

WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL

DECEMBER 1, 2014 - 6:00 P.M.

Meeting called to order.

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

Consent Agenda

Approval of Minutes November 17, 2014
Res. #2014-313 Payment of Vouchers \$346,339.77
Res. #2014-314 Certification of Lot Clearing Charges to the Tax Collector (2 properties \$1,642.)
Res. #2014-315 A Resolution Requesting Release of a Demolition Bond for Block 792, Lot 1.04, 656 Sunset Boulevard (Sachar \$1,860.)
Res. #2014-316 Transfer of 2014 Appropriations (\$8,500)
Res. #2014-317 Authorizing the Sale of Township of Lower Surplus No Longer Needed for Public Use on GovDeals Online Auction Website (fax machine, printer & copier)
Res. #2014-318 Amend Resolution #2014-12; Designation of Official Depositories (add Group Insurance Fund)
Res. #2014-319 Authorization for 2014 Incentive Award for Insurance Waiver (19 employees \$42,749.99 per contracts)
Res. #2014-320 Authorization for the Payment of Guaranteed Overtime (dispatchers \$23,256.63)
Res. #2014-321 Authorization for the Payment of College Credits (23 employees \$19,780. per contract)
Res. #2014-322 Bid Acceptance and Award for Six (6) Mobile Data Recorders With Installation and Per Unit Pricing (GTBM \$33,450.50)

Regular Agenda

Res. #2014-323 Appointment of Engineering Design Associates As A Professional Service Contract Without Public Bidding (Coastal Resiliency Grant not to exceed \$250,000)
Res. #2014-324 Payment of Voucher - \$20,350. Oliver, Shousky & Kiss

Council Comments

Call to the Public

Closed Session

Res. #2014-325 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 ON PROFESSIONAL SERVICE CONTRACTS**

Adjournment

COUNCIL MEETING MINUTES – NOVEMBER 17, 2014

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on November 17, 2014 at 6:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

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

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

- Councilmember Thomas Conrad
- Councilmember James Neville
- Councilmember Erik Simonsen
- Deputy Mayor Clark
- Mayor Michael Beck

Also present: Michael Voll, Township Manager, Ron Gelzunas, Township Solicitor and Karen Fournier, Clerk's Office

Consent Agenda

- Approval of Minutes November 3, 2014
- Res. #2014-299 Payment of Vouchers \$ 342,551.20
- Res. #2014-300 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Emergency Management Assistance \$5,000)
- Res. #2014-301 Approval of Contribution to Lower Township Chamber of Commerce (\$1,000 Hospitality Day and \$3,000 Annual Directory)
- Res. #2014-302 Authorizing the Pay Out of Terminal Leave (R. Thompson \$26,853.44)
- Res. #2014-303 Authorizing the Pay Out of Terminal Leave (E.Macomber \$45,938.02)
- Res. #2014-304 Authorizing the Pay Out of Terminal Leave (G.Lutzgus \$3,763.60)
- Res. #2014-305 Authorization to Cancel General Ledger Balances (\$121,747.78)
- Res. #2014-306 Award of Extraordinary Unspecified Service Without Public Bidding to Wizards Festival Of Fun Entertainment at Ferry Merry Christmas Event December 21, 2014 and New Years Eve Celebration December 31, 2014 (\$4,985 Ferry Merry & \$4,450 New Years Eve)
- Res. #2014-307 Approval of Contribution to Lower Township Rotary (\$800. Tree Lighting/Veterans Ceremony/Parade)
- Res. #2014-308 A Resolution Authorizing and Approving a Shared Services Agreement between the Township of Lower and the Cape May County Municipal Utility Authority for the Temporary Use of a Walking Floor Trailer

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

Regular Agenda

- Res. #2014-309 Authorizing the Payment of Vouchers \$ 5,000. Lower Twp Rescue – Final 2014 Expense Payment

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

Res. #2014-310

Authorizing the Payment of Vouchers \$ 9,250. Oliveri, Shousky & Kiss – Public Safety Building

Kathleen Dynan, Portsmouth Road, asked for clarification on resolution #2014-310. Mayor Beck informed that it is for the architect.

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

Res. #2014-311

Appointment to the Lower Township Municipal Utilities Authority Board

Councilmember Conrad motioned to Table Resolution #2014-311 on the grounds that Council will be changing soon.

Kathleen Dynan inquired about a recently appointed board member that resigned. Mayor Beck replied. It was ascertained that the term expires in 3 years.

Deputy Mayor Clark proposed to appoint someone nonpolitical, who understands the operations of water and sewer, and engineering. He moved to appoint William Murphy to the LTMUA Board.

Councilmember Simonsen moved to appoint Jacqueline Henderson, former Councilmember and regular attendee of the LTMUA board meetings.

Clerk Picard informed of three motions presently on the floor. The motion to Table Resolution #2014-311 was rescinded for failure to receive a second motion.

Deputy Mayor Clark's motion to appoint William Murphy was seconded by Councilmember Neville.

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

Administrative Reports

Personnel Action Report

Monthly Reports – Clerk, Construction, Dog, Fire, Police, Tax, Vital Statistics

Council Comments

Councilmember Conrad thanked voters in Ward 1 for their continued support. He announced that changes will be implemented to address residents' concerns.

Councilmember Neville thanked his supporters and congratulated Dave Perry on his victory. He also applauded him for removing his signs in a timely manner.

Councilmember Simonsen thanked the voters and reminded us to be thankful for the right to vote. He commented on the Veteran's Day events throughout Cape May County and applauded Zachary Lambert, resident and LMCR student, for reconstructing the Prayer Garden at the Veteran's Cemetery as his Eagle Scout Project. He also wished everyone a Happy Thanksgiving.

Deputy Mayor Clark gave honor to our veterans for the right to vote. He thanked the Clerk and staff for their work with the election. He spoke briefly about the Economic Advisory Committee and credited them for raising the concern that led to an invitation to serve on the first District Economic Development Committee.

Mayor Beck congratulated Dave Perry, Eric Simonsen and Tom Conrad and thanked Councilmember Neville for his service. He announced the following upcoming events: Christmas Tree Lighting/ Veteran's Ceremony, Chamber of Commerce Hospitality Day, FEMA Flood Maps Open House, Lower Township Rotary Christmas Parade, Rotary Christmas House Decorating Contest, Ferry Merry Christmas, and New Year's Eve Event. He reminded of the Special Election and stressed the importance of a "no" vote. In the spirit of Thanksgiving, he reflected on the many things we have to be grateful for. He wished everyone a blessed Thanksgiving and Holiday Season.

Call to Public

Ed Butler, Villas, addressed Councilmember Conrad regarding the votes from Ward 1 on the school funding question. Councilmember Conrad suggested that certain residents disliked the messenger. Mayor Beck disagreed. Discussion continued about reasons why people voted yes on the school question. All parties agreed that everyone needs to spread the word to vote "no" at the Special Election in December. Councilmember Simonsen pointed out the simplicity of just one question for the Special Election ballot.

John Skowronski, 607 Arctic Avenue, pointed out that Cape May City is having a special meeting with their residents to talk about the Special Election. He stressed the urgency in getting the word out to Lower Township residents.

Janet Pitts confirmed that the Taxpayer's Association will be working diligently to spread the message to just vote "no". She informed that the hours for the Special Election will be different but the polling places will remain the same. Mayor Beck added that it is in the best interest of West Cape May to vote "no" at this election as well.

Bill Greenfield, Villas, addressed Council in favor of Mike Voll continuing as Township Manager. He made suggestions about meeting certain criteria if the newly elected Council decides to replace him.

Dan Anderson, Townbank Road, addressed Council to express his disfavor with keeping the police in an unhealthy building. He also demanded something be done about central dispatch. Councilmember Conrad assured that that is one of the things that will be changing.

Joe Link, Townbank, addressed Council about the condition of Glenwood Place. Manager Voll assured that the road will be paved. Mr. Link refused to believe him and questioned his credibility. Mayor Beck interceded. Discussion ensued. Mr. Link brought up previous matters to discredit Manager Voll. Councilmember Neville suggested Mr. Link ask Dave Perry to aid in his pursuit. Mr. Link continued to make accusations against Manager Voll. Mayor Beck insisted Mr. Link take a seat or he would be removed.

Robert Rizzo, Mickel's Run, congratulated the Republicans on their victory and hopes that it will benefit Lower Township residents, not County Republicans or Congressman LoBiondo. He reminded of important

Township business that needs to take precedence, including the police building and Shore Drive. He urged Councilmember Conrad to inform voters in Ward 1 to vote "no" at the Special Election.

Betty Somers, Villas, shared her feelings toward Manager Voll. She also expressed her disappointment with Councilmember Conrad for what was done to Councilmember Neville.

John Close, Townbank, purchaser of Joe Link's house on Crest Place, respectfully requested a timeframe when his road will be paved. Manager Voll informed that he met with the Public Works Director to discuss it. He is hopeful that it will be done before the end of the year, upon the completion of Clubhouse Road.

Closed Session

Res. #2014-312

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 on Professional Service Contracts

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

Council went into closed session at 7:01 p.m.

Council returned to Open Session at 7:21 p.m.

Adjournment

There being no further business to address, motion to adjourn moved by Councilmember Conrad, seconded by Deputy Mayor Clark. Motion to adjourn unanimous. Meeting adjourned at 7:22 p.m.

Mayor

Township Clerk

Approved:

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00825 COMCAST* <small>Continued</small>								
	14-03036	11/20/14	DPS - INTERNET	Open	120.55	0.00		
	14-03044	11/21/14	MONTHLY ACCESS-CLEM MULLIGAN	Open	86.04	0.00		
	14-03092	11/25/14	11/30-12/29/14 INTERNET-FIRE S	Open	<u>112.90</u>	0.00		
					749.44			
00854 JOHN CHEW JR.								
	13-01081	04/16/13	2013 EQUIP. ALLOWANCE	Open	150.00	0.00		
	14-01063	04/25/14	2014 EQUIP. ALLOWANCE	Open	<u>150.00</u>	0.00		
					300.00			
00925 DONALD PAUL CLARK JR.								
	14-03024	11/18/14	MEDICAL CLAIMS- V	Open	408.67	0.00		
00997 S.A.COMUNALE, INC.*								
	14-02354	09/08/14	FIRE SPRINKLER INSPECTION	Open	400.00	0.00		
01075 COPIERS PLUS*								
	14-02670	10/20/14	COPIER-LANIER MPC 3003-	Open	6,748.00	0.00		
01125 MARGARET CROMPTON								
	14-03093	11/25/14	MEDICAL CLAIMS	Open	5.00	0.00		
01176 DATEL SOFTWARE SOLUTIONS LLC*								
	14-02675	10/20/14	CALL SWEET 12/2014-11/30/2015	Open	267.00	0.00		
01246 ROCCO SANSONE								
	14-03049	11/21/14	SOCCER OFFICIAL	Open	180.00	0.00		
01340 EAGLE POINT GUN*								
	14-02964	11/12/14	AMMO	Open	1,841.00	0.00		
01365 GARY DOUGLASS								
	14-03027	11/20/14	SHOE ALLOWANCE	Open	69.98	0.00		
01519 TOM FOLS ELECTRICALCONTRACTOR*								
	14-02764	10/31/14	EMERGENCY REPAIR- BENNETT'S	Open	225.00	0.00		
	14-02780	11/03/14	LIGHTS AT BENNETTS	Open	<u>525.00</u>	0.00		
					750.00			
01641 GALL'S INC*								
	14-02711	10/24/14	PATROL SUPPLIES	Open	572.00	0.00		
01643 WILLIAM GALESTOK								
	14-03043	11/21/14	REIMBURSEMENT	Open	44.50	0.00		
01806 ANTHONY J HARVATT, II, ESQ								
	14-01204	05/01/14	BOARD SOLICITOR SALARY	Open	625.00	0.00		
02027 JESCO INC*								
	14-02923	11/06/14	CUTTING EDGES FOR BACKHOE	Open	600.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02136 TED KINGSTON INC*								
	14-01285	05/12/14	RADIO MAINT. DPS- AUGUST	Open	550.00	0.00		
	14-01286	05/12/14	RADIO MAINT. DPS- SEPTEMBER	Open	544.27	0.00		
	14-01287	05/12/14	RADIO MAINT. DPS- OCTOBER	Open	543.47	0.00		
	14-01288	05/12/14	RADIO MAINT. DPS- NOVEMBER	Open	543.47	0.00		
					<u>2,181.21</u>			
02140 KINDLE FORD LINC/MERC., INC.*								
	14-02629	10/14/14	PARTSFOR POLICE VEHICLES	Open	808.00	0.00		
02280 LINDEMON WINCKELMANN & ASSOC.								
	13-01475	05/29/13	ADA 1ST\$41227.00/CO#1DNE45727	Open	2,300.00	0.00		
02334 LOWER TWP CHAMBER OF COMMERCE								
	14-02981	11/13/14	CHAMBER LUNCH 11/13/14	Open	17.00	0.00		
02585 WILLIAM MASTRIANA								
	14-03020	11/18/14	REIMBURSMENT	Open	20.00	0.00		
	14-03045	11/21/14	TRAINING MEALS	Open	26.00	0.00		
					<u>46.00</u>			
02626 FRED MCCLOSKEY								
	14-03063	11/24/14	MEDICAL CLAIMS- V	Open	225.00	0.00		
02632 N J PLANNING OFFICIALS*								
	14-02770	10/31/14	BOARD MEMBER TRAINING 11-19-14	Open	50.00	0.00		
03052 NATIONAL FIRE PROTECTION ASSN*								
	14-02758	10/29/14	ANNUAL MEMBERSHIP -BLACKLEY	Open	165.00	0.00		
03109 TRU GREEN CHEMLAWN								
	14-01164	04/29/14	FERTILIZER/SLICE SEED FOR L.T.	Open	4,784.50	0.00		
03279 PARDO'S TRUCK PARTS WHSE*								
	14-01704	06/16/14	RDS/SANT/RECY/DPW/AUG	Open	734.30	0.00		
03285 PARA PLUS TRANSLATIONS, INC.*								
	14-02962	11/12/14	INTERPRETER	Open	259.60	0.00		
03305 PEDRONI FUEL*								
	14-03018	11/18/14	NO LEAD GAS	Open	125.31	0.00		
03414 WILLIAM PRIOLE								
	14-03037	11/20/14	TRAINING MEALS	Open	63.69	0.00		
03427 POLAR BEAR*								
	14-03000	11/14/14	REPLACED FAULTY REGULATOR	Open	1,313.00	0.00		
	14-03010	11/18/14	SERVICE CALL-NO HEAT-BOILER	Open	162.50	0.00		
					<u>1,475.50</u>			
03518 RIGGINS, INC.*								
	14-03056	11/24/14	HIGHWAY DIESEL	Open	1,297.81	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03553 RANSOME INTERNATIONAL, LLC*	14-01129	04/28/14	PARTS FOR COUNTY VEHICLES/JUNE	Open	600.00	0.00		
	14-02589	10/09/14	PARTS FOR VEHICLE/DPW	Open	<u>476.13</u>	0.00		
					1,076.13			
03573 SAFETY-KLEEN CORP*	14-01149	04/28/14	EQUIP. MAINTENANCE/MAY	Open	307.84	0.00		
03652 FRANK SIPPLE	14-03021	11/18/14	SOCCER OFFICIAL	Open	540.00	0.00		
03687 SOUTH JERSEY WRESTLING ASSOC.*	14-02682	10/20/14	WRESTLING LEAGUE FEES	Open	500.00	0.00		
03692 SOUTH JERSEY GAS CO*	14-03046	11/21/14	GAS FOR OCTOBER 2014	Open	1,259.56	0.00		
03723 STAPLES, INC.*	14-02779	11/03/14	EXTERNAL HARD DRIVE	Open	99.99	0.00		
	14-02782	11/03/14	SUPPLIES	Open	324.81	0.00		
	14-02927	11/06/14	OFFICE SUPPLIES- TREASURERS OF	Open	<u>4.00</u>	0.00		
					428.80			
03733 JAMES D. STRICKLAND	14-03038	11/20/14	MEDICAL CLAIMS	Open	2,108.82	0.00		
03810 MUNICIPAL UTIL AUTH USAGE COST	14-02988	11/14/14	WATER BILL- DUE 12/4/14	Open	2,142.28	0.00		
	14-02989	11/14/14	SEWER DUE 12/4/14	Open	<u>160.00</u>	0.00		
					2,302.28			
03904 LOWE'S HOME CENTER INC*	14-03011	11/18/14	PLASTIC TABLES	Open	892.80	0.00		
03969 VERIZON	14-03031	11/20/14	NOVEMBER 2014 PHONE SERVICE	Open	4,181.91	0.00		
03992 VAL-U AUTO PARTS LLC*	14-02627	10/14/14	RDS/SAMT/RECYC/DPW/OCT.	Open	2,888.91	0.00		
03996 VINELAND AUTO ELECTRIC, INC.*	14-02340	09/05/14	CALIBRATION POLICE VEHICLES	Open	1,120.00	0.00		
04111 RYAN DEVINE	14-03059	11/24/14	SOCCER OFFICIAL	Open	40.00	0.00		
04126 NICK OLEXA	14-03060	11/24/14	SOCCER OFFICIAL	Open	110.00	0.00		
04216 PRIVATE ISLAND EMBROIDERY*	14-02665	10/20/14	UNIFORM SHIRTS	Open	98.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04300 W B MASON CO INC*	14-02926	11/06/14	KEURIG COFFEE MACHINE-TOWNHALL	Open	110.00	0.00		
04301 SEASHORE ASPHALT CORPORATION*	14-02166	08/13/14	ASPHALT	Open	15,953.50	0.00		
	14-02557	10/03/14	PATCH/OCT	Open	841.25	0.00		
					<u>16,794.75</u>			
04445 TRICOMM SERVICES CORP*	14-02683	10/20/14	TELEPHONES	Open	457.50	0.00		
	14-02917	11/05/14	INSTALL FAX LINE	Open	290.00	0.00		
					<u>747.50</u>			
05064 CAPE ISLAND GRAPHICS*	14-02963	11/12/14	DECAL FOR NEW PATROL UNIT	Open	270.50	0.00		
06040 RICHARD STOCKTON COASTAL RSCH*	14-00158	01/14/14	#2013-317 FEMA MAP 1/2 MIDDLE	Open	1,061.79	0.00		
2122 DOLORES MAJANE	14-03039	11/20/14	MEDICAL CLAIMS	Open	304.08	0.00		
5032 NORTH WILDWOOD \$ CREST SHIRT*	14-02944	11/10/14	TEAMWORK ATHLETIC COACH SHIRT	Open	199.00	0.00		
5054 KEVIN BOYLE JR	13-01080	04/16/13	2013 EQUIP. ALLOWANCE	Open	150.00	0.00		
6059 USABLE LIFE	14-03094	11/25/14	DECEMBER LIFE INSURANCE	Open	460.02	0.00		
6061 AMERIHEALTH ADMINISTRATORS	14-03022	11/18/14	NOVEMBER 17 HEALTH & RX	Open	79,752.35	0.00		
	14-03069	11/24/14	NOVEMBER 24 HEALTH & RX	Open	65,625.15	0.00		
					<u>145,377.50</u>			
6071 UNITED UNIFORMS LIMITED LIAB*	14-02406	09/15/14	BADGES	Open	420.00	0.00		
	14-02710	10/24/14	UNIFORMS	Open	419.98	0.00		
					<u>839.98</u>			
7041 CARI ECKEL	14-03029	11/20/14	REIMBURSEMENT-BBALL COACH	Open	15.00	0.00		
7066 KETCHUM MFG CO INC*	14-02664	10/16/14	2015 DOG TAGS	Open	408.52	0.00		
7084 KEITH HICKMAN	14-03090	11/25/14	SOCCER OFFICIAL	Open	75.00	0.00		
7098 SHORE VETERINARIAN ANIMAL*	14-00157	01/13/14	ANIMAL RES# 2014-36 DUE 1ST	Open	4,166.63	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7119 ENGINEERING DESIGN ASSOC*	14-03023	11/18/14	PROFESSIONAL ENGINEERING	Open	280.00	0.00		
7196 LAUREN HUGGINS SUIT*	14-01612	06/06/14	PUBLIC INFORMATION OFFICER	Open	1,500.00	0.00		
7300 SAM LAWLER	14-03028	11/20/14	REIMBURSEMENT - BBALL-COACH	Open	20.00	0.00		
7301 TREASURER, STATE OF NJ	14-03050	11/21/14	FISHING CREEK ELEVATOR PERMIT	Open	76.00	0.00		
7303 BILL FISHMAN	14-03089	11/25/14	SOCCER OFFICIAL	Open	75.00	0.00		
ALPHACAR ALPHA CARD SYSTEMS*	14-02765	10/31/14	ID PRINTER	Open	1,975.00	0.00		
G-ERM ERMA DELI	14-02603	10/09/14	FOOD FOR VOLUNTEERS HAUNTED TR	Open	150.00	0.00		
HOOVER ROBERT HOOVER & SONS INC*	14-02705	10/22/14	LOCK ASSY	Open	227.23	0.00		
HOPE HOPE OF CAPE MAY COUNTY (ALS)	14-00413	02/10/14	DONATION HOPE CM RES#2014-69	Open	1,200.00	0.00		
REID JOHN E REID & ASSOCIATES, INC*	14-02353	09/08/14	TRAINING	Open	580.00	0.00		
SACHARN NEVA & LEONARD SACHAR	14-03041	11/20/14	RETURN OF UNUSED ESCROW	Open	1,860.00	0.00		
SIXSM LLOYD SIXSMITH*	14-01348	05/19/14	EMBROIDERED SHIRTS	Open	207.60	0.00		
SYKEJ JOE SYKES	14-03058	11/24/14	SOCCER OFFICIAL	Open	300.00	0.00		
Total Purchase Orders: 110				Total P.O. Line Items: 0	Total List Amount: 346,259.77	Total Void Amount: 0.00		

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

RESOLUTION # 2014-313

TITLE: AUTHORIZING THE PAYMENT OF VOUCHERS

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>CK</u>	<u>Amount</u>
NJ DIVISION BOILER INSP	14-02344	BOILER-STATE INSP FEE	53948	\$ 80.00

Total Manual Checks	\$ 80.00
Total Computer Generated	\$ 346,259.77

Total Bill List \$ 346,339.77

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on December 1, 2014.

Julie Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

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

RESOLUTION #2014-314

TITLE: CERTIFICATION OF LOT CLEARING CHARGES TO THE TAX COLLECTOR

WHEREAS, Ordinance #99-10 establishes the minimum regulations governing the conditions and maintenance of all property, buildings and structures within the Township of Lower, which is also known as the Property Maintenance Code, and

WHEREAS, according to Section 302, Exterior Property Areas of the Property Maintenance Code, all premises and exterior property shall be maintained in a clean, safe and sanitary condition, and

WHEREAS, the properties listed below contained conditions which violated Section 302 of the Property Maintenance Code; and

WHEREAS, the Township of Lower has abated the conditions pursuant to the requirements of the Property Maintenance Code and desires to place a lien on the properties listed below:

Block	Lot	Name (As Assessed)	Property Location	Amount	Admin Fee	Lien Amount
321	19	GUMBA, FRANCIS & FLORENCE	26 SPRUCE AVE	347.75	500.00	847.75
584.01	5	TWOMBLY, VIRGINIA	408 TOWNBANK RD	294.25	500.00	794.25
			TOTAL	642.00	1,000.00	1,642.00

WHEREAS, the Code Enforcement Officer of the Township of Lower has certified the costs incurred to abate such conditions to the Township Council, which has examined the certification and has found it to be correct.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the costs and fees set forth above, incurred by the Township of Lower to abate the unlawful conditions on the properties listed above are charged as a lien against such properties, to be added to and become part of the taxes next to be assessed and levied upon such properties, to bear interest at the same rate as taxes, and to be collected and enforced in the same manner as taxes.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on December 1, 2014.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

Memo

To: Julie Picard, Clerk

From: Walter Fiore, Code Enforcement Officer

Subject: Liens for Lot Clearings

Date: November 10, 2014

CC: File

I respectfully request liens be placed on the properties listed below for lot clearing charges incurred by the Township.

Please note the Township cost to be added to all liens is \$500.00

BLK/LOT	Name (As Assessed)	Amount	Property Location
321 / 19	GUMBA, FRANCIS & FLORENCE	\$347.75	26 SPRUCE AVE
584.01 / 5	TWOMBLY, VIRGINIA	\$294.25	408 TOWNBANK ROAD

0505 SC 011284

LOWER TOWNSHIP MUNICIPAL COURT 401 Breakwater Road Erma, NJ 08204

Complaint

The State of New Jersey (Please Print) VS. Defendant's Name: First Initial Last Address State Zip Code Telephone SOCIAL SECURITY NUMBER Birth Date: Mo. Day Yr. Sex Eyes Height Restrictions DL # State Exp. Date

STATE OF NEW JERSEY COUNTY OF CAPE MAY } SS:

COMPLAINING WITNESS: (Name) of (Identify Dept./Agency Represented) (Badge No.) Residing at by certification or on oath, says that to the best of his/her knowledge or information and belief, the named defendant on or about the in LOWER TOWNSHIP MUR 0:5 0-5 CODE County of CAPE MAY NJ did commit the following offense:

High (DESCRIPTION OF OFFENSE)

In violation of (one charge only) 185 2 (Statute, Regulation or Ordinance Number)

Table with columns: LOCATION OF OFFENSE, CODE, Describe Location. Value: SPRUCE AVE

OATH: Subscribed and sworn to before me this day of yr.

CERTIFICATION: I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

(Signature of Complaining Witness)

(Date)

(Signature of Person Administering Oath)

(Signature of Complaining Witness)

PROBABLE CAUSE DETERMINATION FOR ISSUANCE OF PROCESS:

COURT USE ONLY PROBABLE CAUSE IS FOUND FOR THE ISSUANCE OF THIS COMPLAINT-SUMMONS Yes No (Signature of Judicial Officer) Yes No (Signature of Judge) LAW / CODE ENFORCEMENT USE ONLY The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

SUMMONS YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT. IF YOU FAIL TO APPEAR ON THE DATE AND AT THE TIME STATED, A WARRANT MAY BE ISSUED FOR YOUR ARREST.

NOTICE TO APPEAR COURT APPEARANCE REQUIRED COURT DATE Month Day Year Time AM PM 6-10-14 (Date Summons Issued) (Signature of Person Issuing Summons)

Block: 321
 Lot: 19
 Qualifier:
 Owner: GUMBA, FRANCIS & FLORENCE
 Prop Loc: 26 SPRUCE AVENUE
 Tax Bill: Restricted Edit

General Assessed Values Additional Billing Deductions Balance All Charges Add/Omit
 Owner Street 1: 109 GREAT OAK RD
 Street 2:
 City/St: VOORHEES, NJ
 Zip: 08043-
 Country:
 Phone: (856) 854-7879
 Email:
 Bank Code:
 Account Id: 00003382
 Additional Lot 1: L20
 Additional Lot 2:
 Property Class: 2
 Parcel Key:
 Unpaid Interest: .00
 User Msg Code:
 Exclude from Tax Sale:

Assignment
 Install Plan
 Municipal Lien
 Outside Lien
 Bankruptcy
 APR 2
 Do Not Accept Online Payment
 Sp Charges



0505 SC 011240

LOWER TOWNSHIP MUNICIPAL COURT 401 Breakwater Road Erma, NJ 08204

Complaint

The State of New Jersey

(Please Print)

VS.

Defendant's Name: First Initial Last VIRGINIA TWOMBLY

Address City 414 W ANNA ST CMC H

State Zip Code Telephone SOCIAL SECURITY NUMBER NJ 08210

Birth Date: Mo. Day Yr. Sex Eyes Height Restrictions

DL #

State Exp. Date

STATE OF NEW JERSEY COUNTY OF CAPE MAY } SS:

Complaining Witness: of Residing at in LOWER TOWNSHIP MUNI 5-0-5 CODE County of CAPE MAY NJ did commit the following offense:

Hush (Description of Offense)

in violation of (one charge only) 185-2 (Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE Describe Location C 410 18 TOWN BANK Rd

OATH: Subscribed and sworn to before me this day of yr. CERTIFICATION: I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Walt More (Signature of Complaining Witness) OR 5-23-14 (Date) Walt More (Signature of Person Administering Oath) Walt More (Signature of Complaining Witness)

PROBABLE CAUSE DETERMINATION FOR ISSUANCE OF PROCESS:

COURT USE ONLY LAW/ CODE ENFORCEMENT USE ONLY

Probable cause is found for the issuance of this Complaint-Summons Yes No (Signature of Judicial Officer) Yes No (Signature of Judge)

The complaining witness is a law enforcement officer or a code enforcement officer with territorial and subject matter jurisdiction and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

YOU ARE HEREBY SUMMONED TO APPEAR

BEFORE THIS COURT TO ANSWER THIS COMPLAINT. IF YOU FAIL TO APPEAR ON THE DATE AND AT THE TIME STATED, A WARRANT MAY BE ISSUED FOR YOUR ARREST.

NOTICE TO APPEAR

COURT APPEARANCE REQUIRED COURT DATE Month Day Year Time 6 10 14 9:30 AM PM

5-23-14 (Date Summons Issued) Walt More (Signature of Person Issuing Summons)

COMPLAINT

SUMMONS

Notes Exist

Outside Lien

Block 584.01

Lot 5

Qualifier

Owner TWOMBLY, VIRGINIA

Prop Loc 408 TOWN BANK ROAD

Tax Bill Restricted Edit

Owner Street 1 414 W ANNA ST

Street 2

City/ST CAPE MAY COURT HOUSE, NJ

Zip 08210

Country

Phone () -

Email

Bank Code 00660

CoreLogic

Municipal Lien Assignment Bankruptcy APR 2 Do Not Accept Online Payment

Outside Lien Install Plan Sp Charges

Account Id 00010586

Additional Lot 1

Additional Lot 2

Property Class 2

Parcel Key

Unpaid Interest

User Msg Code

Exclude from Tax Sale



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

RESOLUTION #2014-315

**TITLE: A RESOLUTION REQUESTING RLEASE OF A DEMOLITION BOND FOR BLOCK 792,
LOT 1.04, 656 SUNSET BOULEVARD**

WHEREAS, Neva & Leonard Sachar posted a Demolition Bond with the Township of Lower in the amount of \$1,860.00; and

WHEREAS, the Township Building Inspector made a final inspection on November 13, 2014; and

WHEREAS, a demolition bond was required by Zoning Board Resolution #09-42-ZBA and this requirement is now satisfied.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, the Governing body thereof, that the demolition bond be and hereby is **released**.

BE IT FURTHER RESOLVED that the Township Treasurer is granted permission to issue a check in the amount of \$1,860.00 plus any accrued interest for payment of the above released demolition bond.

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on December 1, 2014.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

MEMORANDUM

TO: Mayor Michael Beck &
Township Council

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

DATE: November 17, 2014

RE: Release of Demolition Bond
Neva & Leonard Sachar
656 Sunset Blvd.
Cape May, NJ 08204
Block 792, Lot 1.04
Resolution #2014-315

Please release to the applicant the demolition bond that the Township is holding in trust, to assure the required demolition. A building department inspection was completed on November 14, 2014 and the subject buildings were found to be removed as required under the demolition bond.

WJG:las

att.1

cc: financial file

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

RESOLUTION #2014-316

Title: TRANSFER OF 2014 APPROPRIATIONS

WHEREAS, N.J.S.A. 40A: 4-58 provides for appropriation transfers during the last two months of the current fiscal year when it has been determined that any appropriation is insufficient to pay the claims authorized or incurred during the current year, which are chargeable to said appropriation, and there is an excess in any appropriation 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 totaling \$8,500.00 be made between the 2014 budget appropriations:

LINE ITEM		ACCT. NUMBER	FROM	TO
EMS	OE	4-01-25-252-200	5,000.00	
GASOLINE	OE	4-01-31-460-200	3,500.00	
RECREATION	OE	4-01-28-370-200		8,500.00
			<u>8,500.00</u>	<u>8,500.00</u>

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on December 1, 2014.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

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

RESOLUTION # 2014-317

TITLE: AUTHORIZING THE SALE OF TOWNSHIP OF LOWER SURPLUS NO LONGER NEEDED FOR PUBLIC USE ON GOVDEALS ONLINE AUCTION WEBSITE

WHEREAS, the Township of Lower has determined that the property described on Schedule A attached hereto is no longer needed for public use; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, the Township of Lower intends to utilize the online auction services of GovDeals located at www.govdeals.com and sell the Township surplus property.

NOW, THEREFORE, BE IT RESOLVED by the Lower Township Council , County of Cape May, State of New Jersey, that the Township of Lower is hereby authorized to utilize the online auction services of GovDeals located at www.govdeals.com ; and sell the surplus property as indicated on Schedule A on an online auction website.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on December 1, 2014.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

- (1) Brother Intellifax 2820 FA# 2578
- (1) Xerox Docuprint P12 Laser FA# 1322
- (1) Savin 4035E Copier FA# 2149

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

RESOLUTION #2014-318

TITLE: AMEND RESOLUTION #2014-12; DESIGNATION OF OFFICIAL DEPOSITORIES

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, the following account is authorized for establishment to be used in accordance with N.J.S.A. 40A: 10-16 Group Insurance Trust (Dedicated by Rider).

ACCOUNT
Group Insurance Trust Fund
(transfers)

AUTHORIZED OFFICIALS
CFO, Asst. Treasurer, Township Clerk,
Assistant Township Clerk

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on December 1, 2014.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

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

RESOLUTION # 2014-319

Title: AUTHORIZATION FOR 2014 INCENTIVE AWARD FOR INSURANCE WAIVER

WHEREAS, the employees listed on the attached schedule have waived health insurance and are due an incentive amount per Superior Officers Union and PBA Union Contract, Article 12, Section F, AFSCME Union Contract, Article VII, Section F and Supervisors Contract, Article VI, Section F; 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 current year's budget for Health Insurance.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that payment to the attached schedule of employees in the amount of \$42,749.99 is authorized and chargeable to the 2014 Budget account 4-01-23-220-412.

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on December 1, 2014.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

First	Last	Contract Incentive	Months of Waiver	Amount
Jennifer	Anzelone	\$5,000.00	6	\$2,500.00
Howard	Bailey	\$5,000.00	6	\$2,500.00
William	Barcas	\$5,000.00	6	\$2,500.00
George	Barger	\$5,000.00	6	\$2,500.00
Louis	Bartleson	\$5,000.00	6	\$2,500.00
Maria	Brewster	\$4,000.00	1	\$333.33
Gary	Douglass	\$5,000.00	6	\$2,500.00
Scott	Douglass	\$5,000.00	6	\$2,500.00
Patrick	Greene	\$5,000.00	6	\$2,500.00
David	Lepor	\$5,000.00	6	\$2,500.00
Kevin	Lewis	\$5,000.00	6	\$2,500.00
Michael	Majane	\$5,000.00	6	\$2,500.00
William	Mastriana	\$5,000.00	6	\$2,500.00
Michael	Nuscis	\$5,000.00	6	\$2,500.00
Michael	Perry	\$5,000.00	6	\$2,500.00
Jennifer	Saunders	\$4,000.00	6	\$2,000.00
Marc	Szczur	\$5,000.00	5	\$2,083.33
Donald	Vanaman	\$5,000.00	2	\$833.33
Michael	Voll	\$5,000.00	6	\$2,500.00

42,749.99

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

RESOLUTION # 2014-320

Title: AUTHORIZATION FOR THE PAYMENT OF GUARANTEED OVERTIME

WHEREAS, the employees listed on the attached schedule have earned guaranteed overtime and per union contract the Township will pay employees for hours worked over 40 hours per week; 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 2014 budget for Salaries and Wages 4-01-25-250-103.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that payment to the employees listed on the attached schedule not to exceed the amount of \$23,256.63 is authorized and chargeable to the 2014 Budget.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on December 1, 2014.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

Last Name	First Name	O/T Rate	Hours	Total
ANZELONE	LAUREN M	30.0867	104	3,129.02
GAMBLE	SUZANNE M	31.1652	104	3,241.18
HILDRETH	PAUL	36.5144	104	3,797.50
LABAR	TIFFANY L	22.0673	104	2,295.00
PIGGOTT II	JOHN R	34.6970	104	3,608.49
SAUNDERS	JENNIFER	30.6831	104	3,191.04
SCHECK	JONATHAN J	21.6347	40	865.39
WHITE	KRISTI	30.0867	104	3,129.02
				23,256.63

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

RESOLUTION # 2014-321

Title: AUTHORIZATION FOR THE PAYMENT OF COLLEGE CREDITS

WHEREAS, the employees listed on the attached schedule have earned college credits and per union contract the Township will pay employees for those credits earned as determined in their union contracts; 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 2014 budget for Salaries and Wages.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that payment to the employees listed on the attached schedule not to exceed the amount of \$19,780.00 is authorized and chargeable to the 2014 Budget.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on December 1, 2014.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

2014 college credits

Last	First	Amount
Anzelone	Jennifer	1,000.00
Armbruster	John	1,000.00
Beeby	Thomas	240.00
Biersbach	Martin R.	1,000.00
Black	Kaitlin O.	1,000.00
Chew, Jr	John	1,000.00
Coombs	Eric	880.00
Edwards	Edward	1,000.00
Fisher	David	880.00
Greene	Patrick	1,000.00
Greto	Anthony	1,000.00
Hedum	Marlin	1,000.00
Hickok	Darrin	240.00
James	Michael	520.00
Lewis	Kevin	900.00
McEwing	Brian	1,000.00
Nuscis	Michael	1,000.00
Perry	Michael	1,000.00
Ryan	Charles	1,000.00
Vanaman	Donald	1,000.00
Whitten	Douglas	1,000.00
Whittington	Timothy	1,000.00
Thomas	Linda	120.00

19,780.00

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

RESOLUTION # 2014-322

TITLE: BID ACCEPTANCE AND AWARD FOR (6) SIX MOBILE DATA RECORDERS W/INSTALLATION AND PER UNIT PRICING

WHEREAS, The Notice to Bidders #2014-16 for Police Data Recorders/Installation was advertised on November 14, 2014 and accepted on November 25, 2014 at 1:00 p.m.; and

WHEREAS, Three (3) proposals were submitted and reviewed by the QPA and Lt. Biersbach of the Police Department, and

WHEREAS, the lowest qualified bidder, which is an approved WSCA Contract #75583, complied with the specifications and supplied all required certifications and bid documents, and the CFO has determined sufficient funds are available in the budget as follows:

Appropriation # : C-04-55-415-820 Ord #2014-10

CFO Signature: _____

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

AWARD TO: GTBM

OPTION #1 MDT

w/Installation	Per Unit	\$ 5,575.09
Per Hour Installation		\$ 128.00 (If additional labor is required)
Total for Quantity of 6		\$33,450.50

I hereby certify the foregoing to be the original Resolution was adopted by the Township Council at a meeting held on December 1, 2014.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

2014-16 MDT w/Labor and Modems

Bid Adv 11/14/2014 Open 11/25/2014 1:00 pm

Option #1MDT	GTBM	CDW	CANDORIS
Item #1	\$ 3,045.27	\$ 18,271.62	\$ 2,927.92
Item #2	\$ 725.31	\$ 4,351.83	\$ 647.13
Item #3	\$ 637.08	\$ 3,822.50	\$ 17,567.52
Item #4	\$ 64.97	\$ 389.82	\$ 4,041.02
Item #5	\$ 133.50	\$ 801.00	\$ 22.43
Item #6	\$ 88.96	\$ 533.73	\$ 96.67
Item #7	\$ 240.00	\$ 1,440.00	\$ 227.73
Item #8	\$ 640.00	\$ 3,840.00	\$ 1,366.38
Per Hour	\$ 128.00		
Total	\$ 5,575.09	\$ 33,450.50	\$ 4,004.27
			\$ 24,025.62

Option #2 Modem	GTBM	CDW	CANDORIS
Item #9	\$ 2,394.99	\$ 780.74	
Item #10	\$ 30.00	\$ 6.28	
Item #11	\$ 297.00	\$ 151.59	
Item #12	\$ 194.91		
Item #13	\$ 768.00		
Item #14	\$ 128.00	\$ 19.69	
	\$ 3,684.90		

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

RESOLUTION #2014-323

TITLE: APPOINTMENT OF ENGINEERING DESIGN ASSOCIATES AS A PROFESSIONAL SERVICE CONTRACT WITHOUT PUBLIC BIDDING

WHEREAS, the Township of Lower ("Township") has a need to acquire an 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 submitted a grant application approved by Resolution #2014-280; and

WHEREAS, Engineering Design Associates prepared the application at no cost to the Township and were prequalified as the engineer approved by the State of New Jersey for said project and entered into the agreement with the contingency of the grant approval; and

WHEREAS, the Township has determined and certified in writing that the value of the services will be \$250,000 and Engineering Design Associates has submitted a proposal indicating that they will provide the goods or services described above for a price not to exceed \$250,000; and

WHEREAS, the anticipated term of this contract is until the completion of the Coastal Resiliency Grant Program; and

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

Appropriation # : all project costs are borne by grant

Signature _____

WHEREAS, Engineering Design Associates has completed and submitted a Business Entity Disclosure Certification which certifies that Engineering Design Associates 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 Engineering Design Associates 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 Engineering Design Associates 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 the original resolution adopted by the Township Council at a meeting held on December 1, 2014.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						



November 24, 2014

VIA E-MAIL AND REGULAR MAIL

Township of Lower
2600 Bayshore Road
Villas, NJ 08251-1399

Attention: William Galestok, P.P., AICP

Re: Proposal for Engineering Services
2013 Hurricane Sandy Coastal Resiliency
Competitive Grants Program
Township of Lower, Cape May County, NJ
EDA #6766
Proposal #14-152

Dear Bill:

I am pleased to offer the following proposal for engineering services for the referenced project.

SCOPE OF SERVICES

ESTIMATED FEE(S)

- I. Preparation of engineering, surveying and environmental services as described in the attached Scope of Work.

Not to Exceed \$250,000.00

FEE

The estimated cost for the above items shall not exceed \$250,000.00 for the engineering services and does include the cost of surveying services. This amount is Engineering Design Associates' best estimate of professional fees required to complete the project as defined. Except as provided for in the General Conditions below, the project scope will not be altered without written notice.

You will be billed monthly, which will be directly related to the hours spent on the project multiplied by our current billing rates.

All application fees or escrow accounts required by any reviewing agency or their consultants shall be the sole responsibility of the client and are not included as part of this proposal.

Any payment due for services and expenses outstanding for a period of thirty (30) days or more shall include a charge at a rate of 1½% per month from said thirtieth day. Should it be necessary to enforce collection of any part of the fee for services rendered, the undersigned agrees that they shall be liable for cost of collection without exception. Take notice, this agreement is personally guaranteed by the individuals executing this agreement on behalf of any corporation.

Any account delinquent past sixty (60) days may necessitate the stopping of all work.

Payment of our fees for professional services rendered is in no way contingent upon approval of our plans or documentation by any agency reviewing the same.

GENERAL CONDITIONS

Engineering Design Associates will prepare plans, maps, calculations and reports in accordance with established professional practices and applicable rules and regulations governing the project. The preparation of the plans as specified above, does not imply or guarantee approval of same by any reviewing agency.

The scope of work does not include any items not specifically mentioned. If the scope of work is modified substantially by the requirements of the Client, Planning/Zoning Board or any other reviewing agency, the fees within the agreement shall be subject to negotiation. Not included in this proposal are revisions to plans required by any agency reviewing the same. All revisions will be invoiced on a time and material basis using the rate schedule attached.

Engineering Design Associates is primarily employed to obtain approvals for permits necessary for construction to begin. Most site visits performed by Engineering Design Associates are done prior to construction. Any visits occurring after construction has begun are due to changes requested by the applicant and are for informative purposes only. No site visit performed by Engineering Design Associates should be considered a site inspection. Based upon our contracted responsibilities, Engineering Design Associates shall not be held responsible for any site safety issues that occur during the construction process. Responsibility for site safety shall be individually contracted by the applicant with the contractor or other responsible party. If required, the Client shall be responsible for the publication of all Public Notices, including any notices to property owners within a 200 foot radius of the project site unless specifically included within the Scope of Services.

The consultant is authorized to subcontract any portion of the work to be performed without the written consent of the Client.

It is understood that copies of the original drawings and reports shall become the property of the client when all outstanding invoices, billings and charges have been paid. All original plans and other documents as instruments of services shall remain the property of Engineering Design Associates.

The client shall not assign his interest in the contract or project without the consultant's written consent.

Items of work not scheduled above and/or performed more than once, will be considered extra work and invoiced at current hourly rates.

The proposed fees and schedule constitute Engineering Design Associates' best estimate of the charges and time required to complete the project. The project scope will not be altered without written mutual agreement. On projects involving conceptual work, activities are often not fully definable in the initial planning. As the project progresses, the facts uncovered may dictate a change in scope. Engineering Design Associates shall inform the client of such situations so that a renegotiation can be accomplished.

Fee and schedule commitments will be subject to renegotiation for delays caused by Client's failure to provide specified facilities or information, or for delays caused by unpredictable occurrences of force majeure, such as fire, floods, riots, strikes, unavailability of labor or materials or services, process shutdown, acts of God or of the public enemy, or acts or regulations of any governmental agency.

This proposal is valid for a period of thirty (30) days. Upon expiration of the period of time, Engineering Design Associates reserves the right to review the proposed basis of payment and fees, to allow for changing costs, as well as to adjust the time of performance to conform to workloads.

In the event that this agreement is entirely terminated or the work is abandoned in whole or in part with or without cause, Engineering Design Associates shall be paid such part of the fee as earned to the date of termination. Notice of termination shall be given in writing by Certified Mail.

No cancellation of this project by the client will be effective unless seven (7) days written notice thereof, together with the reasons and details therefore, has been received by Engineering Design Associates. A final invoice, calculated on the first or fifteenth of the month (whichever comes first) following receipt of such cancellation notice and the elapse of the seven (7) day cancellation period (the effective date of cancellation).

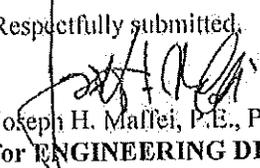
- a. Where the method of payment is "Lump Sum," Client agrees that the final invoice will be based on the percentage of work completed to the effective date of cancellation, plus an equitable reasonable adjustment to provide for costs Engineering Design Associates incurs for commitments made firm before cancellation.
- b. Where the method of payment is time and materials, Client agrees that the final invoice will include all services and direct expenses up to the effective date of cancellation, plus an equitable reasonable adjustment to provide for costs Engineering Design Associates incurs for commitments made firm before cancellation.

Engineering Design Associates will prepare all work in accordance with generally accepted professional practices. It is not the intention of Engineering Design Associates to provide services inconsistent with or contrary to such practices, or to make any warranty or guarantee, expressed or implied, nor to have any agreement or contract for services subject to the provisions of the Uniform Commercial or Specialty Code. Engineering Design Associates does not imply or guarantee the approval or issuance of permits by any individual or agency.

No work shall be commenced until we are in receipt of this signed proposal. Receipt of same shall be considered authorization to proceed with the work described within this proposal. Please indicate your acceptance of this proposal by signing in the space provided below and return one (1) copy to our office. For your convenience, EDA now offers the option of payment via credit card (i.e., Visa, Master Charge, American Express).

Thank you for giving Engineering Design Associates this opportunity to offer our services. If you have any questions or would like to discuss any aspect of this proposal, please do not hesitate to contact our office.

Respectfully submitted,


Joseph H. Maffei, P.E., P.P., C.M.E.
for **ENGINEERING DESIGN ASSOCIATES**

JHM/gs
Enclosure

AUTHORIZED BY

DATE

PRINT/TYPE NAME AND TITLE

SOCIAL SECURITY/TAX ID NUMBER

CREDIT CARD COMPANY

CREDIT CARD NUMBER

CARD EXPIRATION DATE

**2013 Hurricane Sandy
Coastal Resiliency
Competitive Grants Program**

FINAL - October 23, 2014

Scope of Work

The project limits are from the Cape May Lewes Ferry Terminal on the Cape May Canal to Fishing Creek. This equates to over 5 miles of coastline along the Delaware Bay. The project area then extends inland approximately 2 miles and encompasses approximately 2,800 acres. This includes various tributaries to the Delaware Bay such as Fishing Creek and Cox Hall Creek.

Task 1 shall be to develop aerial survey maps with location in NAD83 and elevations in NAVD 88 of the Fishing Creek Watershed, the Cox Hall Creek Watershed, the coastline from Fishing Creek to Cox Hall Creek and the coastline from Cox Hall Creek to the Cape May Canal. This shall also include existing dune systems, berms and other beach conditions

Task 1 is expected to take three months to complete and to provide aerial topographic surveys by June 1, 2015.

Task 2 shall be the evaluation of the aerial surveys, comparison to FEMA Preliminary Work Maps and field investigations to identify areas in need of enhancement and restoration. The coastline consists of various existing flood protection measures, including dunes, bulkheads, vegetated shorelines and revetments. The objective is to identify these areas and provide additional ecologically-sound measures to provide flood protection and habitat restoration. These may include beachfill, dune creation, etc.

Both Cox Hall Creek and Fishing Creek have infrastructure in place to control outfall of stormwater. Both of these outfall structures shall be evaluated to ensure a flood event can be accommodated and also increase tidal flow through the tidegate structure to restore and enhance the salt marshes which are approximately 60% of the 2,800 acre project area. This portion of the project shall pick up where Cape May County's 319(h) Grant ended.

The Cape May County 319(h) grant provided valuable information back in 2002-2003 and included infrastructure improvements. Lower Township shall now be able to evaluate the improvements and provide additional improvements and restoration to ensure they incorporate the new FEMA Flood Maps, are providing sufficient flow to restore the salt meadows and are providing the flood protection needed.

During Task 2, an evaluation of the project area shall be done to identify areas of habitat, restoration for the protection of piping plovers, redknots and horseshoe crabs. The coastline consists of various existing flood protection measures include dunes, bulkheads, vegetated shorelines and revetments. Task 2 is expected to take two months to complete and provide a defined scope of work and concept design for restoration and enhancement by August 1, 2015.

Task 3 shall be the development of final design plans for the restoration and enhancement of the areas identified in Task 2.

Task 3 is expected to take three months to complete and provide final plans by November 1, 2015.

Task 4 shall be the preparation and submission of application packages for the various governmental agencies, including NJDEP CAFRA, NJDEP Waterfront Development, NJDEP Coastal Wetlands, NJDEP Freshwater Wetlands, NJDEP Flood Hazard, U.S. Army Corps of Engineers, Federal Emergency Management Agency and Cape-Atlantic Soil Conservation District.

Task 4 is expected to take two months to complete and provide submission application packages by January 1, 2016.

Task 5 shall be the review period for the various governmental agencies. Task 5 is expected to take nine months to complete and provide approved permits by October 1, 2016. Lower Township shall provide the required permit fees for the various applications.

Task 6 shall be the preparation of final plan revisions as a result of the various agency reviews and permit conditions.

Task 6 shall take two months to complete and shall provide revised final plans by December 1, 2016.

The restoration and enhancement designs shall be identified in conjunction with the various permitting agencies. These may include New Jersey Department of Environmental Protection (NJDEP), Coastal Area Facilities Review Act (CAFRA), Waterfront Development, Coastal Wetlands, Freshwater Wetlands, Army Corps of Engineers (ACOE) and Federal Emergency Management Agency (FEMA).

Lower Township shall provide the 25% grant match (\$62,500.00) by permit fees and project management utilizing Township personnel, including William Galestok and Colleen Crippen. Total project cost is \$312,500.00 with \$250,000.00 in grant funds and \$62,500.00 in grant match by Lower Township.

LOWER TOWNSHIP, CAPE MAY COUNTY, NJ
October 23, 2014

NFWF Building Ecological Solutions to Coastal Communities
Scope of Work - 7/17/14 Grant Period 3/1/2015 - 3/1/2017

TASK TITLE	SCHEDULE	TEAM PLANNERS	TASK	TEAM ASSIGNMENTS	MILESTONES	MILESTONE DATE	DELIVERABLE	BUDGET	FUNDING MATCH	GRANT FUNDS
Task 0 Project Mobilization	9/1/2014-3/1/2015		0.1 Convene Project Team	Lower Township		11/7/2013	N/A	\$0.00	\$0.00	\$0.00
			0.2 Establish Project update/callings	Lower Township/Engineering Design Associates		12/1/2013	Project Scope of Work	\$0.00	\$0.00	\$0.00
			0.3 Adjust timeline & workplan	Lower Township/Engineering Design Associates		9/18/2014	Project Timeline	\$0.00	\$0.00	\$0.00
			0.4 Hire contractor(s)	Lower Township		3/7/2015	N/A	\$0.00	\$0.00	\$0.00
			0.5 Finalize contract(s)	Lower Township		3/1/2015	Consultant Contract	\$0.00	\$0.00	\$0.00
TASK BUDGET							\$0.00	\$0.00	\$0.00	
Task 1 - Aerial survey of Project Area	3/1/2015		1.1 Filling Creek watershed area including coastline, existing dune systems berms and beach conditions	Engineering Design Associates/Lower Township	3 Months	06/01/15	Aerial Topographic Survey	\$20,000.00	\$1,000.00	\$19,000.00
			1.2 Cox Hall Creek watershed area including coastline existing dune systems berms and beach conditions	Engineering Design Associates/Lower Township	3 Months	06/01/15	Aerial Topographic Survey	\$18,000.00	\$1,000.00	\$17,000.00
			1.3 Coastline from Filling Creek to Cox Hall Creek including existing dune systems berms and beach conditions	Engineering Design Associates/Lower Township	3 Months	06/01/15	Aerial Topographic Survey	\$12,000.00	\$1,000.00	\$11,000.00
			1.4 Coastline from Cox Hall Creek Cape May Canal including existing dune systems berms and beach conditions	Engineering Design Associates/Lower Township	3 Months	06/01/15	Aerial Topographic Survey	\$14,000.00	\$1,000.00	\$13,000.00
TASK BUDGET							\$54,000.00	\$4,000.00	\$50,000.00	

LOWER TOWNSHIP, CAPE MAY COUNTY, NJ
October 23, 2014

NFWF Building Ecological Solutions to Coastal Communities
Scope of Work - 7171714 Grant Period 8/1/2015 - 3/1/2017

ACCOUNT	SCHEDULE	TEAM LEADER	TASK	TEAM/ASSIGNMENTS	MILESTONES	MISSION DATE	DELIVERABLE	BUDGET	MUNICIPAL SHARE	GRANT FUNDS
Task 2 - Analyze Aerial Surveys and Perform Field Investigations	3/1/2015 - 6/1/2015		2.1 Define Fishing Creek project limits, perform field investigations and perform environmental evaluations to enhance/restore endangered species habitat including piping plover, red knots and horseshoe crabs	Engineering Design Associates/Lower Township	2 Months	08/01/15	Defined project scope, design, restoration and enhancement considerations	\$25,000.00	\$5,000	\$21,000.00
			2.2 Define Cox Hall Creek project limits, perform field investigations and perform environmental evaluations to enhance/restore endangered species habitat including piping plover, red knots and horseshoe crabs	Engineering Design Associates/Lower Township	2 Months	08/01/15	Defined project scope, design, restoration and enhancement considerations	\$25,000.00	\$4,000	\$21,000.00
			2.3 Define project limits along coastline between Fishing Creek and Cox Hall Creek, perform environmental evaluation to enhance/restore endangered species habitat including piping plover, red knots and horseshoe crabs and perform field investigations	Engineering Design Associates/Lower Township	2 Months	08/01/15	Defined project scope, design, restoration and enhancement considerations	\$20,000.00	\$3,500.00	\$16,500.00
			2.4 Define project limits along coastline between Cox Hall Creek Cape May Canal, perform environmental evaluation to enhance/restore endangered species habitat including piping plover, red knots and horseshoe crabs and perform field investigations	Engineering Design Associates/Lower Township	2 Months	08/01/15	Defined project scope, design, restoration and enhancement considerations	\$19,500.00	\$3,000.00	\$16,500.00
			TASK BUDGET							\$30,500.00
Task 3 - Develop Preliminary Plans	6/1/2015 - 11/1/2015		3.1 Develop final plans for Fishing Creek area including green infrastructure improvements and improvements to the tidagate system to ensure 100 year storm is accommodated and area is protected against flooding	Engineering Design Associates/Lower Township	3 Months	11/01/15	Final Plans	\$21,000.00	1,000.00	20,000.00
			3.2 Develop final plans for Cox Hall Creek area including green infrastructure improvements and improvements to the tidagate system to ensure 100 year storm is accommodated and area is protected against flooding	Engineering Design Associates/Lower Township	3 Months	11/01/15	Final Plans	\$21,000.00	1,000.00	20,000.00
			3.3 Develop final plans for ecological beach fill, dune/beach berm enhancement and restoration to protect the coastline between Fishing Creek and Cox Hall Creek from flooding during the 100 year storm	Engineering Design Associates/Lower Township	3 Months	11/01/15	Final Plans	\$13,000.00	1,000.00	14,500.00
			3.4 Develop final plans for ecological beach fill, dune/beach berm enhancement and restoration to protect the coastline between Cox Hall Creek and the Cape May Canal from flooding during the 100 year storm	Engineering Design Associates/Lower Township	3 Months	11/01/15	Final Plans	\$16,000.00	1,000.00	15,500.00
TASK TOTAL							\$73,000.00	\$4,000.00	\$70,000.00	

LOWER TOWNSHIP, CAPE MAY COUNTY, NJ
October 23, 2014

NFWF Building Ecological Solutions to Coastal Communities
Scope of Work - 7/17/14 Grant Period 3/1/2015 - 3/1/2017

TASK/TITLE	SCHEDULE	TEAM PARTNER	TASK	TEAM ASSIGNMENTS	MILESTONES	MILESTONE DATE	DELIVERABLE	BUDGET	MUNICIPAL MATCH	GRANT FUNDS
Task 4 - Prepare various agency applications	1/1/2015 - 12/1/2015		4.1 Prepare application packages for the various governmental agencies including NJDEP CAFRA, NJDEP Waterfront Development, NJDEP Coastal Wetlands, NJDEP Freshwater Wetlands, NJDEP Flood Hazard, US Army Corps of Engineers, Federal Emergency Management Agency, Cape-Atlantic Soil Conservation District	Engineering Design Associates	2 Months	01/01/16	Application packages	\$25,000.00	\$0.00	\$25,000.00
TASK TOTAL				Lower Township	9 Months	10/1/2016	Permit fees and approved permits	\$40,000.00	\$0.00	\$40,000.00
Task 5 - Permit Review	12/1/2015 - 10/1/2016		5.1 Permit review period for the various governmental agencies					\$40,000.00	\$0.00	\$40,000.00
TASK TOTAL								\$40,000.00	\$0.00	\$40,000.00
Task 6 - Final Plans	10/1/2016 - 12/1/2016		6.1 Revise final plans for Fishing Creek area including green infrastructure improvements and improvements to the tidal gate system to ensure 100 year storm is accommodated and area is protected against flooding as per any permit conditions. 6.2 Revise final plans for Cox Hall Creek area including green infrastructure improvements and improvements to the tidal gate system to ensure 100 year storm is accommodated and area is protected against flooding as per any permit conditions. 6.3 Revise final plans for ecological beach fill, dune/beach berm enhancement and restoration to protect the coastline between Fishing Creek and Cox Hall Creek from flooding during the 100 year storm as per any permit conditions. 6.4 Revise final plans for ecological beach fill, dune/beach berm enhancement and restoration to protect the coastline between Cox Hall Creek and the Cape May Canal from flooding during the 100 year storm as per any permit conditions.	Engineering Design Associates Engineering Design Associates Engineering Design Associates	2 Months 2 Months 2 Months	11/1/2016 11/1/2016 12/1/2016	Revised Final Plans Revised Final Plans Revised Final Plans	\$5,000.00 \$5,000.00 \$5,000.00	\$0.00 \$0.00 \$0.00	\$5,000.00 \$5,000.00 \$5,000.00
TASK TOTAL				Engineering Design Associates	2 Months	12/1/2016	Revised Final Plans	\$20,000.00	\$0.00	\$20,000.00
TOTAL BUDGET	Grant							\$250,000.00		\$250,000.00
TOTAL BUDGET	Matching							\$63,500.00		\$63,500.00
TOTAL BUDGET								\$312,500.00		\$312,500.00



STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name: ENGINEERING DESIGN ASSOCIATES OF MARMORA, P.A.
Trade Name:
Address: 5 CAMBRIDGE DR
OCEAN VIEW, NJ 08230-1228
Certificate Number: 0100782
Effective Date: January 13, 1987
Date of Issuance: December 02, 2011

For Office Use Only:
20111202095044636

Certification 11511

**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 2011 - 2013



ENGINEERING DESIGN ASSOCIATES
5 CAMBRIDGE DR.
OCEAN VIEW

NJ 08230



A handwritten signature in black ink, appearing to be "S. J. ...".

State Treasurer

EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)

N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

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

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

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

The contractor or subcontractor, where applicable, will send to each labor union or representative 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 employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

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

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

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

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

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302

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

Firm Name: Engineering Design Associates, P.A.

Name of Agent: Joseph H. Maffei, PE, PP, CME

Title: Vice President

Date: 11/24/14

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

Part I B Contractor Affirmation

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

Thomas Conrad	
James Neville	Any present or future candidate committee or
Erik Simonsen	joint candidate committee or local political party
Norris Clark	committee formed for the election of members of
Michael E. Beck	the Lower Township governing body.

Part II B Ownership Disclosure Certification

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

Check the box that represents the type of business entity:

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

Name of Stock or Shareholder	Home Address
Joseph H. Maffei	231 Woodbine Road, Steelmantown, NJ 08270
Vincent C. Orlando	406 W. Hampton Dr., Cape May Court House, NJ 08210
Steven L. Filippone	510 Sun Pine Drive, Mays Landing, NJ 08330
Christopher J. Carey	2344 Pine Street, Mays Landing, NJ 08330

Part 3 B Signature and Attestation:

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

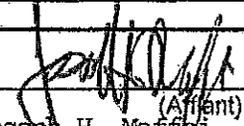
Name of Business Entity: Engineering Design Associates, P.A.

Signed: _____ Title: Vice President

Print Name: Joseph H. Maffei Date: 11-24-14

Subscribed and sworn before me this 24 day of
November, 2014.

My Commission expires: 01/07/19



 (Affiant)
 Joseph H. Maffei
 (Print name & title of affiant) (Corporate Seal)

**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 "Engineering Design Associates" (the "Business Entity"), which for the purposes of this Affidavit includes all entities of which the Business Entity owns, directly or indirectly, a more than 50% equity interest.

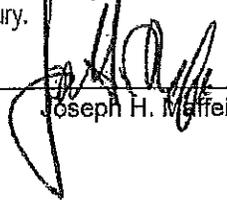
2. The Business Entity is seeking the award of a Professional Services Contract or Unspecifiable Services Contract pursuant to the exceptions from public bidding under Sections 5(1) of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.

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

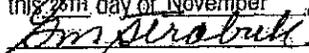
4. Also in accordance with the Pay-to-Play Ordinance, I am disclosing that the following represents all of the contributions that were made by the Business Entity and, to the best of my knowledge, all principals owning 10% more of the Business Entity's equity, their respective spouses, and all of the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

<u>Date</u>	<u>Name of Organization</u>	<u>Amount</u>
	NONE	

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.



 Joseph H. Maffei

Sworn and Subscribed to before me
 this 28th day of November, 2014.

 Notary Public

{APM00008056.DOC v. 1}



Chapter 95. PROFESSIONAL SERVICE CONTRACTS, REGULATION OF

[HISTORY: Adopted by the Township Council of the Township of Lower 10-4-2004 by Ord. No. 2004-10. Amendments noted where applicable.]

§ 95-1. Definitions.

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

BUSINESS ENTITY SEEKING A PUBLIC CONTRACT -- An individual, including the individual's spouse, if any, and any child living at home, person, firm, corporation, professional corporation, partnership, organization or association. The definition of a business entity includes all principals who own 10% or more of the equity in the corporation or business trust, partners, and officers in aggregate employed by the entity as well as any subsidiaries directly controlled by the business entity.

PROFESSIONAL BUSINESS ENTITY -- A business entity as defined in this section which provides services by individuals who are required to be professionally licensed under the laws or regulations of this State or which provides "extraordinary unspecifiable services" pursuant to N.J.S.A. 40A:11-5(1)(a)(ii).

§ 95-2. Prohibition of awarding public contract to certain contributors.

A. Any other provision of law to the contrary notwithstanding, the Township of Lower or any of its purchasing agents or agencies or those of its independent authorities, boards or commissions, as the case may be, shall not enter into an agreement or otherwise contract to procure services from any professional business entity if that entity has solicited or made any contribution of money or pledge of a contribution, including in-kind contributions, to a campaign committee of any candidate for or holder of the office of Mayor or Council of the Township of Lower or to any Township of Lower political party committee in excess of the thresholds specified in Subsection C of this section within one calendar year immediately preceding the date of the contract or agreement.

B. No professional business entity which enters into negotiations for or agrees to any contract or agreement with the Township of Lower or any department or agency thereof or of its independent authorities, boards or commissions for the provision of professional services shall knowingly solicit or make any contribution of money or pledge of a contribution including in-kind contributions in excess of the thresholds specified in Subsection C of this section to a campaign committee of any candidate for or holder of the office of Mayor or Council of the Township of Lower or to any Township of Lower political party committee between the time of first communications between that business entity and the Township of Lower regarding a specific professional services agreement and the later of the termination of negotiations or the completion of the contract or agreement.

C. Notwithstanding Subsections A and B above, any individual who is a professional business entity may annually contribute a maximum of \$250 each for any purpose to any candidate for or holder of the offices of Mayor or Council of the Township of Lower, or \$500 to any Township of Lower political party committee, without violating this § 95-2; provided, however, that no group of individuals meeting the definition of a professional business entity may, in the aggregate, contribute annually for any purpose in excess of \$2,500 to all Township of Lower candidates for or holders of the offices of Mayor or Council and all Township of Lower political party committees combined without violating § 95-2.

§ 95-3. Contributions made prior to the effective date.

No contribution of money or any other thing of value, including in-kind contributions, made by a professional business entity to any candidate for or holder of the office of Mayor or Council of the Township of Lower or Township of Lower political party committee shall be deemed a

violation of this chapter, nor shall an agreement for services be disqualified thereby, if that contribution or agreement was made by the professional business entity prior to the effective date of this chapter.

§ 95-4. Contribution statement required by professional business entity.

- A. Prior to awarding any contract or agreement to procure services with any professional business entity, the Township or any of its purchasing agents or agencies or independent authorities, boards or commissions, as the case may be, shall receive a sworn statement from the professional business entity made under penalty of perjury that the professional business entity has not made a contribution in violation of § 95-2.
- B. Prior to awarding any contract or agreement to procure services with any professional business entity, the Township or any of its purchasing agents or agencies or independent authorities, boards or commissions, as the case may be, shall also receive a sworn statement from the professional business entity made under penalty of perjury disclosing all contributions made by the professional business entity during the immediately preceding 12 months to any New Jersey state and/or county political party committees which contributions, when added to any contributions made to any Township of Lower political party committees during the same time period, exceed the sum of \$500.
- C. The professional business entity shall have a continuing duty to report any violations of this Chapter that may occur and to report any additional contributions to New Jersey state and/or county political party committees above the amounts set forth in Subsection B of this section during the negotiation or duration of a contract.
- D. The sworn statement required under this section shall be made prior to entry into the contract or agreement with the Township and shall be in addition to any other certifications that may be required by any other provision of law.

§ 95-5. Penalty.

- A. All Township of Lower professional service agreements shall provide that it shall be a breach of the terms of the government contract for a professional business entity to violate § 95-2 or to knowingly conceal or misrepresent contributions given or received or to make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution.
- B. Any professional business entity who knowingly fails to reveal a contribution made in violation of § 95-2 or who knowingly makes or solicits contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution shall be disqualified from eligibility for future Township contracts for a period of four calendar years from the date of the violation.
- C. Nothing herein shall be deemed to apply to contributions made to any county or state campaign committee, candidate or officeholder, or to any county or state political party committee, however, such contributions are subject to the disclosure provision that may apply as set out in § 95-4C.

§ 95-6. Procedures to ensure compliance with regulation.

- A. Neither the Chief Financial Officer nor his or her designee shall issue a certification of availability of funds without first receiving a certification from the Township Manager that the disclosures required by this chapter have occurred and that such disclosures do not violate the contribution limits set forth herein.
- B. No contract or agreement for professional services shall be signed and delivered to any professional business entity without full compliance with this chapter.

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

RESOLUTION # 2014-324

TITLE: AUTHORIZING THE PAYMENT OF VOUCHERS

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>CK</u>	<u>Amount</u>
OLIVERI,SHOUSKY&KISS	14-01330	ARCHITECT- PUBLIC SAFETY	\$	20,350.00

Total Bill List \$ **20,350.00**

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on December 1,2014.

Julie Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
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TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION # 2014-325

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

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

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

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

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

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

_____ (3) Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information, relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

_____ (4) Matters Relating to Collective Bargaining Agreement: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

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

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

 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.

PROFESSIONAL SERVICE CONTRACTS

 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.

_____ (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 December 1, 2014 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 the original resolution adopted by the Township Council at a meeting held on December 1, 2014.

Julie A Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						