

RESOLUTIONS ADOPTED OCTOBER 3 2011

- Res. #2011-217 Resolution Authorizing the Township to Auction Equipment or Supplies No Longer Needed for the Bureau of Fire Safety (Resolution would permit Twp. to auction through Gov Deals on behalf of the Fire Bureau items no longer needed with proceeds going to Fire Bureau Misc. line item - tabled Aug. 1)
- Res. #2011-262 Approval of Change Order No. 3 for Station Road Improvements, Contract M-6 (Reducing contract by \$13,900.80 - leaving final adjustment including all 3 change orders at overall increase of \$8,091 - tabled Sept 19)
- Res. #2011-263 Payment of Vouchers, \$1,529,561.60
- Res. #2011-264 Approving Seashore Church of Nazarene's Application to Conduct a Flea Market (October 8)
- Res. #2011-265 A Resolution Requesting Release of Performance Guarantee for Sea Bay Estates; Block 753.04, Lot 10, Escrow #P04-04-13 (Improvements installed - maintenance guarantee being held)
- Res. #2011-266 Resolution Approving Project Proposal Between Hatch Mott MacDonald and the Township of Lower for the Engineering Services Related to Additional Work for 2011 Delaware Bayshore Outfall Extensions (Additional work required for easements & permits for Tweed property not originally included)
- Res. #2011-267 Authorization for Refund of Taxes (1 property granted disabled veteran's status)
- Res. #2011-268 Resolution Issuing License to Anthony Natale t/a We Buy Gold, LLC (New license, fee & bond posted)
- Res. #2011-269 Resolution Supporting Lower Township Independence Day Festival and Fireworks for 2012 & Authorizing Donations Be Put Into a Reserve Account for the Event (Event date July 3, 2012)
- Res. #2011-270 Resolution Approving Purchase of One 2001 Freightliner Tractor From the Cape May County MUA (Purchase tractor deemed surplus by CMC MUA for Public Works Dept. for \$9,500)
- Res. #2011-271 Appointment to Planning Board - John McNulty - Class IV
- Res. #2011-272 Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12." (Labor Relations; Discussion on Possible Litigation re: Recreation Roof Contractor)

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

RESOLUTION #2011-217

TITLE: RESOLUTION AUTHORIZING THE TOWNSHIP TO AUCTION EQUIPMENT OR SUPPLIES NO LONGER NEEDED FOR THE BUREAU OF FIRE SAFETY

WHEREAS, the Bureau of Fire Safety has equipment and/or vehicles that are no longer needed for public use, and

WHEREAS, the Township has a QPA who is authorized to sell and purchase equipment and supplies as necessary, and

WHEREAS, Board of Fire Commissioners has authorized the Bureau of Fire Safety to dispose of equipment or supplies as necessary and has agreed to do so through the Township's QPA and Gov Deals.

NOW, THEREFORE, BE IT RESOLVED the Township is authorized to auction surplus items as requested by the Bureau of Fire Safety for 2011 & 2012 with all proceed from said auctions to be posted to the line item "Fire Bureau Miscellaneous Revenue."

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on October 3, 2011.


 Claudia R. Kammer, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION			X		
SECOND				X	
AYE	X	X	X	X	Y
NAY					
ABSTAIN					
ABSENT					

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

RESOLUTION #2011-262

TITLE: APPROVAL OF CHANGE ORDER NO. 3 FOR STATION ROAD IMPROVEMENTS, CONTRACT M-6

WHEREAS, Charles Marandino, LLC was previously awarded a contract in the amount of \$119,361.00 for Station Road Improvements, and

WHEREAS, Change Orders #1 and #2 increased the contract by a total of \$21,991.80 and originally certified funds in the amount of \$119,361 from Line Item #1-01-56-750-354, and C-04-55-393-301, and

WHEREAS, the Engineer has reviewed and approved Changer Order No. 3 attached hereto decreasing the contract by \$13,900.80,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, that Change Order No. 3 for Station Road Improvements is approved, completing the project and resulting in a final contract price of \$127,452.00.

BE IT FURTHER RESOLVED Change Order #3 completes the project and as such the certification of funds previously listed is being revised to reflect the total cost for the entire project as follows:

DOT-1-01-56-750-354 (102,501.00)

ADA - C-04-55-393-301 (\$24,951.00)



Lauren Read, CFO

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on October 3, 2011.


Claudia R. Kammer, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION			X		
SECOND					
AYE	X	X	X	X	Y
NAY					
ABSTAIN					
ABSENT					

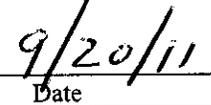
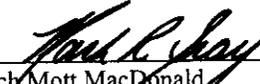
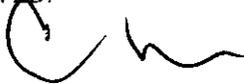
CONTRACT CHANGE ORDER

CHANGE ORDER NO.: 3
 DATE: September 16, 2011
 PROJECT DESCRIPTION: Station Road Improvements,
 Contract No. M-6, Township of Lower, Cape May County, New Jersey

REASON FOR CHANGE ORDER: See Below.

ITEM NO.	DESCRIPTION	QUANTITY	UNIT PRICE	ADDITIONS	DEDUCTIONS
1	Quantity changes to adjust the original contract quantities to match the as-built contract quantities.	See Attach.	See Attach.	\$1,833.00	\$5,233.00
2	Reduction in Contract due to unused portion of \$20,000 that was added to contract under Change Order No. 2				\$10,135.00
3	Addition of Item No. 15 - Reinforced Concrete Driveway Apron, 8" Thick	59 SY	\$70.00	\$4,130.00	
4	Deletion of Item No. CO1-2 - Reinforced High Early Strength Concrete, 8" Thick	59 SY	\$76.20		\$4,495.80
Sub-Total:				\$5,963.00	\$19,863.80

Total Change Order No. 3 Value: (\$13,900.80)

ACCEPTED:  Contractor _____  Date _____	ORIGINAL CONTRACT BID PRICE: \$119,361.00 CHANGE ORDER NO. 1: + \$1,991.80 CHANGE ORDER NO. 2: + \$20,000.00 CHANGE ORDER NO. 3: - \$13,900.80 NET CHANGE: \$8,091.00
APPROVAL RECOMMENDED:  Hatch Mott MacDonald _____  Date _____	REVISED CONTRACT PRICE INCLUDING CHANGE ORDER NOS. 1, 2 & 3: \$127,452.00
APPROVED:  Owner _____  Date _____	

STATION ROAD IMPROVEMENTS, CONTRACT M-6
TOWNSHIP OF LOWER, CAPE MAY COUNTY, NEW JERSEY
QUANTITY ADDITIONS AND DELETIONS TO REFLECT AS-BUILT CONDITIONS
 (Attachment to Change Order No. 3)

ADDITIONS IN WORK

Item	Description	Estimated Contract		Quantity Completed	Quantity Added	Unit Price	Amount
		Quantity	Unit				
13	Concrete Driveway Apron, 6" Thick	26	SY	59	33	\$ 55.00	\$ 1,815.00
18	Traffic Stripes, Long-Life, Epoxy Resin, 4" Wide	988	LF	1000	12	\$ 1.50	\$ 18.00
Total							\$ 1,833.00

REDUCTIONS IN WORK

Item	Description	Estimated Contract		Quantity Completed	Quantity Reduced	Unit Price	Amount
		Quantity	Unit				
2	Soil Aggregate Base Course, Type I-5, Var. Thk.	25	CY	0	25	\$ 40.00	\$ 1,000.00
3	NJDOT 57 Stone, If and Where Directed	25	CY	0	25	\$ 40.00	\$ 1,000.00
6	H.M.A. 9.5M64 Surface Course, 1-1/2" Thick	125	TON	120	5	\$ 80.00	\$ 400.00
7	12" Ductile Iron Pipe, Class 56	52	LF	41	11	\$ 75.00	\$ 825.00
12	Concrete Sidewalk, 4" Thick	431	SY	421	10	\$ 48.00	\$ 480.00
17	8" x 18" Concrete Vertical Curb	1014	LF	994	20	\$ 24.00	\$ 480.00
19	Traffic Markings, Thermoplastic	500	SF	484	16	\$ 3.00	\$ 48.00
24	Asphalt Price Adjustment	1	LS	0	1	\$ 500.00	\$ 500.00
25	Fuel Price Adjustment	1	LS	0	1	\$ 500.00	\$ 500.00
Total							\$ 5,233.00

Extra Work (+)	\$	1,833.00
Reduction in Work (-)	\$	5,233.00
Total Change	\$	(3,400.00)

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
11-02298	08/12/11 SIGN MATERIALS/DPW				Open	1,196.09	0.00		
01781	HATCH MOTT MACDONALD, LLC*								
11-02674	09/27/11 ESCROW BILLING				Open	1,319.00	0.00		
01785	ROBERT HARTMAN SR								
11-02172	08/01/11 CONTRACT REIMB 2011				Open	115.40	0.00		B
01797	GROVE SUPPLY INC*								
11-02501	09/12/11 PARTS FOR WASHBAY/DPW				Open	2,381.30	0.00		
01803	HORIZON DENTAL OPTION*								
11-02589	09/21/11 OCTOBER, 2011 DENTAL				Open	15,411.07	0.00		
01859	HESS CORPORATION								
11-02660	09/27/11 ELECTRICITY 8/18/11 - 9/20/11				Open	8,922.35	0.00		
01895	HERMAN FEHRLE & SONS INC*								
11-01945	07/07/11 CONCRETE CURB FOR TWP HALL				Open	13,800.00	0.00		
01912	GRUCCIO, PEPPER, DESANTO&RUTH PA								
11-00156	01/14/11 2011 CONTRACTUAL MONTHLY PMTS				Open	4,166.66	0.00		B
02021	JERSEY CAPE DOOR*								
11-02345	08/19/11 OVERHEAD GARAGE DOOR/WASHBAY				Open	3,768.00	0.00		
02025	HUNTER JERSEY PETERBILT*								
11-02392	08/24/11 PARTS FOR RECYCLING TRUCKS/DPW				Open	1,498.64	0.00		
02108	KEEN COMPRESSED GAS CO*								
11-01958	07/08/11 BOTTLED GAS FOR GARAGE/DPW				Open	257.50	0.00		
02200	KOHLER'S AUTO GLASS*								
11-02438	09/01/11 POLICE WINSHIELD				Open	285.00	0.00		
02223	LANDSMAN UNIFORMS*								
11-02244	08/08/11 UNIFORMS				Open	686.00	0.00		
11-02414	08/30/11 UNIFORMS				Open	468.50	0.00		

						1,154.50			
02334	LOWER TWP CHAMBER OF COMMERCE								
11-02679	09/28/11 OCT 13 INSTALLATION DINNER				Open	300.00	0.00		
02351	LOWER CAPE MAY REGIONAL								
11-01281	05/06/11 SCHOOL TAX DUE THE 15TH				Open	1,132,850.77	0.00		
02402	MGL PRINTING SOLUTIONS								
11-02154	08/01/11 MINUTE BOOK PAPER				Open	106.00	0.00		
02473	FRANCIS P. MAJANE								
11-02646	09/26/11 CONTRACTUAL REIMBURSEMENT				Open	435.54	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02940 MUNICIPAL RECORD SERVICE*	11-02515	09/13/11	COURT FORMS	Open	341.50	0.00		
03001 STATE TOXICOLOGY LABORATORY*	11-02286	08/12/11	APPLICANT TESTING	Open	35.00	0.00		
03026 NJ STATE HEALTH BENEFITS	11-02643	09/26/11	OCTOBER, 2011 HEALTH BENEFITS	Open	222,762.71	0.00		
03072 NJ STATE LEAGUE OF MUNICIPALI*	11-02569	09/14/11	LEGISLATIVE BULLETIN 2011-2012	Open	28.00	0.00		
03086 NJ STATE ASSN CHIEFS OF POL*	11-02148	08/01/11	TRAINING	Open	2,000.00	0.00		
	11-02242	08/08/11	TRAINING	Open	500.00	0.00		

					2,500.00			
03104 NORTHEAST IND.&MARINE SUPPLY*	11-02454	09/02/11	ALUMINUM FLAT BAR 1X6X12	Open	2,490.99	0.00		
03158 NYSCA*	11-02441	09/01/11	COACHING CERTIFICATION	Open	20.00	0.00		
03280 PARAMOUNT SANITARY SUPPLY*	11-02153	08/01/11	36X60 3 MIL BLACK TRASH BAGS	Open	1,064.00	0.00		
03305 PEDRONI FUEL*	11-02554	09/14/11	NO LEAD GAS/DPW	Open	84.52	0.00		
03377 JULIE PICARD	11-02651	09/27/11	REIMB MILEAGE - CLASSES	Open	485.98	0.00		
03387 POGUE INC. *	11-02553	09/14/11	EMPLOYMENT TESTING/DPW	Open	100.00	0.00		
03414 WILLIAM PRIOLE	11-02673	09/27/11	CONTRACTUAL REIMBURSEMENT	Open	155.00	0.00		
03427 POLAR BEAR*	11-00756	03/23/11	GAS HOOK UP RECREATION	Open	4,450.00	0.00		
	11-02512	09/13/11	HVAC	Open	289.95	0.00		

					4,739.95			
03452 THOMAS QUINN	11-02574	09/19/11	CONTRACTUAL REIMBURSEMENT	Open	495.56	0.00		
03466 R & R SPECIALTIES	11-02684	09/28/11	PLAQUES FOR BAYRUN SPONSORS	Open	57.60	0.00		
03484 LAUREN M. READ	11-02683	09/28/11	TRAVEL REIMBURSEMENT	Open	72.43	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	11-02669	09/27/11	SHOE ALLOWANCE FOR 2011/DPW	Open	112.35	0.00		
04320 PREMIER OFFICE SUPPLY*								
	11-02460	09/07/11	PAPER/STAPLER/STAPLES	Open	106.45	0.00		
BAALS ROBERT & CAROL BAALS								
	11-02658	09/27/11	RETURN UNUSED ESCROW	Open	13.40	0.00		
BOSNA KAREN MANETTE BOSNA								
	11-02653	09/27/11	INSTRUCTOR - YOGA CLASS	Open	240.00	0.00		
CARROT CARROT-TOP INDUSTRIES, INC*								
	11-02453	09/02/11	500' UN CUT SPOOL OF HALYARD	Open	222.84	0.00		
CMCHUR THE CAPE MAY CHURCH, INC								
	11-02676	09/28/11	RETURN UNUSED ESCROW	Open	60.00	0.00		
KOPOU ATHANASIOS KOPOULOS								
	11-02594	09/21/11	RETURN UNUSED ESCROW	Open	205.00	0.00		
LINDS KURT LINDSAY								
	11-02616	09/21/11	NYS CA SOCCER MEMBERSHIP	Open	20.00	0.00		
MCCARTY MICHAEL MCCARTY								
	11-02593	09/21/11	RETURN UNUSED ESCROW	Open	1.25	0.00		
MEMPHIS MEMPHIS AVE, LLC								
	11-02675	09/28/11	RETURN UNUSED ESCROW	Open	10.37	0.00		
MURRAYC CAROL MURRAY								
	11-02654	09/27/11	REFUND - FARMERS MARKET	Open	125.00	0.00		
QUIGLEY WILLIAM QUIGLEY								
	11-02659	09/27/11	RETURN UNUSED ESCROW	Open	30.00	0.00		
SIXSM LLOYD SIXSMITH*								
	11-02155	08/01/11	OEM DENIM SHIRTS	Open	174.70	0.00		
	11-02678	09/28/11	EMBROIDERED SHIRTS	Open	297.40	0.00		
					472.10			
WALSHR ROBERT J WALSH								
	11-02685	09/28/11	REF OVERPYMT OF TAX	Open	56.12	0.00		
Total Purchase Orders:		102	Total P.O. Line Items:	265	Total List Amount:	1,525,508.78	Total Void Amount:	0.00

**Lower Township
Bill List
10/03/2011**

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
Verizon	11-02578	Phone Service	45859	9/19/11	\$ 1,249.93
Verizon	11-02629	Phone Service	45912	9/23/11	2,742.89
NJ Div of Motor Veh	11- 02690	Title Transfer	45913	9/29/11	60.00
Total Manual Checks					\$ 4,052.82
Total brought forward from computer generated bill list					\$ 1,525,508.78
TOTAL BILL LIST					<u>\$ 1,529,561.60</u>

I certify the foregoing to be a Resolution adopted by the Township Council on October 3, 2011.


 Claudia R. Kammer, RMC, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION			X		
SECOND					
AYES	X	X	X	X	X
NAYS					
ABSTAIN					
ABSENT					

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

RESOLUTION #2011-264

TITLE: APPROVING SEASHORE CHURCH OF NAZARENE'S APPLICATION TO CONDUCT A FLEA MARKET

WHEREAS, Section 359-13 of the Code of Lower Township prohibits outdoor flea markets within the confines of Lower Township except as provided for in Section 359.13b, and

WHEREAS, Section 359-13 of the General Ordinances of the Township of Lower permits non-profit, charitable, civic and religious organizations to conduct four (4) outdoor flea markets within the confines of the Township if approved by the Township Council.

WHEREAS, the Township Council has reviewed the application of Seashore Church of the Nazarene to conduct a flea market on October 8, 2011 at 446 Seashore Road, and

WHEREAS, the Council has determined the applicant meets the ordinance requirements of a non-profit, charitable, civic and/or religious organization.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, that approval is hereby granted.

I hereby certify this is the original resolution adopted by the Township Council at the meeting held on October 3, 2011.


Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-265

TITLE: A resolution requesting **RELEASE** of Performance Guarantee for Sea Bay Estates; Block 753.04, Lot 10, Escrow #P04-04-13

WHEREAS, Mark Platzer & Wayne K. Remster posted a Performance Guarantee with the Township of Lower, in the reduced amount of \$42,991.42; and

WHEREAS, the Township Engineer has recommended the improvements having a total value of \$42,991.42 have been properly installed and are presently acceptable; and

WHEREAS, the Township of Lower Land Development ordinance requires the posting of a fifteen percent (15%) Maintenance Guarantee prior to the complete release of the original Performance Guarantee; and

WHEREAS, fifteen percent (15%) of the original Performance Guarantee equals \$17,913.09; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, the Governing body thereof, that the Performance Guarantee be and hereby is **released** leaving a balance of \$17,913.09 on account as Maintenance Guarantee.

I hereby certify the foregoing resolution was adopted by the governing body at a meeting held on September 19, 2011.


Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-266

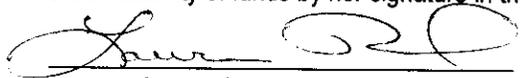
TITLE: RESOLUTION APPROVING PROJECT PROPOSAL BETWEEN HATCH MOTT MACDONALD AND THE TOWNSHIP OF LOWER FOR ENGINEERING SERVICES RELATED TO ADDITIONAL WORK FOR 2011 DELAWARE BAYSHORE OUTFALL EXTENSIONS

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

WHEREAS, the Engineer has provided a separate fee proposal for engineering services related to additional work for 2011 Delaware Bayshore Outfall Extensions which is set forth on EXHIBIT A attached hereto (the "Project Proposal"); and

WHEREAS, the Township Council desires to approve the Project Proposal, and

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



Lauren Read, CFO

C-04-55-395-910 [#] 0ed 09-12
Account

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

1. The Project Proposal between Hatch Mott MacDonald and the Township of Lower, in the form attached hereto as EXHIBIT A, for a total amount of \$4,973.00, is hereby approved.
2. That the Mayor and Clerk are hereby authorized and directed to execute the Project Proposal on behalf of the Township of Lower, and to take any and all other actions necessary to effectuate the purposes thereof.
3. All of the terms and conditions of the Engineer's Contract except for the specific terms and conditions of the Project Proposal shall continue in full force and effect and the Project Proposal shall be deemed a supplement thereto.

I hereby certify the foregoing to be an original resolution adopted by the Township Council of the Township of Lower at a meeting held on October 3, 2011.



Claudia R. Kammer, Township Clerk

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



**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

September 22, 2011

Via email: mvoll@townshipoflower.org & 1st Class Mail

Mr. Michael J. Voll, Township Manager
Township of Lower
2600 Bayshore Road
Villas, NJ 08251

**RE: Additional Work
2011 Delaware Bay Shore Outfall Extensions
Township of Lower, Cape May County, New Jersey
HMM No. 291956**

Dear Mr. Voll:

As you are aware Hatch Mott MacDonald (HMM) was authorized by Council to perform surveying, engineering and permitting services for the 2011 Delaware Bay Shore outfall extensions on March 21, 2011 (Township Resolution No. 2011-91) based on our March 2, 2011 proposal.

Under Task 6 of the aforementioned proposal a budget of \$9,500 was established to handle any reimbursable services or direct expenses incurred during the performance of Tasks 1-5 such as meetings, travel, plan and report reproduction and follow-up with the NJDEP and USACE during the permitting process. Included in that budget was preparing the necessary easement plans, legal descriptions and providing support to the Township Solicitor as required to acquire stormwater easements for existing outfalls not located on Township property.

As you are aware subsequent to our authorization from the Township to perform work on the above referenced project, the Township Solicitor requested a stormwater easement from the owner of Block 1, Lot 2 (Stewart and Gail Tweed) for the existing outfall located on their property at the extension of St. John's Avenue. Instead of providing a stormwater easement to the Township Mrs. Tweed asked if the Township was interested in purchasing Block 1, Lot 2 and subdividing it from her single family home lot(s) at Schellinger Ave. The Township asked HMM to prepare the required deed and map, meet with Mrs. Tweed and have the minor subdivision approved by the appropriate agencies under Task 6 of our proposal. To date we have used \$4,973 of our budget on this out of scope and unanticipated work.

As of September 16, 2011 we reached our Task 6 budget of \$9,500 and there is still remaining work to be performed for stormwater easement acquisition and with the permitting agencies (NJDEP, USACE, NJNLT), work that was anticipated and included in the Task 6 budget.



Hatch Mott
MacDonald

As a result of the out of scope work performed for the Tweed property we request that the Township authorize an additional \$4,973 (allocated to the Task 6 budget) so HMM can complete the remainder of the work contemplated under Task 6. As indicated in our previous proposal, all work performed under Task 6 will be based on a reimbursable method of compensation for the actual time required and at the actual hourly rates for the individuals employed.

We thank you for your consideration of this request. Should you have any questions regarding the above information or should you wish to discuss this proposal in more detail, please do not hesitate to contact this office.

Very truly yours,

Hatch Mott MacDonald

A handwritten signature in black ink, appearing to read "Mark R. Sray".

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

A handwritten signature in black ink, appearing to read "Steven C. Morey".

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

cc (via Email): Claudia R. Kammer, Township Clerk
Gary Douglass, Public Works Superintendent
Robert C. Mainberger, PE, CME, HMM (File: 287118CM10-III-3)

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

RESOLUTION #2011-267

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 has been requested.

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>
48	1.02	Robert Walsh	Disabled Veteran	56.12

I hereby certify the foregoing to be a resolution adopted by the governing body at a meeting held on October 3, 2011.



Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-268

TITLE: APPROVAL OF PRECIOUS METALS LICENSE FOR ANTHONY NATALE T/A WE BUY GOLD, LLC FOR THE YEAR 2011

WHEREAS, application has been made for a Precious Metals license by Anthony Natale t/a We Buy Gold, LLC for the year 2011 in accordance with Ordinance #81-2, and

WHEREAS, the applicant has paid the proper fee, posted the required bond and the police have no objection to the issuance of said license,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, that Anthony Natale t/a We Buy Gold, LLC for the year 2011 is hereby approved for a Precious Metals License.

I hereby certify this is the original resolution adopted by the Township Council at the meeting of October 3, 2011.


Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-269

TITLE: RESOLUTION SUPPORTING LOWER TOWNSHIP INDEPENDENCE DAY FESTIVAL AND FIREWORKS FOR 2012 & AUTHORIZING DONATIONS BE PUT INTO A RESERVE ACCOUNT FOR THE EVENT

WHEREAS, the Township Council feels the annual Independence Day Festival & Fireworks is a family and community event they would like to see preserved, and

WHEREAS, the Township Council would like to continue this annual family and community event without undo burden on the budget and taxpayers, and

WHEREAS, in order to fund this event the Township will need to solicit donations from the community and local businesses prior to the event and in preparation of the 2012 budget.

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the 2012 Independence Day Festival & Fireworks event to be held on Tuesday, July 3, 2012 has the full support of Council and all donations solicited and collected on behalf of the event shall be given to the CFO to be put into a reserve account dedicated to the event.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on October 3, 2011.


Claudia R. Kammer, Township Clerk

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

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

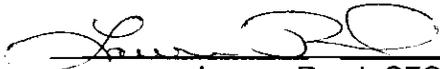
RESOLUTION #2011-270

TITLE: RESOLUTION APPROVING PURCHASE OF ONE 2001 FREIGHTLINER TRACTOR FROM THE CAPE MAY COUNTY MUA

WHEREAS, the Cape May County Municipal Utilities Authority, Resolution #89-11 authorizes the sale of surplus equipment to the Township of Lower, and

WHEREAS, the Township seeks to purchase one (1) 2001 Freightliner Tractor, Serial Number 1FUY3WEB21LH33895 deemed surplus by the Cape May County MUA for the fee of \$9,500.00, and

WHEREAS, the CFO has certified the availability of funds as evidenced by her signature below:



Lauren Read, CFO

Ord # 07-14 C 04-55-391-250
Account #

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the purchase of one 2001 Freightliners Tractor, Serial No. 1FUY3WEB21LH33895 from the Cape May County Municipal Utilities Authority is hereby approved.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on October 3, 2011.



Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-271

TITLE: APPOINTMENT TO THE PLANNING BOARD

WHEREAS, there exists a vacancy on the Planning Board, and

WHEREAS, Council has reviewed the applications on file.

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

<u>Name</u>	<u>Type</u>	<u>Term Exp.</u>
John McNulty	Regular Member (Formerly R. Imler)	June 30, 2015

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on October 3, 2011.


Claudia R. Kammer, Township Clerk

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

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

RESOLUTION # 2011-271

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

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

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

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

- (1) Matters Required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- (2) Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- (3) Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information, relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
- (4) Matters Relating to Collective Bargaining Agreement: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
- (5) Matters Relating to the Purchase, Lease of Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
- (6) Matters relating to Public Safety and Property: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.
- (7) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer. (Recreation Roof Contractor)