

**WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL**  
**July 7, 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 June 16, 2014

- Res. #2014-188 Payment of Vouchers \$ 354,905.58  
Res. #2014-189 Authorization for Refund of Taxes (2 properties \$1,843.28)  
Res. #2014-190 A Resolution Requesting Release of Re-vegetation and Restoration Guarantee for Dune Site Plan; 13 Beach Avenue, Villas, Block 319, Lot 1.05 (\$1,000.)  
Res. #2014-191 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (CMC Open Space Program \$36,260.)  
Res. #2014-192 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Cops in Shops \$1,200)  
Res. #2014-193 Cops in Shops Summer Shore Initiative 2014 (Public Safety grant to ABC)  
Res. #2014-194 Resolution Releasing Closed Session Minutes or Portions Thereof As Reviewed By the Minutes Committee (2/2013 thru 3/2014)  
Res. #2014-195 A Resolution Requesting Release of Maintenance Guarantee for Families Matter; Block 114, Lots 33& 34; Escrow #P09-07-03 (\$1,061.25)  
Res. #2014-196 A Resolution Requesting Release of Maintenance Guarantee for Cape May Mobile Estates; Block 510 Lots 14.01, 15.01&16; Escrow #P07-09-04 (\$40,262.25)  
Res. #2014-197 Amending Resolution #2014-02; Appointment of Municipal Auditor for the Year 2014 Without Public Bidding (adding \$15,000)  
Res. #2014-198 A Resolution Authorizing and Approving A Shared Service Agreement Between the Township of Lower and the County of Cape May for Cape May County Open Space And Farmland Preservation Program (County requested a Shared Service Agreement for ADA improvements to the Recreation Center)  
Res. #2014-199 Certification to Local Finance Board of Receipt and Review of Audit Sections General Comments and Recommendations  
Res. #2014-200 Resolution of the Township of Lower in the County of Cape May, Consenting to the Cape May County Purchase of Development Rights Concerning Land Known as 1036 Seashore Road and Designated as Block 752.01, Lot 10.01 on the Tax Map of Lower Township (N. Phillips - County is purchasing to keep property as open space)  
Res. #2014-201 A Resolution Supporting New Jersey State Assembly Bill No. 2622, "New Jersey Tuition Equality for America's Military (NJTEAM) Act" (providing in-state tuition fees to military veterans)  
Res. #2014-202 A Resolution Supporting New Jersey State Assembly Bill No. 2831/A-783 "Reduces Thresholds for Certain Heroin Offenses" (toughens penalties for heroin users/dealers)  
Res. #2014-203 Authorization for Payout of Accumulated Compensatory Time (B. Donahue \$2,722.71)  
Res. #2014-204 Notice of Award of NJPA Contract to NAPA Genuine Parts Company Under a National Cooperative Purchasing Agreement Contract (co-op approved 6/2/14)  
Res. #2014-205 Issuance of Ice Cream Salesman License for the Year 2014 (E.String - Mr. Softee)  
Res. #2014-206 Renewal of Commercial Excavation (Gravel Pit) Licenses for Thomas F Brodesser, Jr. (462 Seashore Road)

**Regular Agenda**

- Res. #2014-207 Payment of Voucher - Rescue Squad \$10,000 (2<sup>nd</sup> payment - expenses)  
Res. #2014-208 Appointment to Municipal Utilities Authority

**Administrative Reports**

Personnel Actions Report  
Monthly Report - Clerk, Dog, Finance, Tax

**Council Comments**

**Call to the Public**

**Adjournment**

## COUNCIL MEETING MINUTES – June 16, 2014

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on June 16, 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

Bayshore Ecosystem Update - Dianne F. Daley

Mayor Beck announced that the Bayshore Ecosystem Update will take place at a later date.

Manager Voll invited the Municipal Auditor, Leon Costello, to clarify the Township's financial status with regard to bonding capacity. Mr. Costello pointed out that the market is as good as it gets for financing. He spoke about Lower Township's debt plan, allowing for future capital projects. He informed that the Township will be debt free in 2018 without incurring any additional debt. He conservatively plotted out a bond sale for 2015, 2016 and 2018 without changing what we pay in debt service in our budget. He stated that we have the capability and planning to absorb a four million dollar project without a tax increase. Manager Voll presented a question about affording to take on this project in addition to storm drain improvement projects that could be an added \$1 million dollars. Mr. Costello informed that the Township has the capacity to take on \$11 million dollars in debt next year without affecting the tax rate. He added that the bonding would take place sometime in 2015.

Mayor Beck asked Councilmember Conrad if he has any additional questions. Councilmember Conrad replied no. Councilmember Simonsen made a point to clarify that whatever the amount of debt incurred, it still has to be paid back. Mayor Beck validated the reason for bonding.

### Work Session

Discussion - Resolution Authorizing Submission of Question to Non-binding Referendum Concerning the Public Safety Building - Councilman Simonsen - Resolution on Regular Agenda  
Mayor Beck and Councilmember Simonsen agreed to move the discussion to the regular agenda.

### Consent Agenda

Approval of Minutes	June 2, 2014
Res. #2014-170	Payment of Vouchers \$ 680,406.46
Res. #2014-171	Authorizing Payout of Terminal Leave (W.McPherson \$49,618.06)
Res. #2014-172	Authorization For the Payout of Accumulated Compensatory Time (R.Fessler \$3,457.41)
Res. #2014-173	2014 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown Grant ( \$5,000. Aug 15 thru Sept.1, 2014)
Res. #2014-174	Authorization for Refund of Taxes ( 2 properties \$6,383.67)
Res. #2014-175	A Resolution Requesting Release of Demolition Bond for Block 589, Lot 9, 1604 Roslyn Avenue, North Cape May (\$1,000)
Res. #2014-176	Authorization for 2014 Incentive Award for Insurance Waiver (19 employees \$44,916.67 per contracts)
Res. #2014-177	Insertion of Special Item Of Revenue Pursuant To N.J.S.A. 40A:4-87, Chapter 159 (Drive Sober or Get Pulled Over Grant \$5,000.)
Res. #2014-178	Annual Renewal of Liquor Licenses for the Year 2014-2015
Res. #2014-179	A Resolution Rescinding Resolution #2014-109 And Directing the Township NOT to Apply to the Cape May County Open Space Program for a Beach Drive Pedestrian Access Improvement Project
Res. #2014-180	Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Clean Communities \$65,187.69)

- Res. #2014-181 Resolution Approving Settlement of Tax Appeal Litigation (H Tamagni v. Twp & Bartle v. Twp)
- Res. #2014-182 Cops Hiring Program (application for grant \$250,000)

Councilmember Conrad requested to have Res. #2014-179 moved to the regular agenda. Councilmember Neville agreed. In addition, he would like the resolution reworded to include Shore Drive.

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

**Regular Agenda**

Res. #2014-179 A Resolution Rescinding Resolution #2014-109 And Directing the Township NOT to Apply to the Cape May County Open Space Program for a Beach Drive /Shore Drive Pedestrian Access Improvement Project

Councilmember Conrad expressed his reservations about killing the project. Mayor Beck questioned Councilmember Conrad's intention to abstain. He reminded him about the unambiguous opinions expressed by the residents at the public meeting. Councilmember Neville informed that the resolution does not affect beach access in other areas included in the plan. Councilmember Simonsen stated that he thought the project was a great idea but agreed that it is best not to apply for the Open Space Grant at this time. Deputy Mayor Clark admitted that the township made the mistake of not communicating the information well enough about the project. He personally supported the project but was made aware by the public that they were not in favor of it.

Eileen Kreis, resident and member of the Recreation Advisory Board, addressed Council to clarify the intention of the resolution, which then led to discussion with Mayor Beck. Ms. Kreis contested the comments about not communicating the information well enough. She also voiced her disappointment with the township's lack of effort disputing the lies that were circulated about the project. She communicated that the project is no less needed now than it was several weeks ago when Council supported it, particularly for public safety reasons. Again, she expressed her disappointment with Council's decision not to apply for the grant.

Councilmember Conrad pointed out that road repairs included in the project will now be paid with taxpayer's money rather than grant money.

Eleanor Chestnut, 9 Beverly Road, member of the Property Owners Association and member of Save our Shores Association, agreed that safety is an issue, but sidewalks and dune fences are not the answer. She applauded Councilmember Neville for his support.

Jim Quinn, Townbank, expressed his disfavor with destroying the dunes.

Maria Gegan, North Cape May, voiced her favor with the project and informed that lies were being circulated to misinform the residents. She requested that Council postpone their decision to reevaluate the need for the project.

Lois Jacobsen, Beach Drive, thanked Mayor and Council for holding the public meeting. She proposed the idea of more police presence, crosswalks, signs and benches in that area. She also suggested that children are not well disciplined. Councilmember Neville stated that he has requested that the police department enforce the speed limit and control traffic flow in that area.

Bill Greenfield, Villas, suggested a referendum on the issue based on the division of opinions. Mayor Beck commented that he is comfortable with his decision based on the outcries of the public meeting. Deputy Mayor Clark suggested we learn a lesson from this, to get the word out early and get people involved before planning any major improvement projects.

Linda Blanchette, Townbank, addressed Council requesting clarification on the language of the resolution and if an additional resolution is needed. Mayor Beck explained.

John Sworonski, 607 Arctic Avenue voiced his opinion that a sidewalk will not slow down traffic or alleviate parking issues.

Steve Morey addressed Council to discuss several technical and legal issues with the resolution. He read aloud his statement which included 3 points of concern: Public Access, ADA Access and Sidewalk Maintenance. In summary, the project was planned in compliance with all of the above state and federal requirements. He advised Council to consider these points before shelving the project. Mayor Beck thanked Mr. Morey for his attendance at the public meeting and they both agreed that Stu Farrell deserved a thank you for his time and effort.

Paulann Pierson, resident and Disabilities Coordinator in the Department of Aging and Disabilities Services, warned of the claims in favor of ADA Access with the project.

Kathy Healy, Villas, thanked the Township for listening.

Joe Ganci, of North Cape May, member of the Property Owner's Association, thanked the Recreation Advisory Board for their work on the project, but based on his research, he remains firm in his opposition.

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

Res. #2014-183

A Resolution of the Township of Lower, County of Cape May, NJ Approving the findings of Phoenix Advisors, LLC, As Related to the Dissolution of the Lower Township Municipal Utilities Authority

Manager Voll invited Robert Shwartz to explain the requirements of the Local Finance Board when debt is involved with a utility authority that is being considered for dissolution. Mr. Shwartz informed that an analysis and certification are required upon choosing the best method of debt, either assuming the debt or refunding the debt. Based on his reports and the detailed analysis from Phoenix Advisors, LLC, it has been determined that assuming the debt of the MUA would be the best option for the Township if deciding to proceed with dissolution.

Alexis Batten with Parker McCay, explained the legal requirements with the dissolution which include a resolution by the governing body stating the most cost effective means of dissolution. Based on Phoenix Advisors analysis of the outstanding MUA debt and interest rates, it was clear that assuming the MUA debt is the more cost effective option. Mayor Beck asked if this will have an impact on the Township's finances. Mr. Shwartz and Ms. Batten explained. Councilmember Conrad asked who authorized Phoenix Advisors, LLC to run the report and what the cost was. It was ascertained that Council unanimously authorized the investigation by the manager, but the report was required in order to move forward with the Local Finance Board. The cost was approximately \$4,000.

Councilmember Simonsen asked if we are assuming the MUA debt without first taking over the MUA. Manager Voll replied no and informed that this is part of the investigation.

Mary Reader addressed Council to express her disbelief with the proposed \$1 million dollar savings. She asked many questions regarding the data and dissolution as well as shared services.

Tom Frisoli of Villas and MUA Board Member, asked Council how Pheonix Advisors obtained their information. Mayor Beck & Deputy Mayor Clark explained. Mr. Frisoli made a statement about educating the Township before dissolving the MUA.

Jack Sparks, North Cape May, addressed Council in support of dissolution. He stated that it would be irresponsible not to dissolve the MUA, based on the figures presented and the push from Governor Christie to consolidate services. He also commented on the political tactics.

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

Res. #2014-184

Person To Person Transfer of Liquor License 0505-33-004-004 to Spicer Creek North, Inc (From Cape May Two Brothers, Inc t/a Mayer's to Spicer Creek North)

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

Res. #2014-185

Appointment to the Zoning Board of Adjustment.  
Councilmember Conrad motioned to nominate Ernest Utsch.

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

Res. #2014-186

Appointments to the Planning Board  
Councilmember Conrad motioned to nominate Daniel Senico, Paul St. John, and Christopher McDuell.

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

Res. #2014-187

Resolution Determining Whether To Authorize Submission of Question to Nonbinding Referendum Concerning Public Safety Building

Councilmember Simonsen initiated a discussion about the public safety building at the Cape May County Airport. He informed that Freeholder Director Gerald Thornton recently toured the building with a possible interest in sharing space and refurbishing costs to house the County Office of Emergency Management and central dispatch. Councilmember Simonsen implied that this option could resolve problems and save the township millions of dollars. He believes a referendum should be put on the November ballot for the voters to decide.

Councilmember Conrad agreed to support the referendum.

Mayor Beck expressed his frustration with not being informed of the county's intentions. Manager Voll said there is an intended meeting with the County Administrator. Mayor Beck stressed that it is not an essential building and the County has not brought forth any proposals. He expressed his anger with what he feels is obstructionism.

Deputy Mayor Clark inquired about the last time the Township had a referendum on the ballot. Clerk Picard replied that a binding referendum was on the ballot in 1984 for the Charter Study Commission. There has been a non-binding referendum since then, but the date has not been determined.

Councilmember Neville reminded Councilmember Simonsen that they are elected to make decisions on behalf of the voters. He said that he refuses to condemn the police to another generation in a building that is full of mold.

Discussion ensued about the public safety committee.

Deputy Mayor Clark reminded that three members of Council ran for office with a goal to move the police back to the municipal complex.

Mayor Beck pointed out the three main components to moving the police back: the economic component, the administrative component, and the public transportation component.

Dan Anderson, Townbank Road, suggested Council postpone the vote until the next meeting.

Jack Sparks, North Cape May, expressed his discontent with the referendum and the political games.

Mayor Beck commented on his disfavor with the opposition.

Frank Soracco, Villas, provided a report of utility expenses for the public safety building from December, 2004. He reminded Councilmember Simonsen that he was involved with the public safety committee.

John Louderback, member of the public safety committee, disagreed with the referendum and communicated the many adversities with the current public safety building.

Betty Somers, Atlantic Avenue, voiced her disapproval with the political strategies of the Republican Party.

Johnny Walker, 116 W. Pacific Avenue, expressed his disappointment with Councilmember Conrad for not taking leadership in getting the police moved back to Ward 1.

Glenn Douglass, North Cape May, disagreed with the referendum, but suggested Council do something constructive with the County's proposal to take over the current public safety building. He believes the public safety complex should be located at the municipal complex.

There was further debate from Council about the referendum.

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

Ordinance #2014-08

Bond Ordinance Authorizing the Assumption of Responsibility For and Payments Of the Lower Township Municipal Utilities Authority's Outstanding Debt in A Principal Amount Not to Exceed \$17,873,521 by the Township of Lower, County of Cape May, NJ; Making Certain Determinations and Covenants; and Authorizing Certain Related Actions in Connection With The Foregoing (First reading. 2<sup>nd</sup> reading and public hearing will be scheduled after approval from Local Finance Board)

Manager Voll explained that information was obtained from the MUA Board and Administration. He and Mayor Beck dispelled rumors of privatization and reiterated the Township's intention with dissolution.

Mr. Shwartz clarified his mission to collect data and perform a financial analysis of the Municipal Utilities Authority (MUA), providing a breakdown of his findings and the logic to support the same. He also stated his qualifications.

Upon Mayor Beck's request, Lauren Read, CFO assured that there will be two separate funds so that moneys will not be co-mingled. Manager Voll explained the shared services.

Councilmember Conrad inquired about the legal ramifications of Mr. Frisoli speaking as an MUA Commissioner. Solicitor Gelzunas replied that the ethical obligation is up to Mr. Frisoli, the MUA Board and the MUA Solicitor.

Deputy Mayor Clark summarized his understanding of separate funds and the process necessary to increase rates. Mr. Shwartz informed that a rate increase would require an ordinance by the governing body with proper advertising and a public hearing. Solicitor Gelzunas confirmed the information and

informed that the MUA rates are currently adjusted by resolution.

Mayor Beck inquired about obtaining minutes and resolutions from the MUA. Solicitor Gelzunas informed that requests have been made but not all have been satisfied. Clerk Picard commented that only the agendas have been obtained. Discussion ensued about the MUA's obligation to put information online.

Councilmember Neville asked about using the utility budget for road repairs that the MUA failed to do. Manager Voll explained the intent of the utility budget. He also spoke about the advantages of consolidation. Mayor Beck reiterated his feeling about the savings involved.

Manager Voll invited Tom Frisoli to challenge the numbers.

Mr. Frisoli, MUA Board Member, gave Mr. Shwartz a report from the MUA. Discussion ensued about the failed attempts to retrieve minutes and agendas from the MUA meetings. Mr. Frisoli agreed to get the information requested. He also commented on the road repairs having been put out to bid. Conversation continued. Manager Voll also pointed out that phones are not being answered at the MUA.

Mark Johnson, MUA Water & Sewer Supervisor, addressed Council with his concerns about the MUA being dissolved. Manager Voll assured him that the focus is on administration. Mayor Beck agreed and reiterated the savings. Councilmember Neville discussed the expertise of Mr. Johnson's guys. Discussion ensued about the rumors at the MUA. Mayor Beck and Manager Voll agreed to address any further concerns that he may have.

Jacqueline Henderson, Mickel's Run, inquired on behalf of the people who are not in a specialized field, if their jobs are in jeopardy. Manager Voll again assured that the focus is on the administration.

	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, Police, Tax Collector, Vital Statistics

### **Council Comments**

Councilmember Conrad commented on items in the Herald and suggested resolutions be drafted in support of Assembly Bill 2622, 2831/A783 and a change of ordinance for Assembly Bill 2299.

Councilmember Neville announced the July 3<sup>rd</sup> fireworks. He pointed out the article in the Atlantic City Press pertaining to the school funding issue.

Councilmember Simonsen commented on the success of the triathlon, thanked the volunteers involved and reminded that the Township benefits from the event but does not pay for it. He also communicated the success of other local events including Rock for Kids Music Festival, Runway 5K, and Life Rolls On.

Deputy Mayor Clark recapped what just took place and voiced his discontent with the vote. He urged Council to put politics aside and consider doing what is best for the citizens of this township.

Mayor Beck announced the Independence Day Festival and Fireworks.

Councilmember Neville announced the Whale of a Day Festival.

### **Call to the Public**

Ed Wuerker addressed Council with a bucket of dirt to demonstrate a dust problem near his home. Manager Voll gave insight into the problem. Solicitor Gelzunas informed that according to Mr. Wuerker's attorney, there is a settlement agreement in place. In an attempt to resolve the problem, Manager Voll agreed to arrange a meeting with all parties involved.

**Adjournment**

There being no further business to address, motion to adjourn moved by Councilmember Neville, seconded by Councilmember Conrad. Motion to adjourn unanimous. Meeting adjourned at 9:04 p.m.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Township Clerk

Approved:



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00401 KATHLEEN BROWN	14-01682	06/13/14	MEDICAL CLAIMS-V	Open	355.00	0.00		
00611 COUNTY OF CAPE MAY	14-01667	06/12/14	GASOLINE/DIESEL/MONTHLY	Open	31,690.58	0.00		
00651 MUNICIPAL UTIL AUTH DUMP FEES	14-01787	06/25/14	DUMPING FEE	Open	72,897.50	0.00		
00775 CAPRIONI PORTABLE TOILETS, INC*	14-01305	05/13/14	MONTHLY SERVICES	Open	371.50	0.00		
00784 CAPE MAY STAR & WAVE	14-01741	06/23/14	LEGAL ADVERTISEMENTS 6-11-14	Open	63.86	0.00		
00825 COMCAST*	14-01757	06/24/14	MONTHLY INTERNET-CLEM MULLIGAN	Open	95.55	0.00		
	14-01763	06/25/14	6/30-7/29/14 INTERNET-FIRE SAF	Open	<u>109.90</u>	0.00		
					205.45			
00893 STATE OF NJ DEPT LABOR/WORKFC	14-01805	06/27/14	ANNUAL ASSESSMENT BILL	Open	1,965.31	0.00		
00928 CAPE MAY COUNTY CLERK	14-01627	06/09/14	RECORD TAX SALE CERTIFICATES	Open	24.00	0.00		
	14-01726	06/20/14	RECORD PERMIT	Open	<u>8.00</u>	0.00		
					32.00			
01075 COPIERS PLUS*	14-01671	06/12/14	PLANNING RETURN MAILING LABELS	Open	182.00	0.00		
01171 VERIZON WIRELESS - TOWNHALL	14-01823	06/30/14	CELL SERVICE 06/24/14-07/23/14	Open	376.60	0.00		
01200 DELTA DENTAL PLAN OF NJ	14-01806	06/27/14	DENTAL JULY 2014	Open	10,103.10	0.00		
01203 BRIAN DENHAM	13-03593	12/10/13	HAUNTED HAYRIDE	Open	174.14	0.00		
01246 ROCCO SANSONE	14-01745	06/23/14	SOCCER OFFICIAL	Open	160.00	0.00		
01502 PAMELA FELDER	14-01663	06/11/14	MEDICAL CLAIMS	Open	133.16	0.00		
01519 TOM FOLS ELECTRICALCONTRACTOR*	14-01336	05/14/14	REPLACE TWO PUMPS LAKE TAHOE	Open	1,975.00	0.00		
	14-01448	05/29/14	BENNETT'S FIELD DRIVE LIGHTS	Open	<u>450.00</u>	0.00		
					2,425.00			
01655 GANN LAW BOOKS*	14-01369	05/21/14	NJ RULES OF EVIDENCE	Open	113.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01657 GOPHER SPORT*	14-01449	05/29/14	BASKETBALLS	Open	289.69	0.00		
01690 GRANTURK EQUIPMENT CO*	14-00554	03/03/14	PARTS FOR RECYCLING	Open	785.68	0.00		
01730 GTBM INC.*	14-01827	07/01/14	INFO COP ANNUAL 4/2014-04/2015	Open	3,937.50	0.00		
01781 HATCH MOTT MACDONALD, LLC*	14-00256	01/24/14	RECONSTR CLUBHOUSE DR #2014-43	Open	1,338.00	0.00		
	14-01734	06/23/14	PROFESSIONAL ENGINEERING	Open	<u>300.00</u>	0.00		
					1,638.00			
01785 ROBERT HARTMAN SR	14-00104	01/09/14	CONTRACTUAL REIMBURSEMENT	Open	314.70	0.00		
01799 BRIAN HEACOCK	14-01783	06/25/14	REGISTRATION COACH REFUND	Open	30.00	0.00		
01834 RICHARD HOOYMAN	14-01683	06/13/14	MEDICAL CLAIMS	Open	95.00	0.00		
02025 HUNTER JERSEY PETERBILT*	14-01134	04/28/14	PARTS FOR TRUCK/MAY	Open	2,526.29	0.00		
	14-01135	04/28/14	PARTS FOR TRUCKS/JUNE	Open	<u>1,421.08</u>	0.00		
					3,947.37			
02136 TED KINGSTON INC*	14-00659	03/18/14	RADIO MAINT. DPS	Open	550.00	0.00		
	14-01282	05/12/14	RADIO MAINT. DPS- MAY	Open	<u>546.78</u>	0.00		
					1,096.78			
02140 KINDLE FORD LINC/MERC., INC.*	14-01118	04/28/14	PARTS FOR POLICE VEHICLE/MAY	Open	1,427.14	0.00		
02183 KLENSWITE POOL SPA SUP.CO INC*	14-01488	06/03/14	CONVERSION W/CHLORINE	Open	1,430.00	0.00		
02247 LAWSON PRODUCTS, INC.*	14-00855	04/02/14	SUPPLIES FOR DPW/APRIL	Open	793.98	0.00		
	14-01126	04/28/14	SUPPLIES FOR DPW/MAY	Open	698.54	0.00		
	14-01127	04/28/14	SUPPLIES FOR DPW/JUNE	Open	<u>700.00</u>	0.00		
					2,192.52			
02292 DONALD LOMBARDO	14-01833	07/01/14	MEDICAL CLAIMS	Open	899.98	0.00		
02410 MAGLOCLEN*	14-01411	05/27/14	ANNUAL FEE 7/1/14-6/30/15	Open	400.00	0.00		
02461 JOHN MAHER	14-01761	06/25/14	MEDICAL CLAIMS	Open	1,233.06	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02585 WILLIAM MASTRIANA	14-01730	06/23/14	REIMBURSEMENT	Open	44.57	0.00		
	14-01810	06/27/14	TRAINING MEALS	Open	<u>28.50</u>	0.00		
					73.07			
02607 MICHAEL MAJANE	13-01065	04/16/13	2013 EQUIP. ALLOWANCE	Open	72.00	0.00		B
02775 BARBARA MOORE	14-01718	06/17/14	MEDICAL CLAIMS	Open	830.00	0.00		
02986 NEVCO SCOREBOARD CO.*	14-00726	03/24/14	SCOREBOARD ITEMS	Open	1,382.09	0.00		
03001 STATE TOXICOLOGY LABORATORY*	14-01483	06/02/14	APPLICANT TESTING	Open	135.00	0.00		
03003 NEW JERSEY DIVISION OF ABC	14-01630	06/09/14	LIQUOR LICENSE 2014-2015	Open	84.00	0.00		
03021 NJ MOTOR VEHICLE COMMISSION	14-00037	01/07/14	ON LINE ABSTRACT/2014	Open	150.00	0.00		
03052 NATIONAL FIRE PROTECTION ASSN*	14-01618	06/09/14	2014 ANNUAL MEMBERSHIP #163539	Open	1,165.50	0.00		
03065 NJ MUNICIPAL COURT LAW REVIEW*	14-01309	05/13/14	NJ MUNICIPAL COURT LAW REVIEW	Open	20.00	0.00		
03102 NJ POLICE TRAFFIC OFFICERS ASS	14-01275	05/12/14	ANNUAL MEMBERSHIP	Open	35.00	0.00		
03104 NORTHEAST IND.&MARINE SUPPLY*	14-01122	04/28/14	PARTS/RDS/SANT/RECY/MAY	Open	589.63	0.00		
03305 PEDRONI FUEL*	14-01759	06/24/14	NO LEAD GAS	Open	740.01	0.00		
03427 POLAR BEAR*	14-00399	02/10/14	DPW/DPS/TWP HALL/REC	Open	1,636.25	0.00		
	14-01335	05/14/14	SUPPLIES FOR A/C-	Open	<u>531.25</u>	0.00		
					2,167.50			
03518 RIGGINS, INC.*	14-01669	06/12/14	OFF HIGHWAY DIESEL/MONTLY	Open	1,547.26	0.00		
	14-01788	06/25/14	HIGHWAY DIESEL	Open	<u>771.12</u>	0.00		
					2,318.38			
03608 SEAWAVE CORPORATION*	14-01727	06/20/14	CML FERRY 50TH ANNIV	Open	300.00	0.00		
03611 SERVICE TIRE TRUCK CENTERS*	14-01120	04/28/14	SERVICE TIRE TRUCK/MAY	Open	6,518.36	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03678 SMELTZER & SONS INC.*	14-01674	06/12/14	DOGGIE BAGS - 3 CASES	Open	583.20	0.00		
03692 SOUTH JERSEY GAS CO*	14-01751	06/24/14	GAS FOR JUNE 2014	Open	1,682.08	0.00		
03723 STAPLES, INC.*	14-01681	06/13/14	SECURITY TINT PAYROLL ENVELOPE	Open	151.44	0.00		
	14-01748	06/23/14	OFFICE SUPPLIES	Open	54.87	0.00		
					<u>206.31</u>			
03814 UNIVERSAL COMPUTING SERV., INC*	14-01455	05/29/14	MAILERS	Open	622.50	0.00		
03935 STAPLES BUSINESS ADVANTAGE*	14-01447	05/28/14	HP LASERJET PRO M521DN PRINTER	Open	1,098.88	0.00		
03969 VERIZON	14-01750	06/24/14	JUNE 2014 PHONE SERVICE	Open	3,775.78	0.00		
03971 VERIZON WIRELESS MDT POLICE	14-01826	07/01/14	VERIZON MDT	Open	539.17	0.00		
03994 MARGARET VITELLI	14-01835	07/02/14	MEDICAL CLAIMS- V	Open	215.00	0.00		
04030 WEST PUBLISHING PAYMENT *	14-01738	06/23/14	ANNUAL UPDATES	Open	376.50	0.00		
04075 BARBER CONSULTING SERVICES LLC	14-01493	06/04/14	LICENSES FOR REMOTE TERMINAL	Open	524.95	0.00		
04077 RONALD J. GELZUNAS*	14-00018	01/07/14	2014 LEGAL SERVICES DNE \$90	Open	5,669.50	0.00		
04097 CINTAS FIRST AID AND SAFETY*	14-01678	06/12/14	FIRST AID SUPPLIES- TOWNHALL	Open	141.87	0.00		
04105 PITNEY BOWES GLOBAL FINANCIAL	14-00198	01/17/14	MAIL MACHINE JANUARY-JUNE 2014	Open	451.00	0.00		
04115 WHITE & WILLIAMS, LLP	14-01746	06/23/14	PROFESSIONAL SERVICES LT V BAL	Open	2,612.35	0.00		
04126 NICK OLEXA	14-01777	06/25/14	SPRING SOCCER OFFICIAL	Open	110.00	0.00		
04266 NJ DEPT OF HEALTH&SENIOR SVCS	14-01831	07/01/14	STATE DOG LICENSE FEES-JUNE	Open	103.80	0.00		
04297 PYROTECNICO, INC	14-01836	07/02/14	2014 FIREWORKS RES 2014-132	Open	41,500.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04300	W B MASON CO INC*							
	14-01383	05/23/14	OFFICE SUPPLIES-COLORED PAPER	Open	423.54	0.00		
	14-01384	05/23/14	OFFICE SUPPLIES	Open	98.94	0.00		
	14-01623	06/09/14	OFFICE SUPPLIES/DPW	Open	184.28	0.00		
	14-01624	06/09/14	SUPPLIES FOR ROADS	Open	46.92	0.00		
					<u>753.68</u>			
04504	MEDIA FIVE LTD*							
	14-01347	05/19/14	RES # 2014-136 CONCERTS FERRY	Open	4,000.00	0.00		
06028	FORESITE USA LLC*							
	14-01615	06/06/14	2014 AVAST ANTIVIRUS 1 YEAR	Open	759.25	0.00		
06037	THOMAS BARRY MARINE CONST INC							
	14-00056	01/08/14	ADA FISHING CREEK 2013-308	Open	34,300.00	0.00		B
4104	DOUGLASS LANDSCAPING LLC*							
	14-00833	04/01/14	LANDSCAPING CONTRACT PAYMENTS	Open	5,547.50	0.00		B
5032	NORTH WILDWOOD \$ CREST SHIRT*							
	14-01670	06/12/14	LIFEGUARD SHIRTS - POOL	Open	277.00	0.00		
6003	CHASE							
	14-01814	06/27/14	RES#14-189 REFUND 2ND QRT TAX	Open	634.37	0.00		
6044	LEE ROSSNER							
	13-01178	04/25/13	REFUND OF FUNDS-NSF OVERPAYMEN	Open	5.00	0.00		
6059	USABLE LIFE							
	14-01792	06/26/14	JULY LIFE INSURANCE	Open	466.58	0.00		
6071	UNITED UNIFORMS LIMITED LIAB*							
	14-01453	05/29/14	UNIFORMS	Open	141.00	0.00		
6075	PARKER MCCAY P.A. *							
	14-01605	06/05/14	BOND COUNSEL SERVICES	Open	6,355.25	0.00		B
7019	OCEAN VIEW VETERINARY*							
	14-01675	06/12/14	VET SERVICES 5/28/14	Open	90.00	0.00		
	14-01753	06/24/14	VET SERVICES 6/22/14	Open	30.00	0.00		
					<u>120.00</u>			
7041	CARI ECKEL							
	14-01778	06/25/14	REGISTRATION COACH REFUND	Open	30.00	0.00		
7098	SHORE VETERINARIAN ANIMAL *							
	14-00157	01/13/14	ANIMAL RES# 2014-36 DUE 1ST	Open	4,166.67	0.00		
7119	ENGINEERING DESIGN ASSOC*							
	14-01733	06/23/14	PROFESSIONAL ENGINEERING	Open	56.00	0.00		
	14-01735	06/23/14	PROFESSIONAL ENGINEERING	Open	224.00	0.00		
	14-01737	06/23/14	PROFESSIONAL ENGINEERING	Open	56.00	0.00		
	14-01739	06/23/14	PROFESSIONAL ENGINEERING	Open	224.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7119			ENGINEERING DESIGN ASSOC*	Continued				
	14-01740	06/23/14	PROFESSIONAL ENGINEERING	Open	280.00	0.00		
	14-01816	06/30/14	ENGINEERING-ROUTE 9 PAVING APP	Open	<u>125.00</u>	0.00		
					965.00			
7133			YAYA CREATIONS, INC					
	14-00634	03/12/14	LINENS FOR MILLMAN CENTER	Open	213.42	0.00		
7142			LINDSAY BECHTLER					
	14-01817	06/30/14	ZUMBA INSTRUCTOR JUNE 2014	Open	70.00	0.00		
7175			JAMES E HARRIS*					
	14-01290	05/12/14	TRAINING	Open	50.00	0.00		
7176			OLIVERT, SHOUSKY & KISS, PA*					
	14-01330	05/14/14	RES#14-135 ARCHITECT POLICE BU	Open	13,500.00	0.00		B
7181			JENNIFER KELLY, PHD, LLC*					
	14-01459	05/30/14	EVAL * CONFIDENTIAL	Open	875.00	0.00		
	14-01460	05/30/14	EVAL * CONFIDENTIAL	Open	<u>1,200.00</u>	0.00		
					2,075.00			
7196			LAUREN HUGGINS SUIT*					
	14-01612	06/06/14	PUBLIC INFORMATION OFFICER	Open	1,500.00	0.00		
7201			CARL N TRIPCIAN*					
	14-01659	06/11/14	CONFLICT PROSECUTOR 6/9/14	Open	350.00	0.00		
7204			WILLIAM S. CAPPUCCIO, ESQ*					
	14-01677	06/12/14	CONFLICT JUDGE 6/9/14	Open	425.00	0.00		
7205			DREAMSCAPES POOLS LLC*					
	14-01672	06/12/14	WORK ON TOWNSHIP POOL	Open	1,435.00	0.00		
7208			JENNIFER DUFFY					
	14-01728	06/20/14	MILLMAN CENTER REFUND DEPOSIT	Open	300.00	0.00		
7210			MICHAEL J HILL JR					
	14-01756	06/24/14	REFUND 2ND QRT 2014 TAX	Open	1,208.91	0.00		
7211			WILLIAM GRIECO					
	14-01784	06/25/14	REIMBURSEMENT COACH REFUND	Open	30.00	0.00		
7212			WILLIAM ROBSON					
	14-01781	06/25/14	REGISTRATION COACH REFUND	Open	20.00	0.00		
7213			MARK MAGLIOCCO					
	14-01780	06/25/14	REGISTRATION COACH REFUND	Open	20.00	0.00		
7214			ANN WILUSZ					
	14-01789	06/25/14	TOLL REIM CLASS IN MAYS LANDING	Open	33.75	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7215 ROBERT MARINO	14-01824	06/30/14	RELEASE DUNE BOND	Open	1,000.00	0.00		
8201 DIRECT ENERGY BUSINESS	14-01665	06/12/14	05/01/14-06/01/14 ELECTRIC	Open	3,657.54	0.00		
	14-01666	06/12/14	05/05/14-06/04/14 ELECTRIC	Open	73.68	0.00		
	14-01754	06/24/14	05/19/14-6/18/14 ELECTRIC	Open	7,225.45	0.00		
	14-01755	06/24/14	05/19/14-06/18/14 ELECTRIC	Open	252.76	0.00		
					<u>11,209.43</u>			
ALPHACAR ALPHA CARD SYSTEMS*	14-01655	06/11/14	INK CARTRIDGES FOR ID MACHINE	Open	283.05	0.00		
BARB BARBARAS SEA SHELL FLORIST*	14-01654	06/11/14	FUNERAL FLOWERS FOR FRANK MAJA	Open	67.00	0.00		
BONNER ROBERT BONNER JR	13-00649	03/06/13	REF FEE'S FOR BASKETBALL	Open	18.00	0.00		
BOSNA KAREN MANETTE BOSNA	14-01786	06/25/14	YOGA INSTRUCTOR JUNE 2014	Open	115.00	0.00		
BOWMA BOWMAN WALKER CONSTRUCTION	14-01680	06/13/14	RETURN OF UNUSED ESCROW	Open	27.87	0.00		
CRONIN MICHAEL CRONIN	14-01782	06/25/14	REGISTRATION COACH REFUND	Open	30.00	0.00		
G-YAP CENTER FOR COMMUNITY ARTS	14-01708	06/17/14	YOUTH ARTS PROGRAM-SUMMER	Open	6,500.00	0.00		B
GIANCOLA BRIAN GIANCOLA	14-01779	06/25/14	REGISTRATION COACH REFUND	Open	20.00	0.00		
NJEPA NJEPA	14-01156	04/28/14	NJEPA CONFERENCE MAY 6-9,2014	Open	220.00	0.00		
SIXSM LLOYD SIXSMITH*	14-01345	05/19/14	STAFF SHIRTS AND WIND BREAKERS	Open	1,570.40	0.00		
	14-01370	05/21/14	STAFF SHIRTS	Open	175.00	0.00		
					<u>1,745.40</u>			
SYKEJ JOE SYKES	14-01820	06/30/14	SPRING SOCCER OFFICIAL	Open	245.00	0.00		
<hr/> <b>Total Purchase Orders: 152 Total P.O. Line Items: 320 Total List Amount: 354,905.58 Total Void Amount: 0.00</b> <hr/>								

Resolution #2014-188

I hereby certify the foregoing to be the original resolution adopted by Township Council at a meeting held on July 7, 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 #2014-189

**TITLE: AUTHORIZATION FOR REFUND OF TAXES**

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

**WHEREAS**, a refund is due.

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

<u>Block</u>	<u>Lot</u>	<u>Refund To</u>	<u>Reason</u>	<u>Tax</u>
500.01	45.14	Michael J Hill Jr.	Paid by Mortgage Co.	1,208.91
452	21	Chase	Paid on wrong property	634.37

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on July 7, 2014.

\_\_\_\_\_  
Julie A Picard, Township Clerk

	MOITON	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

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

RESOLUTION #2014-190

**TITLE: A RESOLUTION REQUESTING RELEASE OF RE-VEGETATION AND RESTORATION GUARANTEE FOR DUNE SITE PLAN; 13 BEACH AVENUE, VILLAS, BLOCK 319, LOT 1.05**

**WHEREAS**, Robert R. or Nancy Marino posted a bond for the re-vegetation and restoration of dune grass with the Township of Lower, in the amount of \$1,000.00; and

**WHEREAS**, the Township Planning Director recommends that the required restoration and re-vegetation of dune grass has been properly completed.

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

**BE IT FURTHER RESOLVED** that the Township Treasurer is granted permission to issue a check in the amount of \$1,000.00 plus any accrued interest for payment of the above released Guarantee.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on July 7, 2014.

\_\_\_\_\_  
Julie A Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

MEMORANDUM

TO: Mayor Michael Beck &  
Council members

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

DATE: June 24, 2014

RE: Release of Bond for Restoration  
and Revegetation of Dune Grass;  
Robert & Nancy Marino  
13 Beach Avenue  
Villas, NJ 08251  
Block 319, Lot 1.05  
Resolution #2014-190

Robert & Nancy Marino posted a bond for the restoration and revegetation of Dune grass, on June 22, 1990 per Planning Board Resolution #90-34. A site inspection by the Planning Director on June 24, 2014 revealed that all the required work was complete. Therefore, I recommend return of the above referenced bond for revegetation of dune grass by Township Council.

Thank you.

c: Julie Picard, Township Clerk

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

RESOLUTION #2014 - 191

TITLE: INSERTION OF SPECIAL ITEM OF REVENUE PURSUANT TO N.J.S.A. 40A:4-87,  
CHAPTER 159

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount,

SECTION 1.

NOW, THEREFORE BE IT RESOLVED that the Township of Lower, County of Cape May, hereby requests the Director of the Division of Local Government Services to approve the increase of \$36,260.00 for an item of revenue in the budget of the year 2014 as follows:

Miscellaneous Revenues –  
Revenue Offset with Appropriations - Cape May County Open Space Program  
Total with increase to be \$36,260.00

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$36,260.00 be and the same is hereby appropriated under the caption of:

General Appropriations –  
Public & Private Programs Offset by Revenues - Cape May County Open Space Program  
State/Federal Share \$ 36,260.00  
Non State Share \$  
Total with increase to be \$ 36,260.00

FURTHER RESOLVED that two certified copies of this resolution with a copy of the appropriate documentation be forwarded to the Division of Local Government Services.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on July 7, 2014.

\_\_\_\_\_  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

CAPE MAY COUNTY  
PLANNING DEPARTMENT



Will Morey  
Freeholder

Leslie L. Gimeno, PP, AICP

Planning Director

4 Moore Road  
Cape May Court House, N.J. 08210-1601  
(609) 465-1080 □ Fax: 465-1418  
planningbd@co.cape-may.nj.us

Established 1953

Mayor Mike Beck  
Township of Lower  
2600 Bayshore Road  
Villas, New Jersey 08251

August 14, 2013

Re: ADA Upgrades to Paul Will Recreation Center

Dear Mayor Beck,

The Open Space Board is in receipt of the Township's Park/Recreation Development application to the Cape May County Open Space Program for ADA Upgrades to the Paul Will Recreation Complex.

Upon submission, each application is reviewed by the Board for consistency with the goals and objectives of the Program, as described in the Program Guide. In order to maximize the benefit of the use of limited funds, the Open Space Board makes positive recommendations to the Board of Chosen Freeholders for those projects that have a regional appeal, and that would contribute to the diversity of our County's open space and recreation resources.

After careful consideration, the Cape May County Open Space Review Board has decided to recommend the Township's Park/Recreation Development project to the Board of Chosen Freeholders for partial funding in the amount not to exceed \$36,260. The Township's application included a cost estimate dated September 15, 2011 by Lindemon, Winckelmann, Deupree, Martin, Russell & Associates, P.C. Based on a comparison of these items to the Open Space Program Guidelines, it was determined that those items most suitable for Open Space funding would be those listed on the first page under Item A, "Site Features". This includes a total of \$36,260 in improvements, and therefore is the amount of the Open Space Board's recommendation.

County Counsel is in the process of developing a draft agreement for your consideration, which will specify terms and conditions of the transfer of funds to the Township. A leasing and management agreement, detailing the responsibilities of the Township and the County with regard to the property and the improvements will also be forwarded. Once both the Township and the County agree to the form and content of these documents, a public hearing will be held by the Board of Chosen Freeholders in

order to meet the requirements of N.J.S.A. 40:12-15.2 et seq. If no modifications to the project and/or documents are necessitated by the public hearing, the Freeholder Board can move to adopt a resolution and execute the necessary documents as soon as 45 days after the public hearing.

Thank you in advance for your cooperation as we move through the necessary steps to bring the project into fruition. I look forward to working with you over the next several months, and to enjoying the wonderful recreation opportunities that the Township's project will bring to our area residents and visitors for many years to come. If you have any questions or concerns throughout the process, please feel free to contact Leslie Gimeno, County Planning Director, at (609) 465-6875.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Lomax", written in a cursive style.

Peter Lomax, Chairperson  
Open Space Review Board

Cc: Colleen Crippen, Township of Lower  
County Counsel

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

RESOLUTION #2014 -192

TITLE: INSERTION OF SPECIAL ITEM OF REVENUE PURSUANT TO N.J.S.A. 40A:4-87,  
CHAPTER 159

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount,

SECTION 1.

NOW, THEREFORE BE IT RESOLVED that the Township of Lower, County of Cape May, hereby requests the Director of the Division of Local Government Services to approve the increase of \$1,200.00 for an item of revenue in the budget of the year 2014 as follows:

Miscellaneous Revenues –  
Revenue Offset with Appropriations - Cops in Shops  
Total with increase to be \$1,200.00

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$1,200.00 be and the same is hereby appropriated under the caption of:

General Appropriations –  
Public & Private Programs Offset by Revenues - Cops in Shops  
State/Federal Share \$ 1,200.00  
Non State Share \$  
Total with increase to be \$ 1,200.00

FURTHER RESOLVED that two certified copies of this resolution with a copy of the appropriate documentation be forwarded to the Division of Local Government Services.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on July 7, 2014.

\_\_\_\_\_  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						



CHRIS CHRISTIE  
GOVERNOR

KIM GUADAGNO  
LT. GOVERNOR

**STATE OF NEW JERSEY**  
OFFICE OF THE ATTORNEY GENERAL  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL

P.O. BOX 087  
TRENTON, NJ 08625-0087  
PHONE: (609) 984-2830 FAX: (609) 633-6078  
WWW.NJ.GOV/OAG/ABC

JOHN J. HOFFMAN  
ACTING ATTORNEY GENERAL

MICHAEL I. HALFACRE  
DIRECTOR

May 22, 2014

Chief William Mastriana  
Lower Township Police Department  
405 Breakwater Road  
Erma, New Jersey 08204-4537

RE: COPS IN SHOPS - SUMMER SHORE INITIATIVE 2014  
GRANT # AL-14-45-05-04

Dear Chief Mastriana:

The Division of Alcoholic Beverage Control is in receipt of your department's application for grant funds to participate in the Cops in Shops Summer Shore Initiative. After careful consideration, the Division has allocated **\$1,200** to your municipality for the assignment of officers to Cops In Shops details from May 23, 2014 to September 15, 2014. Enclosed is a copy of the first page of your grant application with your grant amount. This figure is based upon the \$50 per hour overtime rate for 2 officer teams to conduct details at cooperative plenary retail distribution licenses in your municipality over 4 hour shifts. Neither the Division of Alcoholic Beverage Control nor any other State agency will be responsible for any funds expended or liabilities incurred in excess of the amount set forth above.

Please note the form regarding reimbursement for the program. The Cops In Shops "Reimbursement Form" must be submitted on a monthly basis. The forms and explanation of the reimbursement requirements is attached.

The municipality agrees that the failure to comply with the agreement as set forth in the application could result in the forfeiture of the right to receive these funds. Each municipality should consult with its municipal attorney in connection with any legal or liability issues that may be related to this project. A resolution by the municipality is not required by the Division.



Should you have any questions regarding this grant or any Cops In Shops related issues, please contact DAG Susan K. Dolan at (609) 633-6081. **If your department has not attended a Cops in Shops Training Seminar since January 1, 2012, you must contact DAG Dolan prior to beginning the program.** If for any reason your department is unable to complete the program and utilize all of the allotted funds, please contact DAG Dolan immediately.

Very truly yours,



Michael I. Halfacre  
Director

MIH:SKD:df

Enclosure

c DSG Ernest Macomber, w/o enclosure  
Captain Thomas Beeby, w/o enclosure

DIVISION OF ALCOHOLIC BEVERAGE CONTROL  
APPLICATION FOR COPS IN SHOPS PROJECT GRANT  
SUMMER SHORE INITIATIVE 2014  
GRANT #AL-14-45-05-04

PART I

Police Department: Lower Township Police Department

County: Cape May

Amount of Grant: \$ <sup>LOWER TWP</sup>

\$1,200

A. General Information

ABC

Address: 405 Breakwater Road

Erma, New Jersey, 08204-4537

Telephone No: (609) 886-1619 EXT 117

Fax No: (609)886-3436

E-Mail Address (if one available): macomber@lowertownshippolice.com

Primary Project Contact: DSG Ernest Macomber

Secondary Project Contact: Capt Thomas Beeby  
(609)886-1619 EXT 111

B. Billing Information

Billing Address: 2600 Bayshore Road

Villas, New Jersey, 08251

Vendor Identification No.:

Fiscal Officer Lauren Reed CFO

Telephone No.: (609) 886-2005 EXT 125

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

RESOLUTION #2014-193

TITLE: COPS IN SHOPS SUMMER SHORE INITIATIVE 2014

WHEREAS, the Township of Lower desires to apply for and obtain a grant from the New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage Control to run the Cops in Shops Summer Shore Initiative 2014.

THEREFORE, BE ITRESOLVED, that the Township of Lower does hereby authorize the application for such a grant; and, upon receipt of the grant agreement from the New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage Control, does further authorize the execution of the grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of said agreement between the Township of Lower and the New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage Control.

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

\_\_\_\_\_  
(Signature)  
Michael E. Beck, Mayor

\_\_\_\_\_  
(Signature)  
William Mastriana, Chief of Police

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on July 7, 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 #2014-194

**TITLE: RESOLUTION RELEASING CLOSED SESSION MINUTES OR PORTIONS THEREOF AS REVIEWED BY THE MINUTES REVIEW COMMITTEE**

**WHEREAS**, in accordance with law, the Township of Lower makes release of certain closed session minutes as they become public record.

**NOW, THEREFORE BE IT RESOLVED**, that minutes or portions of minutes as approved by the Minutes Review Committee related to the closed session meetings listed below, are determined to be appropriate for release upon request, said minutes being on file with the Township Clerk's Office.

February 4, 2013	October 7, 2013
March 18, 2013	November 4, 2013
April 15, 2013	November 18, 2013
June 17, 2013	December 2, 2013
July 1, 2013	February 3, 2014
August 5, 2013	March 17, 2014
September 16, 2013	

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on July 7, 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 #2014-195

**TITLE: A RESOLUTION REQUESTING RELEASE OF MAINTENANCE GUARANTEE FOR FAMILIES MATTER; BLOCK 114, LOTS 33 & 34; ESCROW #P09-07-03**

**WHEREAS**, Families Matter posted a Maintenance Guarantee with the Township of Lower, in the amount of \$1,061.25; and

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

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

**BE IT FURTHER RESOLVED** that the Township Treasurer be granted permission to issue a check in the amount of \$1,061.25 plus any accrued interest in payment of the released Maintenance Guarantee.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on July 7, 2014.

\_\_\_\_\_  
Julie A Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

MEMORANDUM

TO: Township Council

FROM: William J. Galestok, PP,AICP

DATE: June 30, 2014

RE: Families Matters, LLC  
899 Bayshore Road  
Villas, NJ 08251  
Block 114, Lots 33 & 34  
Resolution #2014-195

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

Pursuant to the above referenced Subsection 400-81E, Resolution #2014-195 is required to **release** the Maintenance Guarantee held in trust by the Township of Lower for Major Site Plan application.

The required final inspection report, certifying completion, compliance and condition of work, has been received from the conflict Township Engineer, Hatch Mott MacDonald.

The Township Engineer recommends **release** of the retained \$1,061.25.

WJG:las  
att.

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

RESOLUTION #2014-196

**TITLE: A RESOLUTION REQUESTING RELEASE OF MAINTENANCE GUARANTEE FOR CAPE MAY MOBILE ESTATES; BLOCK 510; LOTS 14.01,15.01 & 16; ESCROW P07-09-04**

**WHEREAS**, Jeffrey A. Van Mourik posted a Maintenance Guarantee with the Township of Lower, in the amount of \$40,262.25; and

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

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

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on July 7, 2014.

\_\_\_\_\_  
Julie A Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

MEMORANDUM

TO: Township Council

FROM: William J. Galestok, PP,AICP

DATE: June 30, 2014

RE: Cape May Mobile Estates  
Block 510, Lots 14.01, 15.01 & 16  
Resolution #2014-196

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

Pursuant to the above referenced Subsection 400-81E, Resolution #2014-196 is required to release the Maintenance Guarantee held in trust by the Township of Lower for Major Site Plan application.

The required final inspection report, certifying completion, compliance and condition of work, has been received from the conflict Township Engineer, Hatch Mott MacDonald.

The Township Engineer recommends release of the retained \$40,262.25.

WJG:las

att.

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

RESOLUTION #2014-197

**TITLE: AMENDING RESOLUTION #2014-02; APPOINTMENT OF MUNICIPAL AUDITOR FOR THE YEAR 2014 WITHOUT PUBLIC BIDDING**

WHEREAS, the Township of Lower ("Township") adopted Resolution #2014-02 at its Council Meeting of January 6, 2014, awarding a contract to Ford Scott & Associates, LLC at a fee not to exceed \$40,000; and

WHEREAS, Ford Scott & Associates, LLC, who provided and will continue to provide expert analysis of the potential cost savings that may be realized by dissolving the Lower Township Municipal Utilities Authority and creating a self-liquidating Water and Sew Utility Fund within the Township of Lower, has submitted a contract indicating they would provide the goods or services described hereinabove at a price not to exceed \$15,000.; and

WHEREAS, as per N.J.A.C. 5:30-11.9 Procedures for Change Orders which exceed 20% limitation, notice will be sent to the Department of Community Affairs and published in the newspaper; and the CFO has determined sufficient funds are available in the budget as follows:

Appropriation: 4-01-20-310-318

Signature: \_\_\_\_\_

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lower hereby amends Resolution #2014-02 to reflect an increase of \$15,000 and approves the contract for the goods and services for a total amount not to exceed \$55,000.

BE IT FURTHER RESOLVED that 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 the original Resolution adopted by the Township Council at a meeting held on July 7, 2014.

\_\_\_\_\_  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						



# FORD - SCOTT

& ASSOCIATES, L.L.C.

CERTIFIED PUBLIC ACCOUNTANTS

2013  
1535 HAVEN AVENUE • PO BOX 538 • OCEAN CITY, NJ • 08226-0538  
PHONE 609.399.6333 • FAX 609.399.3710  
www.ford-scott.com

March 31, 2014

Mayor and Members of Township Committee  
Township of Lower  
2600 Bayshore Road  
Villas, NJ 08251

Re: Analysis of Municipal Utilities Authority Costs

Gentlemen:

We are pleased to confirm our understanding of the nature and limitations of the services we are to provide for the Township of Lower.

We will provide an analysis of the potential cost savings that may be realized by dissolving the Lower Township Municipal Utilities Authority and creating a self-liquidating Water and Sewer Utility Fund within the Township of Lower. We will also analyze the resultant fiscal stability of the resultant Water and Sewer Utility Fund to ensure that the fund will be self-liquidating for the foreseeable future without requiring significant, if any, additional costs to the users of the water and sewer systems.

Our analysis will rely on certain assumptions and information provided by sources which we determine to be reliable. This will include, but not be limited to:

1. Financial information provided by the Lower Township Municipal Utilities Authority.
2. Analyses provided by Township employees and consultants related to:
  - a. Ability to absorb fiscal operations of the Authority.
  - b. Ability to absorb operational activity of the Authority including the assurance that all necessary operating licenses are retained or obtained.

We will also provide an analysis of the potential benefits of either absorbing or refunding the present outstanding debt of the Authority. This analysis will require Bond Counsel's opinion on the ability to refund the debt and the potential requirement for all or part of the refunding to require the interest on the debt to be taxable to the Bondholders. The purpose of this analysis will be to ensure that all present debt covenants are honored or eliminated through the refunding.

Our report, which we anticipate issuing in draft form by May 1, 2014, will specifically identify all assumptions made and the source of the information used in preparing the report.

Since the Authority operates on a November 30 fiscal year, it will also be necessary to present a budget to cover the operations of the newly created Utility fund for the month of December, 2014. This budget will also be presented to the Local Finance Board and we will assist you by reviewing the budget to ensure that all debt service requirements have been met.

We are aware that our report will be used in conjunction with an application to the New Jersey Department of Community Affairs Local Finance Board to request permission to adopt an ordinance to dissolve the Lower Township Municipal Utilities Authority. If necessary, or requested, we will be available to be present at the Local Finance Board hearing to respond to any questions the Board members may have regarding the report.

This agreement is being prepared as a professional service as a non-fair and open agreement under the requirements of the Pay to Play laws of the State of New Jersey.

Our fee for these services will be based on the actual time of the individuals involved at the following hourly rates:

Partner	\$175
Manager	150
Other	75

We will also bill you for any out of pocket costs including mileage at 56 cents per mile and out of pocket costs such as tolls and parking. We will submit our vouchers monthly as the project progresses and we anticipate that our fee will range between \$10,000 and \$15,000, but we will inform you if it appears that additional time will be necessary.

If this letter is in agreement with your understanding please have this letter signed by the Mayor and countersigned by the Township Clerk.

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

*Robert E. Swartz*

Robert E. Swartz  
Certified Public Accountant  
Registered Municipal Accountant  
No. 319

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Michael Beck, Mayor

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Julie Picard, Township Clerk

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

RESOLUTION #2014-198

**TITLE: A RESOLUTION AUTHORIZING AND APPROVING A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF LOWER AND THE COUNTY OF CAPE MAY FOR CAPE MAY COUNTY OPEN SPACE AND FARMLAND PRESERVATION PROGRAM**

**WHEREAS**, the Township of Lower agrees that it is in the best interest of the residents of Lower Township for the County to provide funds for the acquisition of lands for open space and the development of public parks and recreation facilities or improvements; and

**WHEREAS**, such agreements are authorized pursuant to N.J.S.A. 40A:65-1 et seq.; and

**WHEREAS**, the Township has submitted an application under the 2013 program for American with Disabilities Act and Amendments (ADAAA) for upgrades to the Paul R Will Recreation Center Complex with the initial amount of the request of \$471,000.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Township of Lower, in the County of Cape May, State of New Jersey, that the shared services agreement between the Township of Lower and the County of Cape May attached hereto be and is hereby authorized and accepted.

I hereby certify the foregoing to be the original a resolution adopted by the Township Council at a meeting held on July 7, 2014.

\_\_\_\_\_  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

**SHARED SERVICES AGREEMENT**

**BY AND BETWEEN THE**

**COUNTY OF CAPE MAY  
AND THE  
TOWNSHIP OF LOWER**

---

**APRIL 1, 2014 - MARCH 31, 2015**

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**CAPE MAY COUNTY OPEN SPACE AND FARMLAND PRESERVATION PROGRAM**

**PREAMBLE**

THIS SHARED SERVICES AGREEMENT made and dated as of the 16<sup>th</sup> day of April, 2014, constitutes an agreement between the County of Cape May (hereinafter "County") and the Township of Lower (hereinafter "Municipality"), both constituting public bodies corporate and politic of the State of New Jersey.

**WITNESSETH**

WHEREAS, the County has determined that it is in the best interests of the County and residents therein, as well as the municipalities and residents of the individual municipalities located within the County, for the County to provide funds to such municipalities for the acquisition of lands for open space and the development of public park and recreation facilities or improvements; and

WHEREAS, the County desires, pursuant to the provisions of N.J.S.A. 40:12-16, et seq., N.J.S.A. 40:12-9 and N.J.S.A. 40A:65-1, et seq. and other related statutes providing for joint action with regard to capital projects and improvements which are deemed to benefit the County and the municipalities and their residents, to provide funding for such projects and improvements, and

WHEREAS, in 1989, pursuant to P.L. 1989, Chapter 30, the County of Cape May Board of Chosen Freeholders established an Open Space and Farmland Preservation Trust Fund; and

WHEREAS, on December 27, 2012, in accordance with N.J.S.A. 40:12-15.3, the Board of Chosen Freeholders adopted new 2013 Program Guidelines for the Open Space Program that incorporated the two additional eligible categories of park and recreation development as well as historic preservation projects; and

WHEREAS, the Municipality has submitted an application under the 2013 Program for American with Disabilities Act and Amendments (ADAAA) upgrades to the Paul R. Will Recreation Complex, 2600 Bayshore Road, Villas, New Jersey, with the initial amount of the request of \$471,000.00 (hereinafter "Submitted Proposal"); and

WHEREAS, on July 23, 2013, the Open Space Review Board has thoroughly reviewed, deliberated and voted to make a recommendation to the Board of Chosen Freeholders to fund a portion of this project, in an amount not to exceed \$36,260.00, with the additional conditions that the ADAAA compliance is to be for the outdoor playground area upgrades of the Submitted Proposal, which will hereinafter be referred to as the "Defined Project"; and

WHEREAS, a public hearing on this Defined Project was held on February 11, 2014 at the Cape May County Administration Building, 4 Moore Road, Cape May Court House, New Jersey 08210; and

WHEREAS, on the basis of the information provided by the applicant, the recommendation of the Open Space Review Board, and input gathered from the public hearing,

the Board of Chosen Freeholders desires to enter into this Shared Services Agreement with the Municipality to support the implementation of the Defined Project; and

WHEREAS, the County and the Municipality desire to enter into this Agreement in order for the County to provide funding to the Municipality for the aforementioned Defined Project.

**NOW, THEREFORE**, in consideration of the promises, agreements and covenants hereinafter set forth and mutually agreed to, the County and the Municipality, each for itself, its successors and assigns, do mutually covenant, promise and agree as follows:

**ARTICLE I**  
**PROVISION OF SERVICES**

**SECTION 101.**        County Funding. The County agrees to provide reimbursement funds to the Municipality to undertake the Defined Project. Such funds shall be provided by the County to the Municipality with no repayment requested if the Municipality completes the Defined Project within the time frame outlined in Section 102 (the "Initial Term").

**SECTION 102.**        Agreement Term; Terms and Conditions. The Term of the Agreement shall commence on April 1, 2014 and shall terminate on March 31, 2015, which shall be the date when the Defined Project must be completed as referred to in Section 101. If the Municipality requests an extension of the Initial Term from the date referred to in Section 101, it shall make such request in writing at least 60 days prior to such date to the Clerk of the Board of Chosen Freeholders. The County shall notify, in writing, the Municipality of the County's agreement to extend the completion of the Defined Project no later than 30 calendar days prior to the expiration date of the Initial Term.

**SECTION 103.**        Municipal Obligation. In consideration for the County providing the funding to reimburse the Municipality, the Municipality agrees to pay to undertake the Defined Project and to complete it by the end of the Term of this Agreement as described in Section 101.

**SECTION 104.**        Conditions Precedent. The following items shall be conditions precedent to the performance by the County and the Municipality of the respective obligations under this Agreement:

(a) The Approving Capital or Bond Ordinance or other budget provisions setting forth the authorization to proceed with the Defined Project of the Municipality shall have been adopted and shall be in full force and effect. A fully executed copy must be provided to the County within 30 days of passage.

(b) The Approving Capital or Bond Ordinance or budget appropriations of the County shall have been adopted and shall be in full force and effect.

(c) Delivery of opinions of counsel to the County and the Municipality that this Agreement has been duly authorized and executed, and upon due execution by the other party will be a valid, binding and enforceable obligation of the County or the Municipality, as the case may be, except as the enforceability thereof may be subject to general principles of equity and laws affecting the enforcement of creditor's rights generally.

**SECTION 105.**        Authorized County and Municipal Representatives. a) The authorized County Representatives for all purposes of the Agreement shall be the Freeholder Director or such other representative who shall, from time to time, be designated by the Freeholder Director.

(b) The authorized Municipal Representative for all purposes of the Agreement shall be the Mayor or such other representative who shall, from time to time, be designated by the Mayor.

(End of Article 1)

ARTICLE II  
REPRESENTATIONS AND WARRANTIES

**SECTION 201.**     Representations and Warranties of the County.   The County represents and warrants to the Municipality as follows:

(a)   General.   The County is a public body corporate and politic of the State of New Jersey and has the power and authority to provide the services to the Municipality and to execute and deliver this Agreement and all documents necessary to give effect to this Agreement and to perform its obligations hereunder.

(b)   No Conflict.   The execution, delivery and performance of this Agreement (i) has been duly authorized by all requisite action of the County, (ii) to the best knowledge of an Authorized County Representative, following diligent inquiry, will not violate or conflict with any provision of law, rule or regulation, any order of any court or other agency of government and (iii) to the best knowledge of an Authorized County Representative, will not violate or result in a default under any provision of any indenture, agreement or other instrument.

(c)   Litigation.   Except as otherwise disclosed to the Municipality, to the best knowledge of an Authorized County Representative, there is no action, suit or proceeding at law or in equity or by or before any Governmental Authority or other agency now pending or, threatened against or affecting the ability of the County to enter into this Agreement.

(d)   Obligations of the County.   When executed and delivered by the County, this Agreement will be a legal, valid and binding obligation of the County enforceable against it in accordance with its terms, except as enforcement thereof may be limited by applicable bankruptcy, moratorium or similar laws affecting creditors' rights generally.

**SECTION 202.**     Representations and Warranties by the Municipality.   The Municipality makes the following representations and warranties to the County:

(a)   General.   The Municipality (i) is a public body corporate and politic of the State of New Jersey, (ii) has full corporate power and authority to execute and deliver this Agreement and all documents necessary to give effect to this Agreement and to perform its obligations hereunder, and (iii) by proper Municipal action has duly authorized the execution and delivery of this Agreement.

(b)   No Conflict.   The execution, delivery and performance of this Agreement (i) has been duly authorized by all requisite action of the Municipality, (ii) to the best knowledge of an Authorized Municipal Representative, following diligent inquiry, will not violate or conflict with any provision of law, rule or regulation, any order of any court or other agency of government and (iii) to the best knowledge of an Authorized Municipal Representative, will not violate or result in a default under any provision of any indenture, agreement or other instrument.

(c)   Litigation.   Except as otherwise disclosed to the Municipality, to the best knowledge of an Authorized Municipal Representative, there is no action, suit or proceeding at

law or in equity or by or before any Governmental Authority or other agency now pending or, threatened against or affecting the ability of the Municipality to enter into this Agreement or perform the services hereunder.

(d) Obligations of the Agency. When executed and delivered by the Municipality, this Agreement will be a legal, valid and binding obligation of the Municipality, enforceable against it in accordance with its terms, except as enforcement thereof may be limited by applicable bankruptcy, moratorium or similar laws affecting creditors' rights generally.

(End of Article II)

**ARTICLE III**  
**OPEN SPACE AND FARMLAND PRESERVATION PROGRAM REQUIREMENTS**

**SECTION 301.** The County will reimburse the Municipality in an amount not to exceed \$36,260.00 to support the Defined Project identified in Section 302. This amount is the maximum total amount of funding by the County to the Municipality.

**SECTION 302.** Municipality will utilize funding from the County in the amount of \$36,260.00 to support the Defined Project. The Defined Project is specifically identified and described in the Municipality's application, presentation and recommendation by the County Open Space Board and is made a part of and incorporated with this Agreement as if set forth at length herein. The County's funding shall not be utilized for any other purpose. In the event said funding is not utilized for the Defined Project, the County shall declare Municipality in default of this Agreement and require the immediate repayment of \$36,260.00 to the County as described in Section 308 herein.

**SECTION 303.** The Municipality is responsible for the design, preparation, permitting, construction and completion of the Defined Project. The Municipality will prepare detailed site plans, with engineer's estimates, for approval by the Open Space Review Board and/or the Board of Chosen Freeholders prior to the commencement of the Defined Project, and will be wholly responsible for the implementation of the Defined Project in accordance with the same. Said Defined Project is or shall be accessible to all individuals as required by the Americans with Disabilities and Amendments Act. Municipality further agrees to assume or continue the obligations and prerogatives which otherwise apply to it as the owner of the property and of the Defined Project such as the long-term care, maintenance and operation of the Defined Project which shall include all applicable insurance thereon.

**SECTION 304.** The County will reimburse the Municipality the actual amount of expenditures made by the Municipality for implementation of the Defined Project in an amount described in Section 301 above. Upon completion of the Defined Project, the County will schedule a formal inspection of the Defined Project, and will review the Defined Project for consistency with the site plan and engineer's estimates referenced in Section 303 above. Municipality will provide a certification to the total expenditures and provide proof of all expenditures for the Defined Project to the Chief Financial Officer of the County of Cape May within thirty (30) days of final completion of the Defined Project. Proof of all expenditures shall be in the form of vouchers or purchase orders, vendor invoices, and copies of cancelled checks (both sides). The failure to provide said documentation will result in a default of this Agreement, and will result in non-payment by the County.

**SECTION 305.** The Municipality agrees to indemnify the County and to hold it harmless from and against any and all damages, claims, losses and liabilities of any sort (including reasonable attorneys fees) that the County may incur as a result of or arising out of the design, preparation, construction and use of the Defined Project. In addition, Municipality agrees to have the County named annually as a primary additional insured on a general liability

insurance policy with coverage at least equal to three million dollars (\$3,000,000.00) per bodily injury or property damage occurrence until completion of the project. A certificate of insurance evidencing said coverage and the additional insured designation shall be provided to the County on an annual basis.

(a) Municipality assumes the risk of all damage, loss, cost and expense arising out of or relating to the Defined Project.

(b) It is the intention that the scope of this provision for indemnification is the widest and most comprehensive allowable by law and the Municipality will be responsible for any and all liabilities, occurrences, damages or costs which may occur.

(c) The Municipality and the County agree that this Agreement shall be construed to the fullest extent possible by law to impose upon the Municipality the fullest duties of indemnity which shall include the obligation by the Municipality to:

(1) Inspect the condition of the Defined Project, and repair as necessary;

(2) Defend the County in any claim, lawsuit, arbitration or claim of any sort completely through total and final resolution of the matter including appeals. In the event the Municipality does not timely provide a defense and indemnity that causes the County to incur costs including attorney's fees to enforce any rights pursuant to this Agreement, then Municipality shall also be responsible for said costs and fees as incurred by County;

(3) Defend and indemnify the County for any claims for reimbursement and subrogation by any and all medical providers, medical insurers or worker's compensation carriers or any other individual or entity.

**SECTION 306.** Municipality waives all rights to make a claim (or crossclaim) or file a suit against County for, and relieves County from all liability or responsibility of any kind arising from such damages, loss, cost or expense arising out of or related to the Defined Project.

**SECTION 307. Default.** Failure on the part of Municipality to comply with either the implementation of the Defined Project, in any aspect, as described in its application or any provision of this Agreement, or the satisfactory maintenance of the improvements, as required herein constitutes "default". Upon "default", as determined solely by the County, the County may, at its option, either:

(a) Declare this Agreement to be terminated, and require Municipality to repay the funds identified herein to the County within ten (10) days; or

(b) Permit Municipality to "cure" any default within thirty (30) days. Thereafter, County may, at its option, grant any other additional time needed to cure any default as necessary. If said default continues longer than any time frame agreed upon by County, Municipality shall repay the funds identified herein to the County with ten (10) days.

**SECTION 308. County Indemnification.** The County agrees to indemnify the municipality and hold it harmless from and against any claims, damages, losses or liabilities that the municipality may incur as a result or arising out of the gross negligence on the part of the County. The County does not waive any applicable N.J.S.A. 59-1, et seq. immunities.

(End of Article III)

**ARTICLE IV  
MISCELLANEOUS**

**SECTION 401.** Governing Law. This Agreement shall be deemed to be a contract under the laws of the State of New Jersey and for all purposes, including interpretation hereof and performance hereunder, shall be governed in accordance with the laws of the State of New Jersey. Any party bringing a legal action or proceeding against any other party arising out of or relating to this Agreement may bring the legal action or proceeding in the Superior Court of New Jersey sitting in Cape May Court House, New Jersey.

**SECTION 402.** Consents. Any consents required by the County or Municipality under this Agreement (other than those delegated to the applicable Authorized County Representative or Authorized Municipal Representative) shall be adopted by a resolution of the respective governing bodies.

**SECTION 403.** Amendments. Any amendment or modification of this Agreement will only be effective upon the execution of a written instrument authorized by the members of the Municipality in the case of the Municipality and the Freeholder Director and the Board of Freeholders in the case of the County.

**SECTION 404.** Assignment. No party may assign or attempt to assign its respective obligations under this Agreement. Any purported assignment of rights in violation of this provision is void. In addition to voiding the purported assignment, the County shall declare the assignor in default of this Agreement and require the re-payment of all Defined Project funds within seven (7) days.

**SECTION 405.** Severability. If one or more of the provisions of this Agreement are determined to be contrary to law, then such provision or provisions shall be deemed severable from the remaining provisions and shall not affect the validity of the other provisions of this Agreement.

**SECTION 406.** Term. The duties and obligations under Sections 306 and 307 shall remain in effect for as long as the applicable statute of limitations remain in effect and the duty to defend shall extend beyond the statute of limitations to the extent any claim is made against the County at any time in the future as it relates to the Defined Project.

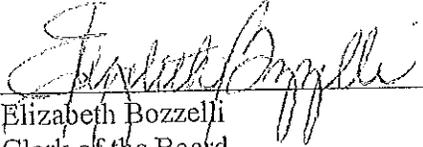
**SECTION 407.** Notices. All notices required under the terms of this Agreement shall be given by hand delivering such notices or by mailing such notices by certified or registered mail, return receipt requested, to the address of the parties. Notices to the County shall be sent to the Board of Chosen Freeholders Clerk and County Treasurer. Notices to the Municipality shall be sent to the Mayor and Clerk of the Municipality.

**SECTION 408.** Entire Agreement. This Agreement constitutes the entire understanding of the parties.

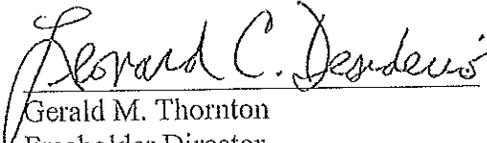
(End of Article IV)

IN WITNESS WHEREOF, the County and the Municipality have caused their respective seals to be hereunto affixed and attested and this Agreement to be signed by their respective, duly authorized officers and to be dated as of the day and year first written above.

ATTEST:

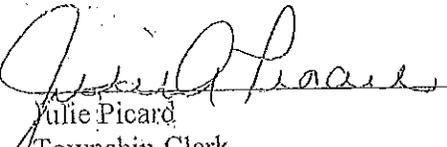
  
Elizabeth Bozzelli  
Clerk of the Board  
[SEAL]

COUNTY OF CAPE MAY

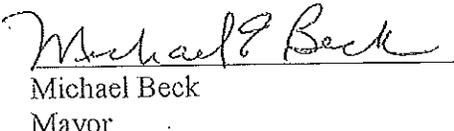
BY:   
Gerald M. Thornton  
Freeholder Director

Date: 4-8-14

ATTEST:

  
Julie Picard  
Township Clerk  
[SEAL]

TOWNSHIP OF LOWER

BY:   
Michael Beck  
Mayor

Date: 4-16-14

APPROVED AS TO FORM:

  
Barbara Bakley-Marino, Esquire  
County Counsel

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

**RESOLUTION #2014-199**

**TITLE: CERTIFICATION TO LOCAL FINANCE BOARD OF RECEIPT AND REVIEW  
OF AUDIT SECTIONS GENERAL COMMENTS & RECOMMENDATIONS**

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

**WHEREAS**, the Annual Report of Audit for the year 2013 has been filed by a Registered Municipal Accountant with the Township Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, the Local Finance Board of the State of new Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

**WHEREAS**, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

*GENERAL COMMENTS  
RECOMMENDATIONS*

**WHEREAS**, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

*GENERAL COMMENTS  
RECOMMENDATIONS*

as evidenced by the group affidavit form of the governing body; and

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

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

**WHEREAS**, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 to wit:

*R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director, under the provisions of this Article, Shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000) or imprisoned for not more than one year, or both, in addition shall forfeit his office."*

**NOW, THEREFORE BE IT RESOLVED** that the Township Council governing body of the Township of Lower hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on July 7, 2014.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

# TOWNSHIP OF LOWER

2600 Bayshore Road  
Villas, New Jersey 08251



Incorporated 1798

\_\_\_\_\_  
(609) 886-2005

**TOWNSHIP OF LOWER  
COUNTY OF CAPE MAY  
CORRECTIVE ACTION PLAN:                    2013 AUDIT RECOMMENDATIONS**

**Prior Year Audit Findings (2012)**

**THERE WERE NO AUDIT RECOMMENDATIONS IN 2012.**

# TOWNSHIP OF LOWER

2600 Bayshore Road  
Villas, New Jersey 08251



Incorporated 1798

\_\_\_\_\_  
(609) 886-2005

TOWNSHIP OF LOWER  
COUNTY OF CAPE MAY  
CORRECTIVE ACTION PLAN:

2013 AUDIT RECOMMENDATIONS

Current Year Audit Findings (2013)

THERE WERE NO AUDIT RECOMMENDATIONS IN 2013.

**CERTIFICAION OF THE GOVERNING BODY OF THE ANNUAL AUDIT  
GROUP AFFIDAVIT FORM**

STATE OF NEW JERSEY  
COUNTY OF CAPE MAY

We, the members of the governing body of the Township of Lower, County of Cape May, being dully sworn according to law, upon our oath depose and say:

1. We are duly elected members of the Township Council of the Township of Lower in the County of Cape May
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year 2013
3. We certify that we have personally reviewed and are familiar with, at a minimum, the sections of the Annual Report of Audit entitled "comments and Recommendations"

\_\_\_\_\_  
Michael E Beck, Mayor

\_\_\_\_\_  
Norris Clark, Deputy Mayor

\_\_\_\_\_  
Thomas Conrad, Councilmember

\_\_\_\_\_  
James Neville, Councilmember

\_\_\_\_\_  
Erik Simonsen, Councilmember

Sworn and subscribed before me this  
\_\_\_\_ day of \_\_\_\_\_, 2014.  
Notary Public of New Jersey

\_\_\_\_\_  
Julie A Picard, Township Clerk

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

RESOLUTION # 2014-200

**TITLE: RESOLUTION OF THE TOWNSHIP OF LOWER IN THE COUNTY OF CAPE MAY, CONSENTING TO THE CAPE MAY COUNTY PURCHASE OF DEVELOPMENT RIGHTS CONCERNING LAND KNOWN AS 1036 SEASHORE ROAD AND DESIGNATED AS BLOCK 752.01, LOT 10.01 ON THE TAX MAP OF LOWER TOWNSHIP.**

**WHEREAS**, the Cape May County Agriculture Development Board has granted final approval for the purchase of a Development Easement (the "Development Rights") on property owned by Nancy Phillips (a/k/a Nancy McPherson) comprised of 19.229 acres, known as 1036 Seashore Road, and designated as Block 752.01, Lot 10.01 on the official Tax Map of the Township of Lower, County of Cape May; and

**WHEREAS**, the Board of Chosen Freeholders of the County of Cape May has entered into a contract to purchase said Development Rights; and

**WHEREAS**, the Township Council of the Township of Lower, in the County of Cape May, desires to approve the purchase of the Development Rights by the County of Cape May as required by N.J.A.C. 2:76-6(a)(4).

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, that the Township Council has reviewed the aforesaid application pursuant to N.J.A.C. 2:76-6(a)(4), and determines that the purchase of the Development Rights on the property known as 1036 Seashore Road, and designated as Block 752.01, Lot 10.01 on the official Tax Map of the Township of Lower, is hereby approved and is in the best interests of the Township.

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on July 7, 2014.

\_\_\_\_\_  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						



CAPE MAY COUNTY AGRICULTURE DEVELOPMENT BOARD

MARCH 2007

APPLICATION TO SELL A DEVELOPMENT EASEMENT

NOTE: Read and Complete All Portions of this Application.

This application to sell a development easement is made this 23 day of March, 2011.

A "development easement" means an interest in land, less than fee simple absolute title thereto, which enables the owner to develop the land for any non-agricultural purpose as determined by and acquired under the provisions N.J.S.A. 4:1C-11 et. seq. P.L. 1983, c.32, and any relevant rules or regulations promulgated pursuant thereto.

I/We, Ms. Nancy McPherson landowner(s) of property located in the Township of Lower, in the County of Cape May, known and designated as Block 752.01, Lot (s) portion of Lot 10.01, Acres 19.299 on the Tax Map of Lower, Township, Cape May County, New Jersey, (hereinafter "Premises), apply to the Cape May County Agricultural Development Board, (Hereinafter "Board"), to sell a development easement pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et. seq., P.O. 1983, C.32, and N.J.A.C. 2:76-6.

OFFER TO SELL A DEVELOPMENT EASEMENT

Pursuant to N.J.A.C. 2:76-6.3, it is required that the applicant(s) submit an offer to sell a development easement to the Board.

NOTE: Landowners hereby acknowledge that they have been fully informed of the provisions related to the sale of a development easement and that a recommendation was made to obtain legal counsel.

In addition, in accordance with N.J.S.A. 4:1C-31g, "Any landowner whose application to sell a development easement has been rejected for any reason other than insufficient funds may not reapply to sell a development easement on the same land within 2 years of the original application."

As landowner(s) of the premises described above, I/we are willing to make an offer to sell a development easement to the Board in the amount of \$ Fair Market Value per acre. The final total purchase price shall be based on the acreage of the premises determined by a survey authorized by the Board.

- a. For farms less than or equal to 10 acres in size, to be eligible for preservation the farm must meet the following threshold criteria:
  - > Provide evidence that the farm produces agricultural or horticultural products of at least \$2,500 annually;
  - > At least 75% of the farm is tillable or a minimum of 5 contiguous acres, whichever is less;
  - > At least 75%, or a minimum of 5 contiguous acres, (whichever is less) of the farm consists of soils that are capable of supporting agricultural production; and

3/7/2007 11:15 AM

> Purchase of the development easement must result in the loss of development potential based on the zoning utilized for purposes of value certification;

b. For farms greater than 10 acres in size, to be eligible for preservation the farm must meet the following:

> The farm must be capable of producing agricultural or horticultural products of at least \$2,500 annually;

> The farm must possess at least 50% tillable land, or 25 contiguous acres, whichever is less, which is capable of supporting agricultural production; and

> Purchase of the development easement must result in the loss of development potential based on the zoning utilized for purposes of value certification.

PLEASE PROVIDE THE FOLLOWING INFORMATION:

1. LANDOWNER INFORMATION:

A. Write the name, mailing address, and phone number of all the landowners of the premises.

Is the applicant the owner of the farm? (Y/N) Yes

Last Name: McPherson

First Name: Nancy

Middle Initial: \_\_\_\_\_

Address: 1036 Seashore Rd.

City: Cape May

State: NJ

Zip Code: 08204

Phone (day): (609) 884-8248

Phone (eve.): (609) 884-8248

Fax No.: (609) 889-0498

SS#: 144-22-2688

Fed. ID#: \_\_\_\_\_

Form of Business: \_\_\_\_\_ (Use code from Appendix (A), Item A)

Standard Industrial Classification Code: 0115 (See Appendix A, Item E)

B. Write the farm, corporate or business name, if any.

\_\_\_\_\_

C. Fill in the name of person(s), if any, residing on the property.

Nancy McPherson

\_\_\_\_\_

2. PROPERTY DESCRIPTION:

A. Write the street address of the property

1036 Seashore Rd.

Cape May, NJ 08204

Location:

- Describe the location of the farm:  
1/3 mile south of Cape May Canal on Seashore Rd.  
 (Ex. 1/4 mile N.E. of intersection of Oak Rd. & Creek Rd.)
- Nearest Town: Cold Spring (Name)

B. Identify the tax block and lot and deed reference of the premises.

Block <u>752.01</u>	Lot(s) <u>10.01</u>	; Deed Book _____, Page _____	Block <u>752.01</u>
Block _____	Lot(s) _____	; Deed Book _____, Page _____	Proposed Lots:
Block _____	Lot(s) _____	; Deed Book _____, Page _____	<u>10.19 - 10.34 (inclusive)</u>
Block _____	Lot(s) _____	; Deed Book _____, Page _____	and Proposed Street R-o-W

See attached Subdivision Plan:

Recorded in: Lower Township, Cape May County

Please attach a copy of the deeds for the premises and tax maps. Subdivision Map attached

C. Total acreage of the premises described in Part B.

19.299 Acres

Source of acreage (deed, tax maps, survey and survey date)

Survey by William P. Sweeney, PLS

D. Will any portion of the above tax lots be excepted from the application (i.e. not included)? Yes  No

If yes, identify the location, approximate shape and the acreage of the excepted area(s) on a tax map or survey.

EXCEPTIONS:

Exceptions mean portions of the applicant's land holdings which are not to be encumbered by the deed restrictions contained in N.J.A.C. 2:76-6.15.

Note: If an exception has been requested, please complete Addendum A.

What is the net acreage of the premises to be considered for easement purchase (total acreage less excepted acreage)?

19.299 Acres

E. What is the total number of residential units on the premises?  
none

Please identify the residential units on the premises by type as listed below:

1. Single Family Residential Buildings # N.A.

Standard single family housing \_\_\_\_\_

Manufactured home with permanent foundation \_\_\_\_\_

Other \_\_\_\_\_

2. Multifamily Residential Buildings # N.A.

Duplex \_\_\_\_\_

Single Family with apartment \_\_\_\_\_

Other \_\_\_\_\_

3. Residential Buildings for Agricultural Labor

# N.A.

Single family house \_\_\_\_\_

Dormitory style \_\_\_\_\_

Manufactured home with permanent foundation \_\_\_\_\_

Manufactured home without permanent foundation \_\_\_\_\_

Apartment \_\_\_\_\_

Other \_\_\_\_\_

4. Other: N.A.

List below all units specified above currently leased for nonagricultural purposes.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Note: Mobile homes should be considered under the manufactured home category.

F. Are you requesting the option to build future residences pursuant to N.J.A.C. 2:76- 6.17 (Residual Dwelling Site Opportunities - RDSO's)? (1 per 100 acres). \_\_\_\_\_ Yes X No

If yes, please explain on an attached sheet. Additional housing units are subject to negotiation and approval.

G. Are there presently any non-agricultural uses or activities on the premises: (examples: office for a non-farm commercial business, antique shop or other service business, rental of buildings for non-farm use) \_\_\_\_\_ Yes X No

If the answer to (G) is "yes", then complete Addendum (B).

Only those uses listed in Addendum B will be considered for inclusion in the Deed of Easement at the time of closing.

H. Is there a pending or approved subdivision or site plan application for the premises? \_\_\_\_\_ Yes X No

a. Is the subdivision approval preliminary? (Y/N): Y

b. Is the subdivision approval final? (Y/N): Y

If the answer to (H) is "yes", then complete Addendum (C).

I. Is the premises served by public sewer: \_\_\_\_\_ Yes X No

Is the premises served by public water: \_\_\_\_\_ Yes \_\_\_\_\_ No

J. Please list and briefly describe all structures on the premises (barns, sheds, etc....)

\_\_\_\_\_  
\_\_\_\_\_

3. AGRICULTURAL USE AND PRODUCTION

A. List in order of importance, the type of agricultural enterprises on the premises (e.g. dairy, field crops, orchard, etc.) Field crops  
(Com, Hay, etc.) \_\_\_\_\_

B. Identify the appropriate acreage and/or percentage land use of the parcel to be considered for easement purchase.

Tillable cropland	<u>19</u>	Acres	<u>98.4</u>	%
Pasture	_____	Acres	_____	%
Orchard	_____	Acres	_____	%
Nursery	_____	Acres	_____	%
Woodland	<u>0.3</u>	Acres	<u>1.6</u>	%
Farmstead	_____	Acres	_____	%
Other (specify)	_____	Ac	_____	%

Attach copy of farmland assessment application.

C. Does the farm have a current Farm Conservation Plan?  
\_\_\_\_\_ Yes  No

D. Please describe all soil and water conservation practices.  
\_\_\_\_\_  
\_\_\_\_\_

APPLICANT SHALL OBTAIN WITHIN ONE YEAR OF THE DATE OF EASEMENT, A FARM CONSERVATION PLAN APPROVED BY THE LOCAL SOIL CONSERVATION DISTRICT, PURSUANT TO N.J.A.C. 2:76-6.15(a)7i.

Yes

E. Is the farm currently enrolled in an 8-year program?  
\_\_\_\_\_ Yes  No

4. SPECIAL CONSIDERATIONS:

A. Identify anything particularly special about the premises (historical significance, uniqueness of the agricultural operation, environmental significance, etc.) Property has been an active farm  
for over 100 years.

B. Are you a full-time farmer?  Yes \_\_\_\_\_ No

C. Is farming your primary income source?  
 Yes \_\_\_\_\_ No (brother) Charles Taylor

5. LIENS/EASEMENTS/RIGHTS-OF-WAY: Please list all liens, rights-of-way that exist on the premises and identify the approximate location on a tax map:

See attached Subdivision Map

NOTE: The applicant shall receive preliminary approval from the current lien easement and right-of-ways holders granting the applicant permission to proceed with negotiations involving the sale of a development easement. Please attach letter(s) of approval.

N/A

This preliminary commitment is NOT a final subordination of all rights. In accordance with N.J.A.C. 2:76-6.13, where the landowner has accepted an offer to sell a development easement, the landowner shall provide evidence that the current lien, easement and right-of-way holders, as required by the Committee and Board, subordinate their rights to the rights and privileges granted by the sale of the development easement to the Board and shall supply recordable evidence of their subordination at the time of the transfer of the easement.

Regarding public utility easements, the applicant shall note if any exist. The Board will determine if the easement holder should be notified or if a waiver should be granted.

(1) Is there an existing pond or well on the farm?  
X Yes \_\_\_\_\_ No

Location Irrigation well adjacent to barn  
on adjacent homestead parcel

(2) Do you have an NJDEP Agricultural Water Use Certification?  
X Yes \_\_\_\_\_ No

6. ADDITIONAL INFORMATION: The Board may request additional information.

(1) 7 Year Documented history of farming X Yes \_\_\_\_\_ No  
(Assessment forms or letter from assessor or income tax forms)

(2) If warranted due to a shortfall of funding applicant is willing to take a multi-year payout. .... X Yes \_\_\_\_\_ No

The landowner hereby gives the Board permission to proceed with the review and evaluation of this APPLICATION to determine the suitability of the land for development easement purchase pursuant to N.J.S.A. 4:1C-11 et. seq., P.L. 12983, c.32 and N.J.A.C. 2:76-6.

<i>Nancy T. McPherson</i>	3/23/11
Landowner(s) Signature(s)	Date

All persons listed on the deed must sign above.

Return this application to: Farmland Preservation  
DN 309, 4 Moore Road  
Cape May Court House, N.J. 08210

The undersigned landowner hereby certifies that all information provided in the within application is true. The undersigned landowner understands that the Cape May County Agriculture Development Board and/or the County of Cape May reserves the right to take any necessary action against said landowner to procure the return of any funds advanced for the purchase of a development easement in the event it is determined that the landowner supplied false or misleading information in the within application.

Nancy J. McPherson

Name of Landowner

Ms. Nancy McPherson

\_\_\_\_\_  
Name of Landowner

Sworn and subscribed before me

this 23<sup>rd</sup> day of March, 20 11.

Marian I. Raff

Notary Public (Print Name and Title below signature)

**MARIAN I. RAFF**  
**NOTARY PUBLIC OF NEW JERSEY**  
**Commission Expires 9/2/2013**



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

RESOLUTION # 2014-201

**TITLE:** A RESOLUTION SUPPORTING NEW JERSEY STATE ASSEMBLY BILL NO. 2622, "NEW JERSEY TUITION EQUALITY FOR AMERICA'S MILITARY (NJTEAM) ACT"

**WHEREAS,** New Jersey State Assembly Bill No. 2622 was sponsored locally by Assemblyman Bob Andrzejczak, along with 14 other Assemblypersons; and

**WHEREAS,** Assembly Bill No. 2622 provides in-State tuition at New Jersey public institutions of higher education to military veterans; and

**WHEREAS,** United States Military Personnel and their dependents who are living in New Jersey and are attending public institutions of higher education in New Jersey shall be regarded as residents of the State for the purpose of determining tuition; and

**WHEREAS,** a Veteran for the purpose of this bill is a person who has served on active duty in the Armed Forces of the United States and who was discharged or released therefrom under conditions other than dishonorable; and

**WHEREAS,** this bill will serve the residents of the Township of Lower as well as residents of the State to better educate their children.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Lower as follows:

1. The governing Body of Lower Township endorses and supports Assembly Bill No. 2622 as sponsored in part by Assemblyman Bob Andrzejczak
2. The governing body urges all municipalities in Cape May County to pass similar resolutions supporting Assembly Bill No. 2622

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on July 7, 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 # 2014-202

**TITLE: A RESOLUTION SUPPORTING NEW JERSEY STATE ASSEMBLY BILL NO. 2831/A-783  
"REDUCES THRESHOLDS FOR CERTAIN HEROIN OFFENSES"**

**WHEREAS**, New Jersey State Assembly Bill No. 2831/A-783 was sponsored locally by State Assemblyman Bob Andrzejczak, along with 3 other State Assemblypersons; and

**WHEREAS**, Assembly Bill No. 2831/A-783 decreases the thresholds for certain offenses involving heroin with regard to manufacturing, distributing or dispensing heroin, or having heroin under one's control with the intent to manufacture, distribute or dispense; and

**WHEREAS**, heroin is inexpensive and readily available, with demand having grown sharply in recent years, and its use is no longer limited to "problem" areas, but rather it is pervasive in nearly every community throughout the state; and

**WHEREAS**, the seriousness of drug crimes is measured by the amount or weight of the controlled dangerous substances involved in the crime. Current law provides for equivalent weights and quantities of heroin and cocaine to be treated identically, which ignores the differences between how those two drugs are dealt with and used.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Lower as follows:

1. The governing Body of Lower Township endorses and supports Assembly Bill No. 2831/A-783 as sponsored in part by Assemblyman Bob Andrzejczak
2. The governing body urges all municipalities in Cape May County to pass similar resolutions supporting Assembly Bill No. 2831/A-783

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on July 7, 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 # 2014-203

**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 current budget for Salaries and Wages.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Lower that payment to Brian Donahue in the amount of \$2,722.71 is authorized and chargeable to the 2014 Budget account 4-01-25-240-124.

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on July 7, 2014.

\_\_\_\_\_  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

7/10/14

LOWER TOWNSHIP POLICE DEPARTMENT

SPECIAL REPORT

TO: Chief William Mastriana

FROM: Patrolman Brian Donaue

DATE: June 26, 2014

SUBJECT: Comp Time

Chief Mastriana,

This Special Report is being submitted to request permission to cash out my unused comp time of 63hrs. This will be used to pay off some outstanding personal dept that I have incurred. Thank you for your consideration.

Respectfully Submitted,

*PTM B Donaue #156*

Brian Donahue  
Patrolman Badge 156

C File

Date

Officer

Comments

C File	Date	Officer	Comments
		<i>PTM B Donaue</i>	<i>Forward to Top</i>

$$\begin{array}{r}
 43,2176 \\
 \times \quad 63 \\
 \hline
 2722.71
 \end{array}$$

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

RESOLUTION # 2014-204

**TITLE: NOTICE OF AWARD OF NJPA CONTRACT TO NAPA GENUINE PARTS COMPANY UNDER A NATIONAL COOPERATIVE PURCHASING AGREEMENT CONTRACT**

**WHEREAS,** Lower Township Council approved Resolution #2014-165 at the meeting of June 2, 2014 resolving its intent to participate in the National Joint Powers Alliance (NJPA) contract for NAPA Auto & Truck Parts, Contract #031212-GPC, to purchase NAPA equipment, replacement parts and accessories; and

**WHEREAS,** the Township of Lower anticipated joining the NJPA contract with NAPA Genuine Parts Company, and provided the required legal advertisement notice on June 4, 2014 and the contract term is for the period on one year, April 12, 2014 and will expire on April 12, 2015; and

**WHEREAS,** the Township Public Works Director and the Qualified Purchasing Agent determined the cost savings would be beneficial to the Township and recommends the approval of contract award:

*NAPA –Genuine Parts Company*

Pursuant to the proposal submitted in response to the NJPA for an Request for Proposals  
Contract Period: April 12, 2014 expires April 12, 2015.

*Budget Account:* \_\_\_\_\_

*CFO Signature:* \_\_\_\_\_

**WHEREAS,** the Township of Lower is permitted to join national cooperative purchasing agreements under the authority of N.J.S.A. 52:34-6.2(b)(3).

**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.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on July 7, 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 #2014-205

TITLE: ISSUANCE OF ICE CREAM SALESMAN LICENSES FOR THE YEAR 2014

WHEREAS, Edward String has submitted an application for an Ice Cream Salesman Licenses with Mr. Softee for the year 2014; and

WHEREAS, all required paperwork and fees have been received for the license.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower that the Clerk be authorized to issue the following license for the year 2014.

Ice Cream Salesman License  
Edward String – Mr. Softee

BE IT FURTHER RESOLVED, that anyone selling in conjunction with this license will do so only upon proper application and license approval by the Township.

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on July 7, 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 #2014-206

**TITLE: RENEWAL OF COMMERCIAL EXCAVATION (GRAVEL PIT) LICENSES FOR THOMAS F. BRODESSER, JR.**

**WHEREAS**, Thomas F. Brodesser, Jr. has made application for renewal of commercial excavation (gravel pit) licenses; and

**WHEREAS**, the applicant has paid the appropriate fees and is currently in compliance with the regulations of the Cape Atlantic Conservation District.

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

1. That the renewal of the commercial excavation license for the following are hereby approved:  

<b>Block 410.01</b>	<b>Lots 30.01, 31 &amp; 32</b>
<b>Block 410.01</b>	<b>Lots 9.01, 11.01 &amp; 18.01</b>
2. That all such licenses shall remain in full force and effect through July 15, 2015.
3. That the renewal of such licenses shall be conditioned on there being no further commercial activity conducted on the licensed premises without first obtaining all required Township and/or State licenses and permits and that a violation of this condition shall be grounds for revocation of the license.
4. The issuance of the licenses is further conditioned on the licensee's compliance with all applicable Federal, State and local laws and that a conviction of any Federal, State or local law shall be grounds for revocation of the license.

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on July 7, 2014.

\_\_\_\_\_  
Julie A Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ANSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						



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

RESOLUTIUON #2014-208

TITLE: APPOINTMENT TO THE MUNICIPAL UTILITIES AUTHORITY BOARD

WHEREAS, Nels Johnson tenured his resignation from the Municipal Utilities Authority Board and the remainder of this term which expires February, 2018 needs to be filled; and

WHEREAS, Council has reviewed the applications on file.

NOW, THEREFORE, BE IT RESOLVED the following individual is hereby appointed.

<u>NAME</u>	<u>TYPE</u>	<u>TERM EXP</u>
	Regular Member	February, 2018

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on July 7, 2014 .

\_\_\_\_\_  
Julie A Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
SIMONSEN						
CLARK						
BECK						

FOR TOWNSHIP USE ONLY

Res. # \_\_\_\_\_

Board/Comm./Auth. \_\_\_\_\_

Term Exp. \_\_\_\_\_

Replaced \_\_\_\_\_ or Reappointed \_\_\_\_\_

TOWNSHIP OF LOWER  
CITIZEN LEADERSHIP FORM

RECEIVED  
6-16-14 p

NAME JACK SPARKS

CITY AND STATE NORTH CAPE MAY, N.J.

YEARS OF RESIDENCY IN TOWNSHIP 50 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.

Please See Attached

Date: 6/16/14 Signature: [Signature] (VALID FOR ONE YEAR FROM DATE OF RECEIPT)

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

\*PERSONAL INFORMATION NOT SUBJECT TO PUBLIC DISCLOSURE

Address of Residence \_\_\_\_\_ Email \_\_\_\_\_

Primary Phone Number \_\_\_\_\_ Work Phone Number \_\_\_\_\_

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

# JACK SPARKS

## PERSONAL DATA

Residence:

53 Croydon Drive

North Cape May, New Jersey 08204

1-609-886-8071

Date of Birth: June 2, 1938

Married to Pati Catanoso; 3 children: Art, Kelly and Christy:

4 grandchildren; 5 step-grandchildren

## PROFESSIONAL

Member of the Pilots' Association for the Bay and River Delaware 1961 to 1992.

Association's Director, 1981 to 1983

Association's President, 1983 to 1989

National Vice President, American Pilots' Association, Inc., from 1984 to 1992

National President, American Pilots' Association, Inc., from 1992 to 2000

Inducted into Who's Who's In America, 1996

## GOVERNMENTAL POSITIONS

Township Committee, Lower Township from 1972 to 1973

Mayor of Lower Township from 1973 to 1976

Commissioner of the Delaware River and Bay Authority from 1982 to 1992

Elected Chairman of the Delaware River and Bay Authority 1988 to 1992

Mariner's Advisory Council 1985 to 2000.

Commissioner of the Philadelphia Port Corporation from 1985 to 1992

Vice Chairman of the Philadelphia Port Corporation from 1987 to 1992

Past President, Ports of Philadelphia Maritime Society

## EDUCATION

Attended Wildwood School System from 1943 to 1954

Graduate of Valley Forge Military Academy 1956

Attended University of Miami 1956-1957

Apprentice Pilot from 1957 to 1961

## CIVIC/RELIGIOUS

Episcopalian

Life Member Optimist Club

Masonic Lodge No. 177 - 50 yaers

Member A A P D

FOR TOWNSHIP USE ONLY

Res. # \_\_\_\_\_ Board/Comm./Auth. \_\_\_\_\_

Term Exp. \_\_\_\_\_ Replaced \_\_\_\_\_ or Reappointed \_\_\_\_\_

1-23-14 ps

TOWNSHIP OF LOWER  
CITIZEN LEADERSHIP FORM

NAME Robert S. Rizzo

CITY AND STATE North Cape May, N.J.

YEARS OF RESIDENCY IN TOWNSHIP 13 OCCUPATION Retired Educator

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

- 1 \_\_\_\_\_ 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 attached letter.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date: 1/23/14 Signature: Robert S. Rizzo (VALID FOR ONE YEAR FROM DATE OF RECEIPT)

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

January 23, 2014

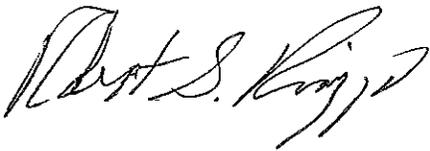
To Mayor Michael Beck and Council Members,

The following are qualifications I believe would be helpful in fulfilling my obligation to serve as a board member of the Lower Township M.U.A. I am a retired educator with a Master's Degree in education from Temple University. I worked for the School District of Philadelphia for over 33 years. I served as union representative during many years of my working tenure. I am currently serving as a member of the Lower Township Environmental Commission. For many years I served as president and member of the Mickel's Run Land Owners Association consisting of 114 members. I regularly attend most Lower Township Council meetings, the M.U.A. board meetings, and have a great deal of interest in my community as a whole.

As a resident of Ward 3 and a consumer of M.U.A. services, I feel that this ward has had no representation for a number of years and I believe there are problems that need to be addressed. I would like to be considered as a future board member so I can be a part of the solution of the current difficulties. I feel I am well qualified due to my continuing interest in the township and the M.U.A., as well as the items listed previously.

In conclusion, your consideration of my appointment as board member would be greatly appreciated. I believe I would be a great asset to the M.U.A. and its' current and future customers.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert S. Rizzo". The signature is written in a cursive style with a large, sweeping initial "R".

Robert S. Rizzo

FOR TOWNSHIP USE ONLY

Res. # \_\_\_\_\_

Board/Comm./Auth. \_\_\_\_\_

Term Exp. \_\_\_\_\_

Replaced \_\_\_\_\_ or Reappointed

TOWNSHIP OF LOWER  
CITIZEN LEADERSHIP FORM

NAME Jackie Henderson

1-9-14

CITY AND STATE North Cape May, NJ

YEARS OF RESIDENCY IN TOWNSHIP 18+ OCCUPATION Homemaker

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

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

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

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

Please see resume on other side.

Date: 1-8-14

Signature: Jackie Henderson

(VALID FOR ONE YEAR FROM DATE OF RECEIPT)

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

Jacqueline Underwood Henderson  
2 Ringneck Court, North Cape May, NJ  
609/884-3195  
[capehender@comcast.net](mailto:capehender@comcast.net)

### **Objective**

To serve the people of Lower Township as a M.U.A. Board Member

### **Education**

Messiah College, 1992  
Bachelor of Science – Human Resource Management  
Minor – Psychology

### **Work Experience**

HR Assistant – PHH US Mortgage Corporation (1000+ employees)  
\*Compensation, Payroll, Benefits, and Employee Morale Programs  
Innkeeper Assistant – Queen Victoria, The Abbey, The Summer Cottage Inn  
\*Reservations, Breakfast, Guest Contact, Concierge, Room Detailing

### **Related Experience**

Cape May County Library Commission, 2006 – present  
\*Current position – Vice Chair  
\*Current budget of \$9 million, responsibilities include passing of annual budgets, public resolutions, HR resolutions, approval of building renovations and new library infrastructure  
Past Parent Volunteer for West Cape May Cub Scout Pack 73  
Past Parent Volunteer at Lower Twp. Elementary School  
\*Areas include PTA, classroom, office and library  
Parent Volunteer for West Cape May Boy Scout Troop 73  
\*Hospitality Chairperson  
Co-coordinator of Wm. Alvarez Christmas Toy Drive – Cape May Police Dept.  
\*Active participation for 19 years, 2013 participation of approximately 125+ children throughout Cape May County  
Active member of Lower Twp. Regular Republican Organization, 2008 – present  
\*Current position – Ward 3 Leader  
Board of Elections Poll Worker Ward 1  
Past temporary Council Member for Lower Township Ward 3, Sept. – Nov. 2013

### **Personal Background**

Lower Twp. resident, ratepayer and homeowner, 1996 - present  
Enjoys gardening, entertaining, cycling and jogging

FOR TOWNSHIP USE ONLY  
Res. # \_\_\_\_\_ Board/Comm./Auth. \_\_\_\_\_  
Term Exp. \_\_\_\_\_ Replaced \_\_\_\_\_ or Reappointed \_\_\_\_\_

TOWNSHIP OF LOWER  
CITIZEN LEADERSHIP FORM

NAME Joseph W. Mento 12-20-13

CITY AND STATE N. Cape May New Jersey

YEARS OF RESIDENCY IN TOWNSHIP 12+ OCCUPATION Tax Accountant

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"/> 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.

SEE ATTACHED  
CURRENT TERM ON MUA BOARD WILL EXPIRE 1/31/14  
REQUESTING CONSIDERATION TO BE RE-APPOINTED

Date: 12/17/13 Signature:  (VALID FOR ONE YEAR FROM DATE OF RECEIPT)

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

Joseph W. Mento  
13 Englewood Road  
Town Bank  
Cape May, NJ 08204

Graduate of Villanova University- Bachelor of Science in Economics; Major in Accounting.

Worked for public and private companies as CFO and/or CEO, including Board of Directors. One of the Founders, Director and CFO of Waste Resources a National Public Solid Waste firm. Also, worked for Public Accounting firms. Still actively self employed as a tax accountant working mainly for Cape Bookkeeping & Tax Centre in Cape May and Noll and Company, CPA's - Malvern, Pa.

Long time Member of the Board of Directors of the Southeastern Chester County Refuse Authority [SECCRA in Pennsylvania] serving the last 3 years as Chairman. Resigned in March 2002 to move to present home in Town Bank.

Served as Auditor [elected position] of Penn Township, Chester County Pa. for six years.

Active in other community affairs in Pennsylvania.

We purchased our home in Town Bank January 2000 and made it our permanent home in April 2002. Since I was very active in community affairs in Pennsylvania I would like to become more active now that we are residents of Lower Township. I feel my extensive experience, both work and community related, makes me qualified to serve on the MUA Board.

FOR TOWNSHIP USE ONLY

Res. # \_\_\_\_\_ Board/Comm./Auth. \_\_\_\_\_

Term Exp. \_\_\_\_\_ Replaced \_\_\_\_\_ or Reappointed \_\_\_\_\_

TOWNSHIP OF LOWER  
CITIZEN LEADERSHIP FORM

NAME BRIAN MCEWING

RECEIVED  
12-16-13

CITY AND STATE LOWER TOWNSHIP, NEW JERSEY

YEARS OF RESIDENCY IN TOWNSHIP 28.5 OCCUPATION ATTORNEY

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"/> 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.

\_\_\_\_\_  
(SEE ATTACHED COVER LETTER AND RESUME)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: 12/13/11 Signature:  (VALID FOR ONE YEAR FROM DATE OF RECEIPT)

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

681 Town Bank Rd.  
Cape May, NJ 08204  
Telephone: 609-846-4717  
mcewing@lawofsea.com

12-16-13

December 13, 2013

Via Email Only  
clerk@townshipoflower.org

Ms. Julie Picard, Clerk  
Township of Lower  
2600 Bayshore Rd.  
Villas, NJ 08251

**Re: Municipal Utilities Authority Vacancy**

Dear Ms. Picard,

Enclosed please find my application for consideration of appointment by Township Council for the upcoming February 2014 vacancy on the Municipal Utilities Authorities Board. I will make myself available to Council for any process deemed appropriate and necessary in making their selection.

I ask that you kindly copy this cover letter and its enclosures to all council members. I look forward to the process and service to our community should I be so appointed.

Respectfully submitted,



Brian McEwing

Enclosures

# BRIAN McEWING

December 2013

681 Town Bank Rd.  
Cape May, NJ 08204  
609-846-4717  
[mcewing@lawofsea.com](mailto:mcewing@lawofsea.com)

## Employment History

- Partner, REEVES McEWING, LLP (Litigation and Transactions, March 2011–Present)
- Of Counsel, Donna Adelsberger & Associates, PC (Maritime Litigation, 2008-2011)
- Owner, McEwing Law, LLC, Cape May, NJ (General Legal Practice 2008-2011)
- Retired in 2008 after 25 years of service with Delaware River and Bay Authority
- Eight years as department head with oversight of 150 employees and \$10M budget
- More than fifteen years as manager for public employer
- More than twenty years as merchant marine officer on ships of unlimited tonnage
- Extensive experience in public employment matters

## Education

- **JURIS DOCTORATE** (2003 - 2008)  
*RUTGERS UNIVERSITY - SCHOOL OF LAW,* CAMDEN, NEW JERSEY  
TRAINED MEDIATOR; PARTICIPATED IN THE CRDC PRO BONO MEDIATION PROJECT
- **BACHELOR OF ARTS, POLITICAL SCIENCE** (1995 - 2001)  
*Rutgers University* Camden, New Jersey  
Highest Honors  
Pi Sigma Alpha Honor Society  
Alpha Sigma Lambda Honor Society  
*Departmental Honors -* Jack Marvin Wiener award for highest academic achievement of a graduating political science student.  
*University Honors -* Arthur E. Armitage award for highest academic achievement of a graduating University College student.
- **ASSOCIATE OF SCIENCE, COMPUTER INFORMATION SYSTEMS** (1990 - 1995)  
*Atlantic County Community College* Mays Landing, New Jersey  
Highest Honors

## Licensing/Certification

- Licensed attorney in both Pennsylvania and New Jersey
- Master Inland, Any Gross Tons; Master Oceans, not more than 1600 gross tons.
- 2nd Mate, Oceans, any gross tons.
- Pilot, upon the Delaware Bay from Sea to Brandywine Shoal, Any Gross Tons
- Radar Observer/ FCC Radio Permit

## Memberships/Community/Business Leadership

- Commissioner, New Jersey Maritime Pilot and Docking Pilot Commission
- Cape May County Bar Association
- New Jersey Bar Association
- Propeller Club of New York Harbor
- Marine Trades Association – NJ
- Mariner's Advisory Committee, Bay and River Delaware
- Maritime Law Association
- Director, Four Chaplains Foundation
- Mock Trial Coach – Cape May Technical High School
- Presenter – PVA panel at 2006 Harbor Safety Committee Conf. Washington, DC
- Presenter – Marine Log Security Conference, Washington, DC
- Past Board member and past president of the DRBA Federal Credit Union
- Past Board Member and Past Commodore, Corinthian Yacht Club of Cape May

FOR TOWNSHIP USE ONLY

Res. # \_\_\_\_\_

Board/Comm./Auth. \_\_\_\_\_

Term Exp. \_\_\_\_\_

Replaced \_\_\_\_\_ or Reappointed

TOWNSHIP OF LOWER  
CITIZEN LEADERSHIP FORM

10153121000  
11-18-13

NAME GLEND DOUGLASS

CITY AND STATE NORTH CAPE MAY N. J.

YEARS OF RESIDENCY IN TOWNSHIP 54 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.

MUNICIPAL GOVERNMENT EXPERIENCE.  
CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY  
FORMER EMPLOYEE SEVEN MILE WASTEWATER  
TREATMENT FACILITY (ASST. MECHANIC)  
HEAVY CONSTRUCTION / EQUIPMENT OPERATIONS  
EXPERIENCE WATER & SEWER INSTALLATION  
ROAD CONSTRUCTION.

Date: 11/18/13

Signature: [Handwritten Signature]

(VALID FOR ONE YEAR FROM DATE OF RECEIPT)

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

# PERSONNEL ACTIONS

Report for Council Meeting of 7/07/2014

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<u>Department</u>	<u>Name</u>	<u>Eff. Date</u>	<u>Replaces</u>	<u>Action</u>	<u>Title</u>	<u>Budgeted Item</u>
DPW	Bailey, Dawn	06/23/2014		new hire	temp laborer	yes
DPW	Hewitt, Devin	06/23/2014		new hire	temp laborer	yes
DPW	Rotondi, Giovanni	06/23/2014		new hire	temp laborer	yes
DPW	Williams, Richard	06/23/2014		new hire	temp laborer	yes
DPW	Yacabell, Gregory	06/16/2014		seasonal	recycle prog. aide	yes
DPW	Oliver, Michael	07/07/2014	Giuffrida, Michael	new hire	interim laborer	yes
Recreation	Betz, Matthew	06/24/2014		resignation	rec aide	yes

Date of report 07/01/2014

c: Manager  
Clerk  
Payroll  
Asst. Treasurer  
Personnel Director  
Bulletin Board  
File

*Clerk's*  
Register Report  
6/1/2014 Through 6/30/2014

7/1/2014

Page 1

Account	Description	Memo	Category	Amount
<b>INCOME</b>				
	TOTAL Business Mercantile 2014-2015			1,675.00
	TOTAL Campgrounds & Trailers			104.00
	TOTAL Gravel Pit			300.00
	TOTAL Licenses & Permits			330.00
	TOTAL Rental Merc 2014-2015			105,767.70
	TOTAL Scrapper			10.00
	TOTAL Street Openings			450.00
	TOTAL Yard Sales			630.00
	<b>TOTAL INCOME</b>			<b>109,266.70</b>
<b>EXPENSES</b>				
	TOTAL Ice Cream Salesman			20.00
	<b>TOTAL EXPENSES</b>			<b>20.00</b>
<b>TRANSFERS</b>				
	TOTAL Council Checking			-109,286.70
	<b>TOTAL TRANSFERS</b>			<b>-109,286.70</b>
			<b>OVERALL TOTAL</b>	<b>0.00</b>



	<u>Total</u>	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>
<b>BEG. BAL. JAN. 1, 2014</b>	<b>5,744,728.47</b>	<b>5,744,728.48</b>	<b>5,774,309.15</b>	<b>6,331,025.67</b>	<b>3,261,217.78</b>	<b>2,618,353.73</b>
<b>RECEIPTS:</b>						
Per Revenue Status	32,638,473.07	6,025,111.65	7,562,315.84	1,806,429.30	8,927,150.58	8,317,465.70
less: post cash surplus	(2,065,000.00)				(2,065,000.00)	
Interest due from Escrow	(77.62)	(17.98)	(15.81)	(16.73)	(16.13)	(10.97)
Interest due from Capital	(202.69)	(37.78)	(56.67)	(86.56)	(20.58)	(1.10)
	<b>30,573,192.76</b>	<b>6,025,055.89</b>	<b>7,562,243.36</b>	<b>1,806,326.01</b>	<b>6,862,113.87</b>	<b>8,317,453.63</b>
<b>Transfers:</b>						
Capital	1,200,000.00				1,200,000.00	
<b>Grants Received:</b>						
JIF \$ RECD	3,555.48	2,000.00	1,555.48			
SC \$ RECD	109,882.00		36,788.00		32,851.00	40,243.00
BODY ARMOR? \$ RECD	3,725.00			1,117.50		2,607.50
<b>2015 Commercial Trash</b>	<b>0.00</b>					
117,162.48						
<b>TOTAL RECEIPTS:</b>	<b>31,890,355.24</b>	<b>6,027,055.89</b>	<b>7,600,586.84</b>	<b>1,807,443.51</b>	<b>8,094,964.87</b>	<b>8,360,304.13</b>
<b>DISBURSEMENTS:</b>						
2013 Reserves	664,757.68	579,841.50	39,467.21	21,958.88	3,318.37	20,171.72
2014 Current	32,650,035.59	5,417,269.88	6,850,951.31	5,112,515.92	8,924,267.77	6,345,030.71
2014 Capital	751,064.13	91,279.36	421,838.37	34,479.97	170,113.06	33,353.37
less: CIF post	(95,000.00)				(95,000.00)	
less: Def chgs reassess	(37,000.00)					(37,000.00)
less: Def chgs sp em	(200,000.00)					(200,000.00)
<b>Appropriation Refunds:</b>	<b>(1,260,336.29)</b>	<b>(90,915.52)</b>	<b>(268,386.57)</b>	<b>(291,703.37)</b>	<b>(264,870.28)</b>	<b>(344,460.55)</b>
<b>TOTAL DISBURSEMENTS</b>	<b>32,473,521.11</b>	<b>5,997,475.22</b>	<b>7,043,870.32</b>	<b>4,877,251.40</b>	<b>8,737,828.92</b>	<b>5,817,095.25</b>
<b>END. BAL. DEC. 31, 2014</b>	<b>5,161,562.60</b>	<b>5,774,309.15</b>	<b>6,331,025.67</b>	<b>3,261,217.78</b>	<b>2,618,353.73</b>	<b>5,161,562.61</b>
Total Appropriation Refunds	(1,260,336.29)	(90,915.52)	(268,386.57)	(291,703.37)	(264,870.28)	(344,460.55)

<b>Bank Balance</b>						
Checking	6,718,850.46	6,120,451.79	3,978,792.85	3,315,646.62	4,936,961.68	
Online Payment Acct	113,162.24	171,556.50	30,583.59	42,586.65	192,270.68	
Total Bank Balance	6,832,012.70	6,292,008.29	4,009,376.44	3,358,233.27	5,129,232.36	
ADD: Deposits in Transit	611,365.77	115,552.86	1,415,005.57	923,697.04	86,864.93	
LESS: Outstanding Checks	(1,669,069.32)	(76,535.48)	(2,163,164.23)	(1,663,576.58)	(54,534.68)	
<b>Adjusted Bank Balance</b>	<b>5,774,309.15</b>	<b>6,331,025.67</b>	<b>3,261,217.78</b>	<b>2,618,353.73</b>	<b>5,161,562.61</b>	
	0.00	0.00	0.00	0.00	0.00	

Township of Lower  
Treasurer's Report  
YTD: 2014

## Deposits in Transit:

3,104.91
880.00
35,525.00
8,170.00
624.00
985.00
1,198.00
18,315.77
16,747.25
225.00
1,090.00
<b>86,864.93</b>

## Outstanding Checks:

52240	15.00
52287	23.12
52323	662.42
52358	15.00
52399	5.00
52401	150.00
52413	377.00
52497	296.00
52503	1,200.00
52548	202.50
52581	105.66
52586	750.00
52588	155.00
52589	150.00
52605	5.00
52610	7,264.50
52617	25.00
52618	152.00
52626	480.00
52639	210.00
52645	4,166.67
52646	500.00
52648	90.00
52653	60.00
52656	25.00
52660	50.00
52664	35,000.00
52665	2,039.81
52666	360.00
<b>54,534.68</b>	

**2014 CASH RECEIPTS  
JUNE**

Township of Lower  
Office of the Tax Collector

	MONTH TO DATE	YEAR TO DATE
<b>Receipts</b>		
Current year taxes (2014)	529,263.91	26,949,899.74
Prior year taxes (2013)	750.00	808,543.18
Arrears (2012)		2,266.91
Municipal lien	1,525.08	3,173.19
Recording	12.00	76.00
Bankruptcy		123.12
MUA CHARGES		191,928.27
Municipal service Fees	7,230.00	45,846.67
Tax Search Fees		20.00
Interest	9,594.94	97,560.68
Tax Sale Cost		20,785.85
Lot clearing		12,520.00
Returned Check Fees	(20.00)	300.00
Duplicate Bills	10.00	500.00
Trash	9,109.00	25,765.50
Premium		425,800.00
<b>TOTAL DEPOSITS</b>	<b>557,474.93</b>	<b>28,585,109.11</b>
<b>DEPOSITED TO COUNCIL CHECK</b>	<b>503,995.34</b>	<b>27,428,618.11</b>
<b>DEPOSITED TO WIPP ACCOUNT</b>	<b>53,479.59</b>	<b>730,691.00</b>
<b>PREMIUM ACCOUNT</b>		<b>425,800.00</b>
<b>TOTAL DEPOSITS</b>	<b>557,474.93</b>	<b>28,585,109.11</b>
NSF Reversals	1,913.14	27,440.35
<b>TOTAL</b>	<b>555,561.79</b>	<b>28,557,668.76</b>

Prepared by Susan Jackson