

WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL

February 4, 2019 - 7:00 P.M.

Meeting called to order

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

Work Session

2019 Budget Message/ Introduction - Manager Jim Ridgway, CFO Lauren Read, Auditor Leon Costello

Res. #2019-75 2019 Budget Introduction (hearing and adoption scheduled for March 18, 2019)

Consent Agenda

Approval of Minutes - January 23, 2019

Approval of Closed Session Minutes - January 23, 2019

Res. #2019-76 Payment of Vouchers \$ 1,070,966.28

Res. #2019-77 A Resolution Requesting Release of Performance Guarantee for Villas WAWA Diesel Fuel Modification; Block 216, Lot 5,6,35 & Various to 39, Escrow #Z17-05-03

Res. #2019-78 A Resolution Requesting Cape May County Board of Chosen Freeholders Reduce the Speed Limit on Townbank Road

Res. #2019-79 Authorization for the Payout of Accumulated Compensatory Time (C.Scheid \$6,115.08)

Res. #2019-80 Authorizing the Payout of Terminal Leave (T.Whittington \$25,734.17)

Res. #2019-81 Issuance of 2019 Limousine and Operator Licenses (High Roller Limousine, Inc)

Res. #2019-82 Approval of 2019 Rotary Towing Licenses

Res. #2019-83 Resolution Authorizing the Exemption of Residency Requirement for Temporary Tax Collection Clerk

Res. #2019-84 Resolution Adopting AXA Equitable's Specimen 457 Plan Document

Res. #2019-85 Appointment to the Recreation Advisory Board (R.DiCarlo)

Res. #2019-86 Appointment to the Recreation Advisory Board (G.Garagozzo)

Regular Agenda

Res. #2019-87 Payment of Voucher – D.Perry Contractual Reimbursement

Manager's Report

Council Comments

Call to the Public

Adjournment

COUNCIL MEETING MINUTES – JANUARY 23, 2019

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on January 23, 2019 at 7:00 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 David Perry
Councilmember Roland Roy, Jr.
Deputy Mayor Frank Sippel
Mayor Erik Simonsen

Also present: James Ridgway, Township Manager, David Stefankiewicz, Township Solicitor and Karen Fournier, Deputy Township Clerk

Work Session

Swearing in of New Officers by Mayor Erik Simonsen: Ptl. Kevin O'Brien; Ptl. Steven Trunfio and Ptl. Michael Harkin
Mayor Simonsen administered the Oath of Office to Patrolman Kevin O'Brien. His wife, Paula O'Brien held the Bible and his brother-in-law, Matthew Newby pinned his badge.

Mayor Simonsen administered the Oath of Office to Patrolman Steven Trunfio. His father, James Trunfio held the Bible and his mother, Jo-Ann Trunfio pinned his badge.

Mayor Simonsen administered the Oath of Office to Patrolman Michael Harkin. His fiancé, Gabby Mattera held the Bible and his mother, Robyn Harkin pinned his badge.

Chief Mastriana congratulated the officers for successfully completing the Police Academy and thanked their families and all in attendance for their support.

Mayor Simonsen congratulated Michael Szemcsak on becoming a Corporal.

Consent Agenda

Approval of Minutes – January 2, 2019

Res. #2019-55 Payment of Vouchers \$ \$462,384.84

Res. #2019-56 Contract Award for Management Information System Consultant (MIS) for the Year 2019 (Barber Consulting Services \$14,500)

Res. #2019-57 Contract Award to Provide the 2019 Fireworks Show, including the Barge, to S. Vitale Pyrotecnico Industries, Inc. (Final year of contract \$48,000)

Res. #2019-58 Approval of Change Order #2 to DeBlasio & Associates Contract for FY2018 NJDOT Municipal Aid Reconstruction of Georgia Avenue, Alabama Avenue and Main Street – Alabama Avenue Roadway As-Built (\$950)

Res. #2019-59 Re-Appointment to the Municipal Utilities Authority Board (B.O'Connor)

Res. #2019-60 Authorization for Refund of Taxes (3 properties)

Res. #2019-61 Authorizing Payout of Terminal Leave (A.Grier \$27,564.68)

Res. #2019-62 Authorizing Payout of Terminal Leave (E.McDermott \$225.86)

Res. #2019-63 Authorization for the Payout of Accumulated Compensatory Time (W.Porch \$935.41)

Res. #2019-64 Authorization for the Payout of Accumulated Sick Time (2 employees \$1,883.35)

Res. #2019-65 Resolution Establishing the Title of Emergency Warming Center/Shelter Attendant

Res. #2019-66 A Resolution Awarding Eight (8) Concerts to be Held at the Delaware River Bay Authority Ferry Terminal to Media Five LTD; Frank Kielb and Anderson Entertainment Management, Inc. (\$16,275)

Res. #2019-67 Issuance of 2019 Limousine, Taxi and Operator Licenses (G.Garibaldi Transportation, LLC)

Res. #2019-68 Approval of Change Order #4 for Marcus Karavan, Esq. (\$3,055)

Res. #2019-69 Approval of Secondhand Merchants and Dealers of Precious Metals License (Lucky 7)

Res. #2019-70 Amending Designation of Official Depositories – Signature Requirement

On the Consent:

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
PERRY			X			
ROY		X	X			
SIPPEL			X			
SIMONSEN			X			

Regular Agenda

Ordinance #2019-01 An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (NJSA 40A:4-15.14) – This is the second reading and public hearing for this Ordinance. This Ordinance has been posted, published and made available to the public.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
PERRY	X		X			
ROY			X			
SIPPEL		X	X			
SIMONSEN			X			

Ordinance #2019-02 An Ordinance Amending Chapter 600-6, Towing and Storage, Towing and Storage Fee Schedule, of the Code of the Township of Lower. This is the second reading and public hearing for this Ordinance. This Ordinance has been posted, published and made available to the public.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
PERRY			X			
ROY	X		X			
SIPPEL			X			
SIMONSEN		X	X			

Res. #2019-71 Appointment to the Municipal Utilities Authority Board to Fulfill an Unexpired Term Councilmember Perry moved to nominate Karen Rechner, seconded by Mayor Simonsen.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
PERRY	X		X			
ROY			X			
SIPPEL			X			
SIMONSEN		X	X			

Res. #2019-72 Authorizing the Payment of Vouchers (D.Perry Contractual Reimb)

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		X	X			
PERRY					X	
ROY			X			
SIPPEL	X		X			
SIMONSEN			X			

Res. #2019-74 Resolution Authorizing the Administration to Process An Involuntary Disability Retirement Application for Lieutenant John A Chew

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
PERRY			X			
ROY		X	X			
SIPPEL	X		X			
SIMONSEN			X			

Manager's Report

Manager Ridgway commended Tax Collector, Kathy Brown on the 98.6 percent tax collection rate for 2018. He congratulated Recycling Coordinator, Linda Thomas and the Public Works Department for their recycling accomplishment. He gave an update on several issues including the Summer Concert Series, the beach replenishment project, the community collection for the Coast Guard, the Mulligan Field project, Code Blue Warming Center, the LED sign for Township Hall and the Introduction of the Budget.

Engineer's Report

Mark Sray, Mott MacDonald, updated Council on the current engineering projects including the Roseann Avenue Roadway and Utility Improvements, Roseann Avenue Phase 3, Beach Access Improvements, Recreation Center Restrooms Upgrade, and Emergency Repair to the Pipeline on Clubhouse Drive.

Administrative Reports

Monthly Reports - Clerk, Construction, Dog, Treasurer, Vital Statistics
Tax Collector Annual Report

Council Comments

Councilmember Conrad commended the Recreation staff for manning the Warming Center. He gave a brief update on the Nathaniel Foster House, Mulligan Field Improvements, and Road and Storm Drain Improvements.

Councilmember Perry commented on the Roseann Avenue Project and Pump Station.

Councilmember Roy- no comments

Deputy Mayor Sippel reminded about the upcoming NJ Run for the Fallen benefit.

Mayor Simonsen sent condolences to the families of Jim "Scoop" Millman and Patrick Wood. He spoke about attending Jim Neill's 100th birthday celebration and complimented staff on Code Blue preparations. He also applauded the community's response to the collection for the Coast Guard and announced the lineup for the Summer Concert Series.

Councilmember Conrad reminded about the Healthy Youth Coalition's Town hall Panel meeting to discuss substance abuse on February 13th at Township Hall.

Call to the Public

Dan Smith, 502 Old Stage Road, addressed Council about an issue with Bayshore Landscaping.

Nina Saffold, 502 Old Stage Road, voiced concern about the same issue and pleaded for the Township's help.

Manager Ridgway agreed to look into the matter further.

Closed Session

Res. #2019-73

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.
Attorney/Client Privilege/Negotiation of a Contract

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
PERRY	X		X			
ROY		X	X			
SIPPEL			X			
SIMONSEN			X			

Council adjourned to Closed Session at approximately 7:39 p.m.

Council returned to Open Session at approximately 8:16 p.m.

Adjournment

There being no further business to address, motion to adjourn moved by Councilmember Conrad, seconded by Councilmember Perry. Motion to adjourn was unanimous. Meeting adjourned at 8:17 p.m.

Mayor

Township Clerk

Approved:

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01200 DELTA DENTAL PLAN OF NJ								
	19-00387	01/31/19	DEC 2018 GROUP 9427 ADMIN	Open	1,260.00	0.00		
	19-00388	01/31/19	DEC 2018 CLAIMS GROUP 9427	Open	7,680.25	0.00		
					8,940.25			
01220 DRAEGER, INC*								
	19-00247	01/17/19	CERT. OF ALCHOTEST PARTS	Open	179.00	0.00		
01239 DIANA L DeNOTE								
	19-00297	01/23/19	CONTRACTUAL REIMBURSEMENT M	Open	1,608.00	0.00		
01492 F THOMAS HILLEGASS								
	19-00252	01/17/19	DEC 17 SPECIAL DWI SESSION	Open	500.00	0.00		
01502 PAMELA FELDER								
	19-00349	01/29/19	CONTRACTUAL REIMBURSEMENT M	Open	349.48	0.00		B
01590 FORD, SCOTT & ASSOCIATES*								
	19-00049	01/04/19	RES2019-03 AUDITOR DNE \$40,000	Open	5,000.00	0.00		
01600 ORVILLE E FOWLER								
	19-00347	01/29/19	CONTRACTUAL REIMBURSEMENT M	Open	1,340.00	0.00		
01657 GOPHER SPORT*								
	19-00084	01/07/19	BASKETBALL EQUIPMENT	Open	330.85	0.00		
01690 GRANTURK EQUIPMENT CO*								
	19-00021	01/03/19	COUNTY SWEEPER PARTS	Open	1,916.81	0.00		
01805 HERTRICH FLEET SERVICES INC*								
	18-02736	10/19/18	2019 FORD EXPLORER #2018-313	Open	26,640.00	0.00		
01806 ANTHONY J HARVATT, II, ESQ								
	19-00058	01/07/19	BOARD SOLICITOR SALARY	Open	625.00	0.00		
01824 ROBERT J. HERITAGE								
	19-00224	01/15/19	CONTRACTUAL REIMBURSEMNT M	Open	176.55	0.00		B
01898 HERITAGE BUSINESS SYSTEMS, INC*								
	19-00350	01/29/19	FIRE 1/1/19 - 3/31/19	Open	113.85	0.00		
02200 KOHLER'S AUTO GLASS*								
	19-00232	01/16/19	BACK HOE WINDSHIELD	Open	135.00	0.00		
02223 LANDSMAN UNIFORMS*								
	18-03241	12/10/18	UNIFORMS	Open	371.50	0.00		
02248 LAWREN SUPPLY*								
	18-02084	07/30/18	BALLISTIC VEST SKIN	Open	85.00	0.00		
02262 FBI/LEEDA*								
	19-00113	01/09/19	RENEWAL 2019	Open	50.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02538 MARSH & MCLENNAN AGENCY, LLC*	19-00052	01/04/19	DNE\$26,674.08 BROKER	Open	2,222.84	0.00		B
02632 N J PLANNING OFFICIALS*	19-00085	01/07/19	MEMBERSHIP DUES	Open	440.00	0.00		
02714 MITCHELL HUMPHREY*	19-00146	01/09/19		Open	4,480.00	0.00		
03008 NJ DEPT OF TREASURY/FEES	19-00179	01/10/19	WATER ALLOCATION FEES	Open	205.00	0.00		
03026 NJ STATE HEALTH BENEFITS	19-00365	01/30/19	FEB 19 ID024700 ACTIVE/RX	Open	195,173.57	0.00		
	19-00366	01/30/19	FEB 2019 RETIREES ID 024700	Open	<u>61,368.51</u>	0.00		
					256,542.08			
03305 PEDRONI FUEL*	19-00263	01/18/19	NO LEAD GAS	Open	404.51	0.00		
03377 JULIE PICARD	19-00264	01/18/19	CONTRACTUAL REIMBURSEMENT V	Open	655.47	0.00		
03387 POGUE INC. *	19-00230	01/16/19	2019 PUBLIC ENTITY CONSORTIUM	Open	2,958.00	0.00		
	19-00236	01/16/19	I. KELLY PRE-EMPLOYMENT	Open	<u>133.00</u>	0.00		
					3,091.00			
03427 POLAR BEAR MECHANICAL SERVICES	19-00074	01/07/19	HVAC MAINTENANCE/JAN	Open	196.00	0.00		B
	19-00166	01/09/19	REPAIR ATTIC MIDDLE FURNACE	Open	<u>1,238.00</u>	0.00		
					1,434.00			
03465 R&R ELECTRONICS, INC.*	19-00207	01/15/19	MAINTENANCE CONTRACT 2019-2020	Open	4,927.00	0.00		
03518 RIGGINS, INC.*	19-00306	01/25/19	OFF HIGHWAY DIESEL	Open	542.39	0.00		
	19-00317	01/25/19	OF HIGHWAY DIESEL	Open	<u>254.98</u>	0.00		
					797.37			
03544 PORTER LEE CORP*	19-00037	01/04/19	ANNUAL CONTRACT - THE BEAST	Open	926.00	0.00		
03608 SEAWAVE CORPORATION*	19-00152	01/09/19	PUBLIC NOTICE / AFFIDAVIT 1/2	Open	32.37	0.00		
	19-00215	01/15/19	PUBLIC NOTICE - OPMA	Open	<u>70.38</u>	0.00		
					102.75			
03692 SOUTH JERSEY GAS CO*	19-00323	01/28/19	12/17/18 -1/18/19 SJ GAS	Open	5,592.10	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03844 GIACOMO TROMBETTA	19-00246	01/17/19	CONTRACTUAL REIMBURSEMENT M	Open	44.44	0.00		
03954 VAN NOTE-HARVEY ASSOCIATES*	17-02751	10/25/17	RES 2017-281 TAX MAP	Open	32,130.63	0.00		B
03960 VECTOR SECURITY*	19-00267	01/22/19	OEM DOOR LOCK	Open	85.00	0.00		
03969 VERIZON	19-00321	01/28/19	LANDLINES 1/13-2/12/19	Open	244.72	0.00		
04075 BARBER CONSULTING SERVICES LLC	19-00153	01/09/19	MONTHLY MIS SERVICE	Open	1,725.00	0.00		
04085 CHRISTOPHER WINTER (EMPLOYEE)	19-00244	01/17/19	CONTRACTUAL REIMBURSEMNT M	Open	106.00	0.00		
04097 CINTAS FIRST AID AND SAFETY*	19-00001	01/03/19		Open	177.98	0.00		
04204 ZACHARY ZELWAK	19-00298	01/23/19	CONTRACTUAL REIMBURSEMENT M	Open	387.00	0.00		B
04445 TRICOMM SERVICES CORP*	19-00239	01/16/19	OEM TELEPHONE ISSUES	Open	127.50	0.00		
05083 SJSHORE MARKETING LIMITED	18-03157	11/30/18	STRETCHED CANVAS WRAPS	Open	153.80	0.00		
6059 USABLE LIFE	19-00348	01/29/19	FEB 2019 LIFE INSURANCE	Open	642.21	0.00		
6071 UNITED UNIFORMS LIMITED LIAB*	18-02794	10/29/18	BADGES	Open	842.50	0.00		
7079 SUBURBAN PROPANE L P*	19-00293	01/23/19	PROPANE - SHUNPIKE	Open	307.61	0.00		
	19-00335	01/29/19	PROPANE- CLEM MULLIGAN & FREEM	Open	342.74	0.00		
					650.35			
7098 SHORE VETERINARIAN ANIMAL *	19-00053	01/04/19	LOWER ANIMAL CONTROL DNE \$54K	Open	4,500.00	0.00		B
7196 LAUREN HUGGINS SUIT*	19-00032	01/04/19	2019 DNE 12,900.00	Open	1,075.00	0.00		B
7199 STAPLES CREDIT PLAN-INSTORE PU	18-03342	12/21/18		Open	21.99	0.00		
	18-03348	12/21/18	OFFICE SUPPLIES	Open	227.17	0.00		
	18-03398	12/27/18	PAPER COPY	Open	38.96	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7199 STAPLES CREDIT PLAN-INSTORE PU Continued	19-00184	01/11/19	OFFICE SUPPLIES	Open	<u>35.64</u>	0.00		
					323.76			
7228 SOUTH STATE INC.*	19-00024	01/03/19	RETURN OF ESCROW 3/1-12/13/18	Open	19.36	0.00		
7257 SHORE GUYS HEATING & AIR COND*	19-00216	01/15/19	REPLACE HEATER-MILLMAN CENTER	Open	4,235.00	0.00		
7335 MAIL FINANCE/NEOPOST	19-00327	01/28/19	NOV 17/18 TO FEB 16/19	Open	1,890.00	0.00		
7354 FLEETPRIDE INC.*	19-00235	01/16/19	SUPPLIES/TRUCK/DPW	Open	232.82	0.00		
7475 SUZANNE M SCHEID	19-00245	01/17/19	CONTRACTUAL REIMBURSEMENT M	Open	40.97	0.00		
	19-00296	01/23/19	CONTRACTUAL REIMBURSEMENT M/V	Open	<u>65.94</u>	0.00		
					106.91			
7507 STEFANKIEWICZ & BELASCO LLC	18-00127	01/11/18	RES 2018-01 DNE \$125,000	Open	8,358.00	0.00		
	19-00046	01/04/19	RES 2019-01 DNE 28,000	Open	<u>2,333.33</u>	0.00		B
					10,691.33			
7508 BLANEY & KARAVAN PC*	19-00050	01/04/19	RES#2019-05 PROSECUTOR DNE\$40K	Open	3,333.33	0.00		B
	19-00212	01/15/19	DEC 17 SPECIAL DWI SESSION	Open	<u>480.00</u>	0.00		
					3,813.33			
7636 MOTT MACDONALD LLC*	18-01767	06/20/18	RES 18-214 BEACH ACCESS IMPROV	Open	3,123.00	0.00		B
	19-00301	01/23/19	PROFESSIONAL ENGINEERING	Open	1,012.05	0.00		
	19-00302	01/23/19	PROFESSIONAL ENGINEERING	Open	93.00	0.00		
	19-00303	01/23/19	PROFESSIONAL ENGINEERING	Open	<u>207.75</u>	0.00		
					4,435.80			
7711 LORETTA MURPHY	19-00290	01/23/19	BASKETBALL OFFICIAL	Open	50.00	0.00		
7739 CHRISTOPHER KERVAN	19-00300	01/23/19	CONTRACTUAL REIMBURSEMNT V	Open	15.00	0.00		
7840 HAWK HAVEN VINEYARD	18-03413	12/28/18	RETURN OF ESCROW 18-09-02	Open	191.25	0.00		
7929 AMAZON CAPITAL SERVICES, INC	18-03226	12/07/18	TV TRAINING/DOM VIOLENCE/XMAS	Open	1,759.58	0.00		
	19-00185	01/11/19	OFFICE SUPPLIES	Open	69.68	0.00		
	19-00192	01/15/19	AVAYA TELEPHONE FIRE/OEM/SPARE	Open	217.50	0.00		
	19-00228	01/15/19	OFFICE SUPPLIES	Open	52.86	0.00		
	19-00231	01/16/19	GATE OPENER PARTS	Open	74.97	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7929	AMAZON CAPITAL SERVICES, INC			Continued				
	19-00243	01/17/19	RAGS FOR GARAGE	Open	119.96	0.00		
	19-00257	01/17/19	MICROLINE OFFICE PRINTER	Open	487.99	0.00		
	19-00282	01/23/19	TOILET FLUSH CARTRIDGE/MILLMAN	Open	58.98	0.00		
	19-00305	01/24/19	OFFICE SUPPLIES	Open	37.11	0.00		
	19-00319	01/25/19	OFFICE SUPPLIES	Open	41.98	0.00		
					<u>2,920.61</u>			
7959	ALL PRO TEAM SPORTS							
	18-03254	12/11/18	BOYS LACROSSE JERSEYS	Open	2,250.00	0.00		
	18-03255	12/11/18	GIRLS LACROSSE JERSEYS	Open	2,250.00	0.00		
					<u>4,500.00</u>			
8013	ATLANTIC CITY ELECTRIC							
	18-02638	10/09/18	INSTALL LIGHT ON POLE W15351	Open	495.87	0.00		
8023	CONSTELLATION NEW ENERGY INC							
	19-00336	01/29/19	12/19/18- 1/18-19	Open	3,987.95	0.00		
8046	SAMPLE MEDIA INC							
	19-00161	01/09/19	4X 15 MAIL IN BALLOT AD	Open	498.00	0.00		
8058	PHILIP KELLY							
	19-00292	01/23/19	BASKETBALL OFFICIAL	Open	100.00	0.00		
8059	FRANK GARGIONE							
	19-00316	01/25/19	WRESTLING OFFICIAL	Open	133.00	0.00		
FAIR	JOHN FAIR							
	19-00291	01/23/19	BASKETBALL OFFICIAL	Open	50.00	0.00		
HOOVER	ROBERT HOOVER & SONS INC*							
	19-00176	01/10/19	MATERIAL FOR TRUCKS	Open	1,680.36	0.00		
MCAA	MCAA OF NEW JERSEY							
	19-00035	01/04/19	NJ COURT ADMIN DUES 2019	Open	100.00	0.00		

Total Purchase Orders: 111 Total P.O. Line Items: 0 Total List Amount: 1,070,966.28 Total Void Amount: 0.00

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

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 February 4, 2019.

Julie A Picard, Township Clerk

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

RESOLUTION #2019-77

Title: A RESOLUTION REQUESTING RELEASE OF PERFORMANCE GUARANTEE FOR VILLAS WAWA DIESEL FUEL MODIFICATION; BLOCK 216, LOTS 5,6, 35 & VARIOUS TO 39, ESCROW #Z17-05-03

WHEREAS, Wawa, Inc. posted a Performance Guarantee with the Township of Lower, in the amount of \$5,000.00; and

WHEREAS, the Township Engineer has recommended the improvements having a total value of \$5,000.00 have been properly installed and are presently acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the Performance Guarantee be and hereby is released.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

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 February 4, 2019.

Julie A Picard, Township Clerk

MEMORANDUM

TO: Mayor Erik Simonsen &
Council members

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

DATE: January 28, 2019

RE: Wawa, Villas, Diesel Fuel
1515 Bayshore Road
Villas, NJ 08251
Block 216, Lots 5, 6, 35, various to 39
Resolution # 2019-77

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 # 2019-77 is required to release the Performance Guarantee held in trust by the Township of Lower for Villas Wawa Diesel Fuel Modification, Block 216, Lots 5, 6, 35, various to 39. The required final inspection report, certifying completion, compliance and condition of the work, has been received from the Township Engineer, Mott MacDonald.

The Township Engineer recommends release of the retained \$5,000.00.

att:1

cc: financial file, w/att.

M
M
MOTT
MACDONALD

RECEIVED
1-28-19

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

Via 1st Class Mail

Your Reference
Twp. No. Z17-05-03

**Villas Wawa Diesel Fuel Modifications
Township of Lower, Cape May County**

Our Reference
380640ZB11

January 22, 2019

211 Bayberry Drive
Suite 1A
Cape May Court House NJ
08210
United States of America

Dear Mr. Galestok:

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

Per the Developer's request for a performance guarantee release, Mott MacDonald conducted multiple inspections at the above referenced site. The inspections were based on a review of the drawings entitled "Minor Site Plan for Wawa Proposed Diesel Fuel Modifications Store No. 963, 1515 Bayshore Road, Lower Township, Cape May County, New Jersey 08251" Sheets 1-4, prepared by Robert E. Klos, Jr., PE, last revised July 13, 2017.

The inspections revealed that, to the best of our knowledge and belief, the site improvements have been installed in accordance with the above referenced documents and comply with the Land Development Ordinance of the Township of Lower. Mott MacDonald recommends that the performance bond for the project be released.

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

Very truly yours,

Mott MacDonald, LLC



Shawn A. Carr, PE, CME
Senior Project Engineer
T +1 (609) 465 9377 F +1 (609) 465 5270
shawn.carr@mottmac.com

SAC/sjm

cc: Lisa Schubert, Planning Board Secretary (via 1st class mail)
Mark R. Sray, PE, CME, Mott MacDonald

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

RESOLUTION #2019-78

Title: A RESOLUTION REQUESTING CAPE MAY COUNTY BOARD OF CHOSEN FREEHOLDERS
REDUCE THE SPEED LIMIT ON TOWNBANK ROAD

WHEREAS, the Township has received multiple requests from residents residing on Townbank Road requesting a reduction in the current speed limit; and

WHEREAS, the speed limit on a portion of Townbank Road, from Seashore Road to Bayshore Road is currently 45 mph; and

WHEREAS, the speed limit on a portion of Townbank Road, from Bayshore Road to Beach Drive, is currently 40 mph; and

WHEREAS, reducing the speed limit by 5 mph on both portions of Townbank Road will greatly enhance public safety along Townbank Road.

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 Council hereby officially requests that the Cape May County Board of Chosen Freeholders reduce the speed limit on Townbank Road as follows:

From Seashore Road to Bayshore Road from 45 mph to 40 mph
From Bayshore Road to Beach Drive from 40 mph to 35 mph

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

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 February 4, 2019.

Julie A Picard, Township Clerk

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

RESOLUTION # 2019-79

Title: AUTHORIZATION FOR THE PAYOUT OF ACCUMULATED COMPENSATORY TIME

WHEREAS, the employee listed below has accrued compensatory time due from the Township and has requested payment for this time; and

WHEREAS, it is necessary to obtain authorization for any salary and wage disbursement to a Township employee that is not specified in the salary ordinance; and

WHEREAS, it has been determined by the Township Treasurer as evidenced by her signature _____ that adequate funding is available for such payment in the current budget for Salaries and Wages.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that payment to Corey Scheid in the amount of \$6115.08 is authorized and chargeable to the 2019 Budget account 9-01-25-240-124.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

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 February 4, 2019.

Julie A Picard, Township Clerk

LOWER TOWNSHIP POLICE DEPARTMENT

SPECIAL REPORT

TO: Chief William Mastriana

FROM: Patrolman Corey Scheid

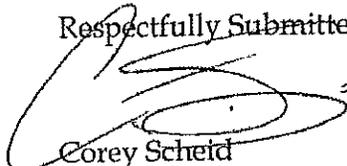
DATE: January 29, 2019

SUBJECT: Comp Time Cash Out

Sir,

I am respectfully requesting to cash out 250 hours of Comp Time. Thank you for the consideration sir.

Respectfully Submitted,


Corey Scheid
Badge 201

0 *
250 *
24*4603 =
6*115*075 **

C File

Date	Officer	Comments
1/29/19	Cpl. [Signature] #100	
1/30/19	MS	FWD To Twp

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

RESOLUTION # 2019-80

Title: AUTHORIZING THE PAYOUT OF TERMINAL LEAVE

WHEREAS, the employee listed below has retired from the Township and is entitled to payment for accumulated vacation, sick and compensatory and personal time; and

WHEREAS, it is necessary to obtain authorization for any salary and wage disbursement to a Township employee that is not specified in the salary ordinance; and

WHEREAS, it has been determined by the Township Treasurer as evidenced by signature _____ that adequate funding is available for accumulated time in the dedicated line item "Reserved for Accumulated Absences".

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that a payment due to Timothy Whittington in the amount of \$ 25,734.17 is authorized and chargeable to the Reserve for Accumulated Absences.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

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 February 4, 2019.

Julie A Picard, Township Clerk

TOWNSHIP OF LOWER
 RETIREMENT PAYOUT ANALYSIS
 DATE:

EMPLOYEE: Whittington, Timothy
 DATE OF RESIGNATION: 2/1/2019
 DATE OF PAYMENT: _____
 RESOLUTION #: _____

Annual Salary:	\$107,865.05
Hourly Rate:	\$49.3888
Longevity	\$0.00

TERMINAL LEAVE:			
	Hours	Rate	Total
Comp	12.25	49.39	605.01
Personal	0.00	49.39	0.00
Sick	479.73	49.39	23,693.31
Vacation	11.38	49.39	562.27
Holiday	16.00	49.39	790.24
College Credits			83.33
Terminal Leave Payout			\$25,734.17

	(A)	(B)	(C)	(B * C)	(E)	A + D - E	
	Carryover	Annual	4 weeks / 52 weeks	Prorated Time Due	Time Used	Hours to be paid	
Comp				0.00		12.25	
Personal	0.00	48.00	0.08	3.90	3.90	0.00	contract max 840 hours
Sick	470.50	120.00	0.08	9.23	0.00	479.73	
Vacation	16.00	200.00	0.08	15.38	20.00	11.38	
Holidays						16.00	
Total	486.50	368.00	0.23	28.52	23.90	503.37	

Accrual and time used are current to 01/28/19 subject to change if time is used or not currently reported.

Employee Signature: _____

Date: _____

Treasurer's Signature: _____

Date: _____

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

RESOLUTION #2019-81

Title: ISSUANCE OF 2019 LIMOUSINE AND OPERATOR LICENSES

WHEREAS, applications have been submitted by High Roller Limousine, Inc., pursuant to Ord. #2000-4 for Taxi, Limo and Operator Licenses; and

WHEREAS, the applicants submitted the appropriate fees, provided the required documentation, and the Police have reviewed and approved the application packet.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Clerk is hereby authorized to issue the following:

High Roller Limousine Inc.

<u>License Type</u>	<u>Description</u>
Limo	2010 Chrysler Town & Country Vin #2A4RR5D13AR105291
Operators	Arthur Wolf and Karen Wolf

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

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 February 4, 2019.

Julie A Picard, Township Clerk

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

RESOLUTION #2019-82

Title: APPROVAL OF 2019 ROTARY TOWING LICENSES

WHEREAS, Chapter 600 of the Revised General Ordinances of the Township of Lower requires any contractor providing towing and storage services for the Township of Lower be licensed by the Township; and

WHEREAS, the following contractors have completed the required application, paid the fee and provided all documentation required by ordinance; and

WHEREAS, the Lower Township Police Department has reviewed said applications as required by Chapter 600, Subsection 4 and have no objection to the issuance of said licenses.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the following applicants shall be issued a Rotary Towing License for the year 2019:

Barney Linn - Cape May Exxon
John D Snyder – John’s Auto Body
Jerry Mancuso – Cape Harbor Auto Repair Inc.
John Harron – Off Shore Getty Inc.
Edward Cooper – Eddie's Auto Body Shop, Inc.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

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 February 4, 2019.

Julie A Picard, Township Clerk

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

RESOLUTION #2019-83

Title: RESOLUTION AUTHORIZING THE EXEMPTION OF RESIDENCY REQUIREMENT FOR TEMPORARY TAX COLLECTION CLERK

WHEREAS, Chapter 63, Laws of 1978 permits certain Township of Lower employees governed by this Chapter to be Township residents; and

WHEREAS, the Township Committee adopted Resolution #81-120 requiring certain Township employees to be Township residents; and

WHEREAS, the Township has conducted interviews for the open temporary position of tax collection clerk and found the most qualified person to be a non-resident; and

WHEREAS, the Township desires to exempt this hire from the residency requirements of Resolution #81-120 on a one time basis for the purpose of filling the position of tax collection clerk on a temporary basis not to exceed six (6) months.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that this hire be exempt from the residency requirement on a one time basis for the purpose of filling the position of temporary tax collection clerk for a period of not exceed six months from date of hire.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

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 February 4, 2019.

Julie A Picard, Township Clerk

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

RESOLUTION #2019-84

Title: RESOLUTION ADOPTING AXA EQUITABLE'S SPECIMEN 457 PLAN DOCUMENT

Whereas, in order to attract and retain qualified employees there exists a need to adopt and implement a DEFERRED COMPENSATION PLAN for the employees of Lower Township (hereinafter referred to as "Employer"), which will provide employees the opportunity to enhance their financial security at retirement through savings of compensation on a tax- deferred basis as provided by Section 457 of the Internal Revenue Code of 1986, as amended ("Code"); and

Whereas, there is no direct financial cost to the Employer to adopt and implement both a DEFERRED COMPENSATION PLAN and Service Agreement; and

Whereas, the Employer made written requests for proposals from two or more approved contractors including AXA Equitable Life Insurance Company (hereinafter referred to as "AXA Equitable"), for the for the administration of the investments of funds under a DEFERRED COMPENSATION PLAN including providing Prototypical Plans and Service Agreements that meet the requirements of the Municipal, County and Authority Deferred Compensation Programs Rule N.J.A.C. 5:37; and

Whereas, the following contractors submitted written proposals:
AXA Equitable

Whereas, the Lower Township Deferred Compensation Committee reviewed the proposals and met with representatives of the responding contractors of deferred compensation services; and

Whereas, it was determined that AXA Equitable has the ability to: (1) maintain complete records of accounts; (2) manage accounts with absolute fidelity; (3) provide advice concerning various categories of investments; and (4) provide continuing consultation to participants.

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

- (a) Effective as of the date of this resolution the DEFERRED COMPENSATION PLAN provided by AXA Equitable and assigned the plan identifier: 89-PD-AXA- 120616 by the New Jersey Division of Local Government Services, is hereby adopted and signed by the Employer.

It is hereby acknowledge that the said DEFERRED COMPENSATION PLAN is substantially similar to one on which a favorable Private Letter Ruling has been previously obtained from the federal Internal Revenue Service except for provisions added by reason of The Small Business Job Protection Act of 1996 (United States Public Law No. 104-188), the Tax payer Relief Act of 2001 (United States Public Law No. 105-34), and the Economic Growth and Tax Relief Reconciliation Act of 2001 (United States Public Law No. 107-16), and all such provisions are stated in the plan in terms substantially similar to the text of those provisions in the Code Section 457 including pertinent applicable Treasury Regulations. The use of the Ruling is for guidance only and acknowledges that for Internal Revenue Service purposes, the Ruling of another employer is not be considered precedent.

- (b) the Mayor and/or Township Manager is/are authorized to execute the Service Agreement (bearing the identifier: 96-SA- AXAEquitable-091318 assigned by the New Jersey Division of Local Government) with AXA Equitable for the provision of administrative and investment services.
There has been no collusion, or evidence or appearance of collusion, between any local official and a representative of AXA Equitable in the selection of AXA Equitable as contractor for the administration of the Service Agreement pursuant to N.J.A.C. Section 5:37-5.7.

(c)

the Lower Township Chief Financial Officer is hereby designated as Local Plan Administrator of the DEFERRED COMPENSATION PLAN

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

The undersigned hereby certifies that this is a true copy of a resolution duly passed by the Mayor and Council of the Township of Lower at a meeting held on February 4, 2019 and a certified copy of this resolution and all necessary required documents shall be submitted to the Director of the Division of Local Government Services within the State Department of Community Affairs for approval

Julie A Picard, Township Clerk

**ELIGIBLE 457(b) DEFERRED COMPENSATION PLAN & TRUST
FOR NEW JERSEY GOVERNMENTAL ENTITIES
EMPLOYER'S ADOPTION AGREEMENT**

AXA Equitable
NJ Vendor No: 89-PD-AXA-120616

The undersigned Employer hereby adopts an eligible deferred compensation plan in the form of the Eligible 457(b) Deferred Compensation Plan & Trust which is attached hereto and agrees that the following elections shall be a part of such Plan:

GENERAL INFORMATION

1. Name and address of Employer: Township of Lower
2600 Bayshore Road
Villas, NJ 08251

Phone #: 609-886-2005

EIN #: 21-6005700
2. Name of Plan: Township of Lower 457(b) Plan
3. Contact Name: Colleen Crippen Phone: 609-886-2005 x134 Email: ccrippen@townshipoflower.org
4. Employer has completed and signed this Adoption Agreement in order to (choose one):
 - (a) Establish a new plan. The effective date of the Plan is 1/1/2019.
 - (b) Amend and restate its previously-adopted 457(b) Eligible Deferred Compensation Plan in the form of this Plan. The effective date of this restatement is _____, with an initial effective date of: _____.
5. Administrator: (a) Employer; (b) Other: _____
6. This Plan shall be governed by the laws of the State or Commonwealth of: New Jersey.

PLAN PROVISIONS

7. Plan Year shall mean: (a) the calendar year; (b) other 12-month period ending _____.
8. The Valuation Date for the Plan shall be: (a) daily; (b) annual; (c) monthly; (d) quarterly; or (e) Other: _____
Default - 8(a)
9. The Normal Retirement Age under the Plan means (choose one):
 - (a) Any age selected by the Employee from age 45 to age 70 1/2. The age inserted can be no less than the earliest age at which a Participant has the right to retire under the Employer's basic pension plan without consent of the Employer and to receive immediate retirement benefits with actuarial or similar reduction because of retirement before some later age specified in the Employer's basic pension plan.
 - (b) Age _____.
 - (c) The later of:
(1) The latest normal retirement age specified in the Employer's basic pension plan, or
(2) Age 65.

Important Note – The “Normal Retirement Age or NRA” is used to determine the 3-year period that the Participant can calculate their special catch-up contributions. The calculation is for the 3 years prior to the year that the participant would attain the NRA. The age can not be less than 65 unless the earliest age under the basic pension plan is less than 65.

**ELIGIBLE 457(b) DEFERRED COMPENSATION PLAN & TRUST
FOR NEW JERSEY GOVERNMENTAL ENTITIES
EMPLOYER'S ADOPTION AGREEMENT**

10. The minimum amount which may be deferred by a Participant in any calendar month is \$ 20.
11. Participant loans (a) shall not (b) shall be available under the Plan.
12. The Employer authorizes investment options available through the following Contractors:

Name of Investment Provider	Trustee	Custodian	Issuer
AXA EQUITABLE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ELIGIBILITY

13. Eligibility shall be extended to (indicate all employees eligible to participate in the Plan):

	Yes	No
(a) All Employees	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Independent Contractors	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Leased Employees	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Only the following Employees are eligible to participate in the Plan (describe):	<input type="checkbox"/>	<input type="checkbox"/>
(e) Other (describe in detail):	<input type="checkbox"/>	<input type="checkbox"/>

Default – All Employees are eligible.

CONTRIBUTIONS

14. The Plan shall accept the following contribution types: (check all that apply and complete the corresponding items):

Contribution Type	Check if "Yes"	Complete:
(a) Pre-Tax Elective Deferrals	<input checked="" type="checkbox"/>	Items 15-17
(b) Post-Tax Roth Elective Deferrals	<input checked="" type="checkbox"/>	Item 15(b)
(c) Mandatory Employee Contribution	<input type="checkbox"/>	Item 15(e)
(d) Employer Nonelective	<input type="checkbox"/>	Item 18
(e) Employer Matching	<input type="checkbox"/>	Item 19
(f) Employer "Pick-up" contributions	<input type="checkbox"/>	Item 15(f)
(g) Accrued Unpaid Sick/Vacation Pay	<input checked="" type="checkbox"/>	Item 15(g)
(h) Rollovers	<input checked="" type="checkbox"/>	see Items 20-23
(i) Transfers from other Governmental 457(b) Plans	<input checked="" type="checkbox"/>	N/A
(j) Employer Contributions for Certain Military Personnel as defined in Section 4.14(b) of the Plan	<input type="checkbox"/>	N/A

15. (a) Pre-Tax Elective Deferrals - A Participant may defer up to the following amount of compensation into this Plan:
- (i) The maximum permitted by law.
- (ii) _____ % of annual compensation; or
- (iii) \$ _____ per year.

Default – 15(a)(i)

**ELIGIBLE 457(b) DEFERRED COMPENSATION PLAN & TRUST
FOR NEW JERSEY GOVERNMENTAL ENTITIES
EMPLOYER'S ADOPTION AGREEMENT**

(b) Roth Deferrals shall apply to contributions on or after 1/1/2019. (Enter the effective date that the Plan will begin to accept Roth Deferrals, but in no event earlier than 1/1/2011.)

(i) Direct Rollovers: If 15(b) is elected, the Plan: will will not accept a direct rollover from another Roth Deferral account under an applicable retirement plan as described in 402A(e)(1) of the Code.

Default: If neither box is checked, "will not" shall apply.

(ii) If 15(b) is selected then Highly Compensated Employees may may not designate the extent to which an excess contribution is comprised of pre-tax Deferrals and Roth Deferrals.

Default: If neither box is checked, "may not" shall apply.

(c) Age 50 Catch-up Contributions: (Choose one.)

- (i) shall apply; or
(ii) shall not apply.

Default – 15(c)(i)

(d) Matching Contributions and Catch-up Contributions

Matching Contributions (i) will (ii) will not be made, in accordance with the Matching Contribution formula specified by the Employer and communicated to Participants, with regard to Catch-up Contributions.

Default – 15(d)(i)

(e) Mandatory Employee Contributions:

(i) Mandatory Employee Contributions shall be made as follows:

- (A) _____% of each eligible Employee's Compensation
 (B) Other: _____

(ii) If 15(d)(i) is elected, such contributions are contributions under section 3121(b)(7)(F) of the Code, and are; are not part of a Social Security Replacement Plan.

(f) Employer "Pick-up" contributions under section 414(h) of the Code:

The contributions elected under 15(a) and/or 15(d) shall; shall not be considered as Employer "Pick-up" contributions.

(g) Accrued Unpaid Sick/Vacation Pay provisions of the Employer's policy shall shall not apply to this Plan. If applicable an addendum shall be added reflecting the provisions used in the Employer's policy.

16. Automatic Enrollment: If an eligible Employee fails to make an affirmative election not to participate in the Plan with respect to Elective Deferrals, the percentage in Item 17 below:

- (a) shall not;
(b) shall be automatically withheld and contributed to the Plan as an Elective Deferral.

Caution: An Employer should determine whether automatic enrollment is permitted under the applicable State law prior to adopting this provision.

**ELIGIBLE 457(b) DEFERRED COMPENSATION PLAN & TRUST
FOR NEW JERSEY GOVERNMENTAL ENTITIES
EMPLOYER'S ADOPTION AGREEMENT**

17. Amount of Automatic Elective Deferral: If Item 16(b) is elected, the following percentage or amount shall be automatically deducted from the Employee's compensation and contributed to the Plan as an Elective Deferral:
- (a) N/A, Automatic Enrollment does not apply.
 - (b) _____%
 - (c) _____%, with automatic increases each subsequent Plan Year of _____%
 - (d) \$ _____
 - (e) \$ _____, with automatic increases each subsequent Plan Year of \$ _____ or _____% of compensation.

Default Provision – 17(a) - unless Item 16(b) is selected, then 17(b) shall apply at the rate of 3%.

18. Employer Nonelective Contributions - The Employer shall contribute to the Plan in the following manner:
- (a) N/A. Nonelective Contributions shall not be made.
 - (b) \$ _____ per Participant
 - (c) _____% of each Participant's Compensation
 - (d) Other (specify): _____
19. Employer Matching Contributions - The Employer shall contribute to the Plan in the following manner:
- (a) N/A No Matching Contributions shall be made.
 - (b) The Employer will match salary deferrals at _____% up to _____% of Compensation.
 - (c) Other (specify): _____

PORTABILITY ELECTIONS

20. Direct Rollovers: The Plan will accept a Direct Rollover of an Eligible Rollover Distribution from: (Check each that applies or N/A.)
- (a) a qualified plan described in section 401(a) or 403(a) of the Code, excluding after-tax employee contributions.
 - (b) an annuity contract described in section 403(b) of the Code, excluding after-tax employee contributions.
 - (c) an eligible plan under section 457(b) of the Code which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state.
 - (d) N/A. The Plan will not accept Direct Rollovers from any plan.
21. Participant Rollover Contributions from Other Employer Plans: The Plan will accept a Participant contribution of an Eligible Rollover Distribution from: (Check each that applies or N/A.)
- (a) a qualified plan described in section 401(a) or 403(a) of the Code, excluding after-tax employee contributions.
 - (b) an annuity contract described in section 403(b) of the Code, excluding after-tax employee contributions.
 - (c) an eligible plan under section 457(b) of the Code which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state.
 - (d) N/A. The Plan will not accept Rollover Contributions from any employer plan.
22. Participant Rollover Contributions from Traditional IRAs:
- The Plan: (Choose one.) (a) will (b) will not accept a Participant Rollover Contribution of the portion of a distribution from an individual retirement account or annuity described in section 408(a) or 408(b) of the Code that is eligible to be rolled over and would otherwise be includible in gross income.

23. Effective Date of Direct Rollover and Participant Rollover Contribution Provisions:

Items 20-22 shall be effective: (a) January 1, 2002; or (b) 1/1/2019 (Enter a date no earlier than January 1, 2002.)

**ELIGIBLE 457(b) DEFERRED COMPENSATION PLAN & TRUST
FOR NEW JERSEY GOVERNMENTAL ENTITIES
EMPLOYER'S ADOPTION AGREEMENT**

DISTRIBUTIONS AND TRANSFERS OUT OF OR WITHIN THE PLAN

24. The following distributions or transfers are permitted:

Provision	Check, if permitted
(a) Unforeseeable Emergency Distributions	<input checked="" type="checkbox"/>
(b) Transfers to State DB Plan (Purchase Service Credits)	<input checked="" type="checkbox"/>
(c) Transfers to another 457(b) Governmental Plan	<input checked="" type="checkbox"/>
(d) Single Sum Payment Distributions	<input checked="" type="checkbox"/>
(e) Periodic Distributions	<input checked="" type="checkbox"/>
(f) Annuity purchase	<input checked="" type="checkbox"/>
(g) \$5,000 in-service distributions permitted*	<input checked="" type="checkbox"/>
(h) Mandatory cash-out at \$5,000*	<input type="checkbox"/>
(i) In-Plan Roth Rollovers	<input checked="" type="checkbox"/>

*May only elect (g) or (h), not both.

SIGNATURE

Name of Employer: _____

Employer's Signature: _____ Date: _____

Name and Title of Signer: _____

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

RESOLUTIUN #2019-85

Title: APPOINTMENT TO THE RECREATION ADVISORY BOARD

WHEREAS, Lonnie Bedell's term on the Recreation Advisory Board expired on December 31, 2018, and he has not requested re-appointment to the Board; and

WHEREAS, Council has reviewed the applications currently on file in the Clerk's office.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the following appointment be made:

<u>NAME</u>	<u>TYPE</u>	<u>TERM EXP</u>
Richard DiCarlo	Regular Member	February, 2022

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

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 February 4, 2019

Julie A Picard, Township Clerk

FOR TOWNSHIP USE ONLY

Res. # _____

Board/Comm./Auth. _____

Term Exp. _____

Replaced _____ or Reappointed _____

Rec'd 1/31/2019

TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

NAME Richard DiCarlo

CITY AND STATE Villas, NJ

YEARS OF RESIDENCY IN TOWNSHIP 41 OCCUPATION Cape May County Sheriff's Office

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

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

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

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

Bachelors Degree

Assistant coach for Little League, Rec. Basketball, Rec Hockey

Previously served on the Republican Committee

Community Mediation Training Certificate

Certificate of Completion for Project Management Fundamentals

Date: 1/26/19 Signature: 

(VALID FOR ONE YEAR FROM DATE OF RECEIPT)

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

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

RESOLUTIUN #2019-86

Title: APPOINTMENT TO THE RECREATION ADVISORY BOARD

WHEREAS, an opening exist on the Recreation Advisory Board; and

WHEREAS, Council has reviewed the applications currently on file in the Clerk's office.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the following appointment be made:

<u>NAME</u>	<u>TYPE</u>	<u>TERM EXP</u>
Gregg Garagozzo	Alternate Member	February, 2022

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

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 February 4, 2019

Julie A Picard, Township Clerk

FOR TOWNSHIP USE ONLY

Res. # _____ Board/Comm./Auth. _____

Term Exp. _____ Replaced _____ or Reappointed _____

Rec'd 1/31/2019

TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

NAME Gregg Garayozzo

CITY AND STATE _____

YEARS OF RESIDENCY IN TOWNSHIP 13 OCCUPATION Sales

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

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

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

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

Volunteer Coach for Lower Township Hockey
and Little League for over 10 years.

Volunteer Coach for Rec Soccer for my oldest
son and Volunteer Coach for the past 5 years
for Capri Express Soccer.

I raise money for the Law Enforcement United Bike
Tour through a wine & spirits event for the past 3 years
and participate in the Ride to Hope from AC to DC.

Date: 1/31/19 Signature: _____

(VALID FOR ONE YEAR FROM DATE OF RECEIPT)

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

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

RESOLUTION #2019- 87

Title: **AUTHORIZING THE PAYMENT OF VOUCHERS**

<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
DAVID PERRY	CONTRACTUAL REIMBURSEMENT	\$406.50

TOTAL BILL LIST \$406.50

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

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 Feb 4, 2019.

Julie A Picard, Township Clerk