fund (sec. D) :	\$39.20
3. Total Amount due for Animal population control fund (sec. E) :	\$216.00
4. Total Amount due for this report :	\$451.20

G: CERTIFICATION

I certify this report is a true and complete statement of licenses issued during the period indicated above.

Officer Name : Claudia R Kammer

Title : Township Clerk

Signature : *Claudia R Kammer*

Date: 6/4/12

Phone : 609-886-2005

Township of Lower
 2600 Bayshore Road
 Villas, NJ 08251
 609-886-1455

OFFICE OF CONSTRUCTION OFFICIAL

Construction Permit Activity Report

RANGE: 05/01/2012 To 05/31/2012

June 07, 2012 2:21:50PM

SUMMARY

CONSTRUCTION COSTS

COUNT

Cost Of Construction:	\$627,900.00	Cubic Footage:	160344 Cu.ft	Permit Issued:	111
Cost Of Alteration:	\$407,080.00	Square Footage:	14976 Sq.ft	Updates Issued:	2
Cost Of Demolition:	\$2,650.00			All Fees Waived:	2
Total Cost:	\$1,037,630.00			Municipal Fees Waived:	0

PERMIT FEES

ADMIN FEES

WAIVED FEES

TOTAL FEES

Building:	\$10,964.00	Building:	\$0.00	Building:	\$50.00	Building Fees:	\$10,914.00
Electrical:	\$5,053.00	Electrical:	\$0.00	Electrical:	\$0.00	Electrical Fees:	\$5,053.00
Fire :	\$3,329.00	Fire :	\$0.00	Fire :	\$0.00	Fire Fees:	\$3,329.00
Plumbing:	\$4,688.00	Plumbing:	\$0.00	Plumbing:	\$0.00	Plumbing Fees:	\$4,688.00
Elevator:	\$0.00	Elevator:	\$0.00	Elevator:	\$0.00	Elevator Fees:	\$0.00
Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical Fees:	\$0.00
				Total Waived:	\$50.00	Technical Fees:	\$23,984.00

DCA

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$534.00	\$0.00	\$534.00
Alteration Training Fee:	\$696.00	\$2.00	\$694.00
DCA Minimum Fee:	\$17.00	\$0.00	\$17.00
Sub total Training Fee:	\$1,247.00	\$2.00	\$1,245.00

TECHNICAL ISSUES

Building Technical:	64
Electrical Technical:	65
Fire Protection Technical:	28
Plumbing Technical:	38
Elevator Technical:	
Mechanical Technical:	

Certificate of Occupancy Fee:	\$1,094.00
Waived Certificate Fees:	\$0.00
Sub Total Certificate Fees:	\$1,094.00

CERTIFICATE ISSUES

Certificate of Occupancy:	3
Certificate of Approval:	34
Certificate of Continued Occupancy:	0

PERMIT FEES:	\$23,984.00
DCA FEES:	\$1,245.00
CERTIFICATE FEES:	\$1,094.00
MIN FEES:	\$0.00
NET TOTAL FEES:	\$26,323.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$0.00
OTHER FEES:	\$50.00
GRAND TOTAL FEES:	\$26,373.00

OFFICE OF THE CONSTRUCTION OFFICIAL

Account Summation-Summary

Report Run from 05/01/2012 To 05/31/2012

June 7, 2012 2:24:24PM

ACCOUNT:		Cash Amount	Check Amount	Credit Card Amount	Total Fee
PERMIT FEES	Sub Totals:	\$0.00	\$3,079.00	\$0.00	\$3,079.00
GRAND TOTALS:		\$0.00	\$3,079.00	\$0.00	\$3,079.00

OFFICE OF THE CONSTRUCTION OFFICIAL

Account Summation-Summary

Report Run from 05/01/2012 To 05/31/2012

June 7, 2012 2:22:43PM

ACCOUNT:		Cash Amount	Check Amount	Credit Card Amount	Total Fee
PERMIT FEES	Sub Totals:	\$2,012.00	\$24,361.00	\$0.00	\$26,373.00
LICENSE FEES	Sub Totals:	\$300.00	\$325.00	\$0.00	\$625.00
Copies	Sub Totals:	\$34.00	\$0.00	\$0.00	\$34.00
GRAND TOTALS:		\$2,346.00	\$24,686.00	\$0.00	\$27,032.00

BOROUGH OF WEST CAPE MAY
 2600 Bayshore Road
 Borough of West Cape May, NJ 08251
 609-886-1455

OFFICE OF CONSTRUCTION OFFICIAL

Construction Permit Activity Report

RANGE: 05/01/2012 To 05/31/2012

June 07 , 2012 2:23:39PM

SUMMARY

CONSTRUCTION COSTS

COUNT

Cost Of Construction:	\$15,200.00	Cubic Footage:	0 Cu.ft	Permit Issued:	10
Cost Of Alteration:	\$80,354.00	Square Footage:	0 Sq.ft	Updates Issued:	0
Cost Of Demolition:	\$3,717.00			All Fees Waived:	1
Total Cost:	\$99,271.00			Municipal Fees Waived:	0

PERMIT FEES

ADMIN FEES

WAIVED FEES

TOTAL FEES

Building:	\$1,450.00	Building:	\$0.00	Building:	\$0.00	Building Fees:	\$1,450.00
Electrical:	\$673.00	Electrical:	\$0.00	Electrical:	\$45.00	Electrical Fees:	\$628.00
Fire :	\$438.00	Fire :	\$0.00	Fire :	\$232.00	Fire Fees:	\$206.00
Plumbing:	\$659.00	Plumbing:	\$0.00	Plumbing:	\$164.00	Plumbing Fees:	\$495.00
Elevator:	\$0.00	Elevator:	\$0.00	Elevator:	\$0.00	Elevator Fees:	\$0.00
Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical Fees:	\$0.00
				Total Waived:	\$441.00	Technical Fees:	\$2,779.00

DCA

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$0.00	\$0.00	\$0.00
Alteration Training Fee:	\$137.00	\$54.00	\$83.00
DCA Minimum Fee:	\$2.00	\$0.00	\$2.00
Sub total Training Fee:	\$139.00	\$54.00	\$85.00

TECHNICAL ISSUES

Building Technical:	3
Electrical Technical:	9
Fire Protection Technical:	4
Plumbing Technical:	6
Elevator Technical:	
Mechanical Technical:	

Certificate of Occupancy Fee:	\$215.00
Waived Certificate Fees:	\$0.00
Sub Total Certificate Fees:	\$215.00

CERTIFICATE ISSUES

Certificate of Occupancy:	2
Certificate of Approval:	2
Certificate of Continued Occupancy:	0

PERMIT FEES:	\$2,779.00
FEES:	\$85.00
CERTIFICATE FEES:	\$215.00
MIN FEES:	\$0.00
NET TOTAL FEES:	\$3,079.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$0.00
OTHER FEES:	\$0.00
GRAND TOTAL FEES:	\$3,079.00

Register Report
5/1/2012 Through 5/31/2012

6/15/2012

Page 1

Account	Description	Memo	Category	Amount
INCOME				
	TOTAL Business Mercantile 2011-2012			305.00
	TOTAL Business Mercantile 2012-2013			1,555.00
	TOTAL Business Mercantile One Day Event			90.00
	TOTAL Campgrounds & Trailers			110.00
	TOTAL Licenses & Permits			50.00
	TOTAL Liquor Licenses			32,200.00
	TOTAL Miscellaneous			50.00
	TOTAL RENTAL MERC 2010			450.00
	TOTAL Rental Merc 2011-2012			600.00
	TOTAL Rental Merc 2012-2013			11,775.00
	TOTAL Street Openings			170.00
	TOTAL Taxi & Limo			25.00
	TOTAL Yard Sales			705.00
	TOTAL INCOME			48,085.00
TRANSFERS				
	TOTAL Council Checking			-48,085.00
	TOTAL TRANSFERS			-48,085.00
	OVERALL TOTAL			0.00



TOWNSHIP OF LOWER

Engineer's Report

Meeting Date: June 18, 2012

➤ 2011 Delaware Bay Shore Outfalls

The USACE permit was issued 12/21/11. The NJDEP permits were issued 3/30/12 and received by our office on 4/11/12.

Subsequent to the initial Tidelands license application for this project the Bureau of Tidelands Management recently revised its regulations to authorize a Tidelands Grant for Municipal outfalls in lieu of its previous Tidelands Licenses for these structures. At a great savings to the Township the new Grants will require only a one-time payment in lieu of the annual payment the Township now makes for previously reconstructed outfalls. HMM is working with the NJDEP Bureau of Tidelands Management to determine what outfalls are eligible for the new Tidelands Grants.

➤ Bayshore West Stormwater Management Improvements

The diving contractor completed the underwater evaluation of the main storm sewer line in Roseann Avenue at the end of February/beginning of March. HMM presented the findings of the underwater evaluation to the Township at the June 4th Council meeting. The Township is currently reviewing the findings to determine the next phase of the project.

➤ Lower Township UST Compliance Assistance

HMM has reviewed existing UST closure documents for two sites as requested by the Township in response to recent correspondence from the NJDEP. Initial forms have been completed and submitted to the NJDEP and request for NJDEP file review initiated. Site investigations at the Township's Department of Public Works and the former Police Station sites are being initiated. These investigations are required to identify those actions necessary to ascertain the environmental issues that must be addressed to satisfy the NJDEP's regulatory requirements to bring these cases to closure.

**LOWER TOWNSHIP MUNICIPAL COURT
MONTHLY DISBURSEMENTS**

TRAFFIC (All fines split w/ County)	\$ 5,004.00
TRAFFIC COSTS (We receive all costs)	\$ 2,516.50
CRIMINAL FINES (We receive both Criminal & Local Ordinance fines)	\$ 2,590.00
CRIMINAL COSTS	\$ 969.50
REINSTATED BAILS	\$ -
LOCAL PARKING	
CONTEMPT CHARGES	\$ 150.00
PUBLIC DEFENDER FEES	
MISCELLANEOUS FEES (Spinal & Overpayments)	\$ 2.26
DWI SURCHARGE	\$ 112.24
MAY 2012 DISBURSEMENTS	

MAY 2012 COMPLAINTS ISSUED	CRIMINAL IND.	CRIMINAL DP	TRAFFIC	DUI	TOTAL
	23	66	352	4	445
TOTAL RECEIPTS	TOWNSHIP SHARE				
\$24,482.50	\$11,344.50				

COMPLAINTS IN WARRANT STATUS	CRIMINAL	TRAFFIC	TOTAL
	203	140	343



**Lower Township Police Department
Monthly Activity Report**

2012

	May	Total:
General Complaints and Service Calls	3472	11681
Emergency Medical Calls with L. T. Rescue	203	817
Fire Alarm Call Outs (Total)	34	231
Villas Fire Company	12	78
Town Bank Fire Company	12	82
Erma Fire Company	10	71
Assaults	4	38
Robbery	0	3
Domestic Violence Complaints	33	161
Domestic Violence with Assaults	6	44
Motor Vehicle Accidents	42	183
Traffic Warnings	35	166
Traffic Summons	322	567
Motor Vehicle Stops	345	1567
Local Ordinance Warnings	5	27
Local Ordinance Complaints	3	14
Assaults on Police Officers (UCR Report Return "A")	0	5
Residential and Commercial Alarm Calls	62	292
Property Checks	1047	4451
Death Investigations	4	9
Burglaries	6	79
Thefts	42	249
Criminal Mischief Complaints	30	192
Disorderly Conduct Complaints	89	319
Animal Control Complaints	332	1426
Adult Arrests (UCR Report Return "A")	47	244
Juvenile Arrests (UCR Report Return "A")	6	44
D.W.I. Arrests (UCR Report JV & Adult Arrests Combined)	4	17
Drug Possession Arrests (UCR Report JV & Adult Arrests Combined)	9	34
Investigation Reports Completed	103	552
Supplemental Investigation Reports Completed	26	201
Total Value Property Stolen (UCR Report Return "A")	\$34,324.00	\$167,422.00
Total Value Property Recovered (UCR Report Return "A")	\$2,362.00	\$46,801.00



**Lower Township Police Department
Monthly Activity Report**

2012

	May	Total:
Man Power Loss in Hours		
Union	0	0
Suspended	276	572
Vacation	701	3521.5
Personal	48	310
Comp Hours	88	338
Sick Hours	120	1088
Injury Hours	0	0
Training Hours	1080	2792
Military Training	228	1548
Police Department Overtime in Hours		
Operations Overtime	169	863.75
Operations Comp Time	374	467.5
Investigation Division Overtime	48	216
Investigation Division Comp Time	22	68.25
Court Overtime	20	115
Court Comp Time	0	0
Holiday Overtime	103.5	464.5
Holiday Comp Time	18	86
Government/Grant Funding Overtime in Hours		
Click It or Ticket	76	76
Cops n Shops	0	0
JV Curfew	0	0
DWI Patrol	0	0
Other	12	12
Private Funding Overtime in Hours		
Special Detail	400.75	823.75

Prepared by:

Chief Brian Q. Marker

Date:

Brian Q. Marker
6/13/12

**2012 CASH RECEIPTS
MAY**

Township of Lower
Office of the Tax Collector

YEAR TO DATE

Receipts

Current year taxes (2012)	7,009,508.13	24,217,870.66
Prior year taxes (2011)	1,771.97	1,083,166.17
Arrears (2010)		1,468.08
6% Penalty		5,370.98
Municipal Service Fees		36,090.00
Tax Search Fees		20.00
Interest	8,804.83	105,973.52
Lot clearing		5,236.70
Returned Check Fees	20.00	220.00
Duplicate Bills	55.00	315.00
Trash	3,505.75	39,895.25
Tax Sale Cost		15,878.79
MUA		143,466.56
PREMIUM		261,400.00
TOTAL	7,023,665.68	25,916,371.71

DEPOSITED COUNCIL CHECKING	6,949,881.22	25,568,006.11
DEPOSITED TO WIPP ACCOUNT	73,784.46	86,965.60
PREMIUM ACCOUNT		261,400.00
TOTAL DEPOSITS	7,023,665.68	25,916,371.71
NSF Reversals	(4,059.39)	-13,956.43
TOTAL	7,019,606.29	25,902,415.28

Prepared by Susan Jackson

BEG. BAL. JAN. 1, 2012

	Total	Jan	Feb	Mar	Apr	May
RECEIPTS:	5,285,705.22	5,285,705.22	5,003,643.53	6,172,353.31	1,597,013.91	3,470,612.10

Per Revenue Status	27,468,853.54	5,458,275.14	7,866,051.67	975,434.91	5,901,894.82	7,267,197.00
less: post cash surplus	0.00					
Interest due from-						
Dev. Escrow	(121.67)	(39.12)	(30.30)	(24.91)	(2.50)	(24.84)
Capital	(14.24)	(0.82)	(1.08)	(9.89)	(2.45)	
	27,468,717.63	5,458,235.20	7,866,020.29	975,400.11	5,901,889.87	7,267,172.16

G/L Entries:						
Due to payroll	45.80				45.80	
Transfers:						
Capital	1,500,000.00				1,500,000.00	
Grants Received						
JIF \$ Recd	5,050.00	4,700.00				350.00
Cops in Shops \$ Recd	1,200.00			1,200.00		
Clean Communities \$ Recd	59,083.07					59,083.07
NJ DOT \$ Recd	38,597.40		38,597.40			
EMS Grant \$ Recd	5,000.00					5,000.00
TOTAL RECEIPTS:	29,077,693.90	5,462,935.20	7,904,617.69	976,600.11	7,401,935.67	7,331,605.23

DISBURSEMENTS:						
2011 Reserves	588,461.56	232,832.41	160,092.59	42,980.64	149,604.02	2,951.90
2012 Current	27,957,385.45	5,311,769.49	6,453,346.98	5,471,202.96	5,490,481.39	5,230,584.63
2012 Capital	524,115.25	273,213.44	139,401.52	54,786.69	5,646.41	51,067.19
Appropriation Refunds:	(276,658.53)	(72,818.45)	(16,933.18)	(17,030.78)	(117,394.34)	(52,481.78)
TOTAL DISBURSEMENTS	28,793,303.73	5,744,996.89	6,735,907.91	5,551,939.51	5,528,337.48	5,232,121.94

END. BAL. DEC. 31, 2012	5,570,095.39	5,003,643.53	6,172,353.31	1,597,013.91	3,470,612.10	5,570,095.39
Total Appropriation Refunds	(276,658.53)	(72,818.45)	(16,933.18)	(17,030.78)	(117,394.34)	(52,481.78)

Bank Balance						
Checking	4,598,733.32	6,024,799.59	1,909,457.77	4,444,403.21	5,051,434.27	85,922.49
Online Payment Acct	1,522,699.19	1,522,711.37	6,982.05	6,982.05	6,982.05	6,982.05
MBIA	6,121,432.51	7,547,511.96	1,916,440.82	4,463,506.39	5,144,338.81	438,479.61
Total Bank Balance	12,242,965.01	15,617,733.31	10,815,882.69	12,897,934.50	15,686,263.52	12,574,814.20
ADD: Deposits in Transit	475,480.23	177,377.95	38,656.75	946,654.86	438,479.61	
LESS: Outstanding Checks	(1,593,269.21)	(1,552,536.60)	(358,083.66)	(1,939,549.15)	(12,723.03)	
Adjusted Bank Balance	5,003,643.53	6,172,353.31	1,597,013.91	3,470,612.10	5,570,095.39	0.00

Vital Statistics - May 2012

Marriage / CU License Total	14
D.P. Lic. Total	
Certified Copies	127
Burial Permits	
	Amount
Twp. Cert. Copy Fee	\$1,270.00
State Marriage / CU Fee	\$350.00
Twp. Marriage / CU Fee	\$42.00
State D.P. Fee	
Twp. D.P. Fee	
State Burial Permit Fee	
Twp. Burial Permit Fee	
TOTAL	\$1,662.00

Date: 6/4/12

Clerk's Office

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

RESOLUTION # 2012- 160

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. Any investigations of violations of possible violations of the law.
- (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.

_____ (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.

_____ (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 of 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 June 18, 2012 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.

I hereby certify the foregoing to be a resolution adopted by the Township Council on June 18, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012- 161

TITLE: A RESOLUTION TO RATIFY THE MEMORANDUM OF UNDERSTANDING BETWEEN LOWER TOWNSHIP AND TEAMSTERS LOCAL UNION NO. 676

WHEREAS, extensive negotiations were conducted by the Township Manager and Labor Counsel with Teamsters Local Union No. 676; and

WHEREAS, the parties have reached an agreement in a Memorandum of Understanding which will be utilized to prepare the Collective Bargaining Agreement with Teamsters Local Union No. 676; and

WHEREAS, the Township Manager and Labor Counsel recommend the Township Council's ratification of the Collective Bargaining Agreement.

NOW, THEREFORE, BE IT RESOLVED the attached Memorandum of Understanding is hereby ratified.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute the ratified Collective Bargaining Agreement, once prepared, in accordance with and under the terms as outlined herein above, on behalf of the Township.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on June 18, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						