

December 19, 2016 Signed Resolutions

- Res. #2016-335 Payment of Vouchers \$ 646,105.79  
Res. #2016-336 A Resolution Authorizing the Execution of the General Release and Assignment Concerning the Discharge and Release of the Bond Associated with 1031 Seashore Road, Block 753.01, Lots 18.01 & 18.02 (\$43,950.)
- Res. #2016-337 Transfer of 2016 Appropriations (\$216,500)  
Res. #2016-338 A Resolution Requesting Release of Revegetation and Restoration Guarantee for Dune Site Plan; Block 390, Lot 1.02, Escrow #P13-10-01 (\$1,000)
- Res. #2016-339 Authorization for Refund of Taxes ( 5 Properties \$5,138.63)  
Res. #2016-340 Lower Cape Alliance -July 1, 2017 to June 30, 2018 (Authorization for submission of a strategic plan)
- Res. #2016-341 Cancellation of taxes on County Property (\$475.14)  
Res. #2016-342 Cancellation of Tax Sale Certificate #10-00057 (state owned property)  
Res. #2016-343 A Resolution Supporting an Open Space/Historic Preservation Grant Application for the Naval Air Station Wildwood Aviation Museum
- Res. #2016-344 A Resolution Expressing the Township of Lower's Support of Cape May County's Project to Improve Seashore Road (CR626) From Stimpson Lane to Sandman Boulevard
- Res. #2016-345 Approval for Payment to Lower Cape May Regional School District for a Portion of A Wrestling Mat (\$1,600)
- Res. #2016-346 Approval of Contribution to Lower Township Chamber of Commerce (\$4,000)  
Res. #2016-347 A Resolution Requesting Reduction of Performance Guarantee for Cape Regional Holdings, LLC; Block 629; Lots 130-159 & Block 630, Lots 168.01-173; Escrow #Z14-09-05



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00630 CMC CHAMBER OF COMMERCE	16-03286	12/14/16	LUNCHEON 12/15/16	Open	72.00	0.00		
00736 CAPE PRINTING EXPRESS*	16-02862	11/14/16	5000 REGISTRATION FORMS/RECREA	Open	1,353.00	0.00		
00775 CAPRIONI PORTABLE TOILETS, INC*	16-03222	12/08/16	MONTHLY SERVICES	Open	113.00	0.00		
00854 JOHN CHEW JR.	15-01013	04/28/15	2015 EQUIP. ALLOWANCE	Open	150.00	0.00		
00991 COLONIAL ELECTRIC SUPPLY*	16-02437	09/15/16	SYLVANIA REPLACEMENT BULBS	Open	166.60	0.00		
01055 ERIC COOMBS	16-03170	12/05/16	CONTRACTUAL REIMBURSEMENT-V	Open	194.00	0.00		
01170 VERIZON WIRELESS* F/S	16-03200	12/07/16	CELL FIRE 10/27/16-11/26/16	Open	52.43	0.00		
01171 VERIZON WIRELESS - TOWNHALL	16-03151	11/30/16	IPHONE BILL 11/29/16-12/28/16	Open	893.63	0.00		
01215 DENNISVILLE FENCE COMPANY*	16-02711	10/24/16	SNOW FENCE	Open	1,213.87	0.00		
01239 DIANA L DeNOTE	16-03247	12/12/16	CONTRACTUAL REIMBURSEMENT-M	Open	44.58	0.00		
01490 ROBERT FESSLER	15-01018	04/28/15	2015 EQUIP. ALLOWANCE	Open	35.16	0.00		
	16-00578	03/02/16	2016 EQUIP. ALLOWANCE	Open	<u>24.84</u>	0.00		B.
					60.00			
01510 WALTER FIORE	16-03244	12/12/16	CONTRACTUAL REIMBURSEMENT-V	Open	343.00	0.00		
01530 FIRE DISTRICT #1	16-00778	03/15/16	2016 FIRE DISTRICT TAXES	Open	175,699.37	0.00		
01540 FIRE DISTRICT #2	16-00274	01/26/16	2016 FIRE TAXES	Open	93,409.00	0.00		
01550 FIRE DISTRICT #3	16-00779	03/15/16	2016 FD #3 TAXES	Open	236,030.00	0.00		
01577 MIKE FLINN**	16-03197	12/07/16	INSTRUCTOR FOR JUDO CLASSES	Open	960.00	0.00		
01600 ORVILLE E FOWLER	16-03195	12/07/16	CONTRACTUAL REIMBURSEMENT-M	Open	1,340.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01643 WILLIAM GALESTOK	16-03194	12/07/16	CONTRACTUAL REIMBURSEMENT-V	Open	110.00	0.00		
01690 GRANTURK EQUIPMENT CO*	16-02247	08/19/16	PARTS FOR RECYCLING/SEPT	Open	365.59	0.00		
01750 RYAN HANSBERRY	15-01023	04/28/15	2015 EQUIP. ALLOWANCE	Open	150.00	0.00		
	16-00583	03/02/16	2016 EQUIP. ALLOWANCE	Open	<u>150.00</u>	0.00		B
					300.00			
01806 ANTHONY J HARVATT, II, ESQ	16-00783	03/15/16	ZBA SOLICITOR SALARY	Open	625.00	0.00		
	16-03186	12/05/16	RESOLUTIONS	Open	<u>300.00</u>	0.00		
					925.00			
01837 ROBERT HODSDEN	16-03241	12/12/16	CONTRACTUAL REIMBURSEMENT-M	Open	527.67	0.00		
01873 HOME DEPOT*	16-02542	09/27/16	SUPPLIES FOR SHOP/DPW/OCT	Open	220.78	0.00		
01956 IMPACT TECHNOLOGY SOLUTIONS*	16-03049	11/17/16	ISDN/INTERNET VIDEO CONF OVRGE	Open	1,364.00	0.00		
02025 HUNTER JERSEY PETERBILT*	16-02252	08/19/16	PARTS FOE VEHICLES/DPW	Open	1,514.91	0.00		
02063 JOHNSTONE SUPPLY*	16-03104	11/28/16	G32-697 SMOKE DETECTOR TESTER	Open	180.42	0.00		
02136 TED KINGSTON INC*	16-00695	03/11/16	JULY 2016 MAINT. DPS	Open	539.61	0.00		
	16-00696	03/11/16	AUGUST 2016 MAINT. DPS	Open	625.00	0.00		
	16-03012	11/15/16	RADIO MAINTENANCE	Open	<u>1,685.29</u>	0.00		
					2,849.90			
02140 KINDLE FORD LTNC/MERC., INC.*	16-02863	11/14/16	PARTS FOR POLICE VEHCICLES	Open	1,992.54	0.00		
02223 LANDSMAN UNIFORMS*	16-02718	10/24/16	UNIFORMS	Open	3,288.50	0.00		
02248 LAWMEN SUPPLY*	16-02564	09/30/16	BALLISTIC VEST	Open	803.00	0.00		
	16-02789	10/31/16	UUNIFORMS	Open	<u>1,036.00</u>	0.00		
					1,839.00			
02334 LOWER TWP CHAMBER OF COMMERCE	16-03234	12/12/16	CHAMBER LUNCHEON 12/8/16	Open	60.00	0.00		
02448 JOHN MACCARTER	16-03242	12/12/16	CONTRACTUAL REIMBURSEMENT-V	Open	335.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02538 MARSH & MCLENNAN AGENCY, LLC*	16-01310	05/12/16	RES#16-115 BROKER SERVICES	Open	2,222.24	0.00		B
02677 KAREN F. WOLF	16-03287	12/14/16	CONTRACTUAL REIMBURSEMENT-V	Open	230.00	0.00		
02774 ROSE MOORE	16-03243	12/12/16	CONTRACTUAL REIMBURSEMENT-V	Open	325.00	0.00		
03072 NJ STATE LEAGUE OF MUNICIPALI*	16-02619	10/05/16	LEAGUE REGISTRATION	Open	65.00	0.00		
03104 NORTHEAST IND.&MARINE SUPPLY*	16-02122	08/04/16	PARTS/RDS/SANT/RECY/JULY	Open	725.20	0.00		
03158 NYSCA*	16-02844	11/09/16	COACHES-RENEWING MEMBERS	Open	100.00	0.00		
03305 PEDRONI FUEL*	16-03253	12/12/16	NO LEAD GAS	Open	270.89	0.00		
03427 POLAR BEAR*	16-03062	11/18/16	REPLACE DEFECTIVE VALVE/BOILER	Open	474.02	0.00		
03466 R & R SPECIALTIES	16-02609	10/05/16	PROCLAMATION PLAQUES	Open	66.00	0.00		
	16-02660	10/14/16	SOCCER SPONSOR PLAQUE	Open	85.00	0.00		
					151.00			
03518 RIGGINS, INC.*	16-03199	12/07/16	OFF HIGHWAY DIESEL	Open	867.59	0.00		
03678 SMELTZER & SONS INC.*	16-03141	11/30/16	SNOW DE-ICER	Open	1,529.10	0.00		
03688 SOUTHERN NJ CHAPTER NIGP*	16-03156	11/30/16	SJNIGP MEETING	Open	160.00	0.00		
03720 SOUTH SHORE BASKETBALL LEAGUE	16-03178	12/05/16	REFEREE FEES FOR HOME GAMES	Open	1,200.00	0.00		
03820 MUNICIPAL UTILIL. AUTH ON CALL	16-02822	11/03/16	REIMBURSE HALF OF TOTAL BILL	Open	163.12	0.00		
03902 DONALD VANAMAN JR	15-01038	04/28/15	2015 EQUIP. ALLOWANCE	Open	150.00	0.00		B
	16-00600	03/02/16	2016 EQUIP. ALLOWANCE	Open	150.00	0.00		B
					300.00			
03985 VILLAS NAPA AUTO PARTS	16-02553	09/29/16	RDS/SANT/RECY/NOV	Open	3,304.22	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03992 VAL-U AUTO PARTS LLC*	16-02241	08/19/16	RDS/SANT/BLDG/OCT	Open	3,165.50	0.00		
03994 MARGARET VITELLI	16-03282	12/13/16	CONFERENCE TRAVEL/TRAINING	Open	129.92	0.00		
	16-03288	12/14/16	CONTRACTUAL REIMBURSEMENT-V	Open	<u>175.00</u>	0.00		
					304.92			
04030 WEST PUBLISHING PAYMENT *	16-02212	08/12/16	NEW JERSEY RULES OF COURT	Open	357.00	0.00		
04049 SUSAN JACKSON	16-03216	12/08/16	TRAVEL REIMBURSEMENT	Open	66.48	0.00		
04089 WIZARD'S FESTIVAL OF FUN, INC*	16-03081	11/22/16	FERRY MERRY RES 16-304	Open	5,500.00	0.00		
04204 ZACHARY ZELWAK	16-03192	12/07/16	CONTRACTUAL REIMBURSEMENT-M	Open	81.71	0.00		
04266 NJ DEPT OF HEALTH&SENIOR SVCS	16-03183	12/05/16	DOG LICENSE FEES NOVEMBER 2016	Open	51.60	0.00		
04300 W B MASON CO INC*	16-02790	10/31/16	SUPPLIES	Open	507.41	0.00		
04445 TRICOMM SERVICES CORP*	16-03056	11/18/16	RUN PHONE LINE	Open	1,080.00	0.00		
05064 CAPE ISLAND GRAPHICS*	16-03142	11/30/16	DESIGN OF BEACH SIGNS	Open	220.00	0.00		
2023 ATLANTIC TACTICAL INC*	16-02562	09/30/16	WEAPON OUTFITTING	Open	777.00	0.00		
	16-02568	09/30/16	INVESTIGATIVE SUPPLIES	Open	<u>1,243.60</u>	0.00		
					2,020.60			
4104 DOUGLASS LANDSCAPING LLC*	16-00721	03/14/16	RES# 16-71 LANDSCAPING SERVICE	Open	4,748.50	0.00		B
5032 NORTH WILDWOOD \$ CREST SHIRT*	16-03160	12/01/16	SPORT TEX BLACK/WHITE PINNIES	Open	79.60	0.00		
5065 JAMES MCNULTY	15-01030	04/28/15	2015 EQUIP. ALLOWANCE	Open	149.97	0.00		
6028 JAMES RIDGEWAY	16-03201	12/07/16	CONTRACTUAL REIMBURSEMENT-V	Open	210.00	0.00		
6063 CAPE MINING & RECYCLING, LLC*	16-01710	06/13/16	STUMPS AND TREES	Open	1,488.16	0.00		B

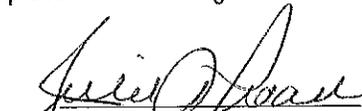
Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
6071 UNITED UNIFORMS LIMITED LIAB*	16-03064	11/18/16	UNIFORMS	Open	135.00	0.00		
6079 KAITLIN BLACK	15-01009	04/28/15	2015 EQUIP. ALLOWANCE	Open	150.00	0.00		
6088 CRAFT OIL CORPORATION*	16-02749	10/26/16	HYDRAULIC OI/ DIESEL	Open	2,981.97	0.00		
7019 OCEAN VIEW VETERINARY*	16-03239	12/12/16	VET SERVICES 12/2/16	Open	130.00	0.00		
7044 A SHORE THING CLEANING*	16-03102	11/28/16	CLEANING OF MILLMAN CENTER	Open	150.00	0.00		
7131 DAN WAGNER	16-03238	12/12/16	REGISTRATION REFUND	Open	15.00	0.00		
7142 LINDSAY BECHTLER	16-03168	12/05/16	ZUMBA INSTRUCTOR NOVEMBER 2016	Open	130.00	0.00		
7195 PHOENIX ADVISORS, LLC*	16-03184	12/05/16	2016 CONTINUING DISCLOSURE	Open	1,250.00	0.00		
7248 SHORE SIDE ENTERPRISES LLC*	16-03224	12/08/16	CANCELLATION FEE 11/12/16	Open	50.00	0.00		
7310 CORELOGIC REAL ESTATE TAX SER	16-03264	12/13/16	RES#16-339 REFUND 4TH QRT TAX	Open	957.47	0.00		
	16-03265	12/13/16	RES#16-339 REFUND 4TH QRT TAX	Open	715.20	0.00		
	16-03266	12/13/16	RES#16-339 REFUND 4TH QRT TAX	Open	874.50	0.00		
	16-03267	12/13/16	RES#16-339 REFUND 4TH QRT TAX	Open	<u>1,300.32</u>	0.00		
					3,847.49			
7478 WINDSTREAM COMMUNICATION INC*	16-03289	12/14/16	TELEPHONE SERVICE	Open	4,578.59	0.00		
7501 ACTION UNIFORM CO LLC*	16-03058	11/18/16	SPORT TEK JACKET	Open	50.00	0.00		
7508 BLANEY & KARAVAN PC*	16-00061	01/07/16	2016-32 LABOR ATTORNEY \$25 DNE	Open	1,687.50	0.00		B
	16-01316	05/12/16	RES#16-127 TAX APPEAL ATTORNEY	Open	<u>300.00</u>	0.00		B
					1,987.50			
7526 J HARRIS ACADEMY OF POLICE LLC	16-02831	11/03/16	TRAINING	Open	525.00	0.00		
7532 HEATHER MCNULTY*	16-03169	12/05/16	HIFITNESS ACADEMY NOVEMBE 2016	Open	305.00	0.00		
7636 MOTT MACDONALD LLC*	16-02309	08/29/16	RES#16-171 BID SER NATURAL GAS	Open	1,406.50	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
<b>7636 MOTT MACDONALD LLC* Continued</b>								
	16-02313	08/29/16	RENOVATIONS @ DOUGLASS PARK	Open	1,346.11	0.00		B
	16-02498	09/21/16	RES#16-267 CLUBHOUSE RECONSTRU	Open	1,025.50	0.00		B
	16-02499	09/21/16	RES#16-268 BIKE PATH ENGINEERI	Open	1,524.54	0.00		B
	16-03185	12/05/16	PROFESSIONAL ENGINEERING	Open	1,325.00	0.00		
	16-03202	12/07/16	PROFESSIONAL ENGINEERING	Open	938.25	0.00		
	16-03245	12/12/16	PROFESSIONAL ENGINEERING	Open	132.50	0.00		
	16-03246	12/12/16	PROFESSIONAL ENGINEERING	Open	645.18	0.00		
	16-03258	12/13/16	PROFESSIONAL ENGINEERING	Open	728.75	0.00		
	16-03259	12/13/16	PROFESSIONAL ENGINEERING	Open	265.00	0.00		
	16-03260	12/13/16	PROFESSIONAL ENGINEERING	Open	1,432.64	0.00		
	16-03261	12/13/16	PROFESSIONAL ENGINEERING	Open	66.25	0.00		
	16-03262	12/13/16	PROFESSIONAL ENGINEERING	Open	2,323.49	0.00		
					<u>13,159.71</u>			
<b>7658 WEAVERS EQUIPMENT SALES &amp;SERV*</b>								
	16-03013	11/15/16	HOSE KIT FOR BILLY GOAT	Open	245.00	0.00		
<b>7688 DEBORAH A JOHNS</b>								
	16-03198	12/07/16	CONTRACTUAL REIMBURSEMENT-V	Open	468.00	0.00		
<b>7690 MARGARET DELOSSO</b>								
	16-03231	12/12/16	RELEASE OF DUNE BOND	Open	1,000.00	0.00		
<b>7691 AUDREY DENNY</b>								
	16-03240	12/12/16	CONTRACTUAL REIMBURSEMENT-M	Open	168.59	0.00		
<b>7693 KEVIN &amp; ANN BEGANY</b>								
	16-03263	12/13/16	RES#16-339 REFUND 4TH QRT TAX	Open	1,291.14	0.00		
<b>BOSNA KAREN MANETTE BOSNA</b>								
	16-03167	12/05/16	YOGA PAYMENT NOVEMBER 2016	Open	75.00	0.00		
<b>SEAGE SEAGEAR MARINE SUPPLY*</b>								
	16-03101	11/28/16	SAFETY GLOVES/JACKETS	Open	1,492.50	0.00		

Total Purchase Orders: 131 Total P.O. Line Items: 0 Total List Amount: 646,105.79 Total Void Amount: 0.00

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2016.

  
Julie A Picard, Township Clerk

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

**RESOLUTION # 2016-336**

**Title: A RESOLUTION AUTHORIZING THE EXECUTION OF THE GENERAL RELEASE AND ASSIGNMENT CONCERNING THE DISCHARGE AND RELEASE OF THE BOND ASSOCIATED WITH 1031 SEASHORE ROAD, Block 753.01, Lots 18.01 & 18.02**

**WHEREAS**, on October 5, 2005, pursuant to Lower Township Planning Board Resolution 05-25, John Sachar and Gregory Whissell d/b/a JES Properties, Inc. (hereinafter "Principals"), received preliminary and final major subdivision approval to complete proposed improvements at the property located at 1031 Seashore Road, Block 753.01, Lots 18.01 and 18.02; and

**WHEREAS**, pursuant to N.J.S.A. 40:55D-1 et seq., as a condition of final approval, Principals were required to prepare and submit a Performance Guarantee, or New Jersey Subdivision/Site Plan Bond, in order to ensure the completion of the proposed improvements at the referenced property; and

**WHEREAS**, on April 12, 2007, the Principals obtained and submitted a performance surety bond in the amount of \$50,870.40 from the Bond Safeguard/Lexon Insurance Company in order to ensure the completion of the approved improvements at the subject property; and

**WHEREAS**, on March 9, 2016, the Principals were formally noticed that the Township of Lower was declaring the said Principals to be in default with respect to the outstanding improvements associated with the property, and that Township of Lower was requesting the release of said performance surety bond from the Bond Safeguard/Lexon Insurance Company; and

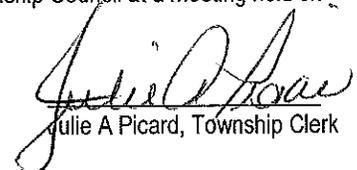
**WHEREAS**, the Bond Safeguard/Lexon Insurance Company has proposed a settlement figure of \$43,950.00 in order to release and discharge the aforementioned performance surety bond so as to allow the Township of Lower to complete the outstanding improvements associated with the property; and

**WHEREAS**, Pursuant to N.J.S.A. 40:55D-1 et seq, the Township of Lower, in consultation with the Township Engineer, finds the proposed settlement figure of \$43,950.00 to be satisfactory in order to complete the outstanding improvements associated with the property.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower that the attached General Release and Assignment for the discharge and release of the aforementioned bond is hereby approved.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2016.

  
 Julie A Picard, Township Clerk

# General Release and Assignment

*To all to whom these Presents shall come or may Concern,*

*Know That the*

LOWER TOWNSHIP, NEW JERSEY

as RELEASOR,

a County municipality organized under the laws of the State of New Jersey, in consideration of the sum of FORTY-THREE THOUSAND NINE HUNDRED FIFTY AND 00/100 DOLLARS (\$43,950.00), and other good and valuable consideration,

received from

BOND SAFEGUARD INSURANCE COMPANY

as RELEASEE,

receipt whereof is hereby acknowledged, releases and discharges

BOND SAFEGUARD INSURANCE COMPANY,

the RELEASEE, and the RELEASEE'S employees, officers, agents, successors, assigns and transferees from any and all actions, causes of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, extents, executions, claims and demands whatsoever, in law, admiralty or equity, which against the RELEASEE, the RELEASOR and the RELEASOR'S successors, assigns and transferees, ever had, now have, or hereafter can, shall or may have, for, upon, or by reason of any matter, cause or thing arising out of or relating to Bond No. 5008747 executed by RELEASEE, on behalf of JES Properties, Inc., as principal and RELEASOR as obligee and the project commonly known as 1031 Seashore Road, Oreo Subdivision, Block 753.01, Lots 18.01 & 18.02.

RELEASOR, in consideration of the sum set forth herein, paid by RELEASEE, has sold and by these presents does sell, assign and set over unto RELEASEE, its successors and assigns its claim against JES Properties, Inc. The RELEASOR does hereby constitute and appoint RELEASEE, its successors and assigns its true and lawful attorney irrevocable, with power of substitution and revocation, for use and at the proper cost and charges of RELEASEE to ask, demand and receive payment, to adjust, settle or compromise and to bring suit and to take all lawful ways for the recovery of the money due or to become due pursuant to this assignment and on payment to give full acquittance and discharge of the same.

Whenever the text hereof requires, the use of the singular number shall include the appropriate plural number as the text of the within instrument may require.

This RELEASE may be executed by facsimile or electronically, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

This RELEASE may not be changed orally.

*In Witness Whereof*, the RELEASOR has caused this RELEASE to be executed by its duly authorized officers and its corporate seal to be hereunto affixed on the 19 day of December, 2016.

*In presence of*

LOWER TOWNSHIP, NEW JERSEY

By: Mayor Michael E Beak  
Name: Michael E Beak  
Title: Mayor

STATE OF NEW JERSEY     )  
COUNTY OF \_\_\_\_\_ ) ss:

On the 19 day of December in the year 2016 before me, the undersigned, personally appeared Michael E Beak, the Mayor for the Lower Township, State of New Jersey, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the company or person upon behalf of which the individual acted, executed the instrument.

Julie A Sylvester Picard  
Notary Public

JULIE A SYLVESTER-PICARD  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
MY COMMISSION EXPIRES AUG. 26, 2021

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

RESOLUTION #2016-337

Title: TRANSFERS OF 2016 APPROPRIATIONS

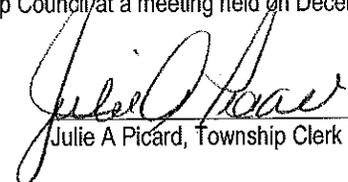
WHEREAS, N.J.S.A. 40A: 4-58 provides for appropriation transfers during the last two months of the current fiscal year when it has been determined that any appropriation is insufficient to pay the claims authorized or incurred during the current year, which are chargeable to said appropriation, and there is an excess in any appropriation over and above the amount deemed to be necessary to fulfill its purpose.

LINE ITEM		ACCT. NUMBER	FROM	TO
SOCIAL SECURITY	OE	6-01-36-472-500	8,000.00	
SOLICITOR	OE	6-01-20-155-200	25,000.00	
POLICE	S&W	6-01-25-240-100	56,000.00	
GROUP INSURANCE	OE	6-01-23-220-600	127,500.00	
CAPITAL IMPROVEMENT FUND	OE	6-01-44-901-600		100,000.00
TERMINAL LEAVE	S&W	6-01-30-415-100		100,000.00
POLICE	OE	6-01-25-240-200		6,000.00
ENGINEERING	OE	6-01-20-165-200		2,500.00
BOCA	S&W	6-01-22-195-100		5,000.00
BUILDINGS GROUNDS	S&W	6-01-20-310-100		1,500.00
CLERK	S&W	6-01-20-120-100		1,500.00
			<u>216,500.00</u>	<u>216,500.00</u>

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, State of New Jersey that the above transfers totaling \$216,500.00 be made between the 2016 budget appropriations.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2016.

  
Julie A Picard, Township Clerk

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

RESOLUTION #2016-338

Title: A RESOLUTION REQUESTING RELEASE OF A REVEGETATION AND RESTORATION GUARANTEE FOR DUNE SITE PLAN; BLOCK 390, LOT 1.02, ESCROW #P13-10-01

WHEREAS, Margaret M. DeLosso posted a bond for the revegetation and restoration of dune grass with the Township of Lower, in the amount of \$1,000.00; and

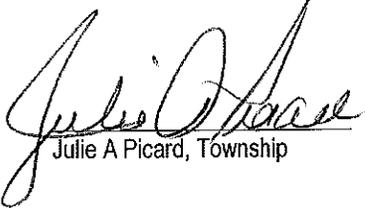
WHEREAS the Township Planning Director recommends that the required restoration and revegetation of dune grass has been properly completed.

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 plus any accrued interest for payment of the above released Guarantee.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2016.

  
Julie A Picard, Township

MEMORANDUM

TO: Mayor Michael Beck &  
Council members

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

DATE:December 8, 2016

RE: Release of Bond for Restoration  
and Revegetation of Dune Grass;  
Lou & Margaret DeLosso  
Block 390, Lot 1.02  
Escrow #P13-10-01  
Resolution #2016-338

Margaret M. DeLosso posted a bond for the restoration and revegetation of Dune grass, on November 13, 2015 per Planning Board Resolution #13-30. A site inspection by the Planning Director on December 8, 2016 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 #2016-339

Title: AUTHORIZATION FOR REFUND OF TAXES

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

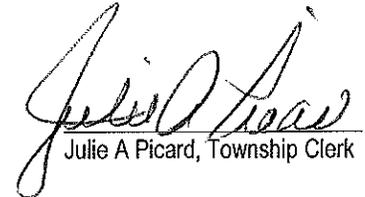
WHEREAS, a refund is due.

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>
533.01	11	Kevin & Ann Begany	paid twice	1,291.14
392	19	Corelogic	paid twice	957.47
392	40	Corelogic	paid twice	715.20
494.16	1	Corelogic	paid twice	874.50
496.29	55	Corelogic	paid twice	1,300.32

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			+			
PERRY	+		+			
SIMONSEN			+			
CLARK		+	+			
BECK			+			

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2016.

  
Julie A Picard, Township Clerk

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

RESOLUTION #2016-340

Title: LOWER CAPE ALLIANCE (JULY 1, 2017 to JUNE 30, 2018)

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, The Township Council of the Township of Lower, County of Cape May, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Cape May.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lower, County of Cape May, State of New Jersey hereby recognizes the following:

- The Township Council does hereby authorize submission of a strategic plan for the Lower Cape Municipal Alliance grant for fiscal year 2018 (July 1, 2017 to June 30, 2018 )in the amount of:
 

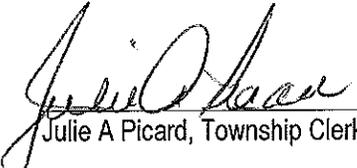
DEDR	\$ 31,409
Cash Match	\$ 7,852
In-Kind	\$ 23,557

The Township of Lower Cash Match portion will be \$5,576

- The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2016.

  
 Julie A Picard, Township Clerk

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

RESOLUTION #2016-341

**TITLE: CANCELLATION OF TAXES ON COUNTY PROPERTY**

**WHEREAS**, the Township of Lower passed Resolution #2013-271 to enter into a Memorandum of Agreement with the County of Cape May and the Delaware River and Bay Authority regarding real estate tax at the Cape May County Airport and Industrial Park : and

**WHEREAS**, the memorandum of agreement states that when a tenant vacates the property the Township will remove the property from the tax rolls: and

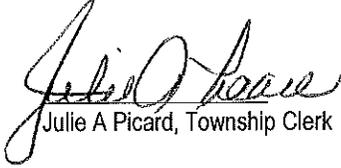
**WHEREAS**, the following properties were vacant for the years and quarters listed.

**NOW, THEREFORE BE IT RESOLVED**, the following list of taxes and interest be canceled by the tax collector and the interest on the balance of 2014, 2015 and first 2 quarters of 2016 be waived if paid within 60 days.

Block                      Lot                      2016 3<sup>rd</sup> & 4<sup>th</sup>  
410.01                      36.11                      \$475.14

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2016.

  
Julie A Picard, Township Clerk

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

RESOLUTION #2016-342

Title: CANCELLATION OF TAX SALE CERTIFICATE #10-00057

WHEREAS, Block 451.01 Lot 5.01 was acquired by the State of New Jersey, Commissioner of Transportation on August 5, 2009: and

WHEREAS, the tax collector was not made aware of the property transfer until June 6, 2011; and

WHEREAS, was placed in the tax sale on October 4, 2010 for 3<sup>rd</sup> and 4<sup>th</sup> quarter 2009 taxes; and

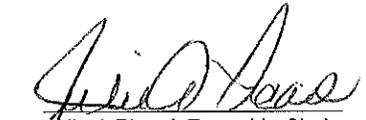
WHEREAS, and the assessor did not make the property tax exempt until 2011

WHEREAS, the certificate needs to be cancelled.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Township Tax Collector is hereby directed to cancel tax sale certificate 10-00057 which includes 2 quarters of 2009 and all of 2010 taxes.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2016.

  
Julie A Picard, Township Clerk

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

RESOLUTION #2016-343

Title: A RESOLUTION SUPPORTING AN OPEN SPACE/HISTORIC PRESERVATION GRANT APPLICATION FOR THE NAVAL AIR STATION WILDWOOD AVIATION MUSEUM

WHEREAS, the Naval Air Station Wildwood Aviation Museum has applied for an Open Space/Historic Preservation grant for Hangar #1 through Cape May County; and

WHEREAS, the proposed project is Stabilization and Rehabilitation of the telescoping Hangar doors; and

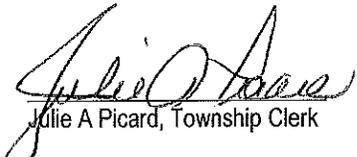
WHEREAS, a requirement of the grant application is to provide a Resolution of support from the governing body in which the applicant is located; and

WHEREAS, Lower Township is proud to have the Naval Air Station Wildwood Aviation Museum located within the Township of Lower.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Lower Township is pleased to support this grant application and the continued Preservation of Historic Hangar #1.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2016.

  
Julie A Picard, Township Clerk

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

RESOLUTION #2016-344

Title: **A RESOLUTION EXPRESSING THE TOWNSHIP OF LOWER'S SUPPORT OF CAPE MAY COUNTY'S PROJECT TO IMPROVE SEASHORE ROAD (CR626) FROM STIMPSON LANE TO SANDMAN BOULEVARD**

**WHEREAS**, the County of Cape May is planning to improve Seashore Road (County Road 626) from Stimpson Lane to Sandman Boulevard; and

**WHEREAS**, the improvements will provide smoother and safer riding surface of the roadway, improve roadside safety and update traffic stripes and markings; and

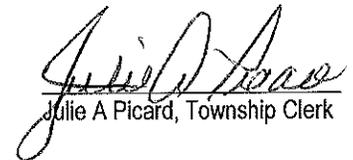
**WHEREAS**, the Township is working with the County to ensure compliance with the applicable state and federal guidelines; and

**WHEREAS**, the project is meant to achieve the goals of Cape May County and the Township of Lower to provide appropriate improvements to preserve and sustain the vital infrastructure of the Township of Lower.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Mayor and Township Council hereby endorse and support Cape May County's effort in advancing a project to improve Seashore Road (CR626) from Stimpson Lane to Sandman Boulevard.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2016.

  
Julie A Picard, Township Clerk

CAPE MAY COUNTY  
DEPARTMENT OF PUBLIC WORKS  
Office of the COUNTY ENGINEER



WILL MOREY  
Freeholder  
DALE M. FOSTER  
Engineer  
KENT SCHELLINGER  
Assistant Engineer  
TIMOTHY DONOHUE  
Road Department Supervisor

4 Moore Road  
Cape May Court House, N.J. 08210-1601  
(609) 465-1035 Fax: (609) 465-1418  
E-mail: countyengineer@co.cape-may.nj.us  
Website: www.capemaycountynj.gov

November 28, 2016

Jim Ridgeway, Manager  
Township of Lower  
2600 Bayshore Road  
Villas, NJ 08251

**Re: Seashore Road (CR626) Resurfacing Improvements  
from Stimpson Lane to Sandman Boulevard**

Dear Mr. Ridgeway:

Cape May County is advancing the design of a resurfacing improvement project for Seashore Road, County Road No. 626, from Stimpson Lane to Sandman Boulevard. This project is federally funded for Fiscal Year 2017. If the County is successful in submitting all the necessary paperwork required, the project would go to construction either Fall 2017 or Spring 2018.

The goal of the project is to mill and resurface Seashore Road to provide a smooth riding surface and upgrade roadside safety features, particularly at the bridge over Cape May Canal. Stormwater runoff will be reviewed and new drainage structures and pipes installed as needed. The drainage improvements will be limited to the right-of-way of Seashore Road.

The roadway is to be restriped similar to the existing configuration upon completion of the asphalt paving. Raised pavement markers are to be installed along the centerline of the roadway within the limits of the project. No changes to the roadway alignment is proposed.

After the improvements are completed and accepted by the County, a five (5) year moratorium is imposed on any road openings by utility companies. The property owners along this section of Seashore Road will be notified of the upcoming improvement project and advised of the roadway moratorium after the completion of the improvements. The various utility companies with facilities in or about Seashore Road have already been notified of the project.

As part of the federal funding requirements, the County needs a resolution of support of the project from the municipality. For your benefit, I have enclosed a sample resolution for your use. Please schedule the adoption of this resolution by the Township in the very near future. I respectfully request that the Township refrains from adding to the resolution any other issues that may be related to Seashore Road, because it may impact the ability to receive federal funds. The other issues can be presented separately to this office.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

  
Dale M. Foster, PE  
County Engineer

DMF/amc

enc.

cc: Julie Picard, Township Clerk w/enc.

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

RESOLUTION #2016-345

Title: APPROVAL FOR PAYMENT TO LOWER CAPE MAY REGIONAL SCHOOL DISTRICT FOR A PORTION OF A WRESTLING MAT

WHEREAS, Lower Cape May Regional School District has purchased a wrestling mat to be used at the school by both the Township and the school; and

WHEREAS, sharing the expense of the mat would be mutually beneficial; and

WHEREAS, the CFO has determined sufficient funds are available in the budget as evidenced by her signature:

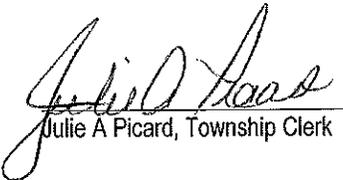
Appropriation # 6-01-28-370-255

Signature 

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, that approval is granted to reimburse Lower Cape May Regional School District for a portion of the cost of the wrestling mat not to exceed \$1,600.00.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2016.

  
Julie A. Picard, Township Clerk

**Lower Township Department of Parks & Recreation**

Mitchell B. Plenn  
Superintendent of Parks & Recreation

2600 Bayshore Road  
Villas, New Jersey 08251

Telephone (609) 886- 7880 ext.8  
Fax (609) 886-7838  
E-mail [recreation@townshipoflower.org](mailto:recreation@townshipoflower.org)

December 13, 2016

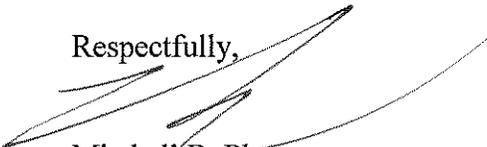
Mark Schiffbauer  
Athletic Director  
Lower Cape May Regional School District  
677 Route #9  
Cape May, New Jersey 08204

Mr. Schiffbauer;

I am writing to you as confirmation of payment for the wrestling mat that our department and your school district have entered into a shared services agreement together for the Winter of 2016. The amount of our department's contribution for encumbered funds for the wrestling mat is going to be \$1600.00. For confirmation, I have provided below a chart of the financial contributions towards the purchase of this wrestling mat. Thanking you in advance for your anticipated cooperation. Please contact me directly using the information provided above for any necessary additional information.

Lower Cape May Regional School District- \$4850.00  
Delmo Sports- \$3250.00  
Lower Township Department of Parks and Recreation- \$1600.00  
Total Cost- \$9700.00

Respectfully,



Mitchell B. Plenn  
Superintendent of Parks and Recreation

Cc:  
Jim Ridgway, Township Manager  
Julie Picard, Township Clerk

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

RESOLUTION # 2016-346

Title: APPROVAL OF CONTRIBUTION TO LOWER TOWNSHIP CHAMBER OF COMMERCE

WHEREAS, The Lower Township Chamber of Commerce is organized to achieve the objective of promoting business and community growth and development within by promoting economic programs designed to strengthen and expand the income potential of all business within the Township of Lower and promoting programs of civic, social and cultural nature which are designed to increase the functional and aesthetic values of the community and discovering and correcting abuses which prevent the promotion of business expansion and community growth; and

WHEREAS, the Lower Township Chamber of Commerce has partnered with the Township in hosting the Annual Hospitality Day; and

WHEREAS, the Lower Township Chamber of Commerce prints and supplies an Annual Directory to the residents of Lower Township.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lower, County of Cape May, State of New Jersey, does hereby authorize and approve a contribution of \$1,000.00 towards the Hospitality Day and a contribution of \$3,000.00 towards the Annual Directory.

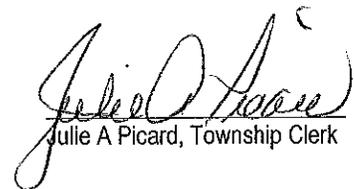
BE IT FURTHER RESOLVED that the CFO, Lauren Read is hereby authorized to issue the above checks chargeable to the following line item where sufficient funds are available as evidenced by her signature

Budget Account: 6-01-20-110-299

CFO's Signature: 

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2016.

  
Julie A Picard, Township Clerk

December 14, 2016

Mayor Michael Beck and Council:

The Lower Township Chamber of Commerce is once again asking for your continued support of our Annual Hospitality Day and the mailing for our 2017 Community Guide.

We are very thankful for the support you have given us over the years. This coming year, we will be celebrating our 11<sup>th</sup> Annual Hospitality and hope you will be able to support us with the \$1,000.00 that provides us the means promote and to bring cheer to our community at this event.

We will also be printing our Annual Community Guide this year for the 13<sup>th</sup> year in a row, and with your support of \$3,000.00 we will, once again, have the ability to mail this Guide to every resident in Lower Township. The residents find this publication an extremely helpful year-round resource as all important Township events and phone numbers are right at their fingertips. This publication celebrates all the good things that Lower Township offers as well as providing the advertisers in the Guide the opportunity to promote what they offer our citizens.

Once more, please accept our deep appreciation for your constant support.

On behalf of the LTCC Officers and Board of Directors, I thank you,



Kathleen Louderback  
President, Lower Township Chamber of Commerce  
Officers and Board of Directors  
Lower Township Chamber of Commerce

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

RESOLUTION #2016-347

Title: A RESOLUTION REQUESTING REDUCTION OF PERFORMANCE GUARANTEE FOR CAPE REGIONAL HOLDINGS, LLC; BLOCK 629; LOTS 130-159 & BLOCK 630, LOTS 168.01-173; ESCROW #Z14-09-05

WHEREAS, Cape Regional Holdings, LLC posted a Performance Guarantee with the Township of Lower in the amount of \$609,747.90 for the Site Plan referenced above; and

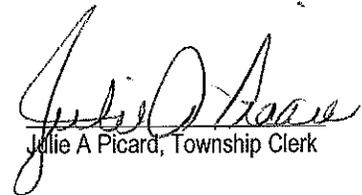
WHEREAS, the Township Engineer has recommended that improvements having a total value of \$426,823.53 have been properly installed and are presently acceptable; and

WHEREAS, the Township Engineer has recommended that the Performance Bond be reduced by the said amount leaving a balance of \$182,924.37.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, the governing body thereof, that the Performance Guarantee of \$609,747.90 be and hereby is reduced leaving a remaining balance of \$182,924.37.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2016.

  
Julie A Picard, Township Clerk

MEMORANDUM

TO: Township Council

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

DATE: December 6, 2016

RE: Cape Regional Holdings  
Bayshore Road  
North Cape May, NJ 08204  
Block 629, Lots 130-159 & Block 630, Lots 168.01-173  
Resolution #2016-

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 Performance Guarantee".

Pursuant to the above referenced Subsection 400-81E, Resolution #2016- is required to reduce the Performance Guarantee held in trust by the Township of Lower for CAPE REGIONAL HOLDINGS, BLOCK 629, LOTS 130-159 & BLOCK 630, LOTS 168.01-173.

The required final inspection report, certifying completion, compliance and condition of the work, has been received from the Township Engineer, Hatch Mott MacDonald. The Township Engineer recommends the **reduction** of the retained \$609,747.90.

The inspection and construction costs of the bonded improvements have been paid for by the developer. All mandated improvements must be completed for the project's final approval.

Improvements having a total value of \$426,823.53 have been completed. Therefore, the Township Engineer recommends the **reduction** of the Performance Guarantee.

Township of Lower policy requires that a Maintenance Guarantee shall be posted upon complete **release** of a Performance Guarantee.

cc: financial file



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

Via E-mail & 1<sup>st</sup> Class Mail

Your Reference  
Twp. No. Z14-09-05

Medical Office Building Cape Regional Holdings, LLC  
Township of Lower, Cape May County

Our Reference  
MM No. 351299CM14

November 30, 2016

833 Route 9 North  
PO Box 373  
Cape May Court House NJ  
08210  
United States of America

Dear Mr. Galestok:

T +1 (609) 465 9377  
F +1 (609) 465 5270  
www.mottmac.com/americas

Per the Developer's request for a performance guarantee reduction, Mott MacDonald has reviewed the completed work at the above referenced site and find that the following work remains to be completed:

- Removal of gate, stairs and walkway per Mr. Nehmad's letter dated 11/22/16, and restoration of disturbed areas.
- Alleviation of a ponding area near the northwest corner of the site.
- Final grading and seeding near the fence at the northwest corner of the site, as well as seeding along the northerly property line.

The applicant has completed most of the work on site with only punchlist items, as referenced above, remaining. As allowed under N.J.S.A. 40:55D-53.e.1, we recommend that the Township retain 30% of the total performance guarantee to ensure completion and acceptability of all improvements. In summary we offer the following:

Performance Guarantee Estimate	\$609,747.90
30% of Total Performance Guarantee	\$182,924.37

Based on the above summary, we recommend that the amount of the performance guarantee be reduced to **\$182,924.37**.

Upon completion of the outstanding items, the Developer shall contact the Township Planning Office to request that a follow-up performance guarantee release inspection be performed by the Engineer.



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

Very truly yours,

Mott MacDonald, LLC

A handwritten signature in black ink, appearing to read 'Shawn A. Carr', written over a horizontal line.

Shawn A. Carr, PE, CME  
Senior Project Engineer  
T 609.465.9377 F 609.465.5270  
[Shawn.carr@mottmac.com](mailto:Shawn.carr@mottmac.com)

SAC

cc: Lisa Schubert, Board Secretary (via e-mail)  
James Hanson, Zoning Board Chairman (via e-mail)  
Anthony Harvatt, Esq., Zoning Board Solicitor (via e-mail)  
Cape Regional Holdings, LLC (via 1<sup>st</sup> Class Mail)  
Lewis Conley, PLS, PP, Van Note-Harvey Associates (via e-mail)  
Steve Nehmad, Esq., Nehmad Perillo & Davis, P.C. (via e-mail)  
Skip Holtzapfel (via e-mail)  
Mark R. Sray, PE, CME, Mott MacDonald (via e-mail)  
Michael A. McKenna, Mott MacDonald (via e-mail)