

JANUARY 4, 2012 - 7:00 P.M.

Meeting called to order.

Opening Announcement
Pledge of Allegiance & Moment of Silence
Roll Call & Determination of Quorum
Nomination to fill Ward 2 vacancy
Oath of Office (Ward 2 Councilmember)

Work Session

Discussion - draft amendment to Code & Council Policy for email, education, attendance etc.
Discussion - correspondence and draft legislation for financial disclosure forms & closed session
Review of Correspondence from Planning Board re: Water Quality Management Plan Map; Proposed sewer service area
Review & Discussion of Township's Existing Revolving Loan Program - Mayor
Review of Consent & Regular Agenda Items

Consent Agenda

Resolution #2012-02 Appointment of Acting Municipal Engineer for the Year 2012 Without Public Bidding (Appointment of Hatch Mott McDonald Engineers for six months)
Resolution #2012-03 Appointment of Municipal Auditor for the Year 2012 Without Public Bidding (reappointment Ford Scott Seidenburg & Kennedy)
Resolution #2012-04 Appointment of Bond Counsel for the Year 2012 Without Public Bidding (reappointment of Mc Manimon & Scotland)
Resolution #2012-05 Appointment of Municipal Prosecutor for the Year 2012 (reappointment of Ron Gelzunas)
Resolution #2012-06 Appointment of Municipal Public Defender for the Year 2012 (Reappointment of J. Chris Gibson)
Resolution #2012-07 Appointment of Emergency Management Council for the Year 2012 (Annual Required Appointments)
Resolution #2012-08 Appointment of Class III Member to the Planning Board (reappointment Kevin Lare)
Resolution #2012-09 Appointment of Officials for Joint Insurance Fund and Municipal Excess Liability Fund (Annual Resolution required by Joint Insurance Fund)
Resolution #2012-10 Appointment of JIF Risk Management Consultant (Barbara Weigand, Marsh & McLennan Agency)
Resolution #2012-11 Establishment of Council Meeting Dates and Times (1st & 3rd Mondays except holidays)
Resolution #2012-12 Setting the Interest Rate for Delinquent Taxes (Statutorily regulated)
Resolution #2012-13 Designation of Official Depositories (annual resolution listing authorized depositories & officials for signing)
Resolution #2012-14 Designation Of Official Newspapers for Legal Advertising for the Year 2012 (Star & Wave & Herald)
Resolution #2012-15 Authorizing Payment of 2012 Debt Service (annual resolution authorizing required debt service payments for 2012)
Resolution #2012-16 Annual Approval of Petty Cash Funds (Police Dept. & Treasurer's Office)
Resolution #2012-17 Adopting Cash Management Plan (annual required resolution)
Resolution #2012-18 Resolution to Defer The Regional School Tax (annual resolution)
Resolution #2012-19 Adopting 2012 Temporary Current Budget (annual resolution for authorizing temporary budget to be used until final adopted budget)
Resolution #2012-20 Approving 2012 Contract with Cape Assist (Annual Renewal of EAP Program)
Resolution #2012-21 Authorizing Clerk to Issue Bingo & Raffle Licenses Throughout the Year to Qualified Organizations
Resolution #2012-22 Designation of Public Agency Compliance Officer for the Township of Lower (annual resolution)
Resolution #2012-23 Authorization for Public Bidding (Annual resolution for bidding throughout the year)
Resolution #2012-24 Transfer of 2011 Appropriations, \$6000.02 (from Animal Control, DCRP, Pub. Defender, UFSA, Solicitor to Health Insurance)
Resolution #2012-25 Authorization for the Payout of Accumulated Sick Leave (annual resolution pursuant to contract for qualifying employees - total \$20,098.50)
Resolution #2012-26 Payment of 2011 Vouchers \$344,384.31

Resolution #2012-27 Payment of 2012 Vouchers, \$2,880,967.87
 Resolution #2012-28 Authorization for the Payout of Accumulated Compensatory Time (\$24,104.52 T. Beeby)
 Resolution #2012-29 Resolution Approving the Special Advisory Committee for Review of Issues Related to the Public Safety Building (Confirmation of councilmember appointees and officials to PSB Committee)
 Resolution #2012-30, A Resolution of the Township of Lower Approving an Agreement with S. Vitale Pyrotechnic Industries, Inc. To Provide Fireworks Display (S. Vitale Pyrotechnic Industries, Inc. \$40,000 - July 3rd)
 Resolution #2012-31 Appointment to Lower Township MUA (5 year term - beginning Feb. 1)
 Ordinance #2012-01 An Ordinance Amending Chapter 3, Administration of Government, of the Code of the Township of Lower (Amendment to include policies on meeting attendance, training and email communications) 1st rdg. if approved at work session - 2nd rdg & public hearing
 Approval of Minutes Dec. 19 & Dec . 21

Regular Agenda

Resolution #2012-01 Appointment of Municipal Solicitor for 2012 Without Public Bidding (Reappointment Michael Donohue of Blaney & Donohue
 Resolution #2012-32 Resolution Designating the Lower Township Rescue Squad, Inc. as the Provider of Emergency Medical Services in Lower Township (Annual resolution - sets contribution amounts & dates for payment)

Administrative Reports

Personnel Action Report

Council Comments

Call to the Public

Closed Session

Res. #2012-33 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." (Employment Relationship - MOU M. Voll & Litigation - O'Callaghan vs Lower Twp. Police Dept. - Government Records Council complaint)

Adjournment

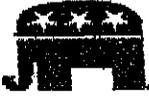
PUBLIC INFORMATION

2012 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 - All rentals, commercial or residential, whether yearly, seasonal or weekly require a mercantile license. R.E. Taxes must be current. Residential rental properties owners may be subject to license revocation for actions of their tenants. Detailed info and applications available in the Clerk's Office or by calling 886-2005.

Trash & Recycling Calendars available at Public Works, Township Hall and Villas Branch of the C.M. County Library

 LOWER TOWNSHIP 
REGULAR REPUBLICAN ORGANIZATION

December 22, 2011

via facsimile & regular mail

Claudia Kammer, Municipal Clerk
Lower Township Municipal Building
2600 Bayshore Road
Villas, New Jersey 08251

Dear Ms. Kammer:

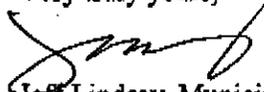
I submit this letter, in accordance with N.J.S.A. 40A:16-11, to provide Lower Township Council with the names of three nominees to fill the seat vacated by former Ward 2 Council Member, Erik Simonsen. The LTRRO selected the following three individuals:

Craig, Walt
Kopsitz, Edie
Rechner, John

If the selection process is conducted during an open public meeting, I kindly request that I be notified, in advance, of the date, time and location of that meeting. I thank you in advance for your courtesy and cooperation in this regard.

Should you have any questions or need any additional information, please do not hesitate to contact me

Very truly yours,


Jeff Lindsay, Municipal Leader

JRL/

cc: LTRRO Committee Members
CLAC 1699257.1

*John P. Schmidt
P.O. Box 616
Gloucester City, NJ 08030
Phone: 856-889-0633
Email: 01schmidt@cardinalmail.cua.edu*

Hon. Michael E. Beck, Mayor and Members of the
Lower Township Council
2600 Bayshore Road
Lower Township, New Jersey 08251-1397

Dear Mayor Beck and Township Council:

I am writing this letter for two related reasons, both having to do with Lower Township's compliance with the Local Government Ethics Law.

First, I want to put the Mayor and Township Council on notice of a complaint that I filed with the Local Finance Board against twelve (12) Lower Township officials who failed to file the Financial Disclosure Statement (FDS) forms that were due on or before April 30, 2011. A copy of that complaint is enclosed.

I understand that these officers' failure to file may be at least partially due to the Local Finance Board's standing policy of not meaningfully enforcing the filing requirement.

As you may be aware, while \$100 to \$500 fines can be imposed against these non-filing officers, the Local Finance Board, has only recently began to issue fines. Earlier this year the board fined four (4) Gloucester City officials who refused to file FDS forms. Despite a letter from Thomas Neff, Chair of the Local Finance Board addressed to John Paff earlier this year saying that the Local Finance Board is looking into imposing stricter penalties for those who do not file, I predict that these twelve (12) non-filing officers can simply file their tardy FDS forms anytime during the next several months and, unless the Board departs from its standing procedure in years pass, it will dismiss my complaint for "no longer having a reasonable factual basis."

Despite this, I think that the Lower Township Mayor and Council would, as a matter of policy, find it unacceptable for its municipal officials to not comply with the Local Government Ethics Law's financial filing requirements.

The New Jersey Legislature passed the Local Government Ethics Law because "[t]he vitality and stability of representative democracy depend upon the public's confidence in the integrity of its elected and appointed representatives." N.J.S.A. 40A:9-22.2(b). One of the law's objects is to require Local Government Officers (but not Local Government Employees) to report their income sources so that the public can detect possible conflicts of interest.

My question: Will the Mayor and Council members promptly require all their Local Government Officers to bring their FDS filings up to date?

In addition I have attached an executive order signed by the Mayor of Robbinsville Township and an Ordinance which is being voted upon for final adoption this month by the Borough of Brooklawn to enforce state ethics laws. I would also ask: Will the Mayor and Commissioners adopt a policy similar to Robbinsville and Brooklawn?

Please contact me if you have any questions on this very important issue. I look forward from hearing from you.

Respectfully,

John P. Schmidt



David Fried, Mayor
1 Washington Blvd., 2nd Floor, Suite 6, Robbinsville, NJ 08691
(609) 918-0002 ext. 100 Fax (609) 918-1442

**STATE OF NEW JERSEY
EXECUTIVE ORDER 2011-44**

I, Dave Fried, Mayor of Robbinsville Township, County of Mercer, hereby mandate that all appointed members who serve on either the Planning Board or Zoning Board are required to fill out Financial Disclosure Forms. I, furthermore, direct that any member failing to comply with this requirement be barred from participating and voting at any Planning Board or Zoning Board meeting effective immediately.

DAVID FRIED, MAYOR

DATED: July 20, 2011

**ORDINANCE OF THE BOROUGH OF BROOKLAWN,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
AMENDING CHAPTER 1, GENERAL PROCEDURES, IN
THE CODE OF THE BOROUGH OF BROOKLAWN**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Brooklawn, County of Camden, and State of New Jersey, that Section 1-16 is hereby added to Chapter 1, General Procedures, in the Code of the Borough of Brooklawn, as follows:

ARTICLE I. SECTION 1-16 Compliance with N.J.S.A. 40A:9-22.1.

Should an employee of the Borough of Brooklawn, or person appointed by the Mayor or Borough Council to serve in a position created by statute or ordinance in and for the Borough of Brooklawn, who is required under the Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et seq., to submit a "Financial Disclosure Statement," fail to do so by the date required, the Borough Council may, by Resolution, declare that employee or appointed person's position to be vacant, and make an appointment to that vacated position for its unexpired term.

ARTICLE II.

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

ARTICLE III.

This Ordinance shall take effect upon passage and publication according to law.

*John P. Schmidt
P.O. Box 616
Gloucester City, NJ 08030
Phone: 856-889-0633
Email: 01schmidt@cardinalmail.cua.edu*

December 20, 2011

Hon. Michael E. Beck, Mayor and Members of the
Lower Township Council
2600 Bayshore Road
Lower Township, New Jersey 08251-1397

(VIA-Email Only)

Subject: OPMA Violations

Dear Mayor Beck and Members of Township Committee:

I write this individually and as an Open Government Activist about Lower Township and the above subject matter. On December 13, 2011 I submitted an OPRA request, in part to audit the Township for OPMA compliance. In this letter I will address my concerns about the Township not following the law and ways to correct the situation. It is my hope that as a result of the letter the Township will make the appropriate changes that is needed.

As part of my request dated December 13, 2011 and received on December 20, 2011, I requested "emailed copies of the minutes of the four (4) most recent closed executive session meetings of the Township Committee for which minutes are publicly available in whole or in part." I also requested copies of the resolutions passed in accordance with the OPMA that authorized the four closed executive sessions for which minutes are disclosed in accordance with my above request.

In response to those three requests, I have a few concerns with the way the Township is entering into executive session. My first concern is that the Township is not specifically stating the reasons why they are entering into executive session. The Township has used the terms "Matters Relating to Collective Bargaining Agreement" without stating as to what CBA is being discussed. The public should know what exactly is being discussed and this could be done while still protecting certain information. The Township also has stated in there authorizing resolutions "Matters Relating to Litigation...", but fails to provide the case number and docket number which is already public record and should be included. This again would allow the public to know the specific nature of what is being discussed. The Township has also used other broad language. I recently filed a lawsuit against the Gloucester City Board of Education, in which the Board was ordered by the court to disclose the specific nature of what is being discussed.¹

In conclusion, I don't think that the current way the Township enters into executive session satisfies N.J.S.A. 10:4-13 because it gives the public no real sense of what is being

¹ See attached Court Order.

privately discussed. Additionally it does not provide specific subject matters as to what is going to be discussed as required by law. The Township certainly has a right to go into a closed executive session and there can be no dispute that the Township often has legitimate reasons to meet in nonpublic session. Among these reasons is the need to prevent the adverse parties in litigation or contract negotiations from gaining an unfair advantage and to allow members of the governing body to debate and deliberate personnel matters without public scrutiny or participation. But, the need to discuss matters privately should not prevent the public from being informed, as precisely as possible, of the topics that are being privately discussed. For example, suppose that Township is being sued by a Mr. Jones who was injured after he slipped and fell on what he claims to be negligently maintained Township property. Since the lawsuit is already a public record, the resolution should at the very least describe the private discussion as

“Discussion of slip and fall negligence suit, Jones v. Township of Lower, Docket No. CPM-L-012345-11.” This way, the public has a very good sense of what the Township’s private discussion is about while the ability of the Township to develop its lawsuit strategy is not undermined. Using the same example, suppose that Jones’ attorney sent the Township’s attorney an offer to fully settle the lawsuit upon the Township’s payment of \$20,000. While the Township would obviously need to discuss how to respond to the offer in private, lest Jones or his attorney would be in the audience witnessing the discussion, there is no reason why the public cannot be informed in the N.J.S.A. 10:4-13 resolution that the Township will meet in private to discuss “settlement offer received from the Plaintiff in the slip and fall negligence suit known as Jones v. Township of Lower Docket No. CPM-L-012345-11, in which the Plaintiff offers to settle the suit in exchange for the Township paying him \$20,000.” While it may initially seem that this would provide “too much” information to the public, this concern disappears once it is realized that the sole purpose of the exception 2 that allows litigation matters to be discussed in private is to keep the adverse party to the litigation in the dark regarding the Township’s position.² Since, in this example, the adverse party (i.e. Jones) already knows that he offered to settle the lawsuit for \$20,000, there is no legitimate reason why the public should not also know of the tendered settlement offer.

As another example, suppose that a personnel matter, such as whether or not a Mr. Jackson, an employee, should be disciplined because of repeatedly arriving late to work, is to be discussed in closed session. In such a case, the amount of detail set forth in the N.J.S.A. 10:4-13 resolution should correspond to the amount of detail that the Township and its attorney predict will be publicly disclosed in the closed meeting’s minutes, when those minutes are made public. The standard that the Township is to use when determining how much information about a personnel matter is to be disclosed in the closed session’s minutes is set forth in *South Jersey Publishing Company, Inc. v. New Jersey Expressway Authority*, 124 N.J. 478 (1991). That standard is that a) the public needs information if it is properly fulfill its role of evaluating the wisdom of governmental action or a decision not to act, b) that New Jersey’s strong public policy requires that a public body’s actions and decisions to not act be disclosed in the body’s closed meeting minutes along with sufficient facts and information to permit the public to understand

² See the discussion in *Paff v. Washington Township*, Docket No. MER-L-2205-07 and *Nevin v. Asbury Park City Board*, 2005 WL 2847974 (App. Div. November 1, 2005) which are on-line at <http://ogtfarchive.org/OGTF/Washington.pdf> (Nevin begins at page 44 of the PDF file at the link).

and appraise the reasonableness of the body's determination, and c) to the extent a cognizable privacy interest may be compromised by the required disclosure, the extent of disclosure may be modified through redactions of the minutes, provided the public interest in disclosure is not subverted

Thus, regardless of whether the Township disciplines Mr. Jackson or chooses to not impose discipline due to his lateness, the outcome should be recorded in the closed meeting minutes. The question of whether that entry in the minutes should be redacted before the minutes are made public requires a balancing of Mr. Jackson's interest in keeping the disciplinary matter private against the public's interest in effectively monitoring the Township. If the Township, with counsel's advice, determines after balancing these interests that the outcome will be published unredacted in the closed session's minutes (i.e. if the minutes will disclose to the public, e.g. that "Mr. Jackson was suspended for three days on account of her habitual lateness"), then the exact nature of the matter (i.e. that "the Township will discuss disciplining Mr. Jackson for excessive lateness") should be set forth in the closed meeting's N.J.S.A. 10:4-13 resolution. Inversely, if the Township determines that Mr. Jackson's privacy interest exceeds the public's right to know, then less information (e.g. "the Township will discuss disciplining an employee for excessive lateness") should be set forth in the closed meeting's N.J.S.A. 10:4-13 resolution. In other words, if the officer or employee being discussed doesn't have a privacy interest sufficient to withstand a citizen's request for the executive session minutes, why should not the public know the topic of the executive session prior to it occurring?

I have attached, as an Exhibit a "model resolution" that I would like the Township to use in the future. Currently, the Runnemede Board of Education, Gloucester Township Housing Authority, Pine Hill Board of Education and Borough of Brooklawn have adopted this exact resolution and the Washington Township Board of Fire Commissioners and Borough of Clementon have adopted something similar to be in compliance with the law and the Clementon Housing Authority, of which I am a Commissioner, has also adopted the resolution.

From past experience some government agencies do not take me seriously. I would ask to please let me know when my letter will be discussed by the Mayor and Committee and the outcome of the discussion. I look forward to hearing from the Township on this important issue and I am willing to work with Township to address this issue. The reason I do this is to increase transparency and openness in government, which is the hallmark of our democracy. If you have any questions please feel free to contact me via e-mail or by cell at 856-889-0633.

Sincerely,

John P. Schmidt

**TOWNSHIP OF LOWER
RESOLUTION NO. _____
AUTHORIZING EXECUTIVE SESSION**

WHEREAS, while the Sen. Byron M. Baer Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) requires all meetings of the Township Committee of the Township of Lower to be held in public, N.J.S.A. 10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in "Executive Session," i.e. without the public being permitted to attend, and

WHEREAS, the Township Committee of the Township of Lower has determined that _____ (insert number) issues are permitted by N.J.S.A. 10:4-12(b) to be discussed without the public in attendance shall be discussed during an Executive Session to be held on _____, 20____ at _____ P.M, and

WHEREAS, the nine (9) exceptions to public meetings set forth in N.J.S.A. 10:4-12(b) are listed below, and next to each exception is a box within which **the number** of issues to be privately discussed that fall within that exception shall be written, and after each exception is a space where additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written.

"(1) Any matter which, by express provision of Federal law, State statute or rule of court shall be rendered confidential or excluded from public discussion." The legal citation to the provision(s) at issue is: _____ and the nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

_____;

"(2) Any matter in which the release of information would impair a right to receive funds from the federal government." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

_____;

"(3) 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.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

_____;

“(4) Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body” The collective bargaining contract(s) discussed are between the Board and _____

_____;

“(5) Any matter involving the purchase lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

_____;

“(6) 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 or possible violations of the law.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

_____;

“(7) 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.” The parties to and docket numbers of each item of litigation and/or the parties to each contract discussed are _____

_____;

and nature of the discussion, described as specifically as possible without undermining the need for confidentiality is _____

_____;



“(8) Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, 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 individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.” Subject to the balancing of the public’s interest and the employee’s privacy rights under South Jersey Publishing Co. v. New Jersey Expressway Authority, 124 N.J. 478, the employee(s) and nature of the discussion, described as specifically as possible without undermining the need for confidentiality are _____

_____;



“(9) Any deliberation 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 as a result of an act of omission for which the responding party bears responsibility.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

_____;

WHEREAS, the length of the Executive Session is estimated to be _____ minutes after which the public meeting of the Township Committee shall (circle one) reconvene and immediately adjourn or reconvene and proceed with business.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Lower will go into Executive Session for **only** the above stated reasons;

BE IT FURTHER RESOLVED that the Township Committee of the Township of Lower hereby declares that its discussion of the aforementioned subject(s) will be made public at a time when the public’s interest in disclosure is greater than any privacy or governmental interest being protected from disclosure. For each of the above items, the estimated date by which such

disclosure can be made and/or the occurrence that needs to take place before disclosure can be made are listed below (attach separate sheet if necessary)

Subject of Discussion	Estimated Date	Necessary Occurrence

BE IT FURTHER RESOLVED that the Clerk, at the present public meeting, shall read aloud enough of this resolution so that members of the public in attendance can understand, as precisely as possible, the nature of the matters that will privately discussed.

BE IT FURTHER RESOLVED that the Clerk, on the next business day following this meeting, shall furnish a copy of this resolution to any member of the public who requests one at the fees allowed by N.J.S.A. 47:1A-1 et seq.

Michael E. Beck, Mayor

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION
APPROVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LOWER
AT ITS PUBLIC MEETING HELD ON _____ 20__.

Claudia Kammer, Municipal Clerk

TOWNSHIP OF LOWER

2600 Bayshore Road
Villas, New Jersey 08251



Incorporated 1798

(609) 886-2005

December 9, 2011

Mayor Michael Beck &
Council Members
2600 Bayshore Road
Villas, NJ 08251

RE: Water Quality Management Plan
Map; Proposed sewer service area

Dear Mayor Beck & Council Members:

I have enclosed the proposed sewer service area map prepared primarily by the Lower Township Municipal Utilities Authority with the assistance of the County of Cape May and the Lower Township Planning Office. I think the map results in the maximum practical expansion of sewer service area that could be achieved through the State NJDEP planning process.

The Lower Township Planning Board, at a duly held regular meeting, on December 8, 2011, voted to recommend the proposed sewer service area expansion to Lower Township Council for approval.

If there are any concerns, including any other areas Township Council would like included in the proposal, please contact me at your convenience. Thank you.

Sincerely,



William J. Galestok, PP,AICP
Director of Planning
Secretary, Planning Board

WJG:las

enc.1

cc: Michael Voll, Twp. Manager, w/enc.

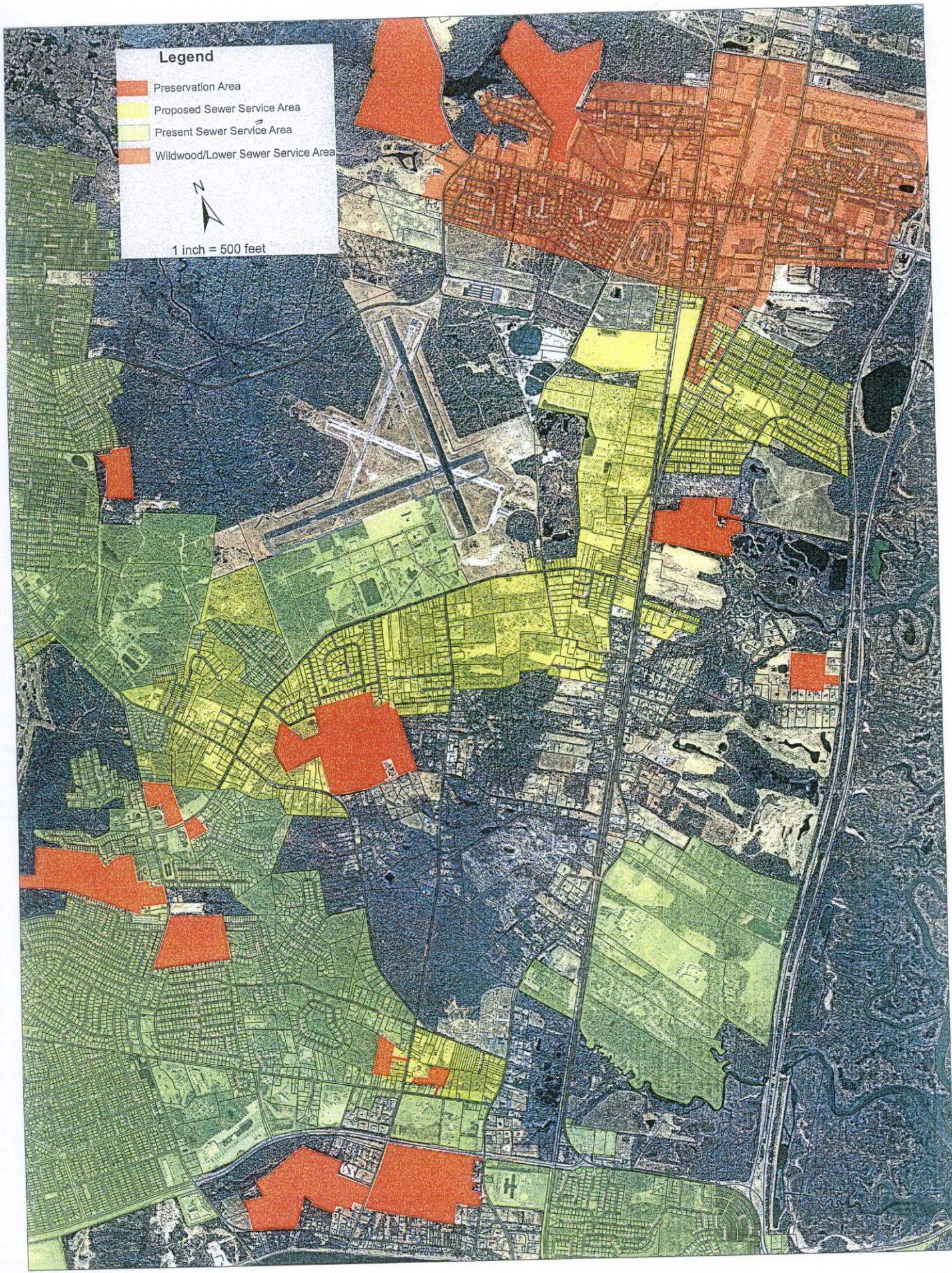
Planning Board Members, w/o enc.

Legend

- Preservation Area
- Proposed Sewer Service Area
- Present Sewer Service Area
- Wildwood/Lower Sewer Service Area



1 inch = 500 feet



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

RESOLUTION #84- 85

WHEREAS, the Township of Lower has received a Small Cities Grant from the State of New Jersey, and

WHEREAS, a Revolving Loan Fund was established by the Grant, funded by interest and principal payments received from out-standing loans, and

WHEREAS, pursuant to the terms of the said Grant contract, the Township may lend monies from the Revolving Fund to other businesses in the Township of Lower, and

WHEREAS, the Department of Community Affairs, State of New Jersey, has set forth procedures for the implementation and administration of all loans to be made as part of a Small Cities revolving loan program,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lower, the governing body thereof, that all new loans made by the Township of Lower from funds emanated from the above described Small Cities Grant shall be structured pursuant to the following criteria:

1. All information concerning future loans and the amount available shall be advertised in the official Township newspaper, presently the Cape May Star and Wave, and information disseminated through the local banking establishments and business organizations.
2. Each such loan shall be to an existing business or new business provided that same shall provide a substantial increase in jobs for the residents of Lower Township, such jobs be provided for low-moderate income persons, as defined under section 6 of Assisted Housing programs for a family of four (4); such positions to be at least 51% of those hired.
3. The terms of the loans are for ten (10) years; interest to be set at 1% below the Prime Lending Rate, or such rate of interest as set by the Governing Body of the Township of Lower by resolution;; Interest to be paid quarterly with a 1/10th reduction of principal each year.
4. Loan monies to be used for the acquisition of new equipment. Said equipment to be appraised by a firm chosen by the Township of Lower; costs for said appraisal to be paid by the borrower.
5. All loans shall be secured by collateral equal to at least one hundred ten (110%) per cent of the value of the said loan and shall be personally guaranteed by the members of the enterprise.
6. No loans shall be made to any business in financial jeopardy or in bankruptcy. The Township Treasurer (Administrator of the Small Cities Grant) and/or Township Auditor shall provide an analysis of the financial status of any applicant in order to determine the financial health of same. The Township Treasurer shall issue checks for all loan proceeds, and receive all loan repayments and interest payments.
7. The Treasurer shall maintain all books and records accordance with generally accepted accounting principles.
8. The Revolving Loan Fund account shall be established with the First Jersey Bank/South, North Cape May Branch.
9. All loan documents shall require the payment of all indebtedness to the Township of Lower, with interest, should the applicant sell its business or terminate said business.

10. All loan applicants must be located within the legal boundaries of the Township of Lower.
11. The minimum ratio of loan dollars per new job created shall be one new job for each \$10,000.00 of loan proceeds; 51% of all new jobs shall be low-and moderate-income persons, as set forth in item 2.
12. As all loan proceeds shall be used for the purchase of equipment, the funds may be disbursed in a lump sum, once proof of purchase by loan recipient has been made to the Treasurer's satisfaction; or the funds may be disbursed over a period of time. Funds paid over in this manner shall be only after proof of purchase and payment of same by borrower has been made to the satisfaction of the Treasurer.
13. All new contracts and accompanying data may be sent to the Department of Community Affairs, State of New Jersey, for review at the Department's request.
14. Any future recipient of a loan pursuant to the terms of this Resolution shall be responsible to pay all the costs engendered by the said loan, including but not limited to administrative costs, attorneys fees, title searches, and any and all other costs which may be accrued by the Township of Lower.

M.M. "PEGGIE" PIEFFERBACH

ROBERT R. KOTHERGILL

THOMAS H. CLYDESDALE

Resolution #84-

Presented by: _____

Seconded by: _____

Adopted: _____

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

RESOLUTION #85-147

WHEREAS, the Governing Body of the Township of Lower did adopt Resolution #84-85 wherein was set guidelines for future loans made from the Small Cities Grant Revolving Loan Fund as required by the Department of Community Affairs of the State of New Jersey, and

WHEREAS, the Governing Body of the Township of Lower wishes to amend the guidelines as set forth in Resolution #84-85,

NOW, THEREFORE, BE IT RESOLVED that the following articles be amended to read:

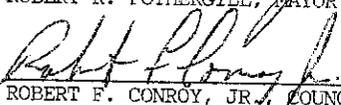
Article 3. The terms of the loans are for ten (10) years; interest to be set at one-half ($\frac{1}{2}$) of the Prime Lending Rate but not less than 5% or such rate of interest as set by the Governing Body of the Township of Lower by resolution; Interest is to be quarterly with a 1/10th reduction of principal annually. This principal reduction also to be paid quarterly.

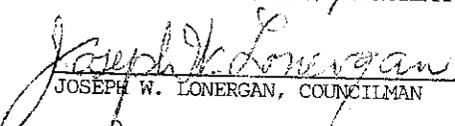
Article 5. All loans shall be secured by collateral equal to at least one hundred (100%) per cent of the value of the said loan and shall be personally guaranteed by the members of the enterprise.

BE IT FURTHER RESOLVED that the following article be added:

Article 15. In the event of a late payment of the quarterly interest and principal reduction, interest shall be charged and paid through the date of payment. The next payment of interest shall be computed from the actual due date and not payment date of the prior payment.


ROBERT R. FOTHERGILL, MAYOR

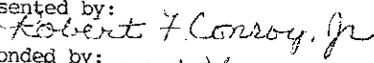

ROBERT F. CONROY, JR., COUNCILMAN


JOSEPH W. LONERGAN, COUNCILMAN

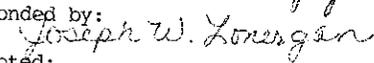
ABSENT
DAVID F. BRAND, COUNCILMAN

Resolution #85-147

Presented by:



Seconded by:



Adopted:

October 23, 1985

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 3052

STATE OF NEW JERSEY

DATED: DECEMBER 1, 2011

The Assembly Appropriations Committee reports favorably Senate Bill No. 3052.

This bill directs the New Jersey Economic Development Authority ("authority") to establish a small business loan program to provide low interest loans in amounts not exceeding \$250,000 to eligible small businesses, which may use the loan funds to support its capital purchases, employee training, and salaries for new positions. An "eligible small business" is a business entity that, at the time of application for participation in the small business loan program (1) is independently owned and operated; (2) is organized for profit with a place of business located in this State; (3) operates primarily within this State; (4) has less than 100 full-time employees; (5) is not dominant in its field; (6) has not raised \$10,000,000 or more in total equity financing; and (7) has not received \$10,000,000 or more in financing from any source.

Under the bill, a participating business enters into a small business loan agreement with the authority. The agreement provides that the business commits to increasing its full-time employment level within four years by no less than 10 percent of full-time employment, or one full-time employee, whichever is greater, above its full-time employment level at the time of its loan application. The loans bear interest at no more than two percent but may bear interest at a rate of less than two percent, as established by the authority, if the business commits to increasing its full-time employment level (1) by more than 10 percent, or more than one full-time employee for businesses employing less than 10 full-time employees at the time of application, or (2) by no less than 10 percent, or one full-time employee, as appropriate, in less than four calendar years after the date on which the loan funds are disbursed to the business, or (3) a combination thereof. The rate of interest corresponds appropriately to the percentage of full-time employment increase or the decrease in time to increase employment, or a combination of both, to which the business commits. A participating business in default for nonperformance may be required to refund the outstanding balance of small business loans disbursed prior to the default declaration. A small business loan is secured by a first lien on the receivables of the business entity receiving the loan.

To implement the loan program, the bill directs the authority to establish and maintain a special revolving fund to be known as the "New Jersey Small Business Loan Fund," which shall be credited with: (1) such moneys from the economic growth account of the "Economic Recovery Fund" established pursuant to section 3 of P.L.1992, c.16 (C.34:1B-7.12), which the authority determines are necessary to effectively implement the program, within the limits of funding available from the Economic Recovery Fund, based upon the response to the program; (2) any moneys received by the authority from the repayment of the moneys in the loan fund used to provide small business loans and interest thereon; (3) any moneys as may be available to the authority from business assistance programs administered by the authority or by other State agencies or authorities; (4) appropriations made by the Legislature; (5) fees collected from applicants; and (6) other moneys made available including, but not limited to, funds provided by agreement with private investors, small business investment corporations, banks, and other lending institutions.

FISCAL IMPACT:

The fiscal impact on the resources of the authority is indeterminate due to the absence of reliable information concerning the number of companies that might qualify for, seek, and obtain loans under the bill. The bill's first source of funding for loans is the economic growth account of the "Economic Recovery Fund" established pursuant to section 3 of P.L.1992, c.16 (C.34:1B-7.12). The account's maximum available balance is approximately \$68.6 million. This balance fluctuates frequently due to ongoing financing activity, e.g., approval of loans and loan guarantees, repayment of loans and cancellation of loan guarantees. Recently, due to current economic conditions, the account has had a positive cash flow, i.e., loan repayments in excess of new loans, compared to prior fiscal periods when the account's balance was declining due to financing activities. Under reasonably foreseeable economic conditions, the authority does not expect financing activities as currently authorized, together with new lending activity under this bill, to diminish the account's resources to the point where a General Fund appropriation would be required to sustain the loan program established by the bill.

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

RESOLUTION #2012-02

TITLE: APPOINTMENT OF ACTING MUNICIPAL ENGINEER FOR SIX MONTHS WITHOUT PUBLIC BIDDING

WHEREAS, the Township of Lower ("Township") has a need to acquire an acting municipal engineer 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 Hatch Mott MacDonald, LLC has submitted a proposal indicating that they will provide the goods or services described above for a price not to exceed \$242,500; and

WHEREAS, the anticipated term of this contract is six months and may be extended as approved by this governing body; and

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

Appropriation # 2-01-20-165-201

Signature _____

WHEREAS, Hatch Mott MacDonald, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Hatch Mott MacDonald, LLC 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 Hatch Mott Macdonald Engineers 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 Hatch Mott MacDonald, LLC 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 January 4, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

AGREEMENT
FOR
PROFESSIONAL ENGINEERING AND PLANNING SERVICES

THIS AGREEMENT is made and entered into this _____ day of December 2011, by and between **HATCH MOTT MacDONALD, LLC**, having its principal place of business at 27 Bleeker Street, Millburn, New Jersey 07041, hereinafter called "ENGINEER"; and **TOWNSHIP OF LOWER** a municipal corporation of the State of New Jersey, having offices at 2600 Bayshore Road, Villas, New Jersey 08251, hereinafter called the "CLIENT".

WHEREAS, CLIENT wishes to obtain professional engineering and planning consulting services through the year 2012 (sometimes referred to herein as the "Work", and

WHEREAS, the CLIENT desires that the ENGINEER be available to undertake such professional engineering services as the CLIENT may order hereunder, and

WHEREAS, CLIENT wishes to retain the services of Mark R. Sray and Thomas R. Thornton, Professional Engineers licensed by the State of New Jersey, with the firm Hatch Mott MacDonald, LLC in the position of Township Engineer, Zoning Board Engineer and Planning Board Engineer, respectively, for a one year period commencing on January 1, 2012 (sometimes referred to herein as the "Work"), and

WHEREAS, funds are available for this purpose;

NOW, THEREFORE, in consideration of the premises and the covenants and agreements contained herein, CLIENT and ENGINEER agree as follows:

SECTION 1 - BASIC SERVICES OF ENGINEER

a. ENGINEER shall provide the professional engineering services of the types described in Exhibit A hereto ("Further Description of Basic Services").

b. The ENGINEER is hereby authorized to perform General Municipal Engineering Services without further order.

c. For other Services Work Orders specifying the specific professional engineering services required will be issued hereunder from time to time by the CLIENT and will be mutually agreed by the CLIENT and the

ENGINEER. These Work Orders may be in the form annexed hereto as Exhibit A, Attachment 1. However, no particular formality is required for Work Orders and they may take the form of ordinary letters or oral directives from the CLIENT. All the terms and conditions of this Agreement shall apply to each Work Order as if set forth at length therein.

d. No Work Orders shall be issued unless funds have been appropriated for this purpose and duly committed to this Agreement. Each Work Order shall contain a certificate, from the CLIENT's authorized representative, of the availability of funds for this purpose and shall be accompanied by a certified copy of the CLIENT's Resolution authorizing the Work.

e. ENGINEER is retained as an independent contractor and not as an employee of the CLIENT.

f. ENGINEER shall be responsible to CLIENT for ENGINEER's negligent acts, errors or omissions in the performance of its professional engineering services and those of its subcontractors, agents and employees. However, ENGINEER shall not be responsible for any other persons, including but not limited to the agents, employees and contractors of CLIENT. **ENGINEER'S SERVICES SHALL NOT BE SUBJECT TO ANY EXPRESS OR IMPLIED WARRANTIES WHATSOEVER.**

SECTION 2 - ADDITIONAL SERVICES OF ENGINEER

a. If authorized in writing by CLIENT and agreed to in writing by ENGINEER, ENGINEER shall furnish or obtain from others Additional Services which will be paid for by CLIENT as indicated in Section 5. The following shall be Additional Services:

b. Services resulting from significant changes in the extent of the orders issued by the CLIENT or changes requested by CLIENT.

c. Additional or extended services made necessary by prolongation of the services ordered or acceleration of the ENGINEER's progress schedule.

d. Services after completion of the Work ordered -- Preparing to serve or serving as a consultant or witness (either expert or factual) for CLIENT in any arbitration, litigation, public hearing or other legal or administrative proceeding involving the Work.

e. Services normally furnished by CLIENT or other services not otherwise provided for in this Agreement and the Work Orders issued hereunder.

SECTION 3 - CLIENT'S RESPONSIBILITIES

CLIENT shall:

a. Provide all criteria and full information as to CLIENT's requirements for the services.

b. Assist ENGINEER by placing at his disposal all available information pertinent to the services including previous reports and any other data relative to the Work.

c. Arrange for access to and make all provisions for ENGINEER to enter upon public and private property as required for ENGINEER to perform his services.

d. Examine all studies, reports, sketches and other documents presented by ENGINEER, obtain advice of an attorney, insurance counselor and other consultants as CLIENT deems appropriate for such examination, within a reasonable time so as not to delay the services of ENGINEER.

e. Designate in writing a person to act as CLIENT'S representative with respect to the services to be rendered under this Agreement. Such person shall have complete authority to transmit instructions, receive information, interpret and define CLIENT'S policies and make decisions with respect to the Work.

f. Give prompt written notice to ENGINEER whenever CLIENT observes or otherwise becomes aware of any development that affects the scope or timing of ENGINEER's services or any alleged defect or non-conformity in the work of the ENGINEER.

g. Furnish or request ENGINEER to provide necessary Additional Services as required for the Work.

h. Provide all record-keeping and file all reports required to comply with the CLIENT's legal responsibility.

SECTION 4 - PERIOD OF SERVICE

a. The provisions of this Section 4 and the various rates of compensation for ENGINEER's services provided for elsewhere in this

Agreement have been agreed to in anticipation of the orderly and continuous progress of the services through completion.

b. If there are material modifications or changes in the extent of the services or in the time of performance of ENGINEER's services, the various rates of compensation and the time of completion of the services shall be equitably adjusted appropriately.

c. This Agreement shall cover the period from January 1, 2012, through December 31, 2012.

SECTION 5 - PAYMENTS TO ENGINEER

a. CLIENT shall pay ENGINEER for Basic Services rendered on a time and materials basis under ENGINEER's 2012 Rate Schedule, attached hereto as Exhibit B.

b. A not to exceed amount shall be established by mutual agreement for each work order.

c. The not to exceed amount shall not be exceeded without the express written authorization of CLIENT. If at any time the ENGINEER determines that, without the fault of the ENGINEER, the not to exceed amount will not be sufficient to complete the services, he shall give notice of the same to the CLIENT, accompanied by his estimate of the additional funding necessary to complete such services, whereupon the CLIENT shall have the option of either providing the additional funds necessary for the completion of the services (in which case the Work Order shall be amended by mutual agreement to set forth the additional amounts) or reducing the further services to be provided by the ENGINEER consistent with the remaining funds in the not to exceed amount (in which case the Work Order shall be amended by mutual agreement to set forth the revised scope of work).

d. For Additional Services. CLIENT shall pay ENGINEER for additional Services rendered under Section 2 as follows:

e. For Additional Services rendered under Section 2(a) on the basis of ENGINEER's Hourly Rate Schedule in effect at the time the services are rendered, and the actual hours of services rendered by any employees assigned to the Project. The ENGINEER may also be contracted and paid on a lump sum basis for specific projects, as agreed upon by the CLIENT.

f. Special Consultants. For services and reimbursable expenses of special consultants employed by ENGINEER, the amount billed therefore times a factor of 1.10.

g. For Reimbursable Expenses. In addition to payments provided for in Paragraph 5(d), CLIENT shall pay ENGINEER the actual costs of all Reimbursable Expenses incurred in connection with Additional Services during the project.

h. The terms ENGINEER's Hourly Rate Schedule and Reimbursable Expenses shall have the meanings assigned to them in Paragraph 5(l) hereinafter.

i. Times of Payments -- ENGINEER shall submit monthly statements for Basic and Additional Services rendered (based upon a time and materials summary or percent complete for projects contracted on a lump sum basis) and for Reimbursable Expenses incurred. CLIENT shall make prompt monthly payments in response to ENGINEER's monthly statements.

j. Other Provisions Concerning Payments If CLIENT fails to make any payment due ENGINEER for services and expenses within thirty (30) days after the date of the ENGINEER's bill therefor, the amounts due ENGINEER shall include a charge at the rate of 1 1/2% per month from said thirtieth day, and in addition, ENGINEER may, after giving seven (7) days' written notice to CLIENT, suspend services under this Agreement until he has been paid in full all amounts due him for services and Reimbursable Expenses.

k. In the event of a termination under paragraph 6(a) of this Agreement, ENGINEER will be paid for all unpaid Basic Services, Additional Services and unpaid Reimbursable Expenses, to the date of termination.

l. **Reimbursable Expenses.**

Reimbursable Expenses mean the actual expenses incurred directly or indirectly in connection with the Project for: transportation and subsistence incidental thereto; telephone calls and telegrams; postage and delivery charges; photographic and photocopying expenses; and reproduction of reports, drawings, specifications, and other Work-related items as are set forth in the "Expenses" Schedule of Exhibit B.

m. ENGINEER's Hourly Rate Schedule. ENGINEER's 2012 Rate Schedule is set forth in Exhibit B.

SECTION 6 - GENERAL PROVISIONS

a. **Termination --** Either the CLIENT or the ENGINEER may terminate this Agreement without advance notice and effective immediately for cause which, on the part of the ENGINEER shall be for breach of the terms and conditions of this Agreement, and, on the part of the CLIENT, shall be for failure to make the payments under the terms of this Agreement; or, otherwise, with or without cause, upon ten (10) days advance written notice to the other party.

b. **Reuse of Documents --** All documents prepared and delivered by ENGINEER pursuant to this Agreement are instruments of service in respect of the Work ordered. They are not intended or represented to be suitable for reuse by CLIENT or others on extensions of the Work or on any other project. CLIENT shall not reuse said documents without the express written consent of ENGINEER. Any such reuse shall be at the sole risk of the CLIENT.

c. **Project Records --** As used in this Agreement, the term, "Records", shall include plans, reports, documents, field notes, work product, or other items generated or obtained for

the Project by ENGINEER. Only original signed and sealed documents and drawings shall constitute Records. Unsigned or unsealed copies, prints, CADD files, computer programs, magnetic deliverables and/or any other media shall not be considered Records. If there is a discrepancy between the signed and sealed Records and any other documents or drawings, the Records shall prevail.

d. Records which are instruments of service deliverable under this Agreement shall become the property of the CLIENT upon payment for all the Work. Originals of Records shall remain in the possession of the ENGINEER. The CLIENT shall be entitled to additional copies of all Records within a reasonable period of time after forwarding a written request to the ENGINEER, provided that the CLIENT has paid the ENGINEER for all the Work. ENGINEER shall be compensated for the reasonable costs of research and reproduction of the additional copies of the requested Records.

e. This Agreement is to be governed by the laws of the State in which the services are to be performed.

f. CLIENT and ENGINEER each binds himself and his partners, successors, executors, administrators, assigns and legal representatives to the other party to this Agreement and to the successors, executors, administrators, assigns and legal representatives of such other party, in respect to all covenants, agreements and obligations of this Agreement.

g. Neither CLIENT nor ENGINEER shall assign this Agreement without the express written consent of the other, except as stated in Paragraph 6(f) and except to the extent that the effect of this limitation may be restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement. Nothing contained in this paragraph shall prevent ENGINEER from employing such independent consultants, associates and

subcontractors as he may deem appropriate to assist him in the performance of the Work hereunder.

h. Nothing in this Agreement shall be construed to give any rights or benefits hereunder to any one other than CLIENT and ENGINEER.

i. Estimates of Cost -- Since ENGINEER has no control over the cost of labor, materials or equipment, or over contractor(s) methods of determining prices, or over competitive bidding or market conditions, his opinions of estimated Project cost or construction cost are to be made on the basis of his experience and qualifications and represent his professional judgment as an engineer, but ENGINEER cannot and does not guarantee that such cost will not vary from opinions of estimated cost prepared by him.

j. Notwithstanding anything else to the contrary herein, the liability of either party to the other under this Agreement (whether by reason of breach of contract, tort or otherwise, including under any applicable indemnification provisions) shall be limited to the greater of: (a) the amount of professional service fees paid to the ENGINEER under this Agreement; or (b) the amount of liability insurance posted by the CLIENT at the time of execution of this Agreement. ENGINEER and the CLIENT hereby waive their respective rights to any and all claims against each other for special, indirect or consequential damages.

SECTION 7 - EXHIBITS AND SPECIAL PROVISIONS

The following Exhibits are attached to and made a part of this Agreement:

- a. Further Description of Basic Services (Exhibit A).
- b. The ENGINEER's Schedule of Hourly Rates and Expenses (Exhibit B).
- c. Mandatory Affirmative Action Clause (Exhibit C).

d. This Agreement is subject to the following special provisions -- The mandatory language of applicable equal employment opportunity and affirmative action laws and regulations promulgated by the federal and state governments having jurisdiction are incorporated by reference into this Agreement. ENGINEER agrees to afford equal opportunity in performance of this Agreement in accordance with an affirmative action program approved by the appropriate authorities.

e. Insurance -- ENGINEER shall carry the following insurance during the performance of its services and shall provide certificates of insurance evidencing its coverage, prior to starting the Work. The certificates of insurance shall provide for advance notice to the CLIENT of any subsequent modification or cancellation of the coverages.

i. Worker's Compensation Insurance with statutory coverage and \$1,000,000 employer's liability coverage.

ii. Commercial General Liability Insurance with aggregate annual limits of \$1,000,000.

iii. Automobile Liability Insurance with aggregate annual limits of \$1,000,000.

iv. Professional Liability Insurance with aggregate annual limits of \$1,000,000.

SECTION 8 - ENTIRE AGREEMENT

This Agreement (consisting of Pages 1 to 6, inclusive), together with the Exhibits identified in Section 7 above), constitutes the entire agreement between CLIENT and ENGINEER and supersedes all prior written or oral understandings. This Agreement and said Exhibit may only be amended, supplemented, modified or cancelled by the terms of a mutually agreed written instrument. In case of any inconsistency between the terms of a Work Order and this Agreement, the terms of this Agreement shall prevail, unless the terms of the

Work Order expressly provide that the terms of the Work Order are to prevail.

SECTION 9 - NON-FAIR AND OPEN CONTRACT CONTRIBUTION PROHIBITION

Political contribution Disclosure. This contract has been awarded to ENGINEER based on the merits and abilities of ENGINEER to provide the good or services as described herein. This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that ENGINEER, it's subsidiaries, assigns or principals controlling in excess of 10% of the

company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the *municipality* if a member of that political party is serving in an elective public office of that *municipality* when the contract is awarded, or to any candidate committee of any person serving in an elective public office of that *municipality* when the contract is awarded.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement as of the day and year first written above.

ATTEST:

TOWNSHIP OF LOWER

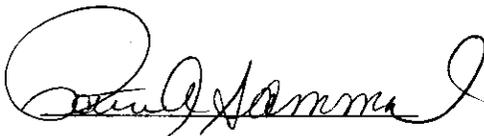
By _____

Type or Print Name

Title

ATTEST:

HATCH MOTT MacDONALD, LLC



By  _____

James G. Coe
Executive Vice President

EXHIBIT A

FURTHER DESCRIPTION OF BASIC SERVICES

This is Exhibit A, attached to, made a part of and incorporated by reference into the Agreement for Professional Engineering Services. The Basic Services of ENGINEER as described in SECTION 1 of the Agreement are supplemented as indicated below:

ENGINEER shall perform all engineering duties required to be performed on behalf of the CLIENT and the laws of the State of New Jersey. ENGINEER shall perform such other services and duties as may be necessitated and as authorized by the CLIENT and to provide the necessary engineering services to the officials of the CLIENT.

Whenever it is determined by the CLIENT to be desirable or necessary in the performance of its work, the CLIENT shall call upon ENGINEER to perform specific consulting engineering services.

These services may include review of wastewater systems, operations and recommendations for modifications or improvements, preparation of reports or studies on the CLIENT's infrastructure, preparation of plans and specifications for new rehabilitation of existing facilities and/or infrastructure, roadway improvements, park and recreation, marine and coastal improvements, cost estimates, assistance in systems operations, preparation of applications to regulatory agencies, attendance at Township meetings, special meetings and meeting with regulatory agencies, any other consultation services related to general and specific municipal engineering services, such as, tax map preparation and revisions.

Hatch Mott MacDonald will specifically assign Mr. Mark R. Sray, P.E. to the position of Township Engineer for the full course of the contract period unless specifically approved otherwise by the CLIENT.

This contract with the ENGINEER for professional Engineering and Planning Services for 2012 shall not exceed \$493,000.00 unless amended by the CLIENT.

EXHIBIT A
Attachment A-1

WORK ORDER NO.

This Work Order is issued between **TOWNSHIP OF LOWER** and **HATCH MOTT MacDONALD, LLC**, pursuant to the Agreement for Professional Engineering and Planning Services between the parties dated December , 2011 and subject to all the terms and conditions thereof.

SCOPE OF WORK TO BE PERFORMED

The ENGINEER is hereby requested to perform the following services (the "Work"):

COMPENSATION

The ENGINEER shall be compensated as follows:

AUTHORIZATION

The undersigned Authorized Representative represents that funds have been duly appropriated and committed for this Work Order and that the Work has been duly authorized by the CLIENT. A copy of the CLIENT's authorizing Resolution is annexed hereto.

ACCEPTED:

TOWNSHIP OF LOWER

Dated: _____

By _____

Type or Print Name

Title

HATCH MOTT MacDONALD, LLC

Dated: _____

By _____

James G. Coe
Executive Vice President

Exhibit B



2012 Hourly Rate Schedule
 Township of Lower
 Township of Lower Planning Board
 Township of Lower Zoning Board of Adjustment

	<u>Per Hour*</u>
Municipal Engineer / Planning Board Engineer / Zoning Board Engineer	\$138.00
Vice Presidents / Principals	\$154.00
Principal Project Managers / Associates / Senior Associates	\$138.00
Sr. Project: Engineer, Architect, Landscape Architect, Manager, Scientist, Geologist	\$138.00
Project Managers / Project Engineers / Project Architects.....	\$125.00
Project Scientists / Project Geologists	\$123.00
Sr. Engineers / Sr. Designers / Sr. Architects / Sr. GIS & CAD Specialists	\$119.00
Sr. Scientists / Sr. Geologists / Sr. Environmental Specialists	\$119.00
Senior Surveyors (Licensed, V).....	\$117.00
Inspectors	\$90.00
Engineers / Designers / Architects.....	\$81.00 to \$111.00
Scientists / Geologists / Environmental Scientists.....	\$75.00 to \$109.00
Surveyors / Crew Chiefs / Field Technicians	\$58.00 to \$102.00
Drafters / CAD Operators / GIS Technicians / Engineering Technicians.	\$58.00 to \$ 92.00
Administration / Project Support	\$46.00 to \$ 75.00

* Hourly rates for special consultations and services in conjunction with litigation are available on request.

EXPENSES

Personal Auto / Company Auto.....	\$0.51 ¹ / mile
Company Vans / Company Pick-Up.....	\$0.51 / mile
Photocopies, Printing & Reproduction.....	Variable
UPS / Federal Express /Postage /Messenger Service	Direct + 10%
Subcontractors (including Contract Laboratory)	Direct + 10%
Telephone (Cellular).....	Variable
Field Equipment	Variable

¹Varies, changes in accordance with Federal Rate Standard

Invoices are payable within 30 days of invoice date.
 Delinquent bills are subject to finance charges of 1.5% per month.
 The client shall pay attorney fees, court costs, and related expenses incurred in the collection of delinquent accounts.

EXHIBIT C

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

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

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

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

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

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

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

The contractor or subcontractor agrees to make good faith efforts to afford equal employment opportunities to minority and women workers consistent with Good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2, or Good faith efforts to meet targeted county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

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

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

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

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

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302

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

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 – Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, **does hereby certify that the business entity by the name** Hatch Mott MacDonald, 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, 2015 to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the *Township of Lower* as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

Thomas Conrad	Lower Township Regular Republican Organization
Erik Simonsen	Any other 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 the
Michael Beck	Lower Township governing body.

Part II – Ownership Disclosure Certification

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

Check the box that represents the type of business entity:

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

Name of Stock or Shareholder	Home Address
	Please see attached Ownership Disclosure Statement

Part 3 – Signature and Attestation:

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

Name of Business Entity: Hatch Mott MacDonald, LLC

Signed: [Signature]

Title: Executive Vice President

Print Name: Albert N. Beninato, P.E.

Date: December 19, 2011

Subscribed and sworn before me this 19 day of December, 2011.

My Commission expires: November 18, 2014

[Signature]

(Affiant)

Donna Rose Hutchens, Notary

(Print name & title of affiant) (Corporate Seal)

STOCKHOLDER DISCLOSURE CERTIFICATION

Name of Business: Hatch Mott MacDonald, LLC

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

OR

I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business organization:

Partnership

Corporation

Sole Proprietorship

Limited Partnership

Limited Liability Corporation

Limited Liability Partnership

Subchapter S Corporation

Sign and notarize the form below, and, if necessary, complete the stockholder list below.

Stockholders: Please see attached Ownership Disclosure Statement

Name:	Name:
Home Address:	Home Address:
Name:	Name:
Home Address:	Home Address:
Name:	Name:
Home Address:	Home Address:

Subscribed and sworn before me this 19 day of December, 2011

(Notary Public) Donna Rose Hutchens

My Commission expires: November 18, 2014

Albert N. Beninato
(Affiant)

Albert N. Beninato, P.E., Executive Vice President
(Print name & title of affiant)

(Corporate Seal)

DONNA ROSE HUTCHENS
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Nov. 18, 2014

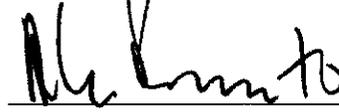
HATCH MOTT MACDONALD LLC

STATEMENT OF OWNERSHIP

Hatch Mott MacDonald LLC, a Delaware limited liability corporation, is a wholly-owned subsidiary of Hatch Mott MacDonald Holdings, Inc., a Delaware corporation, which in turn is a wholly-owned subsidiary of Hatch Mott MacDonald NY, Inc., a New York corporation, which in turn is a wholly-owned subsidiary of Hatch Mott MacDonald Group, Inc., a Delaware corporation. The common stock of Hatch Mott MacDonald Group, Inc. is 40% owned by Hatch Associates, Inc., a Canadian corporation, 40% owned by Mott MacDonald International, Ltd., a corporation of the United Kingdom, and 20% owned by senior executives of the Hatch Mott companies. No natural person has more than a ten percent (10%) ownership interest in Hatch Mott MacDonald Group, Inc. or any of its subsidiary companies.

HATCH MOTT MACDONALD LLC

By:



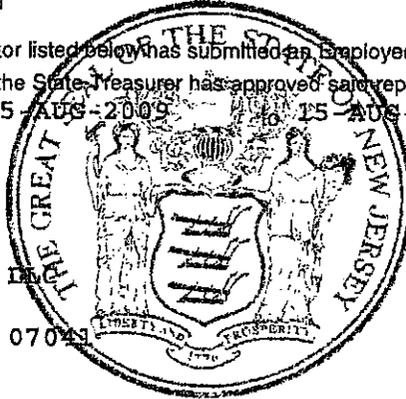
Albert N. Beninato, P.E.

Executive Vice President

Certification 2062

**CERTIFICATE OF EMPLOYEE INFORMATION REPORT
RENEWAL**

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of 15-AUG-2009 to 15-AUG-2012



HATCH MOTT MACDONALD, INC.
27 BLEEKER STREET
MILLBURN NJ 07041



A handwritten signature in black ink, appearing to read "R. A. R.", written over a horizontal line.

State Treasurer

New Jersey – Business Registration Certificate

11/23/05

Taxpayer Identification# 161-006-700/000

Dear Business Representative:

Congratulations! You are now registered with the New Jersey Division of Revenue.

Use the Taxpayer Identification Number listed above on all correspondence with the Divisions of Revenue and Taxation, as well as with the Department of Labor (if the business is subject to unemployment withholdings). Your tax returns and payments will be filed under this number, and you will be able to access information about your account by referencing it.

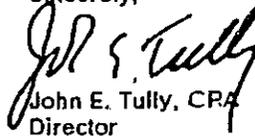
Additionally, please note that State law requires all contractors and subcontractors with Public agencies to provide proof of their registration with the Division of Revenue. The law also amended Section 92 of the Casino Control Act, which deals with the casino service industry.

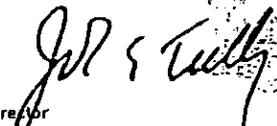
We have attached a Proof of Registration Certificate for your use. To comply with the law, if you are currently under contract or entering into a contract with a State agency, you must provide a copy of the certificate to the contracting agency.

If you have any questions or require more information, feel free to call our Registration Hotline at (609)292-1730

I wish you continued success in your business endeavors:

Sincerely,


John E. Tully, CPA
Director

STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE		DEPARTMENT OF TREASURY/ DIVISION OF REVENUE PO BOX 252 TRENTON, N J 08646-0252
TAXPAYER NAME: HATCH MOTT MACDONALD, LLC	TRADE NAME:	
ADDRESS: 27 BLEEKER ST MILLBURN NJ 07041	SEQUENCE NUMBER: 1169109	
EFFECTIVE DATE: 01/01/05	ISSUANCE DATE: 11/23/05	
FORM-BRC(08-01)	Director  This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.	

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

RESOLUTION #2012-03

TITLE: APPOINTMENT OF MUNICIPAL AUDITOR FOR THE YEAR 2012 WITHOUT PUBLIC BIDDING

WHEREAS, the Township of Lower ("Township") has a need to acquire a municipal auditor 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 Ford Scott & Associates, L.L.C. has submitted a proposal indicating that they will provide the goods or services described above for a price not to exceed \$40,000; and

WHEREAS, the term of this contract is one year; and the CFO has determined sufficient funds will be available in the current budget as follows:

Appropriation # 2-01-20-130-299, 135-20*1

Signature [Handwritten Signature]

WHEREAS, Ford Scott & Associates, L.L.C. has completed and submitted a Business Entity Disclosure Certification which certifies that Ford Scott & Associates, L.L.C. 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 Ford Scott & Associates, L.L.C. 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 Ford Scott & Associates, L.L.C. 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 January 4, 2012.

Claudia R. Kammer, Township Clerk

Table with 7 columns: MOTION, SECOND, AYE, NAY, ABSTAIN, ABSENT and 5 rows: CONRAD, DOUGLASS, LARE, BECK



FORD - SCOTT

& ASSOCIATES, L.L.C.

CERTIFIED PUBLIC ACCOUNTANTS

1535 HAVEN AVENUE • PO BOX 538 • OCEAN CITY, NJ • 08226-0538
PHONE 609.399.6333 • FAX 609.399.3710

October 27, 2011

Mayor and Township Committee
Township of Lower
2600 Bayshore Road
Villas, N.J. 08251

We are pleased to confirm our understanding of the services we are to provide the Township of Lower for the year ended December 31, 2011. We will audit the financial statements of Township of Lower as of and for the year ended December 31, 2011. In addition, we will assist you in preparing the following additional information that will not be subjected to the auditing procedures applied in our audit of the financial statements.

1. Assistance in the preparation of the 2012 Local Municipal Budget from information provided to us by officials of the Township of Lower.
2. Preparation of the 2011 Annual (Unaudited) Financial Statement utilizing the post-closing trial balances and analyses prepared by the Chief Financial Officer of the Township of Lower.
3. Preparation of the 2011 Annual Debt Statement.

Audit Objectives

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the additional information referred to in the first paragraph when considered in relation to the financial statements as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and will include tests of the accounting records of the Township of Lower and other procedures we consider necessary to enable us to express such opinions. If our opinions on the financial statements are other than unqualified, we will fully discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

We will also provide a report (that does not include an opinion) on internal control related to the financial statements and compliance with laws, regulations, and the provisions of contracts or grant agreements, noncompliance with which could have a material effect on the financial statements as required by *Government Auditing Standards*. The report on internal control and compliance will include a statement that the report is intended solely for the information and use of management, the body or individuals charged with governance, others within the entity, and specific legislative or regulatory bodies and is not intended to be and should not be used by anyone other than these specified parties. If during our audit we become aware that the Township of Lower is subject to an audit requirement that is not encompassed in the terms of this engagement, we will communicate to management and those charged with governance that an audit in accordance with U.S. generally accepted auditing standards and the standards for financial audits contained in *Government Auditing Standards* may not satisfy the relevant legal, regulatory, or contractual requirements.

Management Responsibilities

Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein. As part of the audit, we will assist with preparation of your financial statements and related notes. You are responsible for making all management decisions and performing all management functions relating to the financial statements and related notes and for accepting full responsibility for such decisions. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements and that you have reviewed and approved the financial statements and related notes prior to their issuance and have accepted responsibility for them. Further, you are required to designate an individual with suitable skill, knowledge, or experience to oversee any nonaudit services we provide and for evaluating the adequacy and results of those services and accepting responsibility for them.

Management is responsible for establishing and maintaining effective internal controls, including monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; for the selection and application of accounting principles; and for the fair presentation in the financial statements of the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the Township of Lower and the respective changes in financial position and cash flows, where applicable, in conformity with U.S. generally accepted accounting principles.

Management is also responsible for making all financial records and related information available to us and for ensuring that management and financial information is reliable and properly recorded. Your responsibilities include adjusting the financial statements to correct material misstatements and for confirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud or illegal acts could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws, regulations, contracts, agreements, and grants for taking timely and appropriate steps to remedy any fraud, illegal acts, violations of contracts or grant agreements, or abuse that we may report.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying for us previous financial audits, attestation engagements, performance audits or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or other studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

Audit Procedures—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because an audit is designed to provide reasonable, but not absolute assurance and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform you of any material errors and any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform you of any violations of laws or governmental regulations that come to

our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about the financial statements and related matters.

Audit Procedures—Internal Controls

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards and *Government Auditing Standards*.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the Township of Lower's compliance with the provisions of applicable laws, regulations, contracts, agreements, and grants. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash or other confirmations we request and will locate any documents selected by us for testing.

We will provide copies of our reports to the Municipality; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Ford, Scott & Associates, L.L.C. and constitutes confidential information. However, pursuant to authority given by law or regulation, we may be requested to make certain audit documentation available to the Division of Local Government Services, Department of Community Affairs, State of New Jersey or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Ford, Scott & Associates, L.L.C. personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the Division of Local Government Services, Department of Community Affairs, State of New Jersey. If we are aware that a federal awarding agency or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

October 27, 2011

Leon P. Costello is the engagement partner and is responsible for supervising the engagement and signing the report. Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee, including expenses, will not exceed \$40,000. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 90 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

Government Auditing Standards require that we provide you with a copy of our most recent external peer review report and any letter of comment, and any subsequent peer review reports and letters of comment received during the period of the contract. Our 2010 peer review report accompanies this letter.

We appreciate the opportunity to be of service to Township of Lower and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,

FORD, SCOTT & ASSOCIATES, L.L.C.
CERTIFIED PUBLIC ACCOUNTANTS

Leon P. Costello
Certified Public Accountant
Registered Municipal Accountant
No. 393

RESPONSE:

This letter correctly sets forth the understanding of the Township of Lower.

By: _____

Title: _____

Date: _____

MILLARD T. CHARLTON
& ASSOCIATES, CHARTERED
CERTIFIED PUBLIC ACCOUNTANTS

System Review Report

December 10, 2010

To the Owners
Ford, Scott & Associates, L.L.C.
Certified Public Accountants
and the Peer Review Committee of the
New Jersey Society of CPAs

We have reviewed the system of quality control for the accounting and auditing practice of Ford, Scott & Associates, L.L.C. (the firm) in effect for the year ended August 31, 2010. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants. The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review. The nature, objective, scope, limitations of, and the procedures performed in a System Review are described in the standards at www.aicpa.org/prsummary.

As required by standards, engagements selected for review include engagements performed under the *Government Auditing Standards* and audits of employee benefit plans.

In our opinion, the system of quality control for the accounting and auditing practice of Ford, Scott & Associates, L.L.C. in effect for the year ended August 31, 2010, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency (ies)* or *fail*. Ford, Scott, & Associates, L.L.C. has received a peer review rating of *pass*.

Millard T. Charlton & Associates
Certified Public Accountants

**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 Ford, Scott & Associates, L.L.C. (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:

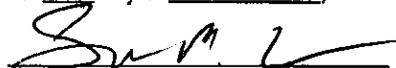
Contributor Name	Recipient Name	Date	Dollar Amount
Leon Costello	Amodeo for Assembly	2/15/2011	\$1,500.00
Leon Costello	Polistina for Senate	4/12/2011	\$1,500.00

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



Leon P. Costello

Sworn and Subscribed to before me
this 27 day of October, 2011



Notary Public

**SUSAN M. RUBBA
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 3/22/2012**

BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS
 Required Pursuant To N.J.S.A. 19:44A-20.8
TOWNSHIP OF LOWER, COUNTY OF CAPE MAY

Part I – Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that the Ford, Scott & Associates, 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 1, 2012 to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the Township of Lower, County of Cape May as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

Thomas Conrad	Lower Township Regular Republican Organization
Erik Simonsen	Any other present or future candidate committee or
Glenn Douglas	Joint candidate committee or local political party
Kevin Lare	Committee formed for the election of members of the
Michael E. Beck	Lower Township governing body.

Part II – Ownership Disclosure Certification

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

Check the box that represents the type of business entity:

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

Name of Stock or Shareholder	Home Address
Leon P. Costello	200 Simpson Avenue Unit B, Ocean City, NJ 08226
Glen J. Ortman	106 Birch Drive, Cape May Court House, NJ 08210
Donald E. Cheatle	11 Poppy Road, Egg Harbor Township, NJ 08234

Part 3 – Signature and Attestation:

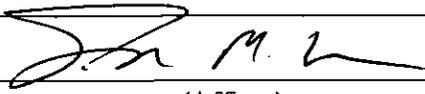
The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: Ford, Scott & Associates, LLC

Signed: _____ Title: Partner

Print Name: Leon P. Costello Date: October 27, 2011

Subscribed and sworn before me this 27 day of October, 2011.



 (Affiant)

My Commission expires:

SUSAN M. RUBBA
NOTARY PUBLIC OF NEW JERSEY
 Commission Expires 3/22/2012

 (Print name & title of affiant) (Corporate Seal)

Certification on Behalf of A Company, Partnership or Organization and All Individuals Whose Contributions are Attributable to the Entity Pursuant to Executive Order No. 117 (2008)

I hereby certify as follows:

On or after November 15, 2008, neither the below-named entity nor any individual whose contributions are attributable to the entity pursuant to Executive Order No. 117 (2008) has solicited or made any reportable contribution of money or pledge of contribution, including in-kind contributions or company or organization contributions, to the following:

- a) Any candidate committee and/or election fund of the Governor;
- b) A State political party committee;
- c) A legislative leadership committee;
- d) A county political party committee; or
- e) A municipal political party committee.

I certify as an officer or authorized representative of the Company or Organization identified below that, to the best of my knowledge and belief, the foregoing statements by me are true. I am aware that if any of the statements are willfully false, I am subject to punishment.

Name of Company, Partnership or Organization:

Ford, Scott & Associates, L.L.C.

Signed:  Title: PARTNER

Print Name: Leon P. Costello Date: 10/27/11

(circle one) (A) The Company, Partnership or Organization is the vendor;

or

(B) the Company, Partnership or Organization is a Principal (more than 10% ownership or control) of the vendor, a Subsidiary controlled by the vendor, or a Political Organization (e.g., PAC) controlled by the vendor.

**Please note that if the person signing this Certification is not signing on behalf of all individuals whose contributions are attributable to the entity pursuant to Executive Order No. 117 (2008), each of those individuals will be required to submit a separate individual Certification.*

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Required Pursuant To N.J.S.A. 19:44A-20.26

**This form or its permitted facsimile must be submitted to the local unit
no later than 10 days prior to the award of the contract.**

Part I - Vendor Information

Vendor Name: Ford, Scott & Associates, L.L.C.

Address: 1535 Haven Avenue

City: Ocean City

State: NJ

Zip: 08226

The undersigned being authorized to certify, hereby certifies that the submission provided herein represents compliance with the provisions of N.J.S.A. 19:44A-20.26 and as represented by the Instructions accompanying this form.



Leon P. Costello

Partner

Signature

Printed Name

Title

Part II - Contribution Disclosure

Disclosure requirement: Pursuant to N.J.S.A. 19:44A-20.26 this disclosure must include all reportable political contributions (more than \$300 per election cycle) over the 12 months prior to submission to the committees of the government entities listed on the form provided by the local unit.

Contributor Name	Recipient Name	Date	Dollar Amount
Leon Costello	Amodeo for Assembly	2/15/2011	1500
Leon Costello	Polistina for Senate	4/12/2011	1500

STOCKHOLDER DISCLOSURE CERTIFICATION

Name of Business: Ford, Scott & Associates, L.L.C.

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

OR

I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

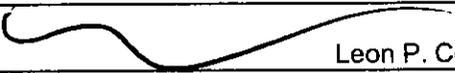
Check the box that represents the type of business organization:

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

Sign and notarize the form below, and, if necessary, complete the stockholder list below.

Stockholders:

Name: Donald E. Cheatle Home Address: 11 Poppy Road, Egg Harbor Township, NJ 08234
Name: Glen J. Ortman Home Address: 106 Birch Drive, Cape May Court House, NJ 08210
Name: Leon P. Costello Home Address: 200 Unit B Simpson Avenue, Ocean City, NJ 08226

	Leon P. Costello	Partner
Signature	Printed Name	Title

Subscribed and sworn before me this 27 day of October, 2011.
(Notary Public)



SUSAN M. RUBBA
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 3/22/2012

Jorgensen & Company
42 West Allendale Avenue
Allendale, New Jersey 07401

Tel: (201) 447-4400
Fax: (201) 818-5680

www.jorgensenandcompany.com



Jorgensen & Company

VERIFICATION OF INSURANCE

ISSUED TO:

We the undersigned Insurance Brokers, hereby verify that the Greenwich Insurance Company has issued the following described insurance, and which is in force as of the date hereof:

Professional Liability Insurance

NAME OF THE INSURED: Ford Scott & Associates LLC and others as more fully described in the policy

Policy Number:
CPH9793225

Insurers:
Greenwich Insurance Company

Period:
09/01/11 to 09/01/12

LIMIT:
\$1,000,000 Each Claim
\$3,000,000 Annual Aggregate

RETENTION: \$10,000 each claim aggregate

Subject to the terms, conditions, exclusions and limitations of the policy.

Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will mail 30 days prior written notice to the certificate holder, but such failure to mail such notice shall impose no obligation on any kind upon Jorgensen & Company, its agents or representatives.

This document is furnished as a matter of information only. The issuance of this document does not make the person or organization to whom it is issued an additional insured, nor does it modify in any manner the contract of insurance between the Insured and the Insurers. Any amendment, change or extension of such contract can only be effected by the specific endorsement attached thereto.

Jorgensen & Company

Per

September 8, 2011



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

10/27/2011

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 Thomas H. Heist Insurance Agency, Inc. 700 West Avenue P. O. Box 480 Ocean City NJ 08226		CONTACT NAME: Maryann Colavito, AAI PHONE (A/C, No, Ext): (609) 399-0655 E-MAIL ADDRESS: colavito@heistinsurance.com PRODUCER CUSTOMER ID#: 00003713		FAX (A/C, No): (609) 399-8681
INSURED Ford, Scott & Associates, LLC PO Box 538 1535 Haven Avenue Ocean City NJ 08226		INSURER(S) AFFORDING COVERAGE		NAIC #
		INSURER A: Delos Insurance Company		
		INSURER B: Hartford Underwriters Ins Co		30104
		INSURER C: Lloyds		
		INSURER D:		
		INSURER E:		
		INSURER F:		

COVERAGES

CERTIFICATE NUMBER: 11-12

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 INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY			B18599	4/8/2011	4/8/2012	EACH OCCURRENCE	\$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 50,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person)	\$ 5,000
	GEN'L AGGREGATE LIMIT APPLIES PER:							PERSONAL & ADV INJURY
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 1,000,000
								\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	\$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person)	\$
	<input type="checkbox"/> ALL OWNED AUTOS						BODILY INJURY (Per accident)	\$
	<input type="checkbox"/> SCHEDULED AUTOS						PROPERTY DAMAGE (Per accident)	\$
	<input type="checkbox"/> HIRED AUTOS							\$
	<input type="checkbox"/> NON-OWNED AUTOS							\$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB	<input checked="" type="checkbox"/> OCCUR		UMB19483	4/8/2011	4/8/2012	EACH OCCURRENCE	\$ 2,000,000
	<input type="checkbox"/> EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE					AGGREGATE	\$ 2,000,000
	DEDUCTIBLE RETENTION \$ 10,000							
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						WC STATUTORY LIMITS	OTHER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y/N	N/A	13WEQPM6017	10/31/2011	10/31/2012	E.L. EACH ACCIDENT	\$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	\$ 1,000,000
C	WIND - 1% Deductible			297560234191L00	4/8/2011	4/8/2012	BUILDING	1,273,000
A	PROPERTY -1000 Deductible			B18599	4/8/2011	4/8/2012	CONTENTS	250,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Accounting Firm located at 1535 Haven Avenue, Ocean City, NJ; Property coverage includes replacement cost to policy limit; Employee Dishonesty Coverage 50,000.

CERTIFICATE HOLDER**CANCELLATION**

None Declared

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

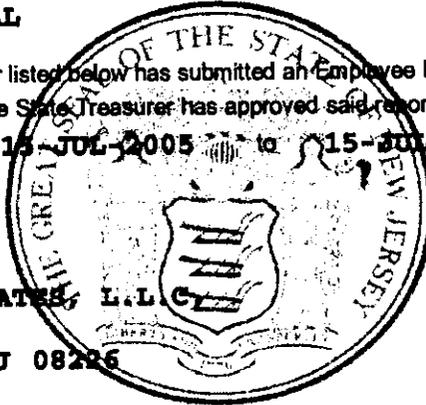
AUTHORIZED REPRESENTATIVE

M Tolan, AAI/MMT

CERTIFICATE OF EMPLOYEE INFORMATION REPORT
RENEWAL

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of **15-JUL-2005** to **15-JUL-2012**

FORD, SCOTT & ASSOCIATES, L.L.C.
1535 HAVEN AVENUE
OCEAN CITY NJ 08226



A handwritten signature in black ink, appearing to read "R. P. ...", written over a horizontal line.

State Treasurer



STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name: FORD, SCOTT & ASSOCIATES, L.L.C.

Trade Name:

Address: 1535 HAVEN AVENUE
OCEAN CITY, NJ 08226-0538

Certificate Number: 0109089

Effective Date: December 17, 2001

Date of Issuance: January 03, 2008

For Office Use Only:

20080103101548873

State Of New Jersey
New Jersey Office of the Attorney General
Division of Consumer Affairs

THIS IS TO CERTIFY THAT THE
Board of Accountancy

HAS REGISTERED

Ford Scott & Associates LLC
DONALD E CHEATLE
1535 Haven Avenue
Ocean City, NJ 082260538

FOR PRACTICE IN NEW JERSEY AS A(N): Firm Registration

New Jersey Office of the Attorney General
Division of Consumer Affairs
THIS IS TO CERTIFY THAT THE
Board of Accountancy
HAS REGISTERED
Ford Scott & Associates LLC
Firm Registration:

06/22/2009 TO 06/30/2012
VALID

20CB00114900

License/Registration/Certificate #

SIGNATURE

DIRECTOR

06/22/2009 TO 06/30/2012
VALID

20CB00114900
LICENSE/REGISTRATION/CERTIFICATION #

Signature of Licensee/Registrant/Certificate Holder

DIRECTOR

PLEASE DETACH HERE
IF YOUR LICENSE/REGISTRATION/
CERTIFICATE ID CARD IS LOST
PLEASE NOTIFY:

Board of Accountancy
P.O. Box 45000
Newark, NJ 07101

PLEASE DETACH HERE

Ford Scott & Associates LLC

EXPIRATION DATE 2012

YOUR LICENSE/REGISTRATION/CERTIFICATE NUMBER IS 20CB 00114900 . PLEASE USE IT IN ALL
CORRESPONDENCE TO THE DIVISION OF CONSUMER AFFAIRS USE THIS SECTION TO REPORT ADDRESS
CHANGES YOU ARE REQUIRED TO REPORT ANY ADDRESS CHANGES IMMEDIATELY TO THE ADDRESS NOTED
BELOW

Board of Accountancy
P.O. Box 45000
Newark, NJ 07101

PRINT YOUR NEW ADDRESS OF RECORD BELOW
YOUR ADDRESS OF RECORD IS THE ADDRESS THAT WILL PRINT ON
YOUR LICENSE/REGISTRATION/CERTIFICATE AND IT MAY BE MADE
AVAILABLE TO THE PUBLIC.

HOME
BUSINESS

TELEPHONE
INCLUDE AREA CODE

PRINT YOUR NEW MAILING ADDRESS BELOW
YOUR MAILING ADDRESS IS THE ADDRESS THAT WILL BE USED BY THE
DIVISION OF CONSUMER AFFAIRS TO SEND YOU ALL CORRESPONDENCE

HOME
BUSINESS

TELEPHONE
INCLUDE AREA CODE

If the law governing your profession requires the current license/registration/certificate to be displayed, it should be
within reasonable proximity of your original license/registration/certificate at your principal office or place of
business.

Exhibit A
(Revised 2007)
N.J.S.A. 10:5-36 et seq, N.J.A.C. 17:27
Mandatory Affirmative Action Language

Goods, Professional Service and General Service Contracts

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

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

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

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

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-36 et. seq., as amended and supplemented from time to time and the Americans with Disabilities Act. The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27 5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27 5.2.

Exhibit A
(continued)

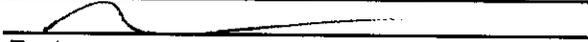
The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices. The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

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

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

Letter of Federal Affirmative Action Plan Approval
Certificate of Employee Information Report
Employee Information Report Form AA302

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

Name: Ford, Scott & Associates, L.L.C.
Name of Highest Official: Leon P. Costello
Signature: 
Title: Partner
Date: 10/26/2011

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

RESOLUTION #2012-04

**TITLE: APPOINTMENT OF BOND COUNSEL FOR THE YEAR 2012
WITHOUT PUBLIC BIDDING**

WHEREAS, the Township of Lower ("Township") has a need to acquire bond counsel 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 not exceed \$17,500, and Mc Manimon & Scotland has submitted a proposal indicating that they will provide the goods or services described above; and

WHEREAS, the term of this contract is one year; and the CFO has determined sufficient funds will be available in the current budget as follows:

Appropriation # Applicable Bond Ordinances

Signature 

WHEREAS, Mc Manimon & Scotland has completed and submitted a Business Entity Disclosure Certification which certifies that Mc Manimon & Scotland 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 Mc Manimon & Scotland 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 Mc Manimon & Scotland 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 January 4, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

A G R E E M E N T

THIS AGREEMENT ("Agreement"), made as of this ____ day of _____, 2012, by and between the TOWNSHIP OF LOWER, in the County of Cape May, a body politic of the State of New Jersey, herein designated as the "Client" and McMANIMON & SCOTLAND, L.L.C., Attorneys at Law with offices at 1037 Raymond Boulevard, Suite 400, Newark, New Jersey, hereinafter designated as "Counsel":

WITNESSETH:

The Client desires to engage the services of Counsel for one or more of the services described herein which may consist of (i) services related to public finance and (ii) services related to redevelopment, environmental, litigation or other non-public finance services. To the extent that the Client requests such services of Counsel for any of such services, they shall be billed as follows:

I. Public Finance

1. Counsel, in consideration of the making and the signing of this Agreement, agrees to render the following services:

A. Counsel will prepare or review all bond ordinances adopted or to be adopted by the governing body.

B. Counsel will assemble a certified record of proceedings to evidence the proper adoption of each bond ordinance in accordance with the provisions of the Local Bond Law and other applicable New Jersey statutes.

C. When the Client determines to issue bonds or notes, Counsel will prepare the necessary resolutions or other operative documents to set up the bond or note sale and will submit them to the Client's general counsel for review. Counsel will seek the advice of the Client's financial advisor and/or auditor in connection with the appropriate maturity schedule for the bonds or notes to be sold and will review legal issues relating to the structure of the bond or note issue. Counsel will assist the Client in seeking from other governmental authorities such approvals, permissions and exemptions as Counsel determines are necessary or appropriate in connection with the authorization, issuance and delivery of bonds or notes. Counsel will review those sections of the official statement, private placement memorandum or other form of offering or disclosure document to be disseminated in connection with the sale of the bonds or notes and will arrange for the printing and the distribution of such offering or disclosure document. Counsel will prepare and review the notice of sale pertaining to the competitive sale of the bonds or notes and will arrange for the printing of such notice of sale in The Bond Buyer, as applicable, and will answer inquiries made by the investment community concerning the bond or note sale. Counsel will assist the Client in presenting information to bond rating organizations and providers of credit enhancement relating to legal issues affecting the issuance of bonds or notes. Counsel will render legal advice as necessary concerning the submission of bids for the bonds or notes in accordance with the notice of sale and the requirements of law. After the bond or note

sale, Counsel will prepare the bonds or notes for execution, will prepare and see to the execution of the necessary closing certificates, including the continuing disclosure undertaking of the Client, and will establish the time and the place for the delivery of the bonds or notes to the successful bidder. Counsel will coordinate the closing, at which time the bonds or notes will be delivered, payment will be made for the bonds or notes, and Counsel will issue a final approving legal opinion with respect to the validity and binding effect of the bonds or notes, the source of payment and security for the bonds or notes and the excludability of interest on the bonds or notes from gross income for federal and New Jersey income tax purposes, if applicable.

D. Counsel will provide basic advice in regard to the effect of the federal arbitrage regulations on the issuance of bonds or notes and the investment of the proceeds thereof.

E. Counsel will provide such other services as may be requested from time to time by the Client including any referendum, validation proceedings or other action relating to the Client or the authorization and issuance of a financing instrument by the Client.

2. The Client will make payment to Counsel for services rendered in accordance with the following schedule:

A. For services rendered in connection with each bond sale, a fee of \$3,500, plus \$1.00 per thousand dollars of bonds issued for the first \$15,000,000 of bonds issued and \$.75 per thousand dollars of bonds issued in excess of \$15,000,000. If there is more than 1 series of bonds issued, there will be an additional charge of \$1,000 for each such additional series.

B. For services rendered in connection with the preparation or review of each bond ordinance and the compiling of a certified record of proceedings in connection therewith, a fee of \$600.

C. For services rendered in connection with each note sale, a fee equal to the hourly rates reflected in paragraph I(2)(G), with a minimum fee of \$.50 per thousand dollars of notes issued up to \$15,000,000 of notes issued and \$.40 per \$1,000 of notes in excess of \$15,000,000, but not less than \$800. If more than one series of notes are issued, there will be an additional charge of \$500 for each such additional series.

D. For services rendered in connection with arbitrage compliance and related tax analysis, a fee of \$250.

E. In the event that a letter of credit, bond insurance, or similar credit enhancement facility is used in connection with either a bond or note issue, an additional fee of \$1,000 will be charged.

F. In the event of a refunding bond issue consistent with the provisions of the Internal Revenue Code to provide for the payment of a prior issue of bonds, there will be an additional fee of \$5,000 for each refunded issue.

G. Services rendered on an hourly basis, including preparation of an application to and an appearance before the Local Finance Board, attendance at meetings, litigation, continuing disclosure undertakings and preliminary and final official statement or other offering or disclosure document work, will be billed at the blended hourly rate of \$215 per hour for attorneys and \$135 per hour for legal assistants.

H. Counsel's fee is usually paid at the closing of the bonds or notes, and Counsel customarily does not submit any statement until the closing unless there is a substantial delay in completing the financing. In the event that legal services described herein are provided in connection with a bond or note sale and the bond or note sale is not consummated or is completed without the delivery of Counsel's bond opinion as bond counsel, or this Agreement is terminated prior to the sale of bonds or notes, the fee for services to be charged shall be based on the hourly rates as set forth in paragraph I(2)(G).

I. Reasonable and customary out of pocket expenses and other charges, including but not limited to, photocopying, express delivery charges, travel expenses, telecommunications, telecopy, filing fees, computer-assisted research, book binding, messenger service or other costs advanced on behalf of the Client, shall be added to the fees referred to in this Agreement.

II. Redevelopment, Environmental, Litigation and Non-Public Finance Services

1. To the extent that the Client desires to engage Counsel for general legal services in connection with (i) redevelopment projects (the "Redevelopment Projects"), (ii) environmental issues including the giving of advice or preparation of work product at the direction of the Client related to or concerning the identification, investigation, remediation or preparing of grant applications to assist the Client in responding to potential or actual environmental conditions ("Environmental Services"), (iii) litigation, including representation in any and all action authorized by the Client and relating to a threatened, pending or actual legal proceeding or any condemnation or alternate dispute resolution matters ("Litigation Services") or (iv) any other legal services, such services shall be billed as follows:

2. The Client will make payment to Counsel for such general legal services at the blended hourly rates set forth in paragraph I(2)(G). Services rendered to the Client the cost of which is reimbursed by a developer through a developer-funded escrow account pursuant to an escrow agreement between the developer and the Client shall be billed at the blended hourly rate of \$325 for attorneys and \$180 for legal assistants. In addition to the hourly time charges described above, Counsel will be reimbursed for out-of-pocket expenses as set forth in paragraph I(2)(I).

3. Services rendered in connection with the issuance of bonds pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*, the Redevelopment Area Bond Financing Law, N.J.S.A. 40A:12A-64 *et seq.*, or the Revenue Allocation District Financing Act, N.J.S.A. 52:27D-459 *et seq.*, will be billed in accordance with the fee schedule set forth in paragraph I(2)(D) through (G).

III. General Provisions

1. Upon execution of this Agreement, the Client will be Counsel's client and an attorney-client relationship will exist between Client and Counsel. Counsel assumes that all other parties will retain such counsel, as they deem necessary and appropriate to represent their interests in the transactions contemplated hereby. Counsel's services are limited to those contracted for in this Agreement; the Client's execution of this Agreement will constitute an acknowledgment of those limitations. Counsel's representation of the Client will not affect, however, our responsibility to render an objective bond opinion. Counsel's representation of the Client and the attorney-client relationship created by this Agreement will be concluded upon termination of this Agreement.

2. At the request of the Client, papers and property furnished by the Client will be returned promptly upon receipt of payment for outstanding fees and Client charges. Counsel's own files, including lawyer work product, pertaining to the transactions contemplated hereby will be retained by Counsel. For various reasons, including the minimization of unnecessary storage expenses, Counsel reserves the right to dispose of any documents or other materials retained by Counsel after the termination of this Agreement.

3. Counsel and the Client hereby incorporate into this contract the mandatory language of N.J.A.C. 17:27-3.4(a) and the mandatory language of N.J.A.C. 17:27-3.6(a) promulgated pursuant to N.J.S.A. 10:5-31 to 38 (P.L. 1975, c. 127, as amended and supplemented from time to time), and Counsel agrees to comply fully with the terms, the provisions and the conditions of N.J.A.C. 17:27-3.4(a) and N.J.A.C. 17:27-3.6(a), provided that N.J.A.C. 17:27-3.4(a) shall be applied.

4. Counsel and the Client hereby incorporate into this contract the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") (42 USC S121 01 et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs and activities provided or made available by public entities, and the rules and regulations promulgated thereunder.

5. Counsel hereby represents that it has filed with the Client proof of professional liability insurance with coverage amounts acceptable to the Client.

6. This Agreement shall be in full force and effect until such time as either party gives written notice to the other of termination.

POLITICAL CONTRIBUTION DISCLOSURE

This contract has been awarded to McManimon & Scotland, L.L.C. based on the merits and abilities of McManimon & Scotland, L.L.C. to provide the goods or services as described herein. This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that the principals of McManimon & Scotland, L.L.C. controlling in excess of 10% of the company have neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the municipality if a member of that political party is serving in an elective public office of that municipality when the contract is awarded, or to any candidate committee of any person serving in an elective public office of that municipality when the contract is awarded.

IN WITNESS WHEREOF, the TOWNSHIP OF LOWER has caused this agreement to be duly executed by its proper officers and has caused its corporate seal to be hereto affixed, and Counsel has caused this agreement to be duly executed by the proper party as of the day and year first above written.

TOWNSHIP OF LOWER

ATTEST:

By: _____

Clerk

McMANIMON & SCOTLAND, L.L.C.

By: Edward J. McManimon
Edward J. McManimon, III

**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 – Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that the firm of McManimon & Scotland, L.L.C. 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 1, 2011 to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the Township of Lower as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

NO CONTRIBUTIONS HAVE BEEN MADE.	

Part II – Ownership Disclosure Certification

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

Check the box that represents the type of business entity:

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

Name of Stock or Shareholder	Home Address
Edward J. McManimon, III	115 Laning Avenue, Pennington, NJ 08534
Glenn F. Scotland	95 Central Avenue, Montclair, NJ 07042
Joseph P. Baumann, Jr.	123 Central Avenue, Madison, NJ 07940
Andrea L. Kahn	7 Blythewood Court, North Brunswick NJ 08902

Part 3 – Signature and Attestation:

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

Name of Business Entity: McManimon & Scotland, L.L.C.

Signature of Affiant: *Edward J. McManimon, III* Title: Member

Printed Name of Affiant: Edward J. McManimon, III Date: October 31, 2011

Subscribed and sworn before me this 31 day of October, 2011.

My Commission expires:

Natercia M. Lopes
(Witnessed or attested by)

NATERCIA M. LOPES
A Notary Public of New Jersey
My Commission Expires June 25, 2014

08/18/04

Taxpayer Identification# 222-837-091/000

Dear Business Representative:

Congratulations! You are now registered with the New Jersey Division of Revenue.

Use the Taxpayer Identification Number listed above on all correspondence with the Divisions of Revenue and Taxation, as well as with the Department of Labor (if the business is subject to unemployment withholdings). Your tax returns and payments will be filed under this number, and you will be able to access information about your account by referencing it.

Additionally, please note that State law requires all contractors and subcontractors with Public agencies to provide proof of their registration with the Division of Revenue. The law also amended Section 92 of the Casino Control Act, which deals with the casino service industry.

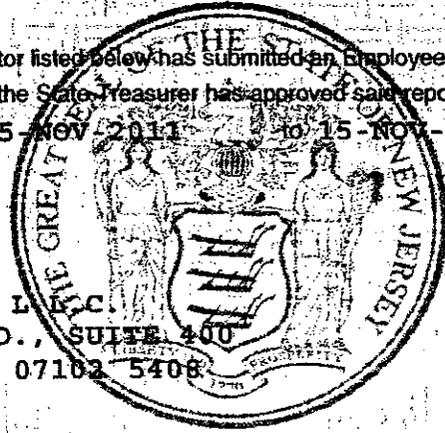
We have attached a Proof of Registration Certificate for your use. To comply with the law, if you are currently under contract or entering into a contract with a State agency, you must provide a copy of the certificate to the contracting agency.

If you have any questions or require more information, please call our Registration Hotline at (609) 292-2222.

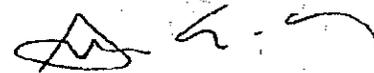
STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE		DEPARTMENT OF TREASURY/ DIVISION OF REVENUE P.O. BOX 282 TRENTON, NJ 08646-0282
TAXPAYER NAME: MCMARSHON & SCOTLAND, L.L.C.	TRADE NAME:	
TAXPAYER IDENTIFICATION#: 222-837-091/000	SEQUENCE NUMBER: 0018601	
ADDRESS: ONE RIVERFRONT 10TH FL NEWARK NJ 07102	ISSUANCE DATE: 08/18/04	
EFFECTIVE DATE: 01/03/88	Actual Director	
FORM-BRC(08-01)	This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.	

**CERTIFICATE OF EMPLOYEE INFORMATION REPORT
RENEWAL**

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of 15-NOV-2011 to 15-NOV-2018



MCMANIMON & SCOTLAND, L.P.C.
1037 RAYMOND BOULEVARD., SUITE 400
NEWARK NJ 07102-5408


Andrew P. Sidamon-Eristoff
State Treasurer

Jamison Risk Services



A DIVISION OF HERBERT L. JAMISON & CO., L.L.C.
INSURANCE GROUP

100 Executive Drive, West Orange, New Jersey 07052-3362
973-731-0806 • 800-JAMISON • Fax 973-731-3035 •
www.jamisongroup.com

NEW JERSEY
NEW YORK
PENNSYLVANIA

CONFIRMATION OF PLACEMENT OF COVERAGE

NAMED INSURED AND ADDRESS	ACCOUNT NO.
McManimon & Scotland, L.L.C. 1037 Raymond Boulevard, Suite 400 Newark, NJ 07102-5408	MCMAN-1001

McManimon & Scotland, L.L.C.
1037 Raymond Boulevard, Suite 400
Newark, NJ 07102-5408

EFFECTIVE DATE	EXPIRATION DATE	POLICY NUMBER	INSURER
09-20-2010*	09-20-2011*	Renewal of: WLA300009923600	Westport Insurance Corporation

COVERAGE DESCRIPTION AND AMOUNT / LINES	
<u>LAWYERS PROFESSIONAL LIABILITY INSURANCE</u>	
Limit of Liability:	\$10,000,000 per claim / \$10,000,000 annual aggregate
Deductible:	\$100,000 per claim
Annual Premium:	\$142,584 plus NJ PLIGA Surcharge of \$1,283
Terms and Conditions:	As provided in our report to you dated August 10, 2010. Underwriters did agree to amend the clauses in the new policy we discussed in our August 12 th meeting. They were item 1. dealing with retiring partners and item 5. dealing with Personal Injury coverage found on page 2. of our Executive Summary of our report.
Subject To:	Signed Coverage Order Request Form.
	*The current Policy No. WLA300009923600 has been extended to September 20, 2010 at no additional premium.
	We discussed our ability to obtain quotes for higher limits in our report. We understand the firm is not interested at this time.
Accepted by:	<u>Joseph P. Byn</u> Dated: <u>8/30/10</u>

BY Joseph F. Bieniowski
Joseph F. Bieniowski, Director

8-27-10
DATE

In accordance with your instructions we have taken the action as described above. Please review this confirmation to be sure that it accurately reflects those instructions. The policy and / or amendment is being prepared and will be forwarded to you along with the invoice or credit memorandum in due course. Thank you for this opportunity to be of service. Subject to Underwriters Approval and Terms and Conditions of the Policy.

**STATE OF NEW JERSEY
DEPARTMENT OF TREASURY
SHORT FORM STANDING**

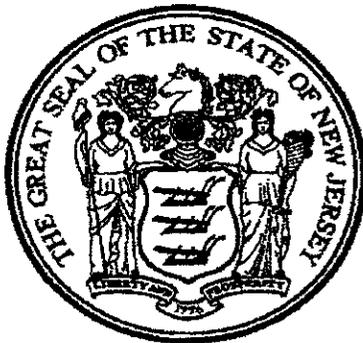
**MCMANIMON & SCOTLAND, L.L.C.
0600036776**

I, the Treasurer of the State of New Jersey, do hereby certify that the above-named New Jersey Domestic Limited Liability Company was registered by this office on March 13, 1997.

As of the date of this certificate, said business continues as an active business in good standing in the State of New Jersey, and its Annual Reports are current.

I further certify the registered agent and registered office are:

*John V. Cavaliere
1037 Raymond Boulevard
Suite 400
Newark, 07102 5408*



*IN TESTIMONY WHEREOF, I have
hereunto set my hand and affixed
my Official Seal at Trenton, this
22nd day of September, 2009*

*R. David Rousseau
State Treasurer*

Certificate Number: 115344600

Verify this certificate online at

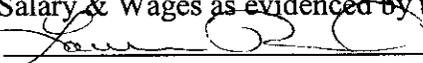
http://www1.state.nj.us/TYTR_StandingCert/JSP/Verify_Cert.jsp

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

RESOLUTION #2012-05

TITLE: APPOINTMENT OF MUNICIPAL PROSECUTOR FOR THE YEAR 2012

WHEREAS, there exists a need for the service of a Municipal Prosecutor in the Township of Lower in the County of Cape May, State of New Jersey; and

WHEREAS, the maximum amount of the contract is \$20,500.00 plus \$80.00 per hour for Special Court sessions and funds are available in the current fund entitled Office of the Township Solicitor - Salary & Wages as evidenced by the Chief Financial Officer's Certification & signature ; and

WHEREAS, the Local Public Contracts Law (N.S.J.A. 40A:11-5 et seq.) requires that the resolution authorizing the award of contracts for Professional Services without competitive bids and the contract itself must be available for public inspection.

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

The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Ronald Gelzunas.

This contract is awarded without competitive bidding as a Professional Service in accordance with N.J.S.A. 40A:11-5 (1)(a) of the Local Public Contracts Law as the contract is for a service performed by a person authorized by law to practice a recognized profession that is regulated by law.

A notice of this action shall be printed once in the Township's Official newspaper.

I hereby certify this is the original resolution adopted by the Township Council at the meeting of January 4, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-06

TITLE: APPOINTMENT OF MUNICIPAL PUBLIC DEFENDER FOR 2012

WHEREAS, there exists a need for the service of a municipal public defender in the Township of Lower in the County of Cape May, State of New Jersey; and,

WHEREAS, the amount of the contract is \$11,200 and funds are available in the current fund entitled Office of the Public Defender - Salary & Wage as evidenced by the Chief Financial Officer's signature ; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for Professional Services without competitive bids and the contract itself must be available for public inspection.

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

The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Christopher Gibson.

This contract is awarded without competitive bidding as a Professional Service in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law as the contract is for a service performed by a person authorized by law to practice a recognized professional that is regulated by law.

A notice of this action shall be printed once in the Township's Official newspaper.

I hereby certify this is the original resolution adopted by the Township Council on January 4, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-07

TITLE: ANNUAL APPOINTMENT OF EMERGENCY MANAGEMENT COUNCIL

WHEREAS, the Township is required to annually appoint the Emergency Management Council.

NOW, THEREFORE, BE IT RESOLVED by the Township Council, the governing body thereof, that the following persons are hereby appointed to the Emergency Management Council for 2012.

NAME	CATEGORY	NAME	CATEGORY
Michael Beck	1	Thomas Conrad	1
Richard Harron	2	Brian Marker	2 & 3
James Godfrey	2	Eileen Kreis	2 & 4
Dave Perry	2 & 4	Gary Douglass	2
William Mastriana	2	Rich Harron, Jr.	2
Gary Playford	2	Lew McGonigal	2
Art Hayden	2	Kevin Hart	2
Matt Ecker	5		

BE IT FURTHER RESOLVED the following individuals be appointed as the volunteer Deputy OEM Coordinators for 2012:

1. Chief Brian Marker
2. James Godfrey
3. Eileen Kreis
4. David Perry

I hereby certify this resolution was adopted by the Township Council at their meeting of January 4, 2012

 Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-08

TITLE: APPOINTMENT OF CLASS III MEMBER TO THE PLANNING BOARD

WHEREAS, the term of, Kevin Lare, Class III Member on the Lower Township Planning Board, expired on Dec. 31, 2011, and

WHEREAS, Kevin Lare is interested in serving and also holds the Council At Large seat on Council,

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the following person is hereby reappointed to the Lower Township Planning Board as follows.

<u>Name</u>	<u>Type/Class</u>	<u>Exp. Date</u>
Kevin Lare	Class III	12-31-2012

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-09

**TITLE: CONFIRMATION OF OFFICIALS FOR JOINT INSURANCE FUND
AND MUNICIPAL EXCESS LIABILITY FUND**

WHEREAS, it is necessary for the Township to designate certain persons for the receipt of notices and processing of claims for the Joint Insurance Fund, and

WHEREAS, the Township is desirous of updating the records of the Atlantic County Municipal Joint Insurance Fund with changes.

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the following persons are named in the capacity listed for the Joint Insurance Fund for 2012 and shall remain in said positions until changed by resolution:

Fund Commissioner	Julie Picard
Alt. Fund Commissioner	Michael Voll
Claims Coordinator	Marie LoMonaco
Risk Management Consultant	Marsh & McLennan Agency
Safety Coordinator	Jason Dilworth
Township Clerk	Claudia R. Kammer

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-10

TITLE: APPOINTMENT OF JIF RISK MANAGEMENT CONSULTANT

WHEREAS, the Governing Body of the Township of Lower is a member of the Atlantic County Municipal Joint Insurance Fund, a self insurance pooling fund, following a detailed analysis and;

WHEREAS, the Bylaws of said Fund require that each municipality appoint a RISK MANAGEMENT CONSULTANT to perform various professional services as detailed in the Bylaws and;

WHEREAS, the Bylaws indicate a fee not to exceed six percent (6%) of the municipal assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the governing body and;

WHEREAS, N.J.S.A. 40A: 11-5 (1) (m), specifically exempts the hiring of insurance consultants from competitive bidding as an extraordinary unspecifiable service; and

WHEREAS, the experience, knowledge of public insurance and risk management issues and judgmental nature required of a Risk Management Consultant's are clearly an extraordinary unspecifiable service which therefore render competitive bidding impractical;

NOW, THEREFORE, be it resolved that the governing body of the Township of Lower does hereby appoint Marsh & McLennan Agency as its Risk Management Consultant in accordance with 40A:11-5 for a fee of Two and one half percent (2.5%) of the combined ACMJIF & MELJIF net assessment amount as per their proposal; and,

BE IT FURTHER RESOLVED that the governing body is hereby authorized and directed to execute the Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to N.J.S.A. 40A: 11-5 (1), (a), (i).

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

RISK MANAGEMENT CONSULTANT AGREEMENT
ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND

This Agreement, entered into this _____ day of _____, _____, between the TOWNSHIP OF LOWER (hereinafter referred to as the "Municipality") and MARSH & McLENNAN AGENCY, LLC, a Corporation of the State of New Jersey, and Barbara Weigand, the responsible agent, having their principal office located at 510 Bank St., Ste. 200, Cape May, NJ (hereinafter referred to as the "Consultant").

WHEREAS, the Consultant has offered the services to the Municipality as the Professional Risk Management Consultant as required in the Bylaws of the Atlantic County Municipal Joint Insurance Fund; and

WHEREAS, the Municipality desires to contract for these professional services pursuant to the resolution adopted by the Mayor and Council of the Municipality at a meeting held on _____;

NOW THEREFORE, the parties in consideration of the mutual promises and covenants set forth in this Agreement, agree as follows:

1. For and in consideration of the compensation set forth in Paragraph 3 of this Agreement, the Consultant hereby agrees to provide Professional Risk Management services to the Municipality as follows:
 - A) The Consultant shall assist the Municipality in identifying its insurable exposures and shall recommend professional methods to reduce, assume or transfer the risk of loss.
 - B) The Consultant shall assist the Municipality in understanding and selecting the various types of coverage available from the Atlantic County Municipal Joint Insurance Fund.
 - C) The Consultant shall review with the Municipality any additional types of coverage that the Consultant believes the Municipality should purchase that are not available from the Fund. The Consultant shall purchase and bind any additional types of coverage authorized by the Municipality.
 - D) The Consultant shall assist the Municipality in the preparation of applications, statements of values and other documents requested by the Fund. However, this Agreement does not include any appraisal work by the Consultant.
 - E) The Consultant shall review the Municipality's annual assessment as prepared by the Fund, and shall assist the Municipality in the preparation of its annual insurance budget.
 - F) The Consultant shall review the loss and engineering reports for the Municipality, and shall assist the Safety Committee in its loss containment objectives within the Municipality.

- G) The Consultant shall attend and actively participate in the Municipality's Safety Committee activities and meetings, and shall present information to the Safety Committee on Safety related topics.
- H) The Consultant shall attend the Municipality's Member Accident Review Panel meetings and assist the Municipality in determining the cause of accidents. The Consultant shall suggest any remedial actions necessary to avoid future accidents.
- I) The Consultant shall assist the Municipality in determining the necessary training for each employee in each Municipal Department based upon the employee's job description and in accordance with OSHA and other governmental regulations.
- J) The Consultant shall assist the Municipality in scheduling employee training, both internal and external, including the tracking of course attendance and completion of course requirements.
- K) The Consultant shall assist the Municipality with the timely and accurate reporting of all claims, which shall include the establishment and implementation of claims reporting procedures.
- L) The Consultant shall assist, when requested by the Municipality and/or the Claims TPA, with the investigation of claims filed against the Municipality.
- M) The Consultant shall review the Municipality's loss data on a regular basis and prepare reports to the Municipality on recent losses, open claims, and loss trends.
- N) The Consultant shall review the performance of the Municipality's Claims TPA on a quarterly basis including reserving practices, adjuster claim counts, and supervisor file review.
- O) The Consultant shall assist the Municipality by reporting to the Fund changes in exposures including the deletion and addition of vehicles, equipment, and properties and the contracting of Municipal services to third parties.
- P) The Consultant shall assist the Municipality and Fund professionals in the annual renewal process including the gathering and verification of exposure data.
- Q) The Consultant shall order Certificates of Insurance from the Fund.
- R) The Consultant shall review Certificates of Insurance received by the Municipality.
- S) The Consultant shall review proposed contracts between the Municipality and organizations and contractor's to verify that the appropriate indemnification and hold harmless language is contained in the Contract and that the Certificate of Insurance Guidelines are being followed.
- T) The Consultant shall evaluate and advise the Municipality on the risk management aspects of public events being staged or sponsored by the Municipality.
- U) The Consultant shall review the annual coverage documents to verify the accuracy of the policies.
- V) The Consultant shall respond to questions regarding coverage from the Municipality's officials.

- W) The Consultant shall actively attend and participate on the Fund Subcommittees as authorized by the Fund Bylaws.
 - X) The Consultant shall regularly attend the Monthly Executive Committee meetings of the Fund.
 - Y) The Consultant shall execute and file with the Municipality, as part of this agreement, and the Executive Director's office a copy of the Atlantic County Municipal Joint Insurance Fund Confidentiality Agreement.
 - Z) The Consultant shall at least twice annually, prepare and present a written report to the Governing Body of the Municipality outlining the Municipality's Insurance and Safety Program.
 - AA) The Consultant shall assist the Municipality with the settlement of claims, with the understanding that the scope of the Consultant's involvement does not include the work normally performed by a public adjuster.
 - AB) The Consultant shall perform any other services required by the Fund's Bylaws.
2. The term of this Agreement shall be for a period of one (1) year commencing the first day of **January, 2012**, or from the effective date of coverage, unless this Agreement is terminated as set forth in Paragraph 5 of this Agreement.
 3. The Municipality authorizes the Fund to pay its Consultant, as compensation for services rendered, an amount equal to a dollar amount of _____ (\$ _____) or **Two & one-half** percent (**2.5** %) of the Municipality's annual assessment as promulgated by the Fund. Said fee shall be paid to the Consultant within thirty (30) days of the payment of the Municipality's assessment to the Fund. The Consultant shall receive no other compensation or commission for the placement or servicing of any municipal coverage with the Fund.
 4. For any type of coverage that is authorized by the Municipality, to be purchased outside of the coverage offered by the Fund, the Consultant shall receive as his full compensation, the normal brokerage commissions paid by the insurance company. The premiums for said policies shall not be added to the Fund's assessment in computing the fee outlined in Paragraph 3 of this Agreement.
 5. Either party may cancel this Agreement at any time by notifying the other party, in writing, of their intention to terminate this Agreement. The termination shall be effective on the ninetieth day after service of the notice. The compensation provided for in Paragraph 3 shall be pro-rated to the date of termination.

ATTEST: _____ MUNICIPALITY: _____

ATTEST: Janne M. Cement CONSULTANT: Barbara Weigand

DATE: _____

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

RESOLUTION #2012-11

ESTABLISHMENT OF COUNCIL MEETING DATES AND TIMES

WHEREAS, the Reorganization Meeting of the Township Council of the Township of Lower was held on January 4, 2012 at which time it was necessary to establish the official Council Meeting dates and times.

NOW, THEREFORE, BE IT RESOLVED that Council Meetings be held in the Meeting Room of Township Hall beginning at 7:00 p.m. prevailing time on the first and third Monday of each month with the exception of the holiday dates designated below when the meeting will be held on the date listed. The annual schedule of Council meetings shall be posted on the official Township bulletin board at the Township Hall. Unless otherwise provided by law, all of the above described meetings shall be open to the public.

Meeting of January 16 shall be changed to January 18
Meeting of February 20 shall be changed to February 22
Meeting of September 3 shall be changed to September 5

I hereby certify this is the original resolution adopted by the Township Council at the meeting of January 4, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-12

TITLE: SETTING THE INTEREST RATE FOR DELINQUENT TAXES

WHEREAS, the Reorganization Meeting of the Township Council of the Township of Lower, the governing body thereof, was duly held on January 4, 2112 at the Township Hall, Villas, New Jersey, and

WHEREAS, R.S. 54:4-67 as amended authorizes municipalities to fix a rate of interest to be charged for the non-payment of taxes or assessments on or before the date when they would become delinquent. Delinquency is to be calculated on the sum of all taxes from year to year and not be calculated on an individual year basis, and N.J.S.A. 40A:5-17.1 provides that a municipality may authorize the cancellation of tax delinquencies of less than Ten (\$10.00) Dollars.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Township Council of the Township of Lower, that interest be charged for the non-payment of taxes or assessments on or before the date when they would become delinquent in accordance with R.S. 54:4-67 and that the rate of interest shall be eight percent (8%) based on a 365 day year on the first \$1,500.00 of delinquency and eighteen per cent (18%) based on a 365 day a year on any amount in excess of \$1,500.00 to be calculated from the date the tax was payable until the date of actual payment. Interest will stay at eighteen per cent (18%) until taxes are completely current. No interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same become payable.

FURTHER RESOLVED that a penalty of 6% shall be levied against a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay the delinquency prior to the end of the calendar year. This 6% penalty shall also apply to delinquency in excess of \$10,000.00 to third party lien holders and that an additional penalty shall be levied against tax sale certificates as follows:

When the taxes, interest and cost shall exceed the sum of \$200.00, such additional sum shall be equal to 2% of such amount paid.

When the taxes, interest and costs shall exceed the sum of \$5,000.00, such additional sum shall be equal to 4% of such amount paid; and when that sum exceeds \$10,000, such additional sum shall be equal to 6% of such amount paid. This section is retroactive only as to existing municipally held certificates but acts prospectively with regard to certificates held by third parties as of March 28, 1991.

FURTHER RESOLVED that the Tax Collector be and hereby is directed to collect interest on delinquents at the aforesaid rate.

FURTHER RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Tax Collector is hereby authorized to process, without further action on the part of the Township Council, the cancellation of any property tax delinquency of less than Five (\$5.00) Dollars.

FURTHER RESOLVED, that a Certified Copy of this Resolution be provided by the Municipal Clerk to the Tax Collector and the Chief Financial Officer.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2012

Claudia R. Kammer, Twp. Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-13

TITLE: DESIGNATION OF OFFICIAL DEPOSITORIES

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, the official depositories for the Township funds shall be: Sturdy Savings & Loan, Crest Savings, Cape Savings, Bank of America, PNC, NJ Cash Management Fund and MBIA;

BE IT FURTHER RESOLVED that all disbursements by check require two signatures unless noted otherwise and shall be signed by the following officials:

<u>ACCOUNT</u>	<u>AUTHORIZED OFFICIALS</u>
Municipal Court Account – General (One signature required)	CFO, Asst. Treasurer, Judge, Court Administrator, Deputy Court Administrator
Municipal Court Account – Bail (One signature required)	CFO, Asst. Treasurer, Judge, Court Administrator, Deputy Court Administrator
Payroll Account (One signature required)	CFO, Asst. Treasurer, Township Clerk, or Asst. Twp. Clerk
Payroll-Flexible Spending Account (One signature required)	CFO, Asst. Treasurer, Township Clerk, Asst. Twp. Clerk or AFLAC representative
Tax Redemption Account	Tax Collector, Asst. Tax Collector, CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Tax Premium Account	Tax Collector, Asst. Tax Collector, CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Council Checking Account	Mayor, Deputy Mayor, Twp. Clerk, Asst. Twp. Clerk, CFO, Asst. Treasurer
Dog Damage Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Trust Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Unemployment Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Grants Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Revitalization Savings Account (transfers)	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Economic Development Account (transfers)	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Historic Commission Trust Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Joint Housing Trust Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk

Police Investigative Trust Account	Police Chief, Police Captain(s), CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Police Forfeiture Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Community Police Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Local Law Enforcement Block Grant	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Developer's Escrow Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Harbortown (Escrow Savings)	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
MBIA-Current Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
MBIA-Capital Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
NJ Cash Management Fund – Capital Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk

BE IT FURTHER RESOLVED that the use of electronic signatures for the signatures of the Mayor, Township Clerk and Chief Financial Officer is hereby authorized.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2012

 Claudia R. Kammer, RMC, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-14

TITLE: DESIGNATION OF OFFICIAL NEWSPAPERS FOR LEGAL ADVERTISING FOR THE YEAR 2012

WHEREAS, the Reorganization Meeting of the Township Council of the Township of Lower, the governing body thereof, was duly held on January 4, 2112 at the Township Hall, Villas, New Jersey; and,

WHEREAS, it has been deemed necessary to select a newspaper to serve as the official publication of all Township advertising; and,

WHEREAS, it has been deemed necessary to designate a second newspaper for the publication of all meeting notices required under the Open Public Meetings Law; and

WHEREAS, it has been deemed necessary to establish a fee to cover the cost of providing notice of all public meetings to any persons requiring such notices,

NOW, THEREFORE, BE IT RESOLVED by the Township of Lower, the governing body thereof, that the official newspaper for all Township advertising, including notices of public meetings, shall be the Cape May Star & Wave.

BE IT FURTHER RESOLVED that the second newspaper to be utilized for publication of all notices of public meetings as required by the Open Public Meetings Law shall be The Herald.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4,2112.

Claudia R. Kammer, Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-15

Title: AUTHORIZING PAYMENT OF 2012 DEBT SERVICE

WHEREAS, the amounts listed below are owed for debt service in the current year 2012 and are due on the dates noted and it is necessary to receive authorization for the payment of bills which affect the budget, and

WHEREAS, it is the recommendation of the Chief Financial Officer that authorization for debt service payments be made through one annual resolution so that such payments are made in a timely and efficient manner, and

WHEREAS, funds for debt service are available in the 2012 budget appropriations for Bond Principal, Bond Interest, Note Interest, Loan Principal and Loan Interest as certified by the Chief Financial Officer .

NOW, THEREFORE BE IT RESOLVED by the Township Council that the following debt service payments are hereby authorized:

<u>DATE</u>	<u>TOTAL</u>	<u>PRIN</u>	<u>INT</u>	
1/15/2012	35,678.13		35,678.13	BOND
2/9/2012	24,873.28	18,638.60	6,234.68	LOAN
2/15/2012	9,327.48	6,584.40	2,743.08	LOAN
3/7/2012	27,982.44	20,555.26	7,427.18	LOAN
4/1/2012	1,024,625.00	900,000.00	124,625.00	BOND
6/15/2012	44,687.50		44,687.50	BOND
7/15/2012	720,678.12	685,000.00	35,678.12	BOND
8/9/2012	24,873.28	18,824.98	6,048.30	LOAN
8/10/2012	21,402.89		21,402.89	NOTE
8/15/2012	9,327.48	6,650.24	2,677.24	LOAN
9/7/2012	27,982.44	20,760.81	7,221.63	LOAN
10/1/2012	111,125.00		111,125.00	BOND
12/15/2012	544,687.50	500,000.00	44,687.50	BOND
	<u>2,627,250.54</u>	<u>2,177,014.29</u>	<u>450,236.25</u>	

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-16

TITLE: ANNUAL APPROVAL OF PETTY CASH FUNDS

WHEREAS, N.J.S.A. 40A: 5-21 authorizes the establishment of a Petty Cash fund; and

WHEREAS, it is the desire of the Township Council of the Township of Lower, County of Cape May to approve the following petty cash funds:

<u>Location</u>	<u>Amount</u>	<u>Custodian</u>
Treasurer's Office	\$100.00	Lauren Read, CFO Colleen Crippen, Asst. Treas.
Police Department	\$250.00	Chief Brian Marker Captain William Mastriana

NOW, THEREFORE BE IT RESOLVED that the Township Council of the Township of Lower, County of Cape May hereby approves the use of petty cash funds as defined by N.J.S.A. 40A: 5-21.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2012

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-17

TITLE: ADOPTING THE CASH MANAGEMENT PLAN

WHEREAS, it is in the best interest of the Township of Lower to earn additional revenue through the investment and prudent management of its cash receipts; and

WHEREAS, P.L. 1983, Chapter 8, approved January 18, 1983 is an act concerning the Local Fiscal Affairs Law and amends N.J.S.A. 40A: 5-2 and N.J.S.A. 40A5-14; and

NOW, THEREFORE BE IT RESOLVED, the following shall constitute the Cash Management Plan for the Township of Lower and the Treasurer shall deposit and manage its funds pursuant to this plan:

Definitions

1. Treasurer shall mean the Treasurer of the Township of Lower
2. Fiscal Year shall mean the twelve-month period ending December 31.
3. Cash Management Plan shall mean that plan as approved by resolution.

Designation of Depositories

At least once each fiscal year the governing body shall by resolution designate the depositories for the Township of Lower in accordance with N.J.S.A. 40A: 5-14. In addition to the designation, the Township of Lower may make deposits with the State of New Jersey Cash Management Fund in accordance with N.J.S.A. 40A: 5-14.

Audit Requirement

The cash Management Plan shall be subject to the annual audit conducted pursuant to N.J.S.A. 40A: 5-4.

Authority to Invest

The governing body shall pass a resolution at its first meeting of the fiscal year designating the Township of Lower officials who shall make and be responsible for municipal deposits and investments.

Investment Instruments

The Treasurer shall invest at his/her discretion in any investment instrument as approved by the State of New Jersey in accordance with N.J.S.A. 40A: 5-15.1.

Resolution #2012-17- ADOPTING CASH MANAGEMENT PLAN (Continued)

Records and Reports

The Treasurer shall report all investments in accordance with N.J.S.A. 40:5-15.2.

At a minimum the Treasurer shall:

- Keep a record of all investments.
- Keep cash position records that reveal, on a daily basis, the status of the cash in its bank accounts.
- Confirm investments with the governing body at the next regularly scheduled meeting.
- Report monthly to the governing body as to the status of cash balances in bank accounts, revenue collection, interest rates and interest earned.

Cash Flow

1. The Treasurer shall ensure that the accounting system provides regular information concerning the cash position and investment performance.

2. All moneys shall be turned over to the Treasurer and deposited in accordance with N.J.S.A. 40A: 5-15.

3. The Treasurer is authorized and directed to invest surplus funds of the Township of Lower as the availability of the funds permit. In addition, it shall be the responsibility of the Treasurer to minimize the possibility of idle cash by depositing the moneys in interest bearing accounts wherever practical and in the best interest of the Township of Lower.

4. The Treasurer shall ensure that funds are borrowed for Capital Projects in a timely fashion.

Schedule of Statutory Payments

1. Fire Districts are to be paid in accordance with N.J.S.A. 40A: 14-79. Statutory tax payments are made to each district as follows:

- 21.25% on or before April 1
- 22.50% on or before July 1
- 25.00% on or before October 1
- 31.25% on or before December 31

The Lower Township Fire District No. 2 has requested that their payments be made in the following increments:

- 40% due April 1
- 30% due July 1
- 20% due October 1
- 10% due on or before December 31

Resolution #2012-17 - ADOPTING CASH MANAGEMENT PLAN (Continued)

Annual Allowance Amounts

The Township of Lower has authorized participation in a flexible spending account for the employees. The flexible spending account allows a portion of the employee's salary to be redirected to provide reimbursement for allowable medical expenses. At the beginning of each plan year, a specific dollar amount must be elected. For 2012, the allowable amount is \$1,500.00.

Banking Policies

Periodically, the Treasurer will utilize the competitive contracting process to request proposals from local banking institutions to provide banking services for the Township. This is to assure that banking services being provided to the Township are based on a competitive "bidding" process. The Township will have the option to extend the contract if it is in the best interest of the Township to do so. At least once every year the Treasurer will evaluate current banking services to assure compliance with the specifications contained in the contract and any new services that may become available in the banking industry. A detailed banking policy will be kept in the Office of the Treasurer detailing the Township's specific banking requirements.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2012

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-18

TITLE: RESOLUTION TO DEFER THE REGIONAL SCHOOL TAX

WHEREAS, by statute, when a municipality raises school taxes on a school year basis, an amount of not more than 50% of the school levy may be deferred to the following year, and

WHEREAS, the 2011 Regional School Levy was \$11,325,557.39 and not more than 50% is \$ 5,662,778.69

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, the governing body thereof, that it desires to defer regional school taxes to the year 2012 in the amount of \$5,662,778.69

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-19

TITLE: ADOPTING 2012 TEMPORARY CURRENT BUDGET

WHEREAS, N.J.S.A. 40A: 4-19 provides that where any contracts, commitments or payments are to be made prior to the final adoption of the 2012 Budget, temporary appropriations should be made by resolution prior to January 30th of the fiscal year; and

WHEREAS, the total of the appropriations so made shall not exceed 26.25% of the total of the appropriations made for all purposes in the budget for the preceding fiscal year, excluding appropriations made for interest and debt redemption charges and capital improvement fund; and

WHEREAS, the total appropriations of the 2011 Budget, exclusive of any appropriations for interest and debt redemption charges and capital improvement fund is \$22,410,274.97; and

WHEREAS, 26.25% of the total appropriations in the 2011 Budget, exclusive of any appropriations made for interest and debt redemption charges and capital improvement fund, is \$5,882,697.18.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the 2012 Temporary Current Budget is set in an amount not to exceed \$5,882,697.18.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2012.

Claudia R. Kammer, RMC, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-20

TITLE: APPROVING 2012 CONTRACT WITH CAPE ASSIST

WHEREAS, N.J.S.A. 40A:11-3 authorizes the award of any contract without competitive bidding for any purchase, work or service that does not exceed in the fiscal year the total sum of Seventeen Thousand Five Hundred (\$17,500) Dollars.

WHEREAS, the Township is desirous of renewing its contract with Cape May County Council on Alcoholism and Drug Abuse, Inc. administered by Cape Assist for the Employee Assistance Program, and

WHEREAS, the contract amount for 2012 is Twenty-One Dollars (\$21) per employee currently based on 153 employees for a total of Three Thousand Two Hundred Thirteen Dollars (\$3213.00) and funds are available in the current fund entitled Group Health 1-01-23-220-408 as evidenced by the Treasurer's signature below:


Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk are hereby authorized to sign the contract agreement for the year 2012

I hereby certify that the foregoing resolution was adopted by the Township Council at the meeting of January 4, 2012

Claudia R. Kammer, Twp. Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

BOTH PARTIES AGREE:

- To strictly adhere to the confidential regulations that are defined in Federal Law 42 CFR Part 2 and pertains to the confidentiality of patient/client records.
- To abide by the EAP Policies and Procedures.
- To review and update the Policies and Procedures annually or on an as needed basis, when the need to do so is identified by either the Employer or Cape Assist.

In Consideration for the EAP services to be provided by Cape Assist, the Employer agrees to pay:

A flat rate of \$3,213.00 for 153 employees for twelve (12) months beginning January 1, 2012 and ending December 31, 2012. Annual cost per employee is \$21.00. Full payment to be received within thirty (30) days of formal acceptance of Agreement. Increases or decreases in personnel of 10% or more shall be reported to Cape Assist and will result in Agreement modification.

INDEMNITY AND HOLD HARMLESS AGREEMENT PROVISION

Cape May County Council on Alcoholism and Drug Abuse, Inc. agrees to indemnify and hold harmless the Employer and their agents, servants and employees, from and against all claims, damages, losses, and expenses, including reasonable attorney's fees in case of the work herein, which 1) for personal or bodily injury, illness or death, or for property damage, including loss of use, and 2) caused in whole or part by Cape May County Council on Alcoholism and Drug Abuse, Inc.'s negligent act or omission or that of a subcontractor may be liable. This indemnification and agreement shall apply in all instances whether the Employer is subsequently made a party to the action by third-party in-pleading or is made a party to a collateral action arising, in whole or in part, from any of the issues emanating from the original cause of the action or claim.

The employer agrees to indemnify and hold harmless Cape May County Council on Alcoholism and Drug Abuse, Inc. and their agents, servants, and employees, from and against all claims, damages, losses, and expenses, including reasonable attorney's fees in case it shall be necessary to file an action, arising out of performance of the work herein, which is 1) for personal or bodily injury, illness or death for property damage, including loss of use, and 2) caused in whole or part by the Employer's negligent act or omission or that of a subcontractor, or that of anyone employed by them or for whose acts contractors or subcontractor may be liable. This indemnification and agreement

Shall apply in all instances whether Cape May County Council on Alcoholism and Drug Abuse, Inc. is made a party to the action or claim or is subsequently made a party to the action by third-party in-pleading or is made a party to a collateral action arising, in whole or in part, from any of the issues emanating from the original cause of the action or claim.

Nothing herein shall constitute a waiver of or otherwise limit any right either the Employer or Cape Assist may claim for immunity pursuant to N.S.S.A. 2a:53Aa-7, et seq., or, any other law of this State.

CAPE MAY COUNTY COUNCIL ON ALCOHOLISM AND DRUG ABUSE, INC., a New Jersey non-profit corporation.

by _____
Executive Director Date

Witness _____
Name Date

Municipality of Lower Township:

by _____
Name

Title Date

by _____

Title Date

Witness _____
Name Date

The employer agrees to indemnify and hold harmless Cape May County Council on Alcoholism and Drug Abuse, Inc. and their agents, servants, and employees, from and against all claims, damages, losses, and expenses, including reasonable attorney's fees in case it shall be necessary to file an action, arising out of performance of the work herein, which is 1) for personal or bodily injury, illness or death for property damage, including loss of use, and 2) caused in whole or part by the Employer's negligent act or omission or that of a subcontractor, or that of anyone employed by them or for whose acts contractors or subcontractor may be liable. This indemnification and agreement shall apply in all instances whether Cape May County Council on Alcoholism and Drug Abuse, Inc. is made a party to the action or claim or is subsequently made a party to the action by third-party in-pleading or is made a party to a collateral action arising, in whole or in part, from any of the issues emanating from the original cause of the action or claim.

Nothing herein shall constitute a waiver of or otherwise limit any right either the Employer or Cape Assist may claim for immunity pursuant to N.S.S.A. 2a:53Aa-7, et seq., or, any other law of this State.

CAPE MAY COUNTY COUNCIL ON ALCOHOLISM AND DRUG ABUSE, INC., a New Jersey non-profit corporation.

by _____
Executive Director Date

Witness _____
Name Date

Municipality of Lower Township:

by _____
Name

Title Date

by _____

Title Date

Witness _____
Name Date

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

RESOLUTION #2012- 21

TITLE: A RESOLUTION OF THE TOWNSHIP OF LOWER AUTHORIZING THE CLERK TO ISSUE BINGO & RAFFLE LICENSES THROUGHOUT THE YEAR TO QUALIFIED ORGANIZATIONS

WHEREAS, the Township Clerk receives applications throughout the year from various organizations to conduct bingo and/or raffle games within Lower Township; and

WHEREAS, the below listed applicants have obtained their state registrations from NJ Legalized Games of Chance and have been in good standing with the Township for many years; and

WHEREAS, there appears to be no reason to deny said licenses for 2012 providing all paperwork is completed and required fees have been paid.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, the governing body thereof, that the Township Clerk is authorized to issue bingo/raffle licenses for 2012 to the following organizations as applicable throughout the year.

Animal Alliance of Cape May County
Cape May Stage
Cape Regional Medical Center Aux.
Christ Child Society of CMC
Erma Volunteer Fire Company
Friends of Historic Cold Spring Village
Greater Cape May Elks Lodge
Knights of Columbus
Lower Cape May Regional Little League
Lower Township Optimist Club

Make a Wash Foundation
National Quilters Assoc of CMC #279
St. John Neumann – St. Raymond’s Holy Name Society
St. John Neumann – St. Raymond’s Catholic Church
St. John Neumann – St. John of God Alter Rosary Society
St. John Neumann – St. John of God Catholic Church
Townbank Volunteer Fire Company
VFW Post 5343 Lt. Charles Buddy Lewis
Vietnam Vets of America – Chapter #602
Villas Volunteer Fire Co.

FURTHER RESOLVED, the Clerk may issue additional Bingo & Raffle Licenses to organizations not listed above upon a valid LGCC ID certificate and all appropriate paperwork and fees.

I hereby certify the foregoing to be a Resolution adopted by the Township Council at a meeting held on January 4, 2012.

Claudia R. Kammer, Twp. Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-22

TITLE: DESIGNATION OF PUBLIC AGENCY COMPLIANCE OFFICER FOR LOWER TOWNSHIP

WHEREAS, in accordance with N.J.A.C. 17:27-3.2, each public agency shall designate an individual to serve as its Public Agency Compliance Officer (P.A.C.O.); and

WHEREAS, the Public Agency Compliance Officer is the liaison between Lower Township and the Division of Public Contracts Equal Employment Opportunity Compliance for all matters concerning implementation and administration of the statute; and

WHEREAS, the Public Agency Compliance Officer is responsible for administering contracting procedures pertaining to equal employment opportunity regarding both the Public Agency and the service providers. The P.A.C.O. must have the authority to recommend changes to effectively support the implementation of the statute and its regulations.

NOW, THEREFORE, BE IT RESOLVED that Margaret Vitelli be appointed the Public Agency Compliance Officer for the Township of Lower.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on January 4, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-23

TITLE: AUTHORIZATION FOR PUBLIC BIDDING

WHEREAS, the Township is required to publicly bid certain items during the course of the year in accordance with the Local Public Contracts Law, and

WHEREAS, the Township may also desire to obtain public bids on certain other items that may become necessary during the course of the year but which are not required to be publicly bid.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Qualified Purchasing Agent is hereby authorized to obtain public bids as necessary for items or services 2012 as they become necessary in accordance with the Local Public Contract Law.
2. The Township Engineer's Office is also hereby authorized to obtain public bids for engineering projects required by the Township during the course of the year.

BE IT FURTHER RESOLVED that all contracts awarded through public bidding be made a resolution of the Township Council and the required Chief Financial Officer's certification as to the availability of funds for the items/services to be procured.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2012

Claudia R. Kammer, Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-24

Title: Transfer of 2011 Appropriations

WHEREAS, N.J.S.A. 40A: 4-59 provides for appropriation transfers during the first three months of the succeeding year when it has been determined that any appropriation reserve for the immediately preceding fiscal year is insufficient to pay the claims authorized or incurred during the preceding year, which were chargeable to said appropriation, and there is an excess in any appropriation reserve over and above the amount deemed to be necessary to fulfill its purpose.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, State of New Jersey that the following transfers, and totaling \$6,000.02 be made between the 2011 budget appropriation reserves.

<u>LINE ITEM</u>		<u>ACCT. NUMBER</u>	<u>TO</u>	<u>FROM</u>
ANIMAL CONTROL	S&W	1-01-27-340-101	2,500.00	
DCRP	OE	1-01-36-476-500	500.00	
PUBLIC DEFENDER	S&W	1-01-43-495-101	0.02	
UFSA	S&W	1-01-25-265-101	2,500.00	
SOLICITOR	S&W	1-01-20-155-101	500.00	
HEALTH INSURANCE	OE	1-01-23-220-421		6,000.02
			<u>6,000.02</u>	<u>6,000.02</u>

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

2011 Sick Buy Back

Sick Time Buy Back 2011								
Last Name	First Name	Dept.	Union	Hours	Rate	Tot. Check	Submitted	Qualifies
Amonette	Arthur	Assessor	Supervisors	35	43.07	1507.44	Y	Y
Alexander	Mark	DPW	Teamsters	40	21.83	873.20	Y	Y
Bailey	Howard	DPW	Teamsters	40	28.25	1130.00	Y	Y
Bailey Sr.	Robert	DPW	Teamsters	40	30.51	1220.28	Y	Y
Barger	George	DPW	Teamsters	40	24.14	965.60	Y	Y
Byrne	Elizabeth	Courts	Supervisors	35	37.97	1329.01	Y	Y
Douglass	Don	Manager 2	Teamsters	40	21.41	856.34	Y	Y
Douglass	Gary	DPW Supe	Supervisors	40	36.17	1446.92	Y	Y
Eagan	Thomas	DPW	Teamsters	40	21.83	873.20	Y	Y
Fairman	Timothy	DPW	Teamsters	40	21.83	873.20	Y	Y
Galestock	William	Planning	Supervisors	35	42.32	1481.34	Y	Y
Johns	Deborah	Clerk	AFSCME	35	20.80	728.01	Y	Y
Kammer	Claudia	Clerk	Non-Union	35	45.13	1579.64	Y	Y
Kammer	Claudia	Manager	Non-Union	35	1.57	54.88	Y	Y
Kirk	Dolores	Rec.	AFSCME	35	23.07	807.45	Y	Y
LaSerre	David	DPW	Teamsters	40	21.83	873.20	Y	Y
Lepor	David	DPW	Teamsters	40	32.21	1288.46	Y	Y
Magnavita	Allen	DPW	Teamsters	40	21.83	873.20	Y	Y
McCarter	John	DPW	Teamsters	40	19.91	796.28	Y	Y
McCloskey	Arthur	DPW	Teamsters	40	23.06	922.40	Y	Y
McFeeters	David	DPW	Teamsters	40	21.83	873.20	Y	Y
Milbrandt	Laura	Courts	Supervisors	35	24.01	840.27	Y	Y
Montgomery	Donald R.	DPW	Teamsters	40	21.83	873.20	Y	Y
Moore	Rose	Planning	AFSCME	35	22.43	785.03	Y	Y
Palek	Keith	DPW	Teamsters	35	21.83	764.05	Y	Y
Parker	Stephen	DPW	Teamsters	40	21.83	873.20	Y	Y
Playford	Gary	BOCA	Supervisors	35	36.81	1288.49	Y	Y
Plenn	Mitchell	Rec.	AFSCME	35	26.04	911.40	Y	Y
Schubert	Lisa	Planning	AFSCME	35	23.03	806.14	Y	Y
Small	Raymond	DPW	Teamsters	40	21.83	873.20	Y	Y
Thomas	Linda	DPW	AFSCME	35	22.08	772.67	Y	Y
Thompson Jr.	Robert	DPW	Teamsters	40	25.82	1032.80	Y	Y
						0.00		
						0.00		
					Total	20098.50		

12/28/11
13:24:11

Lower Township
Purchase Order Listing By Vendor Id

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	11-03417	12/08/11	LIGHTING	Open	165.62	0.00		
01172	RANDY DULEY							
	11-03538	12/21/11	SHOE ALLOWANCE FOR 2011/DPW	Open	84.98	0.00		
01196	H A DEHART & SON*							
	11-03169	11/09/11		Open	697.19	0.00		
	11-03292	11/28/11	PARTS FOR SWEEPER/DPW	Open	539.54	0.00		

					1,236.73			
01245	G & K SERVICES CO*							
	11-03521	12/20/11	UNIFORM RENTALS/DPW	Open	854.89	0.00		
01330	THOMAS EAGAN							
	11-03537	12/21/11	SHOE ALLOWANCE FOR 2011/DPW	Open	150.01	0.00		
01502	PAMELA FELDER							
	11-03504	12/19/11	MEDICAL	Open	16.07	0.00		
01519	TOM FOLS ELECTRICALCONTRACTOR*							
	11-03560	12/27/11	ELECTRIC TO BACKBOARDS IN GYM	Open	1,600.00	0.00		
01661	GENERAL SALES ADMINISTRATION*							
	11-03385	12/06/11	NEW VEHICLE OUTFITTING	Open	76.78	0.00		
01685	W W GRAINGER, INC.*							
	11-02699	09/30/11	TRAFFIC SIGNS	Open	184.00	0.00		
01859	HESS CORPORATION							
	11-03569	12/27/11	ELECTRICITY 11/20/11-12/20/11	Open	6,929.33	0.00		
02006	MEDIA PASSPORT*							
	11-03153	11/09/11	ANNUAL COMPUTER MAINT.	Open	4,560.00	0.00		
02021	JERSEY CAPE DOOR*							
	11-03263	11/18/11	DOOR REPAIR	Open	625.50	0.00		
02027	JESCO INC*							
	11-02876	10/19/11	(1) 2012 4 WHEEL LOADER	Open	120,977.00	0.00		
	11-02877	10/19/11	(1) 2012 BACKHOE LOADER/4WHEEL	Open	83,677.00	0.00		

					204,654.00			
02136	TED KINGSTON INC*							
	11-03530	12/21/11	DISPATCH MONITORS	Open	270.00	0.00		
02402	MGL PRINTING SOLUTIONS							
	11-03500	12/16/11	TAX SEARCH FORMS	Open	58.00	0.00		
02655	WILLIAM MCPHERSON							
	11-01381	05/16/11	2011 EQUIP. ALLOWANCE	Open	150.00	0.00		

12/28/11
13:24:11

Lower Township
Purchase Order Listing By Vendor Id

Page No: 3

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02763 DONALD R. MONTGOMERY	11-03515	12/20/11	SHOE ALLOWANCE FOR 2011/DPW	Open	275.00	0.00		
03021 NJ MOTOR VEHICLE COMMISSION	11-03408	12/07/11	MVC ONLINE ACCESS PROGRAM	Open	150.00	0.00		
03052 NATIONAL FIRE PROTECTION ASSN*	11-03370	12/05/11	NFPA Membership Dues	Open	165.00	0.00		
03104 NORTHEAST IND.&MARINE SUPPLY*	11-02568	09/14/11	PARTS FOR RDS/SANT/RECY/DPW	Open	174.47	0.00		
03160 OFFICE BASICS, INC*	11-03386	12/06/11	OFFICE SUPPLIES	Open	374.90	0.00		
03366 AMERI-GAS*	11-03525	12/21/11	PROPANE FOR BENNETT'S	Open	195.41	0.00		
03478 RED THE UNIFORM TAILOR, INC.*	11-03389	12/06/11	UNIFORMS	Open	214.00	0.00		
03518 RIGGINS, INC.*	11-03555	12/27/11	OFF-HIGHWAY DIESEL/DPW	Open	1,505.70	0.00		
03522 TSI INC	11-03219	11/16/11	CALIBRATION TESTING	Open	705.00	0.00		
03692 SOUTH JERSEY GAS CO*	11-03564	12/27/11	GAS- NOVEMBER	Open	3,999.55	0.00		
03704 RAYMOND SMALL	11-03540	12/21/11	SHOE ALLOWANCE FOR 2011	Open	114.98	0.00		
03723 STAPLES, INC.*	11-03446	12/13/11	OFFICE SUPPLIES	Open	160.93	0.00		
03920 RAYMOND GARRISON	11-03539	12/21/11	SHOE ALLOWANCE FOR 2011/DPW	Open	275.00	0.00		
03969 VERIZON	11-03565	12/27/11	PHONE BILL-DECEMBER	Open	2,174.81	0.00		
04030 WEST PUBLISHING PAYMENT *	11-03533	12/21/11	2011 SEARCH & SEIZURE	Open	110.00	0.00		
04037 DOUGLASS WHITTEN	11-01388	05/16/11	2011 EQUIP. ALLOWANCE	Open	150.00	0.00		
04059 THOMAS WILL	11-03534	12/21/11	MEDICAL CLAIMS	Open	77.01	0.00		
04075 BARBER CONSULTING SERVICES LLC	11-03566	12/27/11	COMPUTER VIRUS/REPAIRS/COUNCIL	Open	565.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04089 WIZARD'S FESTIVAL OF FUN, INC*	11-02977	11/01/11	ENTERTAINMENT FOR FERRY MERRY	Open	4,235.00	0.00		
04097 CINTAS FIRST AID AND SAFETY*	11-03528	12/21/11	FIRST-AID KIT SUPPLIES/DPW	Open	203.07	0.00		
04104 PITNEY BOWES SUPPLIES OPERATIO	11-03403	12/07/11	POSTAGE MACHINE INK- 4 CART	Open	237.96	0.00		
04123 TAMMY DECKER	11-03563	12/27/11	PILATES CLASSES	Open	60.00	0.00		
04276 WPCS INTERNATIONAL- LAKEWOOD*	11-02885	10/20/11	RADIOS	Open	1,612.60	0.00		
04300 W B MASON CO INC*	11-03460	12/14/11	OFFICE SUPPLIES- FINANCE	Open	68.10	0.00		
04445 TRICOMM SERVICES CORP*	11-03344	12/02/11	EMERGENCY POLICE SUB STATION	Open	351.80	0.00		
5002 KJI ELECTRONICS, INC.	11-03439	12/12/11	SUPPLIES	Open	1,228.00	0.00		
5006 AMY SOUDER	11-03496	12/16/11	BASKETBALL REFUND	Open	15.00	0.00		
CAMPBELL JOHN CAMPBELL	11-03498	12/16/11	REFUND FOR FOOTBALL	Open	20.00	0.00		
JLONG JENNIFER LONG	11-03535	12/21/11	REFUND PERMIT 201111Y2	Open	64.00	0.00		
PIETRAS JANEEN PIETRASZKIEWICZ	11-03526	12/21/11	SOCCER COACHING REFUND	Open	20.00	0.00		
ROSSI JOE ROSSI	11-03241	11/16/11	SOCCER REF FOR MIDGET DIVISION	Open	225.00	0.00		
SIXSM LLOYD SIXSMITH*	11-03422	12/09/11	SHIRTS/JACKETS	Open	685.05	0.00		
Total Purchase Orders: 66				Total P.O. Line Items: 150	Total List Amount: 271,874.81	Total Void Amount: 0.00		

RESOLUTION # 2012-26
Lower Township
Bill List
2011

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
Wawa Inc	11-03573	Safety Incentive Cards	46607	12/28/11	\$ 710.00
Lower Brd of Ed	11-03552	2011 Levy Balance	46606	12/22/11	\$ 71,859.50
Total Manual Checks					\$ 72,569.50
Total brought forward from computer generated bill list					\$ 271,814.81
TOTAL BILL LIST					<u>\$ 344,384.31</u>

I certify the foregoing to be a Resolution adopted by the Township Council on

 Claudia R. Kammer, RMC, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-27

TITLE: PAYMENT OF 2012 VOUCHERS

JANUARY 4, 2012 REORGANIZATION MEETING

Lower Bd of Ed	\$ 1,451,560.80
State Health Benefits	\$ 250,453.56
Blue Cross Blue Shield Med D	\$ 1,996.95
Horizon Dental	\$ 15,041.20
Barber Consulting Services	\$ 5,000.00
Lower Regional School	\$ 1,132,850.76
Colleen Crippen, Custodian Petty Cash	\$ 100.00
Brian Marker, Custodian Petty Cash	\$ 250.00
Lower MUA	\$ 1,160.00
Edmunds and Associates	\$ 18,861.00
Dearborn Life Insurance	\$ 480.60
Cape Assist	\$ 3,213.00

\$ 2,880,967.87

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on Jan. 4, 2012.

Claudia R. Kammer, Township Clerk

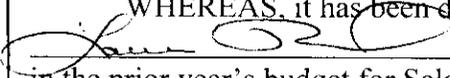
	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
RESOLUTION # 2012 - 28**

**Title: AUTHORIZATION FOR THE PAYOUT OF ACCUMULATED
COMPENSATORY TIME**

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

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

WHEREAS, it has been determined by the Township Treasurer as evidenced by signature  that adequate funding is available for such payment in the prior year's budget for Salaries and Wages.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that payment to Thomas Beeby in the amount of \$24,104.52 is authorized and chargeable to the 2011 Budget account 1-01-25-240-120.

**I hereby certify the foregoing to be a resolution adopted by the
Township Council on Jan. 4, 2012.**

Claudia R. Kammer, RMC, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAIN
CONRAD						
DOUGLASS						
LARE						
BECK						

Employee Maintenance - General Data

Employee Id: BEEBT01
 First Name: THOMAS Middle Init: M Last Name: BEEBY
 Notes Exist: Suffix:

	YTD As Of	Carryover	YTD Accrued	YTD Used	Available	Max Allowed	Payroll YTD Hours Used
Sick (Hours):	06/27/11	1,240.00	128.00	72.00	1,296.00	.00	.00
Vacation (Hours):	12/25/11	322.75	320.00	311.00	331.75	.00	.00
Admin (Hours):	11/18/11	8.00	48.00	54.00	2.00	.00	.00
Comp (Hours):	01/08/11	472.00	4.50	10.00	466.50	.00	1.50
Other (Hours):	/ /	.00	.00	.00	.00	.00	.00

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

RESOLUTION #2012-29

TITLE: RESOLUTION APPROVING THE SPECIAL ADVISORY COMMITTEE FOR REVIEW OF ISSUES RELATED TO THE PUBLIC SAFETY BUILDING

WHEREAS, Resolution #2011-315 authorized the creation of the Special Advisory Committee for Review of Issues Related to the Public Safety Building or PSB Committee, and

WHEREAS, Resolution #2011-315 stated the governing body would approve the members of the PSB Committee at the first meeting held in January 2012.

NOW, THEREFORE, BE IT RESOLVED the following constitutes the PSB Committee established and organized pursuant to Resolution #2011-315 adopted on December 5, 2011.

Voting Members

- Mayor
- Deputy Mayor
- Scott Stewart (Ward 1 appt.)
- Daniel Shousky, AIA, PP, NCARB (Ward 2 appt.)
- John Armbruster (Ward 3 appt.)
- John Louderback (Mayor's appt.)
-

Non-Voting Members

- Township Manager
- Chief of Police
- Construction Official
- Public Works Director

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on January 4, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012- 30

TITLE: A RESOLUTION OF THE TOWNSHIP OF LOWER APPROVING AN AGREEMENT WITH S. VITALE PYROTECHNIC INDUSTRIES, INC. TO PROVIDE FIREWORKS DISPLAY

WHEREAS, a Request for Proposals for the Fireworks Display including Barge was advertised on October 12, 2011 and proposals were accepted on October 27, 2011 at 11:00 a.m.; and

WHEREAS, one proposal was submitted and reviewed by the Assistant Recreation Director and the QPA; and

WHEREAS, the bidder has 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:

Current Budget 2-01-30-420-299
Trust Fund – Reserve for Fireworks

CFO Signature



Whereas, the Township therefore desires to enter into an Agreement (the "Agreement") with S. Vitale Pyrotechnic Industries, Inc. for the Fireworks Display in accordance with the terms and conditions set forth on EXHIBIT A attached hereto.

Now, Therefore, Be It Resolved, the Township Council of the Township of Lower, County of Cape May, State of New Jersey, as follows:

1. The proposal shall be awarded to S. Vitale Pyrotechnic Industries, Inc. in the amount of \$40,000.00.
2. The Township hereby approves the Agreement with S. Vitale Pyrotechnic Industries, Inc. for the services and upon the terms and conditions set forth on EXHIBIT A attached hereto.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council at a meeting held on January 4, 2012.

Claudia R. Kammer, Twp. Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

A Proposal for
**Township of Lower
Villas, New Jersey**

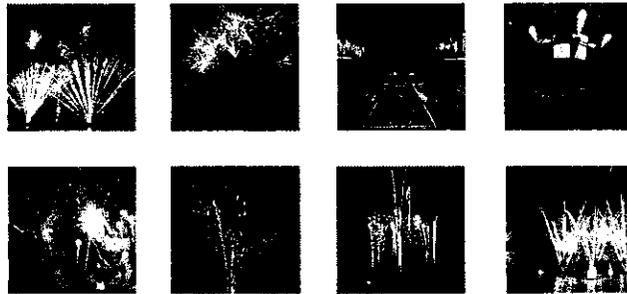
Event Date
July 3, 2012

Prepared for
Margaret Vitelli

To Provide
\$40,000 Electrical Aerial Display Presentation

This Presentation Includes

- Our trained technicians to produce the display.
- All necessary insurance to include: 10 million dollar general liability insurance, 10 million in commercial transportation insurance, and state worker's compensation.
- All transportation and delivery costs. Transportation provided by our commercially licensed drivers.
- All Materials and equipment to fire the display.
- All necessary safety precautions to provide a safe and spectacular display, assistance with local and state firework display permits.
- Highly choreographed display design.
- The widest variety of top quality shell and special effects from around the globe that includes our own American products



Your Opening Presentation

Your Opening Presentation will start your display off "with a bang." A "mini-finale" will excite the crowd and get them energized for a great show.

50	3-inch Assorted Color Changing Star Shells and Titanium Salutes
6	4-inch Color Peony Shells
5	5-inch Multi Color Peony Shells
4	6-inch Large Spreading Chrysanthemum Shells
1	8-inch Large Multi Color Chrysanthemum Shells

96 Shells Total

Body

The majority of your display will be fired during the Body presentation. It will have a balanced pace with constant action. Radiant color combinations like Violet & Lemon, Aqua & Pink, and the always treasured Red, White, & Blue. Amazing effects such as Crossette, Twitter Glittering, Rings, and Color Changing Chrysanthemums will be mixed in to illuminate your skies!

3-inch shells

10	Multi Color Star Shells
10	Fancy and Color Changing Shells
10	Special Effect Shells
10	Variegated Crackling Shells
10	Pattern Shells
50	Shells Total

4-inch Shells

50	Multi Color Star Shells
50	Fancy and Color Changing Shells
25	Special Effect Shells
50	Variegated Crackling Shells
25	Pattern Shells
200	Shells Total

5-inch Shells

25	Multi Color Star Shells
25	Fancy and Color Changing Shells
25	Special Effect Shells
25	Pattern Shells
100	Shells Total

6-inch Shells

15	Multi Color Star Shells
10	Fancy and Color Changing Shells
10	Special Effect Shells
10	Pattern Shells
45	Shells Total

8-inch Shells

5	Multi Color Star Shells
5	Fancy and Color Changing Shells
5	Special Effect Shells
3	Pattern Shells
18	Shells Total

Your Grand Finale Presentation

The Grand Finale Presentation is the ultimate crowd pleaser and most exhilarating part of your display. When the sky erupts with Multi-Color Peonies and Thunderous Salutes, there is no better visual experience. They will end your event in style and leave the audience wanting more!

380	3-inch Assorted Color Star Shells with Titanium Salutes
40	4-inch Color Changing Chrysanthemum Shells
20	5-inch Two Color Peony Shells
18	6-inch Large Spreading Chrysanthemum Shells
2	8-inch Large Multi Color Chrysanthemum Shell
460	Shells Total



The Vitale family has been thrilling audiences for four generations. We produce more than 2,000 shows a year for customers who expect ingenuity and drama. The pride we feel for our work shows in the events we produce and in every customer interaction.

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

RESOLUTION #2012-31

TITLE: APPOINTMENT TO THE LOWER TOWNSHIP MUA

WHEREAS, the term of Thomas Brown, Regular Member of the LTMUA expires on February 1, 2012,
and

WHEREAS, Council has reviewed the applications on file with the Municipal Clerk.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower that the following appointment is hereby made:

<u>Name</u>	<u>Type</u>	<u>Term Expires</u>
	Regular Member	Feb. 1, 2017

I hereby certify the foregoing resolution was adopted by the Township Council on January 4, 2012.

Claudia R. Kammer, Twp. Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

FOR TOWNSHIP USE ONLY

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

Term Exp. _____ Replaced _____ or Reappointed _____

TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

RECEIVED
12-14-11

NAME Thomas M Brown Sr

CITY AND STATE Villas NJ

YEARS OF RESIDENCY IN TOWNSHIP 29 OCCUPATION Self Employed 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 served 5 years on the MUA Board and would like to be considered reappointment. I feel there were a lot of changes for the better in my 5 years and would like to continue to be a part of many more. The township is very fortunate to have it's own MUA, and being as fragile as it is I will make the right decisions to keep the MUA in tact.

Date: 12/14/11 Signature: Thomas M Brown Sr (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
12-12-11

NAME CARL M. DEMARCANTONIO

CITY AND STATE LOWER TOWNSHIP, NJ

YEARS OF RESIDENCY IN TOWNSHIP 3 OCCUPATION RETIRED

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.

SEE RESUME ATTACHED

Date: 12-12-11 Signature: Carl M. De Marcantonio (VALID FOR ONE YEAR FROM DATE OF RECEIPT)

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

EXPERIENCE

EXECUTIVE DIRECTOR, March 2008 to March 2011 – Early Retirement

Lower Township Municipal Utilities Authority, Villas, NJ 08251

- CEO of MUA investments, budgeting, purchasing, personnel, procedures, policies, water and sewer treatment, distribution and collection systems, 6,500 water and 12,000 sewer customers, and twenty-two employees. Balanced budget in two and a half years, first time in over a decade
- Responsibilities include fiduciary officer, \$8.0M budget, \$40M assets, staffing, purchasing, project planning/development, contract facilitation, USDA grants, solar projects and resident concerns

EXECUTIVE DIRECTOR, August 2004 to June 2008

Deptford Township Municipal Utilities Authority, Deptford, NJ 08096

- CEO of MUA investments, budgeting, purchasing, personnel, procedures and policies, water and sewer distribution and collection systems, 12,000 water and 10,500 sewer customers, and thirty-three employees
- Responsibilities include fiduciary officer, \$8.2M budget, \$50M assets, staffing, purchasing, project planning/development, contract facilitation, state reporting, and resident concerns

WASTEWATER MANAGER, Part-time August 2004 to December 2009

Woodstown Sewerage Authority, Woodstown, NJ 08098

- Supervision of wastewater treatment plant, collection system, and five employees
- Responsibilities include budgeting, staffing, purchasing, project planning/development, state reporting, record keeping, and resident concerns

WATER/WASTEWATER Licensed Operator, Part-time May 2006 to March 2011

Borough of Swedesboro, Swedesboro, NJ 08085

- Supervision of water and wastewater treatment plants, collection and distribution systems, with five employees
- Responsibilities include budgeting, staffing, project planning/development, state reporting, record keeping and training
- Oversees the water and wastewater treatment plant operations, preventive maintenance and repair scheduling and new equipment installation.

WATER & WASTEWATER INSTRUCTOR, Part-time 1997 to 2006

Gloucester County Institute of Technology Adult Education, Swell, NJ 08080

- New Jersey Part-time teaching certificate to instruct NJDEP approved courses, Introduction to Water/Wastewater Treatment, Advanced Wastewater Treatment, Collection Systems and Very Small Water Systems

SUPERINTENDENT OF PUBLIC WORKS, 1991 to August 2004

Borough of Woodstown Public Works Department, Woodstown, NJ 08098

- Supervision of water and wastewater treatment plants, distribution, collection systems, streets and roads, buildings/grounds, fleet maintenance and eleven employees
- Responsibilities include budgeting, staffing, purchasing, project planning/development, contract facilitation, state reporting, record keeping, building maintenance, fleet repairs and purchases employee safety training, and resident concerns
- Oversees the water and wastewater treatment plants operations, preventative maintenance and repair scheduling, new equipment installation, maintenance of streets, buildings, fleet equipment and educational programs for residents and school students.
- Employee training in water, wastewater treatment and safety operations

WATER/WASTEWATER MANAGER, 1989 to 1991

Borough of Woodstown, Woodstown, NJ 08098

- Supervision of water and wastewater treatment plants, distribution and collection systems, and five employees
- Responsibilities include budgeting, staffing, purchasing, project planning/development, state reporting, record keeping, employee safety training, and resident concerns
- Oversees the water and wastewater treatment plants operations, preventive maintenance and repair scheduling, new equipment installation, and educational programs for residents and school students.

ASSISTANT CHIEF OPERATOR, 1973 to 1989

Township of Tincum Wastewater Treatment Plant, Essington, Pa. 19029

- Supervision of three employees and 1.4 MGD wastewater treatment plant, laboratory testing, preventive maintenance and repairs to pumps, motors, controllers, instrumentation and vehicles
- Repairs to pipelines, operate front-end loaders/backhoe, tractors and snowplows
- Experienced in carpentry, plumbing, masonry and substitute for Chief Operator

HOME REMODELING, Part-time self-employed, 1975 to 1991

CMD Builders, Essington, Pa. 19029

- Carpentry, remodeling, additions, electrical and plumbing for residential and commercial buildings

EDUCATION

INTERBORO HIGH SCHOOL, Graduated 1971/Honors

Prospect Park, Pa. 19076

- National Honor Society, awarded keys in Ecology and Industrial Arts

POST EDUCATION COURSES, 1972 to Present

Penn State University, Delaware County Community College, Rutgers State University, Rowan College

- Thousands of hours of continual education in the Environmental field

LICENSE AND CERTIFICATIONS

THE STATE OF NEW JERSEY

- Wastewater license S4-23927, C4-22936, Water T4-279722, W4-28593, Certified Public Works Manager CPWM-M0079, Certified Right To Know Trainer, FEMA certified IS-700 & ICS 100, 200 & 300, CDL license class B/tanker, certified in CPR and Advanced First Aid.

THE ASSOCIATION OF BOARD OF CERTIFICATION (ABC)

- Wastewater Treatment Class III (National License)

ACCOMPLISHMENTS

- Project manager of over \$45 million in municipal improvements including water, wastewater infrastructure, treatment plant construction and upgrades and road reconstruction projects
- Obtained \$12 M USDA grant for LTMUA water main installation project, second largest grant in New Jersey history.
- Installed a 1.3 meg PPA solar project for LTMUA at a energy savings of \$30,000/month
- Essington Volunteer Fire Company "Fireman of the Year" 1986
- President of Public Works Association of New Jersey – Region Six (Camden, Gloucester & Salem Counties) 1995 to 1998
- President of the State Public Works Association of New Jersey 2002 & 2003
- Public Works Association of New Jersey "Person of the Year" 1999
- Inducted into Water Environment Federation Quarter Century Club 2003
- Public Works Association of New Jersey "Lifetime Achievement Award" 2006
- New Jersey Department of Environmental Protection "Four Tops Award" 2008

FOR TOWNSHIP USE ONLY

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

Term Exp. _____ Replaced _____ or Reappointed _____

TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

RECEIVED
11-21-11

NAME Robert S. Pizzo

CITY AND STATE 37 Cormorant Way

YEARS OF RESIDENCY IN TOWNSHIP 11 OCCUPATION Retired

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.

This will be my third year that I have applied to
serve on the MUA. I currently serve on the Trip.
Environment Commission and I am on the B.O.D. of
Michels Run L.A. All of M. Run is served by Water
& Sewer. I have attended most if not all of the MUA
meetings as well as Township Meetings. I have a desire to
serve on the MUA. It would be an asset to the
Current Bd.

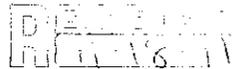
Date: 11/20 Signature: Robert S. Pizzo (VALID FOR ONE YEAR FROM DATE OF RECEIPT)

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 STEPHEN W. SHEFTZ

CITY AND STATE 122 TOWN BANK RD. NORTH CAPE MAY, NJ 08204

YEARS OF RESIDENCY IN TOWNSHIP 45 OCCUPATION ENGINEER

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

- | | |
|---|---|
| <input type="checkbox"/> Cable Television Advisory Board | <u>1</u> Municipal Utilities Authority |
| <input type="checkbox"/> Environmental Commission | <u>2</u> Planning Board |
| <input type="checkbox"/> Historic Preservation Commission | <input type="checkbox"/> Recreation Advisory Board |
| <input type="checkbox"/> Citizen Advisory Board | <input type="checkbox"/> 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 SEE ATTACHED

RESUME - SHORT FORM

Date: 11/18/2011 Signature: [Signature] (VALID FOR ONE YEAR FROM DATE OF RECEIPT)

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

RESUME- SHORT FORM

Education

*BSEE--Widener University; Additional Studies: *Penn State, *Temple,
*University City Science Center & Numerous *AT&T Management Courses, etc.

Licenses

*Registered Professional Engineer in New Jersey and Pennsylvania. 

Work Experience (Partial List)

*AT&T, thirty years of meaningful interdepartmental experience.
*Cape May County Economic Development Director-(1998-1991).
*Lower Township MUA-Chairman (1998-2001); Member (2001-2002).
*Various Engineering/Management services for firms in NJ & PA.

Organizations (Partial List)

*Coalition of Civic Associations of Cape May County-Past President
*Cape May Beach Property Owners Association.- Life Member
*Telephone Pioneers of America-Life Member *Villas Fishing Club
*VFW Post #5343-Life Member *American Legion Post#190
*Federation of Senior Citizens of L.T. *Men of Malvern
*Lower Township Community Groups Coordinator

Awards (Partial List)

*Americus Council K. of C.- Outstanding Community Leadership-1974
*A.T. &T. "EAGLE AWARD"-Outstanding Performance-1983
*A.T. &T.- Manager's Award-1984.
*Greater Cape May Elks Lodge No.2839- "Accomplishments and Vision of the
Future of Lower Township"-April 11, 2006.

Military Service

*U.S. Navy, June 1948- December 1952.

 FORTY SEVEN (47) YEARS AS A
(PROFESSIONAL) ENGINEER

FOR TOWNSHIP USE ONLY

Res. # _____

Board/Comm./Auth. _____

Term Exp. _____

Replaced _____ or Reappointed _____

5-16-11
RECEIVED
Lower Cape May Regional School Distr
687 Route 9
Cape May, NJ 08204-4697

TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

Thomas A. Frisoli, Jr., C.F.M.
Supervisor of Buildings & Grounds

NAME THOMAS A. FRISOLI JR.

CELL: (609) 408-5527

Office: (609) 884-3475 ext. 220
Fax: (609) 898-0647

Pager: (609) 390-68
Email: frisolit@lemrschools.c

CITY AND STATE VILLAS, New Jersey

YEARS OF RESIDENCY IN TOWNSHIP 30 + OCCUPATION Certified Facility Manager Supervisor of
Buildings & Grounds

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

- | | |
|---|---|
| <input type="checkbox"/> Citizen Advisory Board | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Environmental Commission | <input type="checkbox"/> Recreation Advisory Board |
| <input checked="" type="checkbox"/> Municipal Utilities Authority | <input type="checkbox"/> 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 attended all classes associated with & required by NJ DEP for water and waste water. I am knowledgeable in all aspects of Water Allocation, chemical & bacteria parameter limitations. I have been involved with water & wastewater situations since 1981.

I am licensed & certified by New Jersey asn all my completed classes, certifications and copies of my License & classes are on file with the Manager, Mike Voll for your review or concerns.

Date: 5/05/11 Signature: Thomas A. Frisoli Jr. (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
MAY 10 2011

NAME GEORGE DONISKO

CITY AND STATE VILLAS NJ 552 BAYSHORE RD VILLAS NJ 08204

YEARS OF RESIDENCY IN TOWNSHIP 13 OCCUPATION MAINTENANCE

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

- | | |
|---|--|
| <input type="checkbox"/> Cable Television Advisory Board | <u>2</u> Municipal Utilities Authority |
| <input type="checkbox"/> Environmental Commission | <u>4</u> Planning Board |
| <input type="checkbox"/> Historic Preservation Commission | <input type="checkbox"/> Recreation Advisory Board |
| <u>1</u> Citizen Advisory Board | <u>3</u> 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 AM JUST BASICLY INTERESTED IN HELPING LOWER TWP BECOME A MORE DESIREABLE PLACE TO LIVE. I HAVE WATCHED PEOPLE LEAVE OUR TOWNSHIP FOR VARIOUS REASONS AND I FEEL WE COULD REVERSE THIS TREND WITH SOME SIMPLE CHANGES

Date: 5-10-11 Signature: George Donisko (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 _____

FOR TOWNSHIP USE ONLY

Res. # _____ Board/Comm/Auth. _____
Term Exp. _____ Replaced _____ or Reappointed _____

TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

NAME Edith (Edie) Kopsitz

CITY AND STATE North CAPE MAY, NJ 08204

YEARS OF RESIDENCY IN TOWNSHIP 20 OCCUPATION Secretary, City of CAPE MAY

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

- | | |
|---|---|
| <input type="checkbox"/> Cable Television Advisory Board | <input checked="" type="checkbox"/> Municipal Utilities Authority |
| <input type="checkbox"/> Environmental Commission | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Historic Preservation Commission | <input type="checkbox"/> Recreation Advisory Board |
| <input type="checkbox"/> Mayor's Advisory Board | <input type="checkbox"/> 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.

Proficient in the daily operations of a construction office, knowledgeable in the process of Boards and Commissions, financial operations of a Real Estate Office and Developers pertaining to new construction and a resident of the Township of Lower.

Date: 1/7/11 Signature: Edith Kopsitz (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 _____

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

ORDINANCE #2012-01

AN ORDINANCE AMENDING CHAPTER 3, ADMINISTRATION OF GOVERNMENT, OF THE CODE OF THE TOWNSHIP OF LOWER

WHEREAS, the Council has determined it would be appropriate and in the best interest of good government to formally establish policies for the governing body which may be amended from time to time as necessary.

NOW, THEREFORE, BE IT ORDAINED as follows:

SECTION 1. Section 3-8, Powers and duties of Township Council, B (4) Policy is hereby amended with the following addition.

(d) Attendance Policy

- a. The Mayor & Councilmembers are expected to attend regular and special meetings at the time and place where said meetings are held and for the entirety of each meeting. If attendance is not possible, notification is to be made to the Township Manager and the Township Clerk prior to the scheduled meeting.
- b. Attendance shall be taken at all meetings and reflected in the minutes of all meetings which will subsequently be posted to the Township's website.

(e) Training

- a. Newly elected members of Council are strongly encouraged to complete the Rutgers University Course for Newly Elected Officials during the first year of their term and all members of Council are encouraged to continue their municipal government education by completing the courses necessary to complete the Municipal elected Officials Certificate Program offered by the Edward J. Bloustein School of Planning & Public Policy at The Rutgers Center for Government Service or any comparable program offered through the New Jersey League of Municipalities.
- b. Records of all courses taken shall be furnished to the Municipal Clerk and shall be available for public inspection. The Township shall pay for all tuition costs and travel expense incurred by the member of Council in completing these courses upon providing adequate documentation to substantiate the expenses.

(f) Email Communications

- a. In keeping with the Open Public Meetings Act (OPMA), email communications should, as far as practicable, not include an effective majority of the governing body and should never include an effective majority of the governing body where "discussion" of information related to the business of the Township is involved. "Discussion" should be distinguished from a single email that simply provides information.
- b. Where email communications do include an effective majority of the governing body, such communications should almost universally not include any request for information in response. The provision of information to the entire governing body (e.g. copies of agendas, etc.) should specifically indicate that there should be no email reply or other communication contrary to the OPMA.

- c. In the rare instance where a response is requested, such request must not involve any decision making or deliberative function of the governing body or otherwise address Township business that is subject to the OPMA and shall not be made to the entire list of email addressees, so that even the appearance of impropriety may be avoided. Instances such as this should be extremely rare and should only be informational. (E.g. "I am attending the seminar on the 21st, if anyone else is going or wants information, please let me know.") Substantive matters of public business must never be the subjects of an email discussion between or among an effective majority of the governing body. Utilizing a third party, such as the Clerk, does not change the requirements of the OPMA.
- d. "Rolling" email conversations must also be avoided. One member of the governing body or a third party may not contact other members via email individually to successively discuss or gain opinions on an item of Township business. This applies to other forms of electronic communications as well.
- e. Members of the governing body or other Township officials providing information to the governing body are encouraged to use the "bcc" function or other similar function in order to eliminate or minimize the prospects of a bulk reply that might increase the potential for communications that might implicate the requirements of the OPMA.

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

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

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

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

Thomas Conrad, Councilmember

, Councilmember

Glenn Douglass, Councilmember

Kevin Lare, Deputy Mayor

Adopted: _____

Attest: _____
Claudia R. Kammer, Clerk

Michael E. Beck, Mayor

Regular & Work Session Meeting Minutes - December 19, 2011

Prior to the opening of the meeting, Eric Simonsen (former Ward 2 Councilman) lead the crowd in Holiday Cheer by singing Jingle Bells and We Wish You A Merry Christmas.

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on December 19, 2011 at 7:00 p.m. at the Townbank Volunteer Fire Company, 224 Townbank Road, North Cape May, NJ.

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

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

Councilmember Thomas Conrad
Councilmember Glenn Douglass
Deputy Mayor Kevin Lare
Mayor Michael Beck

Also present: Michael Donohue, Solicitor, Michael Voll, Manager and Asst. Clerk Julie Picard

Presentation - Certificates of Recognition - Art Treon & Joan Koeck
Mayor Beck and Council presented Joan Koeck with a certificate in appreciation of over 30 years of dedicated service to the Office of Emergency Management.

Mayor Beck and Council presented Art Treon with a certificate in appreciation of his 10 plus years as the Office of Emergency Management Coordinator noting his dedication and commitment to the Township of Lower residents.

Work Session

Review of Consent & Regular Agenda Items

Clerk Kammer announced Resolution #2011-329 would be added to the Consent Agenda. Also, Resolution 2011-318 should reflect the corrected amount of \$665,574.82.

Council Comment - None

Public Comment - None

Consent Agenda

Approval of Minutes	December 5, 2011
Res #2011-318	Payment of Vouchers \$665,574.82
Res # 2011-319	Resolution Approving Project Proposal Between Hatch Mott Macdonald and the Township of Lower For Engineering Services Related to 2011 Delaware Bay Shore Outfall Extensions (\$3,600 for NJ DEP permits, MOU's & Tideland license)
Res # 2011-320	Cancellation and Refund of 2011 Property Tax (Owners granted 100% Disabled Vet Status)
Res #2011-321	Resolution Authorizing Payment to New Jersey Natural Land Trust (Payment of \$4,000 for permit and other fees associated with MOU between Twp & NJ Natural Land Trust)

Regular & Work Session Meeting Minutes - December 19, 2011

- Res#2011-322 Renewal of June Yard License for Macum Corp for the year 2012 (Annual renewal)
- Res # 2011-323 Approval of Precious Metal Licenses 2011 & 2012 (1 new for 2011 & 4 renewals/new 2012)
- Res # 2011-324 A Resolution to Terminate Lower Township's Participation in the State Health Benefits Program (Resolution to terminate health benefit coverage for employees through the State's Program to switch to another carrier with a projected savings of over \$160,000)
- Res #2011-325 Transfers of Appropriations (\$131,100 from Tipping Fees, Insurance & Recreation to various depts, gasoline, unemployment)
- Res #2011-326 Authorizing Payout of Terminal Leave (E.Dougherty - retired Police \$1,024.27)
- Res #2011-327 Resolution Authorizing Acceptance and Execution of Easement (Drainage easement - part of Cox Hall Creek project)
- Res #2011-328 Resolution Approving Release of Executive Session Minutes of Portions Thereof (Year end resolution for portion of minutes that can be released)
- Res #2011-329 Resolution Authorizing the Townships Contribution Towards the Cox Hall Creek Restoration Project

Motion to approve Consent Agenda moved by Councilmember Douglass, seconded by Councilmember Conrad.

Roll Call Vote:

Councilmember Conrad	Yes
Councilmember Douglass	Yes
Deputy Mayor Lare	Yes
Mayor Beck	Yes

Administrative Reports

Personnel Action Report

October Report Tax Collector

November Reports Animal Control, Construction Official, Dog Licensing, Engineer, Municipal Clerk, Police, Tax Collector, Vital Statistics

Council Comments

Councilmember Conrad wished everyone a Merry Christmas and a Happy New Year

Councilmember Douglass wished everyone a Merry Christmas and a Happy New Year and to be safe and think of your neighbors.

Deputy Mayor Lare thanked the Townbank Volunteer Fire Company for their countless hours of time and dedication and how the volunteers are taken for granite - but Lower Township appreciates all the volunteers do for our township residents. Deputy Mayor Lare thanked Eric Simonsen for his service to Lower Township and wished all a very Merry Christmas and a Happy New Year.

Mayor Beck echoed Deputy Mayor Lare's comments and stated how the firemen are a very intricate and important part of the community. Mayor Beck also announced there will be a special meeting on Wednesday, December 21st at 4:00 p.m.. The meeting will be closed session for matters relating to Collective Bargaining Agreements. No formal action will be taken. Mayor Beck stated at the next meeting

Regular & Work Session Meeting Minutes - December 19, 2011

we hope to have names for the Public Safety Building Committee and also hope to have a draft Ordinance regarding administrative procedures including use of e-mail, absentee and training policies for Council. Council Re-Org meeting is scheduled for Wednesday, January 4, 2012 at 7:00p.m.

Call to the Public

Steve Scheftz addressed Council showing a copy of an original deed dating back to May, 1630 which was filed in Manhattan on June 3, 1631 showing that Town Bank is the oldest community in South Jersey.

Adjournment

There being no further business, motion to adjourn moved by Councilmember Douglass, seconded by Councilmember Conrad. The Council meeting adjourned at 7:18 p.m

Mayor

Township Clerk

Approved:

SPECIAL MEETING MINUTES - December 21, 2011

The Special meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on December 21, 2011 at 4:00 p.m. at the Lower Township Municipal Building, Villas, NJ.

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

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

Councilmember Thomas Conrad
Councilmember Glenn Douglass
Deputy Mayor Kevin Lare
Mayor Michael Beck

Also present: Bill Blaney, Labor Attorney, Nicole Curio, Labor Attorney, Michael Voll, Township Manager, Lauren Read, Chief Financial Officer and Julie Picard, Assistant Clerk.

Resolution #2011-230; 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 (discussion and update on progress of current labor negotiations)

Motion to adopt Resolution #2011-230 moved by Councilmember Douglass, seconded by Councilmember Conrad.

Roll Call Vote:

Councilmember Conrad	Yes
Councilmember Douglass	Yes
Deputy Mayor Lare	Yes
Mayor Beck	Yes

Council returned to open session

Motion to proceed as discussed in Closed Session regarding Collective Negotiations moved by Deputy Mayor Lare, seconded by Councilmember Conrad.

Roll Call Vote:

Councilmember Conrad	Yes
Councilmember Douglass	Yes
Deputy Mayor Lare	Yes
Mayor Beck	Yes

There being no further business, motion to adjourn moved by Councilmember Lare, seconded by Councilmember Conrad. The meeting unanimously adjourned by verbal "ayes" at 5:05 p.m.

Mayor

Township Clerk

Approved:

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

RESOLUTION #2012-01

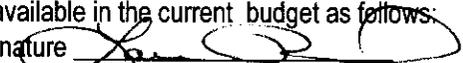
TITLE: APPOINTMENT OF MUNICIPAL SOLICITOR FOR 2012 WITHOUT PUBLIC BIDDING

WHEREAS, the Township of Lower ("Township") has a need to acquire legal counsel 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,

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, Michael Donohue has submitted a proposal indicating that they will provide the goods or services described hereinabove for a total price of \$150,000; and

WHEREAS, the CFO has determined sufficient funds are available in the current budget as follows:
Appropriation # 201-20-155-200 Signature 

WHEREAS, Blaney & Donohue has completed and submitted a Business Entity Disclosure Certification which certifies that they have 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 them 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 appoints Michael Donohue as Solicitor and approves the contract with Michael Donohue for the goods and services described above.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that a notice of Award of Professional Contract for the above appointment shall be published in the official Township paper.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council at a meeting held on January 4, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

TOWNSHIP OF LOWER

CONTRACT FOR PROFESSIONAL SERVICES FOR TOWNSHIP SOLICITOR

THIS AGREEMENT made as of the 4th day of January 2012, by and between THE TOWNSHIP OF LOWER, a municipal corporation of the State of New Jersey (hereinafter referred to as "Township") and MICHAEL J. DONOHUE, ESQUIRE, an attorney-at-law of the State of New Jersey, of the Law Firm of Blaney & Donohue, P.A., having an office at 3200 Pacific Avenue, Suite 200, Wildwood, New Jersey 08260 (hereinafter referred to as "Township Solicitor").

WITNESSETH:

WHEREAS, pursuant to Resolution adopted by the Township Council on the 4th day of January, 2012, Michael J. Donohue, Esquire was appointed Township Solicitor for the Township of Lower;

WHEREAS, said appointment was made without competitive bidding in accordance with the provisions of the Local Public Contracts Law of the State of New Jersey which nevertheless requires the execution of a written contract; and

WHEREAS, the Chief Financial Officer of the Township of Lower has certified the availability of funds for the purposes hereof through an adequate appropriation in the municipal budget for the current year.

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties hereto agree as follows:

1. **APPOINTMENT:** The Township hereby employs Michael J. Donohue, Esquire as its Township Solicitor in accordance with a Resolution passed by the governing body on January 4, 2012. Mr. Donohue designates William G. Blaney, Esquire, to handle Labor Relations matters and other attorneys of the firm to handle matters as may be in the best interests of the Township.

2. **MONTHLY STIPEND:** Township shall pay to the Law Firm of Blaney & Donohue, P.A. (the “Law Firm”) the sum of Fifty Thousand Dollars payable in equal monthly amounts on or before the 15th day of each month, as compensation for day-to-day municipal attorney functions. In consideration of the monthly stipend, The Solicitor agrees

- (a) To attend regular and special meetings of the Township Committee;
- (b) To prepare Resolutions and Ordinances as necessary;
- (c) To receive, review and respond to, in consultation with the Township, on matters of law, all correspondence pertaining to the Township’s day-to-day operations and all questions from the Township Committee, Mayor and Manager and such other Township officers, employees and agents in consultation with the Township Manager;
- (d) To review agenda items for legal issues and advise as to applicable privileges and/or legal requirements relevant to such items;
- (e) To assist the Township Clerk in connection with duties under the Open Public Records Act, unless such assistance is approved by Township Manager as an extraordinary service as detailed below.
- (f) To review, research and render such written and/or verbal legal opinions as the Township may require on matters related to the day-to-day operation of the Township;
- (g) To review as to form all documents related to bonding procedures;
- (h) To review as to form and sufficiency, all documents related to the public bidding process for individual projects and render an opinion thereon for purposes of awarding or rejecting bids;
- (i) To field and respond to questions of land use law from the Zoning Officer;
- (j) To keep abreast of current legal changes and issues affecting the Township of Lower and to make recommendations to the Township with regard to same;

3. **EXTRAORDINARY SERVICES OUTSIDE OF MONTHLY STIPEND:** In the event that Attorney is called upon to carry out services on behalf of the Township in addition to those detailed at #2 above, including but not limited to preparation of real estate documents including deeds and easements for the Township of Lower (Attorney to be compensated at the rate of \$150.00 per document), legal research projects, extraordinary consultations with internal and outside professionals and/or agencies, dealings with the media on legal issues, attendance and/or participation at extraordinary meetings, hearings, information sessions on behalf of the Township and/or assisting the Manager in extraordinary matters outside of the day-to-day operation of the Township, Attorney shall submit an outline of such services to the Township Manager and, subject to approval of same in accordance with Township policy, shall be compensated for such extraordinary services at the rate of \$125.00 per hour, together with reimbursement for reasonable associated costs, if any, payments to be handled as form 1099 compensation.

4. **LITIGATION:** Attorney shall be litigation counsel for the Township and shall handle all aspects of general litigation that is not assigned to the ACJIF and shall, under this section, serve as liaison between the Township and any and all other legal professionals representing the Township. Attorney shall be compensated at the rate of \$125.00 per hour in fees and shall be reimbursed for all reasonable and associated costs and expenses for all litigation related work. Litigation shall be deemed commenced upon the Township being informed by a potential adversary of circumstances that may lead to suit against the Township. Attorney keep the Manager and Council advised as necessary and payment to Attorney shall be handled as form 1099 compensation.

5. **TAX APPEALS:** As required by law, Attorney shall be designated as the Attorney for the Tax Assessor in any tax appeal matters and shall be compensated as for litigation.

6. The Township shall have no responsibility to provide items generally regarded to be included in the overhead costs of a law practice.

7. The Township shall not be required to furnish any medical hospitalization or major medical coverage to the Township Solicitor.

8. The Township Solicitor's law office shall provide workmen's compensation insurance and disability insurance for any employees of the Law Firm.

9. The term of this Agreement shall be from the 4th day of January, 2012, until the first meeting of the Township Council in 2013, or until reappointment or the appointment of a successor. This Agreement may be extended upon the written execution thereof by all parties and in accordance with law.

10. Any controversy or claim arising out of or relating to the interpretation of this contract shall be settled by arbitration in Cape May County under the laws of the State of New Jersey before an arbiter chosen by the American Arbitration Association; the decision of the arbiter shall be final and binding upon both parties and any award made by the arbiter may be entered as a Judgment in any Court of competent jurisdiction.

11. This contract has been awarded to Michael J. Donohue, Esquire, based on his merits and abilities to provide the goods and services as described herein. This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.5. As such, the undersigned does hereby attest that Michael J. Donohue, Esquire, his subsidiaries, assigns or principals controlling in excess of 10% of the company he works for has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year preceding the award of the contract that

would, pursuant to P.L. 2004, c.19, affect his eligibility to perform this contract, nor will he make a reportable contribution during the term of the contract to any political party committee in the municipality if a member of that political party is serving in an elective public office of that municipality when the contract is awarded, or to any candidate committee of any person serving in an elective public office of that municipality when the contract is awarded.

12. During the performance of this Agreement, the Township Solicitor agrees as follows:

a. The Township Solicitor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status or sex. The Township Solicitor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment without regard to their age, race, creed, color, national origin, ancestry, marital status or sex. Such action shall include, but not be limited to, the following: (i) employment, upgrading, demotion, or transfer; (ii) recruitment or recruitment advertising; (iii) layoff or termination; (iv) rates of pay or other forms of compensation; and (v) selection for training, including apprenticeship. The Township Solicitor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this non-discrimination clause.

b. The Township Solicitor or subcontractor, where applicable, will in all solicitations or advertisements for employees placed by or on behalf of the Township Solicitor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status or sex.

c. The Township Solicitor or subcontractor, where applicable, will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of Township Solicitor's commitments

under applicable law, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

d. The Township Solicitor or subcontractor, where applicable, agrees to comply with the regulations promulgated by the Treasurer of the State of New Jersey ("Treasurer") pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time.

e. The Township Solicitor or subcontractor, where applicable, agrees to attempt in good faith to employ minority and female workers consistent with the applicable county employment goals prescribed by N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time, or in accordance with a binding determination of the applicable county employment goals determined by the Affirmative Action Office pursuant to N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c.127, as amended and supplemented from time to time.

f. The Township Solicitor or subcontractor, where applicable, agrees to inform in writing appropriate recruitment agencies in the area, including employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

g. The Township Solicitor or subcontractor, where applicable, agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status or sex, and conform with the applicable employment goals, consistent with the statutes and court decisions of the State of New Jersey, and applicable federal law and applicable federal court decisions.

h. The Township Solicitor or subcontractor, where applicable, shall furnish such reports or other documents to the Affirmative Action Office as may be requested

from time to time in order to carry out the purposes of the regulations of the Treasurer promulgated under P.L. 1975, c.127, and public agencies shall furnish such information as may be requested by the Affirmative Action Office for conduction of a compliance investigation pursuant to Subchapter 10 of N.J.A.C. 17:27.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the date first above written.

ATTEST:

THE TOWNSHIP OF LOWER

Claudia R. Kammer, Clerk

BY: _____
Michael E. Beck, Mayor

WITNESS:

TOWNSHIP SOLICITOR

BY: _____
Michael J. Donohue, Esquire

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 - Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that the business entity by the name Blaney & Donohue, PA 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, 2011 to any of the following named candidate committee, joint candidates committee, or political party committee representing the elected officials of the Township of Lower as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

Thomas Conrad	Lower Township Regular Republican Organization
Erik Simonsen	Any other 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 the
Michael Beck	Lower Township governing body.

Part II - Ownership Disclosure Certification

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

Check the box that represents the type of business entity:

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

Name of Stock or Shareholder	Home Address
William G Blaney	Turnersville, NJ
Michael J. Donohue	Denno Twp, NJ

Part 3 - Signature and Attestation:

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

Name of Business Entity: Blaney & Donohue
 Signed: [Signature] Title: Partner/Secretary
 Print Name: Michael J. Donohue Date: 12/22/11

Subscribed and sworn before me this ___ day of _____, 2011.

My Commission expires: _____ (Affiant)

 (Print name & title of affiant) (Corporate Seal)

1. FID. NO. OR SOCIAL SECURITY 2. TYPE OF BUSINESS 3. TOTAL NO. OF EMPLOYEES IN THE ENTIRE COMPANY.

1. MFG 2. SERVICE 3. WHOLESALE 4. RETAIL 5. OTHER

2

4. COMPANY NAME

BLANEY & DONOHUE, PA Wildwood Cape May, NJ 08260

5. STREET CITY COUNTY STATE ZIP CODE

3200 Pacific Ave - Suite 200 Wildwood NJ 08260

6. NAME OF PARENT OR AFFILIATED COMPANY (IF NONE, SO INDICATE) CITY STATE ZIP CODE

None

7. CHECK ONE: IS THE COMPANY: SINGLE-ESTABLISHMENT EMPLOYER MULTI-ESTABLISHMENT EMPLOYER

8. IF MULTI-ESTABLISHMENT EMPLOYER, STATE THE NUMBER OF ESTABLISHMENTS IN NJ

9. TOTAL NUMBER OF EMPLOYEES AT ESTABLISHMENT WHICH HAS BEEN AWARDED THE CONTRACT

2

10. PUBLIC AGENCY AWARDED CONTRACT

Township of Lower Merion Borough of Stone Harbor City of Lower Merion County of Camden State NJ ZIP CODE 08215 08247

Official Use Only DATE RECEIVED INAOG DATE ASSIGNED CERTIFICATION NUMBER

SECTION B - EMPLOYMENT DATA

11. Report all permanent, temporary and part-time employees ON YOUR OWN PAYROLL. Enter the appropriate figures on all lines and in all columns. Where there are no employees in a particular category, enter a zero. Include ALL employees. not just those in minority/non-minority categories, in columns 1, 2, & 3. DO NOT SUBMIT AN EEO-1 REPORT.

Table with columns for Job Categories, All Employees (Total, Male, Female), and Permanent/Minority/Non-Minority Employee Breakdown (Black, Hispanic, Amer. Indian, Asian, Non Min).

12. HOW WAS INFORMATION AS TO RACE OR ETHNIC GROUP IN SECTION B OBTAINED? 14. IS THIS THE FIRST Employee Information Report Submitted? 15. IF NO, DATE LAST REPORT SUBMITTED

SECTION C - SIGNATURE AND IDENTIFICATION

16. NAME OF PERSON COMPLETING FORM (Print or Type) SIGNATURE TITLE DATE

17. ADDRESS NO. & STREET CITY COUNTY STATE ZIP CODE PHONE, AREA CODE, NO.

I certify that the information on this form is true and correct.

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

RESOLUTION NO. 2012-32

TITLE: RESOLUTION DESIGNATING THE LOWER TOWNSHIP RESCUE SQUAD, INC. AS THE PROVIDER OF EMERGENCY MEDICAL SERVICES IN LOWER TOWNSHIP

WHEREAS, the Lower Township Rescue Squad ("Rescue Squad") , since its inception in 1950, had the purpose of providing high quality rescue and emergency medical services to the residents of and visitors to the Township of Lower ("Township"); and

WHEREAS, the Rescue Squad has provided these services for the Township and the Township desires to continue its relationship with the Rescue Squad and to look to the Rescue Squad for the provision of all of its ambulance, rescue and emergency medical services ("Emergency Services"), except as otherwise set forth herein; and

WHEREAS, the Township desires to formalize and clarify its relationship with the Rescue Squad to insure that it is conducted pursuant to all applicable laws, and to establish clear lines of responsibility and division of authority between the Township and the Rescue Squad, as well as to make clear that the Rescue Squad is an entity separate and apart from the Township.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Lower, in the County of Cape May, State of New Jersey, that the Township hereby recognizes and designates the Rescue Squad as the primary provider of Emergency Services for the Township subject to the following terms and conditions:

1. Pursuant to N.J.S.A. 40:5-2, The Township will take all formal steps necessary to voluntarily contribute the sum of SEVENTY THOUSAND (\$70,000.00) DOLLARS per annum to the Rescue Squad retroactive to the beginning of the year 2012, which payment shall be in two (2) installments: one in the amount of THIRTY-FIVE THOUSAND (\$35,000.00) DOLLARS due on or before June 3, 2012 and the second in the amount of THIRTY-FIVE THOUSAND (\$35,000.00) DOLLARS due on or before November 4, 2012. In the event the Township designates and recognizes the Rescue Squad as the provider of Emergency Services in the Township beyond one (1) year from the effective date of this Resolution, the payments will continue on or about the same days of the following year(s).

2. In addition to the financial contributions referenced in paragraph 1 above, the Township shall further provide gasoline and supplies for equipping the Rescue Squad's ambulance vehicles and facility in an amount not to exceed an additional THIRTY-FIVE THOUSAND (\$35,000.00) DOLLARS for each calendar year thereafter, subject to approval by Council at the beginning of each such year. Such amount will be paid from time to time over the course of the fiscal year based upon the submission of vouchers for either reimbursement to the Rescue Squad or payments directly to third party vendors, in accordance with the purchasing guidelines of the Township and subject to all other applicable laws.

3. Each year the Rescue Squad shall provide the Chief Financial Officer of the Township an audit performed by a certified public accountant or registered municipal accountant of the Rescue Squad's financial records which audit shall certify to the Governing Body of the Township that such records are being maintained in accordance with sound accounting principles, as also required by N.J.S.A. 40:5-2.

4. The Rescue Squad shall operate as an entity separate and apart from the Township. Except for the voluntary contribution referred to in Paragraph 1 above and the other in-kind contributions as set forth below, the Rescue Squad shall be responsible for all other financial and administrative matters regarding its operations including, without limitation, fund-raising, billing, training, bookkeeping, and management, which such matters shall not be the responsibility of the Township. Furthermore, the Rescue Squad shall maintain title to and ownership of all vehicles, as well as title to any other property and/or facilities it currently owns, or should hereafter acquire.

5. The Rescue Squad shall further provide the Township, the Lower Township Board of Education and any other agencies within the Township, upon the Township's request, with standby ambulance services at Township or other governmental functions such as parades, school sporting events, and the like, to the extent available.

6. It is the intention of this Resolution to express the parties' belief that the relationship between the Rescue Squad and Township continue in such a fashion that the relationship will provide the citizens of the Township with the highest quality of Emergency Services in the manner most efficient and most economical to the Township, and in the best interest of the public health, safety and welfare of the Township's citizens.

7. The Rescue Squad shall, at all times, conduct its business and provide the Emergency Services and other services hereunder in strict accordance with all applicable federal, state and local laws including, without limitation, Medicare, Medicaid and other applicable health and welfare laws.

8. The Rescue Squad must, at all times, maintain adequate insurance in such amounts and with such types of coverage as required by the State and/or Township pursuant to Chapter 115 of the Code of Lower Township and shall name the Township as an additional insured on all such policies, and shall provide proof of such insurance to the Township.

I hereby certify the foregoing resolution was adopted by the Township Council at a meeting held on January 3, 2012.

 Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						

PERSONNEL ACTIONS

Report for Council Meeting of 01/04/12

<u>Department</u>	<u>Name</u>	<u>Eff. Date</u>	<u>Replaces</u>	<u>Action</u>	<u>Title</u>	<u>Budgeted Item</u>
DPW	Hewitt, Robert	1/3/2012		new hire	temp laborer	yes
Public Safety	Aiken, Patrick	12/19/11		new hire	relief dispatcher	yes

Date of report: 12/30/2011

c: Manager
Clerk
Payroll
Asst. Treasurer
Personnel Director
Bulletin Board
File

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

RESOLUTION # 2012-33

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 of 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.
- X (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. (O'Callaghan vs. Lower Township Police Department, Government Records Council)

X (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. (M. Voll Re: MOU)

 (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 January 4, 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 January 4, 2012.

Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
DOUGLASS						
LARE						
BECK						