

WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL

March 4, 2013 - 6:00 P.M.

Meeting called to order.

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

Work Session

Presentation - Department of Public Works - Gary Douglass, Superintendent
Linda Thomas, Recycling Coordinator

Consent Agenda

Approval of Minutes February 20, 2013
Res. #2013- 81 Payment of Vouchers \$447,759.71
Res. #2013-82 A Resolution Requesting Release of Revegetation and Restoration Guarantee for Dune Site Plan Block 512.14 Lot 17, Escrow #P09-06-06 (releasing \$1,000)
Res. #2013-83 Authorization for Refund of Taxes (2 properties paid twice)
Res. #2013-84 Appointment of Lindemon, Winckelmann, Deupree, Martin, Russel & Associates PC (LWDMMR) Without Public Bidding (\$41,227. Small Cities Public Facilities ADA Improvements project)
Res. #2013-85 Transfer of 2012 Appropriations (\$11,900. From Dispatch to Police & telephone)
Res. #2013-86 Resolution Supporting the Annual Greater Cape May Elk's/Tom Beheler Youth Basketball Tournament (contribution to ALS Hope of Cape May and Lower Twp Traveling Team)

Regular Agenda

Council Comments

Call to the Public

Adjournment

PUBLIC INFORMATION

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

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

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

COUNCIL MINUTES – February 20, 2013

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on February 20, 2013 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 Glenn Douglass
Deputy Mayor Norris Clark
Mayor Michael Beck

Also present: Charles W. Sandman, III, Solicitor, Michael Voll, Manager and Karen Fournier, Clerk's Office

Work Session

Budget Message - Manager Michael Voll

Manager's Annual Budget Message and 2013 Budget Introduction attached.

Manager Voll introduced Leon Costello, Municipal Auditor for Lower Township.

Mr. Costello announced that this is a legal budget that complies with all the state caps. The main factor contributing to the increase is lack of revenue, not an expenditure problem, pointing out that the Township is actually \$1,711,000 under what we can spend. Increases are rampant state wide, not just in Lower Township. Mr. Costello does not anticipate state revenue shortfalls to have an impact on state aid, however, the budget includes a state aid amount of \$1,563,000. Any amendments to the budget can be made on April 1st at the public hearing.

Manager Voll commended Township CFO, Lauren Read, for her diligent work with the budget. He affirmed that this is an adjustment year for the promise of the future.

Councilmember Conrad offered his gratitude to Lauren for her hard work and late hours working on the budget.

Councilmember Neville also thanked Lauren for her hard work.

Councilmember Douglass commended Lauren Read, Manager Voll and all Department Heads for working together to develop a good solid budget for the Township.

Deputy Mayor Clark simply stated "ditto".

Mayor Beck pointed out that Lower Township has the 3rd lowest average tax bill of the 16 municipalities on the New Jersey State Website; the 2 lowest being Woodbine and Dennis Township, neither of which have a police department. In addition, he substantiated other contributing factors to the budget and thanked Leon for his efforts.

Consent Agenda

Approval of Minutes	February 4, 2013
Res. #2013-71	Payment of Vouchers \$ \$1,633,594.78
Res. #2013-72	Recycling Tonnage Grant Resolution (annual resolution)
Res. #2013-73	Recycling Tonnage Grant Certification of Taxes Paid (annual resolution)
Res. #2013-74	Introduction of 2013 Budget
Res. #2013-75	A Resolution Confirming Citizen Appointments to the Special Economic Advisory Committee

Res. #2013-76
 Res. #2013-77
 Res. #2013-80

A Resolution Confirming the Appointments to the Citizen's Advisory Board
 Resolution Approving An Outdoor Flea Market (Holy Spirit Lutheran Church)
 A Resolution Supporting Senator Jeff Van Drew's Effort to Slow the Rate Increase
 Process of the Biggert-Waters Legislation of 2012.

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

Regular Agenda

Res. #2013-78 Appointment to the Zoning Board of Adjustment (alternate member)
 Motion to nominate Erik Collins moved by Councilmember Conrad, seconded by
 Councilmember Neville.

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

Res. #2013-79 Contract Award for Broker of Record for Health Insurance
 Deputy Mayor Clark informed that the Township pays over \$3,000,000 in health care costs per year. In an effort to save money on health care, he and Councilmember Douglass headed up a team to examine different brokers and negotiate a contract. After extensive meetings with both Marsh and McLennan and J. Byrne Agency, he has recommended to Council that the contract be awarded to Marsh & McLennan. Mayor Beck stated that this is the first time that healthcare has been examined to this extent. He appreciates the work of both the employees and the Council members that were involved in this lengthy process.

Motion to appoint Marsh & McLennan moved by Deputy Mayor Clark, seconded
 by Councilmember Conrad.

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

Ord. #2013-01 An Ordinance Amending Chapter 90, Article I through III of the Code of the
 Township of Lower - 1975 As Amended (Restating the Establishment of the Police
 Department) 2nd reading and public hearing

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

Ord. #2013-02

An Ordinance Amending Chapter 1 of the Revised General Ordinances of the Township of Lower (setting forth mandatory penalties for non-traffic offenses) 2nd reading and public hearing

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

Ord. #2013-03

An Ordinance Amending Ordinance #2012-21 Entitled "Salary and Benefit Ordinance for the Township of Lower" (adding Engineer to Ordinance) 2nd reading and public hearing

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

Ord. #2013-04

An Ordinance Amending Chapter 570 of the Revised General Ordinances of the Township of Lower (setting forth rules and regulations for "scrapping" in the Township) 2nd reading and public hearing

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

Ord. #2013-05

An Ordinance Amending Chapter 600 of the Revised General Ordinances of the Township of Lower (sets forth rules, regulations and fees for rotary towing within the Township) 2nd reading and public hearing

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

Ord. #2013-06

An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish A Cap Bank (annual ordinance) 2nd reading and public hearing

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

Administrative Reports

Personnel Action Report

Monthly Reports: Animal Control, Construction, Dog Licensing, Municipal Clerk, Municipal Court, Tax Collector, Treasurer, Vital Statistics

Council Comments

Councilmember Conrad offered best wishes to the new committees. He thanked the Employees, Manager, Treasurer and Clerk for their hard work. He also congratulated Karen Fournier for passing the CMR exam. Councilmember Neville summarized the situation involving FEMA and reassured that Council is working hard to get answers.

Councilmember Douglass thanked the committee members for their willingness to help their community and encouraged anyone still interested to apply. He also offered an alternative approach to spout off; for the public to contact a Councilmember or Township Manager to address issues within the Township. Deputy Mayor Clark, having recently attended the memorial service for David Douglass, reflected on the subject of sacrifice and commended Mayor Beck and Manager Voll for their compassion for our police officers. He also agreed with Councilmember Douglass about reaching out to Council for help as opposed to publishing their complaints in the paper. He thanked the many who stepped forward to help with economic development and announced the names of the committee members. He thanked Eileen, our camera person, and all who watch our meetings from afar.

Call to the Public

Fred Long of Cold Spring addressed Council to inquire about the budget being put onto the website. Mayor Beck replied that it will be posted on the website tomorrow morning.

Rob Marino, 13 Beach Ave, addressed Council regarding reconstruction to Beach Ave. He reiterated that the situation hasn't changed. He and several other homeowners on Beach Ave have lost large percentages of their properties. All they are requesting is a machine on the beach to move sand back where it belongs. The only thing DEP has offered is an emergency snow fence permit and a long list of things they cannot do. Is there anything that Council can do to help their situation?
Manager Voll stated that the Township's hands are tied.

Steve Sheftz of Town Bank addressed Council to extend his congratulations to Mr. Douglass on his appointment to Cape Regional. Mayor Beck also agreed congratulations were in order. Mr. Sheftz went on to say that Cape May has been making an issue regarding the amount of money they pay for Regional School Taxes. He stated that Lower Township is the third poorest community in the county and Cape May is the third richest. Cape May's population is high, but made up of wealthy people who live elsewhere. Mayor Beck wondered if there would be an appeal now if their school population had tripled during those intervening years, or if they would congratulate each other on the bargain they got. Mayor Beck, at the advice of our Solicitor, would not make any further comments concerning this issue.

Kevin Maloney, 644 Sunset Boulevard, who represents the Cape May Maritime Museum and Education Center, briefed Council on the museums status. They met with representatives of the DEP who signed an application permitting them to reconstruct the 1876 Lifesaving Station. The application will move forward to Trenton for final approval. They had an open house where 14 members of the community volunteered to build boats. The Maritime Museum is proposing to purchase a Scottish Skiff that will be used for a youth outreach boat building program where the high school will provide instructors and apprentices. Mr. Maloney also said that the museum is continuing to work on publishing their book. He then advised Council that the application that was submitted to the United States Department of the Interior for the Brandywine Lighthouse was awarded to Brandywine Shoal Lighthouse, Inc. The Maritime Museum has 15 days to petition for review. Mr. Maloney thanked Council and all the members of the Community for their continued support. Mayor Beck thanked him for the energy and exuberance he brings Council. Norris Clark encouraged Mr. Maloney to ask for the review to understand how the United States Department of the

Interior made their decision and to make sure they understood the application. Norris Clark also recommended looking into county open space funding for the Lifesaving Station.

Adjournment

There being no further comment, motion to adjourn moved by Councilmember Douglass, seconded by Councilmember Conrad. Meeting adjourned at 7:05 p.m. by verbal "ayes".

Mayor

Township Clerk

Approved:

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00651 MUNICIPAL UTIL AUTH DUMP FEES	13-00555	02/25/13	TIPPING FEES	Open	57,979.90	0.00		
00715 CAPE MAY LUMBER CO	13-00532	02/21/13	RETURN OF UNUSED ESCROW	Open	420.00	0.00		
00735 CATERINA SUPPLY, INC.*	13-00308	01/30/13	ADD. OUTFALL PROJECT	Open	414.50	0.00		
00775 CAPRIONI PORTABLE TOILETS, INC*	13-00516	02/20/13	CANAL PARK- HANDICAP TOILET UN	Open	96.50	0.00		
00784 CAPE MAY STAR & WAVE	13-00478	02/19/13	NOTICE OF PUBLICATIONS 2/13/13	Open	83.08	0.00		
00807 CDW-GOVERNMENT INC*	13-00312	01/30/13	OFFICE SUPPLIES	Open	100.00	0.00		
00825 COMCAST*	13-00467	02/15/13	MILLMAN CENTER INTERNET FEB	Open	70.96	0.00		
	13-00554	02/25/13	INTERNET MARCH 2013 FIRE SAFET	Open	<u>106.95</u>	0.00		
					177.91			
01201 DELL CORPORATION*	13-00371	02/05/13	ENGINEER/LISA COMPUTER	Open	2,846.55	0.00		
01254 JAMES DIETTERICH, II	13-00546	02/25/13	MEDICAL CLAIMS	Open	123.99	0.00		
	13-00547	02/25/13	MEDICAL CLAIMS	Open	<u>203.99</u>	0.00		
					327.98			
01365 GARY DOUGLASS	13-00508	02/20/13	MEDICAL CLAIMS-V	Open	349.00	0.00		
01389 EDDIE'S AUTO BODY*	13-00314	01/30/13	WHEEL ALIGNMENT /DURANGO	Open	55.00	0.00		
01490 ROBERT FESSLER	13-00588	02/27/13	MEDICAL CLAIMS-V	Open	260.00	0.00		
01603 GENERAL CODE PUBLISHERS*	13-00335	02/01/13	LAND USE BOOKS	Open	119.00	0.00		
01781 HATCH MOTT MACDONALD, LLC*	13-00552	02/25/13	PROFESSIONAL ENGINEERING	Open	27.00	0.00		
	13-00553	02/25/13	PROFESSIONAL ENGINEERING	Open	<u>661.50</u>	0.00		
					688.50			
01859 HESS CORPORATION	13-00559	02/25/13	ELECTRIC 01/21/13-02/19/13	Open	7,335.51	0.00		
02134 THOMAS KEYWOOD	13-00509	02/20/13	MEDICAL CLAIMS	Open	53.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02136 TED KINGSTON INC*	13-00316	01/30/13	NARROWBAND OPERATION REPROGRAM	Open	75.00	0.00		
02228 DAVID LASERRE	13-00510	02/20/13	MEDICAL CLAIMS-V	Open	235.00	0.00		
02248 LAWREN SUPPLY*	12-03335	12/10/12	BALLISTIC VEST	Open	754.00	0.00		
02349 ROBERT LUBBERMAN	13-00570	02/26/13	5TH/6TH GRADE BASKETBALL REF	Open	40.00	0.00		
02521 JOSEPH MARKER	13-00503	02/20/13	MEDICAL CLAIMS	Open	2,454.00	0.00		
02541 ROBERT D. MARTIN, JR	13-00515	02/20/13	MEDICAL CLAIMS	Open	15.00	0.00		
02590 ARTHUR MASON	13-00505	02/20/13	MEDICAL CLAIMS- V	Open	390.00	0.00		
02635 ARTHUR MCCLOSKEY	13-00511	02/20/13	MEDICAL CLAIMS-V	Open	355.00	0.00		
02811 JAMES MOY	13-00580	02/26/13	MEDICAL CLAIMS	Open	120.00	0.00		
	13-00581	02/26/13	MEDICAL CLAIMS	Open	<u>277.00</u>	0.00		
					397.00			
02862 MUNICIPAL CLERK'S ASSN. NJ, INC	13-00542	02/25/13	2013 SPRING MINI CONFERENCE	Open	30.00	0.00		
02935 MUNICIPAL TOY CO, INC*	13-00198	01/17/13	BAGS FOR EASTER EGG HUNT	Open	79.00	0.00		
03008 NJ DEPT OF TREASURY/FEES	13-00534	02/22/13	SITE REMEDIATION LSRP-PUBLICWO	Open	2,300.00	0.00		
	13-00545	02/25/13	SITE REMEDIATION LSRP-ANNEX	Open	<u>2,300.00</u>	0.00		
					4,600.00			
03086 NJ STATE ASSN CHIEFS OF POL*	13-00328	01/31/13	2013 MEMBERSHIP DUES	Open	250.00	0.00		
03104 NORTHEAST IND.&MARINE SUPPLY*	13-00130	01/11/13	PARTS/RDS/SANT/RECY	Open	1,066.27	0.00		
03241 SARGENT OSHEA	13-00539	02/25/13	MEDICAL CLAIMS	Open	456.02	0.00		
	13-00540	02/25/13	MEDICAL CLAIMS	Open	<u>1,118.06</u>	0.00		
					1,574.08			
03282 STEPHEN H PARKER	13-00512	02/20/13	MEDICAL CLAIMS-V	Open	206.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03285 PARA PLUS TRANSLATIONS, INC.*	13-00407	02/06/13	INTERPRETER	Open	195.15	0.00		
03290 PARKWAY VETERINARY HOSPITAL	13-00464	02/15/13	TNR PROGRAM	Open	217.55	0.00		
03293 BLAINE PAYNTER	13-00504	02/20/13	MEDICAL CLAIMS	Open	54.00	0.00		
03387 POGUE INC. *	13-00425	02/13/13	SAFETY AND HEALTH CONSORTIUM	Open	150.00	0.00		
03427 POLAR BEAR*	13-00341	02/01/13	MILLMAN/ FROZEN PIPE PROBLEM	Open	140.00	0.00		
03440 QUALITY COMMUNICATIONS*	13-00214	01/18/13	MDT REPAIR	Open	771.62	0.00		
03465 R&R ELECTRONICS, INC.*	13-00348	02/01/13	ANNUAL MAINTENANCE CONTRACT	Open	3,510.21	0.00		
03518 RIGGINS, INC.*	13-00480	02/19/13	NO LEAD GAS/DPW	Open	1,679.59	0.00		
03611 SERVICE TIRE TRUCK CENTERS*	13-00129	01/11/13	TIRES/RDS/SANT/RECY/DPW	Open	5,935.59	0.00		
03662 RAYMOND A. SLAMB	13-00533	02/21/13	RETURN OF UNUSED ESCROW	Open	592.50	0.00		
03683 SNAP-ON TOOLS*	13-00118	01/11/13	CELL BATTERY COMPUTER/GARAGE	Open	119.99	0.00		
03692 SOUTH JERSEY GAS CO*	13-00477	02/19/13	GAS FOR MONTH OF FEBRUARY 2013	Open	9,363.37	0.00		
03723 STAPLES, INC.*	13-00428	02/13/13	HP LASERJET PRO M401DN PRINTER	Open	299.99	0.00		
03766 JOAN TAYLOR	13-00514	02/20/13	MEDICAL CLAIMS	Open	800.00	0.00		
03867 UNIVERSAL SUPPLY CO.	13-00317	01/30/13	BALANCER REPL.	Open	32.00	0.00		
03899 UPS	13-00410	02/06/13	ALCHOTEST SUPPLIES	Open	23.10	0.00		
03904 LOWE'S HOME CENTER INC*	13-00537	02/22/13	REFERENCE BOOKS	Open	33.21	0.00		
03969 VERIZON	13-00402	02/06/13	PHONE FEBRUARY 2013	Open	12,142.24	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03995 VITAL COMMUNICATIONS, INC.*	13-00427	02/13/13	ASSESSMENT NOTICES	Open	2,922.01	0.00		
04012 XPRESS ELECTRONIC SERVICES*	13-00524	02/21/13	TYPEWRITER REPAIR	Open	110.00	0.00		
04049 SUSAN JACKSON	13-00576	02/26/13	MEDICAL CLAIMS -V	Open	209.00	0.00		
04204 ZACHARY ZELWAK	13-00506	02/20/13	MEDICAL CLAIMS	Open	44.00	0.00		
	13-00507	02/20/13	MEDICAL CLAIMS	Open	60.00	0.00		
					<u>104.00</u>			
05100 CHARLES W. SANDMAN, III ESQ	13-00268	01/23/13	2013 LITIGATION MONTHLY \$50K	Open	4,166.66	0.00		B
05101 VITELLI ELECTRIC*	13-00299	01/29/13	EMERGENCY REPAIR TO HEAT TAX	Open	600.00	0.00		
05102 DAVID THOMAS	13-00513	02/20/13	MEDICAL CLAIMS-V	Open	116.98	0.00		
5022 INSTITUTE FOR FORENSIC PSYCHO*	13-00413	02/06/13	PSYCHOLOGICAL EXAM	Open	425.00	0.00		
6003 CHASE REFUND DEPARTMENT	13-00544	02/25/13	REFUND OVERPAYMENT TAX-2013-83	Open	1,367.16	0.00		
6004 LERETA, LLC	13-00543	02/25/13	REFUND TAX OVERPAYMENTS2013-83	Open	13,924.79	0.00		
6007 BARRY JOHNSON	13-00569	02/26/13	3RD/4TH GRADE BASKETBALL REF	Open	40.00	0.00		
6008 EDWARD WUERKER	13-00586	02/27/13	RETURN OF UNUSED ESCROW	Open	710.00	0.00		
BASILE FRANK BASILE	13-00535	02/22/13	7/8 GRADE TRAVEL BASKETBALL OF	Open	40.00	0.00		
BOSNA KAREN MANETTE BOSNA	13-00584	02/27/13	PAYMENT FOR YOGA INSTRUCTOR	Open	100.00	0.00		
CUNNIFF BRIAN CUNNIFF	13-00536	02/22/13	7/8 GRADE TRAVEL BASKETBALL OF	Open	40.00	0.00		
FATH WILLIAM FATH	13-00466	02/15/13	BASKET BALL REF VENTOR VS LOWE	Open	40.00	0.00		
KWISE KELSY WISE	13-00585	02/27/13	PAYMENT FOR ZUMBA INSTRUCTOR	Open	235.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
NJPSAC NJPSAC	13-00259	01/23/13	ANNUAL DUES	Open	300.00	0.00		
NOTARY TREASURER STATE OF NJ NOTARY	13-00525	02/21/13	NOTARY RENEWAL	Open	25.00	0.00		
ROSSIS STEVEN ROSSI	13-00568	02/26/13	3RD/4TH GRADE BASKETBALL REF	Open	40.00	0.00		
	13-00571	02/26/13	5TH/6TH GRADE BASKETBALL REF	Open	40.00	0.00		
					<u>80.00</u>			
Total Purchase Orders: 96				Total P.O. Line Items: 199	Total List Amount: 443,809.71	Total Void Amount: 0.00		

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

RESOLUTION # 2013-81

TITLE: AUTHORIZING THE PAYMENT OF VOUCHERS

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Amount</u>
CHARLES W SANDMAN	13-00269	2013 LITIGATION EXPENSE PAYMENT	\$3950.00

Total Manual Checks	\$ 3,950.00
Total Computer Generated Bill List	\$ 443,809.71
Total Bill List	\$447,759.71

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on March 04, 2013.

Julie Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

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

RESOLUTION #2013-82

TITLE: A RESOLUTION REQUESTING RELEASE OF REVEGETATION AND RESTORATION GUARANTEE FOR DUNE SITE PLAN BLOCK 512.14, LOT 17, ESCROW #P09-06-06

WHEREAS Vincent LaManna posted a bond for the revegetation 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 revegetation 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 for payment of the above released Guarantee.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on March 4 , 2013.

Julie Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

MEMORANDUM

TO: Mayor Michael Beck &
Council members

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

DATE: February 21, 2013

RE: Release of Bond for Restoration
and Revegetation of Dune Grass;
Block 512.14, Lot 17
Escrow #P09-06-09
Resolution #2013-82

Vincent LaManna posted a bond for the restoration and revegetation of Dune grass, on December 4, 2009 per Planning Board Resolution #03-32. A site inspection was performed by Hatch Mott MacDonald, with a report (attached) that 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.

cc: Julie Picard, Township Clerk

att:1



**Hatch Mott
MacDonald**

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

February 19, 2013

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

**RE: Lamanna Grading Plan
3109 Shore Drive
Block 512.14, Lot 17
Twp. Escrow No. P09-06-06
HMM No. 263995**

Dear Mr. Galestok:

HMM's inspections revealed that, to the best of our knowledge and belief, the site improvements required by the Board at the above referenced property have been installed in accordance with the Board's approval and comply with the Land Development Ordinance of the Township of Lower. Therefore, Hatch Mott MacDonald recommends that the dune vegetation bond for the project be released.

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

Very truly yours,

Hatch Mott MacDonald

A handwritten signature in black ink, appearing to read "Thomas R. Thornton".

Thomas R. Thornton, PE, CME
Senior Associate
T 609.465.9377 F 609.465.5270
thomas.thornton@hatchmott.com

TRT

cc: Lisa Schubert, Planning & Zoning Clerk
Mark R. Sray, PE, CME, Hatch Mott MacDonald

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

RESOLUTION #2013-83

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>
719	1.03 C-214	Chase	paid twice	1,367.16
719	1.08 C-203	Lereta	paid twice	13,924.79

I hereby certify the foregoing to be a resolution adopted by the governing body at a meeting held on March 4, 2013.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

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

RESOLUTION #2013-84

TITLE: APPOINTMENT OF LINDEMON WINCKELMANN DEUPREE MARTIN RUSSEL & ASSOCIATES PC (LWDMR) WITHOUT PUBLIC BIDDING

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

WHEREAS, the Township has determined and certified in writing that the value of acquisition will exceed \$17,500, and LWDMR Architects has submitted a proposal indicating that they will provide the goods or services described above for a price not to exceed \$41,227; and

WHEREAS, the anticipated term of this contract is until the completion of Small Cities Public Facilities (ADA Improvements) project; and

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

Appropriation # 3-01-56-750-351

Signature _____

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

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

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council at a meeting held on March 4, 2013.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
DOUGLASS						
CLARK						
BECK						

LINDEMON WINCKELMANN DEUPREE MARTIN RUSSELL & ASSOCIATES PC

ARCHITECTURE, ENGINEERING & URBAN DESIGN

JAMES N. LINDEMON, RA
JOHN T. WINCKELMANN, RA
ALICE LARSEN DEUPREE, RA
ELI D. MARTIN, RA

PETER KRENICKI, RA
RONALD J. RUSSELL, RA
ROBERT SPENCER, PE

July 1, 2012

Ms. Colleen Crippen
Coordinator of Federal & State Aid
Assistant Treasurer
Township of Lower
2600 Bayshore Road
Villas, NJ 08251

Re: Study #2 - ADA Upgrades and Improvements at the "Old Fishing Creek School House" at
2102 / 2106 Bayshore Road, Villas, NJ 08251

Dear Ms. Crippen,

Please find as follows our study of existing conditions at the "Old Fishing Creek School House", including specific site and building features which will need to be improved and constructed to meet the requirements of the Americans with Disabilities Act (ADA).

A. SITE FEATURES

- | | |
|---|-------------|
| 1). Designated Parking: | |
| a. Provide one (1) ADA designated parking space delineated on hard paved surface with proper signage and with proper access driveway from street (i.e.; asphalt paved and line stripped). | \$ 3,500.00 |
| b. Site grading to allow proper slopes per ADA. | 1,800.00 |
| c. Curb cuts. | 900.00 |
| 2). Walkways and Exitways: | |
| a. Provide paved "area of refuge" at rear fire exit so that the disabled can safely wait for help away from the building during emergencies (50' x 4' wide). | 1,800.00 |
| b. Provide paved walkway from designated parking area to the ADA designated entryway. | 3,960.00 |
| c. Provide paved walkway to the raised exterior space/area delineated for future gazebo. | 2,000.00 |
| d. Provide paved walkway extension from Bayshore Road to designated ADA entry (180 linear ft. x 4' wide). | 6,480.00 |

140 BAY STREET, SUITE 4, JERSEY CITY, NJ 07302
TELEPHONE (201) 333-5017 FAX (201) 333-5309



224 NORTH HIGH STREET, MILLVILLE, NJ 08332
TELEPHONE 856-293-9554 FAX 856-293-1571

B. BUILDING FEATURES

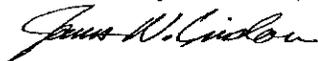
1.	New ADA designated entry door, wheelchair turn around, and access space and building structure (door and 26 square feet of building area).	\$ 9,125.00
2.	New ADA compliant wheelchair lift and appropriate structure and building walls (lift and 55 square feet of building area).	27,376.00
3.	New ADA compliant unisex restroom and appropriate fixtures, systems and structure.	30,000.00
4.	New ADA compliant entry into the original "Old School House" and all fixtures.	3,500.00
5.	All new ADA compliant electrical fixture panel boxes and emergency and safety alarm system must be installed.	6,500.00
6.	All new exterior building enclosure for the chairlift, restroom, entry and other ADA requirements while being compatible with the historic design and character of the "Old School House" to include new HVAC, plumbing, electrical, and fire protection systems will be constructed.	40,000.00
Note #1: The "Old School House" will be totally restored to meet the Requirements of the Department of the Interiors Standards for Treatment of Historic Structures. This work will be accomplished and funded by others, but it will be compatible with the work to be accomplished to meet the requirements of the ADA (<i>cost of restoration <u>not</u> included here</i>).		
7.	Miscellaneous ADA improvements and fit-up requirements necessary to fully occupy the "Old School House", including door hardware, lighting, emergency alarms, strobes and audible alarms.	30,000.00
8.	Lead based paint abatement (<i>allowance</i>)	25,000.00



Construction Sub-Total	\$ 196,440.00
Overhead to General Contractor at 10%	\$ 19,644.00
Sub-Total	\$ 216,084.00
Profit to General Contractor at 8%	\$ 17,287.00
Sub-Total Construction Cost	\$ 233,371.00
Contingency Allowance at 6%	\$ 14,000.00
Sub-Total Construction Budget	\$ 247,373.00
Architecture, Engineering, Bidding and Construction Administration, with Inspections at 8 hours per week at 10%.	\$ 25,000.00
TOTAL BUDGET - STUDY #2	\$ 272,373.00

Note: All estimated costs include public bidding and the public contract requirements such as prevailing labor rates, performance bonds, warrantee's, general liability insurance and all other public provisions for life safety and the protection from fraud and abuse.

Professionally submitted,



James N. Lindemon, RA

JNL/tmt

cc: File



LINDEMON WINCKELMANN DEUPREE MARTIN RUSSELL & ASSOCIATES PC

ARCHITECTURE ENGINEERING & URBAN DESIGN

JAMES N. LINDEMON, RA
JOHN T. WINCKELMANN, RA
ALICE LARSEN DEUPREE, RA
ELI D. MARTIN, RA

PETER KRENICKI, RA
RONALD J. RUSSELL, RA
ROBERT SPENCER, PE

July 1, 2012

Ms. Colleen Crippen
Coordinator of Federal & State Aid
Assistant Treasurer
Township of Lower
2600 Bayshore Road
Villas, NJ 08251

Re: Study #1 - ADA Upgrades at the "Recreation Center" at 2600 Bayshore Road, Villas, NJ 08251

Dear Ms. Crippen,

Please find our study of existing conditions at the Recreation Center, including specific site and building features which will need to be remediated to meet the requirements of the Americans with Disabilities Act (ADA).

A. SITE FEATURES

- | | | |
|-----|---|--------------|
| 1). | Playground / Pavilion: | |
| a. | Provide ADA designated parking space for one vehicle and upgrade existing sloped curb cut. | Future Phase |
| b. | Provide ADA compliant accessible route from parking area and walkway system leading to building entry to all venue areas of the site (i.e.; playground, pavilion, picnic area, basketball court, etc. (210 linear ft. x 4' ft. wide x 4" thick) | Future Phase |
| c. | Provide ADA compliant play equipment "allowance". | Future Phase |
| d. | Provide signage and graphics. | Future Phase |
| 2). | a. | |
| | Provide paved area of refuge at rear fire exits so that the disabled can safely wait for help away from the building during emergencies (50 linear ft. x 4' ft. wide x two areas). | Future Phase |
| | b. | |
| | Resolve threshold conditions to create nearly flush access ways at existing exit / entry door conditions. | Future Phase |

140 BAY STREET, SUITE 4, JERSEY CITY, NJ 07302
TELEPHONE (201) 333-5017 FAX (201) 333-5309



224 NORTH HIGH STREET, MILLVILLE, NJ 08332
TELEPHONE 856-293-9554 FAX 856-293-1571

B. BUILDING FEATURES

1). Main Entry:

- | | | | |
|----|--|----|--------------|
| a. | Redesign entry vestibule condition to allow safe access (existing entry vestibule is smaller than the code allows). Relocate exterior door set approximately 14" further out to afford a 7'-0" vestibule. | \$ | 6,500.00 |
| b. | Install automatic opening devices on entry doors. | | 1,900.00 |
| c. | Relocate and redesign security and reception desk to afford proper wheelchair clearances, traffic flow, and remove potential hazardous "bottle neck" during emergencies exit conditions. Redesign existing copy and workroom and meeting room #1 to allow this change. | | 38,000.00 |
| d. | Install appropriate electronic security system replacing that afforded by the "visual" observation afforded by the central location of the existing security and reception desk. | | Future Phase |

2. Restroom Facilities:

Note #1: The existing restrooms are non ADA compliant in almost every way:

- a. The entry doors are not positioned properly to allow proper offsets beside each door.
- b. The doors are too narrow.
- c. The restrooms lack proper wheelchair turn around space.
- d. The toilet stalls are too small.
- e. The vanity sinks are not properly spaced and are non ADA compliant.
- f. The urinals are non ADA compliant.
- g. The mirrors, toilet paper dispensers, hand dryers, privacy screens, and etc. are non ADA compliant.
- h. Ventilation does not comply with indoor air quality standards.

Note #2: The existing restrooms are not large enough to correct the non-compliant conditions without substantially reducing the number of toilet and hand wash fixtures. As a result, the redesigned restrooms would no longer meet the National Plumbing Code requirements for this occupancy in that there will be too few fixtures to meet the demand of this public assembly use. As a result, more fixtures will need to be added in another location in the building.



<p>b. Restroom Option: Create one (1) unisex ADA compliant restroom. Seek local building department code variations to allow the existing men's and women's rooms to remain with only minimal fixture improvements, while constructing one (1) new fully ADA compliant unisex restroom in an alternate location in the building, perhaps in the existing (unutilized) men's or women's shower rooms.</p>	<p>\$ 60,000.00</p>
<p>3. Public Assembly Spaces:</p>	
<p>Note #1: Generally, the existing space access and emergency exit double doors are non-compliant. The existing double doors must have at least one leaf to be 36" wide. The existing double (2 leaf) doors are 32" wide each.</p>	
<p>a. There are three (3) such non-compliant interior double doors and three (3) such non-compliant exterior double doors.</p> <ul style="list-style-type: none"> • Replace the double doors with unequal leaf double doors with at least one (1) being 36" wide (three (3) interior double doors x \$ 2,800.00 each for interior) and (three (3) exterior double doors x \$4,000 each). 	<p>20,400.00</p>
<p>b. There are eight (8) interior non-compliant single doors. These single doors have two issues which render them non-compliant.</p> <ol style="list-style-type: none"> 1. The doors are only 32" wide. 2. The offset beside each door is not wide enough. <ul style="list-style-type: none"> • Replace the single doors with wider doors and wider offsets requiring wider door openings and wider overhead lintels, relocate electrical switches and fixtures, and redesign the rooms (eight (8) single doors and openings x \$ 8,000.00 each). 	<p>Future Phase</p>
<p>c. There are many electrical and safety fixtures which need to be changed or relocated to comply with ADA, such as fire alarms, strobe/audible emergency devices, and etc. (80 +/- fixtures x \$310.00 each [average cost]).</p>	<p>24,800.00</p>
<p>d. Designated seating areas for the handicapped currently do not exist. To resolve this condition, provide a slightly elevated (12") platform with guardrails as a wheelchair area in the gymnasium accessible by ramp for wheelchair bound occupants and alter the existing metal fold up bleachers to accommodate the platform.</p>	<p>Future Phase</p>



- | | |
|---|---------------------|
| <p>4. Special Public Spaces:</p> <p>a. Meeting Rooms</p> <ul style="list-style-type: none"> • After the main entry meeting room #1 and security desk redesign is complete there will remain two (2) public multi-use meeting rooms. These rooms typically have non ADA compliant access doors. They also have limited ADA compliant features such as wheelchair turn around space and non-compliant electrical and alarm devices which must be remediated. Substantial redesign of these rooms will be required such as the elimination of the storage rooms near the entry to allow wider doors and door offsets. <p>b. Game Room:</p> <ul style="list-style-type: none"> • This room is generally compliant, except for doors and fixtures noted above. | <p>Future Phase</p> |
| <p>5. Office Spaces and Etc.:</p> <p>Note #1: The offices and other support spaces must also be fully compliant in the event that an existing employee becomes handicapped or that a future perspective employee is handicapped. Wider doors, adequate turnaround space and ADA compliant countertops, vision panels and fixtures will be required.</p> | <p>Future Phase</p> |
| <p>6. General Miscellaneous:</p> <p>ADA compliance of miscellaneous elements (i.e.; drinking fountains, signage, door hardware and etc.).</p> | <p>Future Phase</p> |
| <p>7. As a result of the several changes required to accommodate and comply with ADA in many of the existing public spaces and rooms, several major areas of use (i.e.; storage, staff rooms, and maintenance rooms) will need to be reassigned and altered. These will require substantial work including alterations to the HVAC, electrical, plumbing, and fire / emergency alarm systems <i>(allowance)</i></p> | <p>Future Phase</p> |



Construction Sub-Total	\$	151,600.00
Overhead to General Contractor at 10%	\$	15,160.00
Sub-Total	\$	166,760.00
Profit to General Contractor at 8%	\$	13,341.00
Sub-Total Construction Cost	\$	180,101.00
Contingency Allowance at 6%	\$	10,807.00
Sub-Total Construction Budget	\$	190,907.00
Architecture / Engineering, including Design Documents, Bidding and Construction Inspection at 8 hours per week at 8.5%	\$	16,227.00
TOTAL BUDGET - STUDY #1 (This Phase) ...	\$	207,134.00

Note: All estimated costs include public bidding and the public contract requirements such as prevailing labor rates, performance bonds, warrantee's, general liability insurance and all other public provisions for life safety and the protection from fraud and abuse.

Professionally submitted,



James N. Lindemon, RA

JNL/tmt

cc: File



BUSINESS ENTITY DISCLOSURE CERTIFICATION

FOR NON-FAIR AND OPEN CONTRACTS

Required Pursuant To N.J.S.A. 19:44A-20.8

TOWNSHIP OF LOWER

Part I B Contractor Affirmation

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

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

Part II B Ownership Disclosure Certification

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

Check the box that represents the type of business entity:

- Partnership
 ^{PROFESSIONAL} Corporation
 Sole Proprietorship
 Subchapter S Corporation
 Limited Partnership
 Limited Liability Corporation
 Limited Liability Partnership

Name of Stock or Shareholder	Home Address
JAMES N. LINDEMOOD RA	515 RT. 47 NORTH CAREMAY COURT HOUSE N.J. 08210
JOHN T. WINCKELMANN RA	88 POWERS ST JERSEY CITY N.J. 07307
ALICE L. DEUPRES RA, LEEDABT	86 ALEXANDER AVE MONTECLAIR N.J. 07043
ELI D. MARTIN RA	P.O. BOX 387 GREENPORT N.Y. 11944
RONALD RUSSEL RA	12 1/2 WAVERLY ST. JERSEY CITY N.J. 07306

Part 3 B Signature and Attestation:

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

Name of Business Entity: LYDME & ASSOC. P. C.

Signed: *James N. Lindenau* Title: PRESIDENT

Print Name: JAMES N. LINDENAU Date: 27 FEBRUARY 2013

Subscribed and sworn before me this 27th day of February, 2013.

THERESA M. TARGUINIE
 NOTARY PUBLIC OF NEW JERSEY
 MY COMMISSION EXPIRES 7/18/14
 ID# 2227333

Theresa M. Targuinie
 (Affiant)
Theresa M. TARGUINIE

My Commission expires:

EXHIBIT A

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

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

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

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

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

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

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

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

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

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

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

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

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302

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

Firm Name: LINDEMOM WINCKELMANN DEWARSE MARTIN RUSSEL & ASSOC. P.C.
Name of Agent: JAMES N. LINDEMOM RA. #C-7321
Title: PRESIDENT
Date: 27 FEBRUARY 2013

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

AFFIDAVIT OF PAY-TO-PLAY COMPLIANCE

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

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

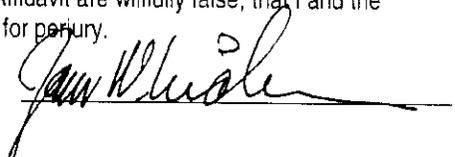
2. The Business Entity is seeking the award of a Professional Services Contract or Unspecifiable Services Contract pursuant to the exceptions from public bidding under Sections 5(1) of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.

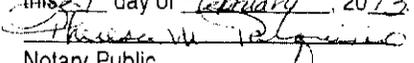
3. In accordance with Lower Township Ordinance No. 2004-10 (the "Pay-to-Play Ordinance"), I am making this Affidavit under penalties of perjury to represent to the Township of Lower that neither I nor the Business Entity have made any political contributions in violation of Section 95-2 of the Pay-to-Play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

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

Date	Name of Organization	Amount
N.A.	NONE	-
N.A.	NONE	-0-
N.A.	NONE	-0-
N.A.	NONE	-0-

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



Sworn and Subscribed to before me
this 21st day of February, 2013.

Notary Public

**THERESA M. TARQUINIO
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES 11/18/14
ID# 2227333**

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

RESOLUTION #2013-86

**TITLE: RESOLUTION SUPPORTING THE ANNUAL GREATER CAPE MAY
ELK'S/TOM BEHELER YOUTH BASKETBALL TOURNAMENT**

WHEREAS, the Lower Township Recreation Center hosts the Annual Greater Cape May Elks/Tom Beheler Youth Basketball Tournament in December every year; and

WHEREAS, the tournament will be a field comprised of 3rd thru 8th grade boys and girls.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower that a portion of the proceeds raised through this annual tournament will be dedicated to the ALS Hope of Cape May and the Lower Township traveling basketball team.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on March 4, 2013.

Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
NEVILLE						
CONRAD						
CLARK						
BECK						

**Hope of Cape May County
780 Tabernacle Road
Cape May, NJ 08204**

Jan. 17, 2013

**Lower Township
Recreation Dept.
2600 Bayshore Rd.
Villas, NJ**

We at Hope of Cape May County would like to take this opportunity to express our thanks to all the wonderful employees, volunteers and sponsors who so tirelessly worked to make the Third Annual Elks/Tom Beheler Youth Basketball Tournament such a success.

All seemed to enjoy the games and express their desire to return for future games.

We are greatly appreciative of the anticipated funds you raised to help the victims of ALS in Cape May County. These funds will be used to aid transportation to and from the Philadelphia Clinic, aid in home care, provide much needed therapy, supplies ,etc. Once again, THANK YOU all!

**William B. Beheler
President
Hope of Cape May County**

Current Board of Directors:

**William B. Beheler, President
Patrick Dalton, Vice President
Jackie Henderson, Sec.
Charlotte Beheler, Treasurer**