

WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL

April 15, 2019 - 7:00 P.M.

Meeting called to order

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

Work Session

Proclamation - Alcohol Awareness Month

Consent Agenda

Approval of Minutes – April 1, 2019

- Res. #2019-145 Payment of Vouchers \$477,198.72
Res. #2019-146 A Resolution Awarding a Contract to Cape Mining and Recycling LLC for the Removal and Disposal of Wood Chips Located at the Municipal Utilities Authority On An As-Needed Basis
Res. #2019-147 A Resolution Requesting Release of a Performance Guarantee for North Cape May WAWA; Block 499.02, Lot 33.01; Escrow #Z08-06-01 (\$5,000)
Res. #2019-148 A Resolution Approving the Submittal of an Application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust
Res. #2019-149 Issuance of Ice Cream Salesman License for the Year 2019 (D.Montgomery – Mr. Softee)
Res. #2019-150 A Resolution Referring A Proposed Rehabilitation Area Designation of Block 410.01, Lots 82,83,84 & 87.01 in the Township of Lower, County of Cape May, to the Lower Township Planning Board
Res. #2019-151 Authorization for Refund of Taxes (4properties)
Res. #2019-152 Approval of Change Order #1 to Resolution #2018-115; Rutala Associates Consulting Services for Grants Consulting Services (\$5,000)
Res. #2019-153 A Resolution of the Township of Lower Consenting to the Vacation of Fish Dock Road, A County Road, Located Within the Township of Lower
Res. #2019-154 Issuance of 2019 Taxi and Operator Licenses (Aarts Trans)
Res. #2019-155 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (New Jersey Historic Trust, \$38,850.00)
Res. #2019-156 Approval of Change Order #1 to Resolution #2018-197; Mott MacDonald, for Roseann Avenue/Bayshore Estate Drainage and Stormwater Management Improvements Project – Phase III (\$2,700)
Res. #2019-157 Approving a Professional Service Contract with Mott MacDonald for Coordination of Services of a NJDOT Grant (\$160,000) for the Roseann Avenue Roadway and Utility Improvement Project Phase III (\$6,700)

Regular Agenda

Res. #2019-158 Payment of Voucher – Lower Township Rescue Squad \$1200.00

Ordinance #2019-06 Bond Ordinance Providing for Various 2019 Capital Improvements By and In the Township of Lower, in the County of Cape May, State of New Jersey (the Township) Appropriating \$1,705,000.00 Therefore and Authorizing the Issuance of \$1,520,000.00 Bonds or Notes of the Township to Finance Part of the Costs Thereof – This is the 2nd reading and public hearing of this Ordinance. This Ordinance has been published, posted and made available to the public.

Manager's Report

Engineer's Report

Administrative Reports

Monthly Reports – Clerk, Construction, Dog, Tax, Vital
Zoning Board Variance Report

Council Comments

Call to the Public

Closed Session

Res. #2019-159 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**

Adjournment

COUNCIL MEETING MINUTES – April 1, 2019

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on April 1, 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

Proclamation - 2019 UDrive. UText. UPay.

Mayor Simonsen read a proclamation supporting the 2019 UDrive. UText. UPay., national distracted driving crackdown.

Proclamation - Autism Awareness Month – Jacyn Pisieczko

Eileen Kreis introduced Jacyn Pisieczko and his brother Eric Pisieczko to speak about living with Autism.

Eric Pisieczko shared his experience growing up with a brother with Autism.

Jacyn Pisieczko, 12th grade student at LCMR, shared his speech about living with Autism and thanked Mayor and Council for their continued support.

Mayor Simonsen read a proclamation recognizing April, 2019, as Autism Awareness Month.

Swearing In of New Officer - Austin Craig

Mayor Simonsen administered the Oath of Office to Police Officer Austin Craig. Austin's father, Walt Craig, held the Bible and Sheriff Robert Nolan pinned his badge.

Swearing In of Sergeant Ryan Hansberry – Mayor Simonsen

Mayor Simonsen administered the Oath of Office to Sergeant Ryan Hansberry. Ryan's wife, Diana Hansberry, held the Bible and Chief Mastriana pinned his badge.

Proclamation - Retirement of Cprl Shaun Whittington

Mayor Simonsen read a proclamation honoring Corporal Shaun Whittington and congratulating him on his retirement.

Chief Mastriana congratulated Officer Craig and Sergeant Hansberry and thanked Cprl Whittington for his 25 years of service.

Presentation – Potential Fulling Mill Rehabilitation Zone Project – K2 Consulting Engineers Inc

Manager Ridgway introduced John Kornick, K2 Consulting Engineers, Inc.

John Kornick, K2 Consulting Engineers, Inc., addressed Council on behalf of the property owners of Fulling Mill Properties to propose a Rehabilitation Zone Project, a mixed residential use, age restricted community.

Tiffany Morrissey, project planner, gave a brief presentation on the rehabilitation process, according to the NJ Housing and Redevelopment Law, and the relevance to the proposed project.

Mr. Kornick fielded questions from Council, Manager Ridgway and Solicitor Stefankiewicz.

Consent Agenda

Approval of Minutes March 18, 2019

Res. #2019-128 Payment of Vouchers \$953,656.46

Res. #2019-129 Capital Budget Amendment

Res. #2019-130 Issuance of Ice Cream Peddling and Ice Cream Salesman License for the Year 2019 (A&T Ice)

Res. #2019-131 Authorization to Cancel Uncashed Checks (Municipal Court)

Res. #2019-132 Authorization for the Payout of Accumulated Compensatory Time (A. Hegarty, \$2,446.03)

- Res. #2019-133 Approval of Change Order #1 to Engineering Design Associates, PA for Schellengers Landing Safety Improvements & Identification Program – Extending the New Sidewalk (\$2,000.00)
- Res. #2019-134 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Distracted Driving Crackdown \$5,500.)
- Res. #2019-135 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (JIF Optional Safety Award \$2,000.)
- Res. #2019-136 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (JIF Cyber Risk Award \$725.)
- Res. #2019-137 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (JIF Safety Incentive Award \$2,750.)
- Res. #2019-138 Issuance of 2019 Limousine and Operator Licenses (Cape May Limousine)
- Res. #2019-139 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (JIF Wellness Incentive Award (\$1,000.))
- Res. #2019-140 Issuance of Ice Cream Peddling and Ice Cream Salesman License for the Year 2019 (Mister Softee)
- Res. #2019-141 Approval of Change Order #1 for Additional Work under Task 3 for Professional Engineering Services for the Beach Access Improvement Project
- Res. #2019-143 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (NJDOT Municipal Aid \$160,000.)

Ordinance #2019-06 Bond Ordinance Providing for Various 2019 Capital Improvements By and In the Township of Lower, in the County of Cape May, State of New Jersey (the Township) Appropriating \$1,705,000.00 Therefore and Authorizing the Issuance of \$1,520,000.00 Bonds or Notes of the Township to Finance Part of the Costs Thereof – This is the 1st reading of this Ordinance. The 2nd reading and public hearing is scheduled for April 15, 2019.

Councilmember Perry commented on Resolution #2019-141 regarding additional pedestrian beach access.

Mayor Simonsen requested to move Resolution #2019-142 to the Regular Agenda.

On the Consent Agenda:

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

- Res. #2019-142 Approval of Change Order #1 for KC Sign & Awnings to Add a Decorative Stone Base to Double Sided LED Township Sign (\$4,195.)

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

Regular Agenda

Ordinance #2019-05 Bond Ordinance Providing For Various Roadway and Drainage Improvements, By and In the Township of Lower, in the County of Cape May, State of New Jersey (The Township); Appropriating \$650,000 Therefore and Authorizing the Issuance of \$615,000 Bonds or Notes of the Township to Finance Part of the Costs Thereof – This is the 2nd reading and public hearing of this Ordinance. This Ordinance has been published, posted and made available to the public.

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

Res. #2019-144 Approval of a Shared Service Agreement Between the Township of Lower and the Lower Cape May Regional School District to Permit the Lower Cape May Regional School District to Oversee and Manage the Township of Lower Recreation Department's Seventh and Eighth Grade Recreation Department Football Team

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

Manager's Report

Manager Ridgway gave an update on several issues including funding for the Roseann Avenue project, financial planning for employees, and going out to bid for asphalt.

Administrative Reports

Personnel Action Report
Treasurer's Report

Council Comments

Councilmember Conrad commented on personnel actions in the Police Department and applauded Jacyn Piszczko on his progress.

Councilmember Perry thanked residents for their patience and commented on the progress with the Roseann Avenue project.

Mayor Simonsen applauded Manager Ridgway and Councilmember Perry for their attentiveness with the Roseann Avenue project.

Councilmember Roy- no comments

Deputy Mayor Sippel announced upcoming events including the Honor Flight of Southern NJ for veterans, the Easter Egg Hunt at Freeman Douglass Park, and Little League Opening Day. He also reminded about Public Works Spring leaf and branch schedule and the Court Advocate.

Mayor Simonsen announced the following: Community Shred Day; Free Rabies Clinic; Little League Opening Day; and the Summer Concert Series.

Call to the Public

Bill Tirrell, 105 Beach Drive, commented in favor of the Beach Drive improvementst and offered suggestions about making accommodations for viewing plans. He also made brief comments about taxation, capital purchases, the comprehensive plan, and cooperative purchasing.

Manager Ridgway commended the Police Department for their support of fellow officers.

Mayor Simonsen added favorable comments about the Police Department.

Adjournment

There being no further business to address, motion to adjourn moved by Councilmember Perry, seconded by Councilmember Conrad. Motion to adjourn was unanimous. Meeting adjourned at 8:15 p.m.

Mayor

Township Clerk

Approved:

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01171 VERIZON WIRELESS - TOWNHALL								
	19-00997	04/01/19	2/24-3/23/19 PHONE 622310837	Open	497.11	0.00		
	19-01072	04/08/19	723051842 IPHONE 3/1-3/28/19	Open	951.13	0.00		
					<u>1,448.24</u>			
01200 DELTA DENTAL PLAN OF NJ								
	19-00993	04/01/19	MARCH 2019 ADMIN GROUP 9427	Open	1,281.60	0.00		
	19-01034	04/03/19	MARCH 19 CLAIMS	Open	12,771.40	0.00		
					<u>14,053.00</u>			
01201 DELL CORPORATION*								
	19-00535	02/20/19	RECREATION AIDE COMPUTER	Open	892.54	0.00		
01319 EDWARD EDWARDS								
	19-00973	03/29/19	2019 EQUIPMENT ALLOWANCE	Open	87.11	0.00		
	19-01114	04/10/19	CONTRACTUAL REIMBURSEMNT V	Open	285.00	0.00		
					<u>372.11</u>			
01450 ERMA DELI*								
	19-00991	04/01/19	3/26/19 WRESTLING BANQUET	Open	261.12	0.00		
01590 FORD, SCOTT & ASSOCIATES*								
	19-00049	01/04/19	RES2019-03 AUDITOR DNE \$40,000	Open	8,000.00	0.00		
01602 THOMSON WEST*								
	19-00833	03/21/19	DISCIPLINARY BULLETINS 2019	Open	444.00	0.00		
01690 GRANTURK EQUIPMENT CO*								
	18-01964	07/18/18	LEACH REAR LOADER	Open	83,136.20	0.00		
	19-00822	03/21/19	LEAF TRUCK PARTS	Open	2,859.09	0.00		
					<u>85,995.29</u>			
01741 GENTILINI CHEVROLET, LLC*								
	19-00078	01/07/19	PARTS FOR TRUCKS/JAN	Open	572.10	0.00		
01806 ANTHONY J HARVATT, II, ESQ								
	19-00800	03/21/19	BOARD SOLICITOR SALARY	Open	625.00	0.00		
	19-01057	04/08/19	RESOLUTIONS 3/7/19	Open	450.00	0.00		
					<u>1,075.00</u>			
01951 INNOVATIVE DATA SOLUTIONS*								
	19-00840	03/21/19	POWER DMS 12/18/19-12/17/20	Open	3,938.00	0.00		
02025 HUNTER JERSEY PETERBILT*								
	18-01962	07/18/18	RESOLUTION# 2018-243	Open	111,532.00	0.00		
02063 JOHNSTONE SUPPLY*								
	19-00765	03/15/19	G32-697 SMOKE DETECTOR TESTER	Open	191.64	0.00		
02097 LACAL EQUIPMENT INC								
	19-00859	03/22/19	SWEEPER PARTS/COUNTY	Open	5,189.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02140 KINDLE FORD LINC/MERC., INC.*	19-00843	03/22/19	PARTS FOR POLICE VEHICLES	Open	991.03	0.00		
02294 MARIE A. LOMONACO	19-00422	02/05/19	CONTRACTUAL REIMBURSEMENT M	Open	208.36	0.00		B
02402 MGL PRINTING SOLUTIONS	19-00706	03/07/19	PURCHASE ORDER FORMS 3000QTY	Open	865.00	0.00		
02410 MAGLOCLEN*	19-00834	03/21/19	MAGLOCLEN 2019 RENEWAL	Open	400.00	0.00		
02541 ROBERT D. MARTIN, JR	19-01008	04/01/19	CONTRACTUAL REIMBURSEMENT M	Open	126.79	0.00		
02677 KAREN F. WOLF	19-01113	04/10/19	CONTRACTUAL REIMBURSEMNT M	Open	55.64	0.00		
02940 MUNICIPAL RECORD SERVICE*	19-00756	03/14/19	TRAFFIC TICKETS 1000 CT	Open	411.00	0.00		
03072 NJ STATE LEAGUE OF MUNICIPALITI*	19-00904	03/27/19	ANNUAL MAYORS LEGISLATIVE DAY	Open	25.00	0.00		
03086 NJ STATE ASSN CHIEFS OF POL.*	19-00882	03/25/19	TRAINING 3/26/19	Open	555.00	0.00		
03104 NORTHEAST IND.&MARINE SUPPLY*	19-00066	01/07/19	PARTS/RDS/SANT/RECY/JAN	Open	682.29	0.00		
03280 PARAMOUNT SANITARY SUPPLY*	19-00911	03/29/19	TRASH BAGS FOR TOWNSHIP	Open	573.40	0.00		
03305 PEDRONI FUEL*	19-01041	04/04/19	NO LEAD GAS	Open	489.11	0.00		
03353 POOL OPERATION MANAGEMENT*	19-00753	03/14/19	CPO CLASS FOR POOL	Open	305.00	0.00		
03460 V.E. RALPH & SON, INC.*	19-00825	03/21/19	RESUSCITATORS	Open	131.40	0.00		
03518 RIGGINS, INC.*	19-01040	04/04/19	OFF HIGHWAY DIESEL	Open	1,040.96	0.00		
03537 RUTGERS, THE STATE UNIVERSITY*	19-00665	03/05/19	PUBLIC PURCHASING CONF 5/1-2	Open	478.00	0.00		
03820 MUNICIPAL UTILIL. AUTH ON CALL	19-01107	04/10/19	ONE CALL CONCEPTS	Open	861.05	0.00		
03844 GIACOMO TROMBETTA	19-00995	04/01/19	CONTRACTUAL REIMBURSEMENT M	Open	45.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03917 STATE OF NJ DEPT OF CHILD/FAML								
	19-01088	04/09/19	QTR MARRIAGE JAN FEB MAR 2019	Open	750.00	0.00		
03971 VERIZON WIRELESS MDT POLICE								
	19-01000	04/01/19	VERIZON WIRELESS MDT	Open	843.33	0.00		
04075 BARBER CONSULTING SERVICES LLC								
	19-01044	04/04/19	MAIN SWITCH / GIGABIT SWITCH	Open	424.99	0.00		
04097 CINTAS FIRST AID AND SAFETY*								
	19-01050	04/05/19	FIRST AID SUPPLIES/DPW	Open	90.66	0.00		
	19-01056	04/08/19	FIRST AID SUPPLIES	Open	78.79	0.00		
	19-01087	04/09/19	TOWNHALL SUPPLIES 4/4	Open	65.87	0.00		
	19-01096	04/09/19	4/4 FIRST AID SUPPLIES REC	Open	82.60	0.00		
					<u>317.92</u>			
04266 NJ DEPT OF HEALTH&SENIOR SVCS								
	19-01095	04/09/19	MARCH 2019 DOG DAMAGE	Open	213.00	0.00		
04301 SEASHORE ASPHALT CORPORATION*								
	19-00865	03/22/19	HP PATCH	Open	1,448.75	0.00		
05066 MICHAEL REEB								
	19-00662	03/05/19	DJ FOR EASTER EGG HUNT	Open	150.00	0.00		
5027 CAPE MAY COUNTY FIRE PROTECTIO								
	19-00878	03/22/19	ASSOCIATION DUES 2019	Open	100.00	0.00		
5032 NORTH WILDWOOD \$ CREST SHIRT*								
	19-00605	02/26/19	EASTER SHIRTS- EGG HUNT	Open	80.00	0.00		
5057 JEFF HURLEY								
	19-01112	04/10/19	LACROSSE OFFICIAL	Open	60.00	0.00		
6053 KIM GRUCCIO								
	19-01084	04/09/19	LACROSSE OFFICIAL	Open	120.00	0.00		
6071 UNITED UNIFORMS LIMITED LIAB*								
	19-00552	02/20/19	UNIFORMS	Open	341.96	0.00		
	19-00766	03/15/19	DNE \$700 UNIFORMS FIRE SAFETY	Open	528.92	0.00		
	19-00992	04/01/19	LETTERMAN JACKETS WRESTLING	Open	2,271.54	0.00		
					<u>3,142.42</u>			
6094 ANCHOR RUBBER STAMP & PRINT*								
	19-00634	03/01/19	NOTARY SUPPLIES - ABELASCO	Open	45.95	0.00		
7037 ROBERT KING								
	19-01030	04/02/19	LACROSSE OFFICIAL	Open	60.00	0.00		
	19-01079	04/09/19	LACROSSE OFFICIAL	Open	90.00	0.00		
					<u>150.00</u>			
7079 SUBURBAN PROPANE L P*								
	19-00985	04/01/19	PROPANE - DOUGLASS PARK	Open	82.93	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7079			SUBURBAN PROPANE L P*	Continued				
	19-01094	04/09/19	PROPANE - DOUGLASS PARK	Open	<u>79.52</u>	0.00		
					162.45			
7153			SUSAN ZACCAGNINO					
	19-01024	04/02/19	LACROSSE OFFICIAL	Open	120.00	0.00		
7241			SKIP HOPPING					
	19-01028	04/02/19	LACROSSE OFFICIAL	Open	60.00	0.00		
	19-01078	04/09/19	LACROSSE OFFICIAL	Open	<u>90.00</u>	0.00		
					150.00			
7302			GUARDIAN TRACKING LLC*					
	19-00836	03/21/19	EMPLOYEE TRACKING PROGRAM	Open	2,705.00	0.00		
7354			FLEETPRIDE INC.*					
	19-00986	04/01/19	SHOCKABSORBERS/DPW	Open	116.86	0.00		
	19-01051	04/05/19	MATERIAL FOR TRUCKS /DPW	Open	<u>349.09</u>	0.00		
					465.95			
7362			NEOPOST USA INC.					
	19-00709	03/08/19	INK FOR POSTAGE MACHINE	Open	157.00	0.00		
7378			TONY PROCOPIO					
	19-01042	04/04/19	LACROSSE OFFICIAL	Open	60.00	0.00		
	19-01083	04/09/19	LACROSSE OFFICIAL	Open	<u>60.00</u>	0.00		
					120.00			
7380			GAILE ROCKEY					
	19-01025	04/02/19	LACROSSE OFFICIAL	Open	120.00	0.00		
	19-01082	04/09/19	LACROSSE OFFICIAL	Open	<u>240.00</u>	0.00		
					360.00			
7391			ANDREW WELSH					
	19-01027	04/02/19	LACROSSE OFFICIAL	Open	90.00	0.00		
7460			M.A.S.E. CONCEPTS LLC*					
	19-00512	02/14/19	2 WAY RADIOS FOR TRUCKS	Open	2,834.00	0.00		
7475			SUZANNE M SCHEID					
	19-00994	04/01/19	CONTRACTUAL REIMBURSEMENT M	Open	58.00	0.00		
	19-01110	04/10/19	CONTRACTUAL REIMBURSEMENT M	Open	<u>33.00</u>	0.00		
					91.00			
7478			WINDSTREAM COMMUNICATION INC*					
	19-01039	04/03/19	MARCH 29/19 PHONE	Open	3,029.63	0.00		
7507			STEFANKIEWICZ & BELASCO LLC					
	19-00047	01/04/19	DNE \$97,000 EXPENSES	open	8,700.00	0.00		
7508			BLANEY & KARAVAN PC*					
	19-00048	01/04/19	LABOR ATT RES#2019-02 DNE 40K	Open	966.00	0.00		B

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7508	BLANEY & KARAVAN PC*		Continued					
	19-00051	01/04/19	RES2019-10 DNE \$10K TAX APPEAL	Open	6,369.00	0.00		B
					7,335.00			
7532	HEATHER MCNULTY*							
	19-00999	04/01/19	MARCH 2019 HIFITNESS	Open	380.00	0.00		
	19-01031	04/02/19	MARCH 2019 SPROUT SPOT	Open	260.00	0.00		
					640.00			
7578	SIGNALSCAPE INC*							
	19-00839	03/21/19	STAR WITNESS ANNUAL CONTRACT	Open	2,514.00	0.00		
7581	ASSOC OF STATE FLOODPLAIN							
	19-00736	03/12/19	ASFPM ASSOCIATION DUES	Open	160.00	0.00		
7636	MOTT MACDONALD LLC*							
	19-01061	04/08/19	PROFESSIONAL ENGINEERING	Open	578.50	0.00		
	19-01062	04/08/19	PROFESSIONAL ENGINEERING	Open	193.90	0.00		
	19-01063	04/08/19	PROFESSIONAL ENGINEERING	Open	107.30	0.00		
	19-01064	04/08/19	PROFESSIONAL ENGINEERING	Open	1,397.50	0.00		
	19-01065	04/08/19	PROFESSIONAL ENGINEERING	Open	242.63	0.00		
	19-01066	04/08/19	PROFESSIONAL ENGINEERING	Open	347.48	0.00		
	19-01067	04/08/19	PROFESSIONAL ENGINEERING	Open	55.00	0.00		
	19-01068	04/08/19	PROFESSIONAL ENGINEERING	Open	394.50	0.00		
					3,316.81			
7714	MACH JACKSON							
	19-01026	04/02/19	LACROSSE OFFICIAL	Open	60.00	0.00		
	19-01081	04/09/19	LACROSSE OFFICIAL	Open	60.00	0.00		
					120.00			
7728	SOUTH JERSEY ENERGY							
	19-01103	04/09/19	11/20/18-12/21/18 SJE	Open	686.80	0.00		
7743	SQUARE 1 DISIGN LLC*							
	19-01007	04/01/19	SITELOCK FIREWALL 1/1-12/31/19	Open	396.00	0.00		
7751	HOFFMAN'S EXTERMINATING*							
	19-01005	04/01/19	2019 PEST CONTROL CONTRACT	Open	1,620.00	0.00		
7764	YVONNE CAREY							
	19-00982	03/29/19	LACROSSE OFFICIAL	Open	60.00	0.00		
	19-01023	04/02/19	LACROSSE OFFICIAL	Open	120.00	0.00		
					180.00			
7773	JOE REMENTER							
	19-01047	04/04/19	CONTRACTUAL REIMBURSEMENT V	Open	75.00	0.00		
7822	WOODBURY CITY POLICE							
	19-00980	03/29/19	TRAINING 12/10/18	Open	300.00	0.00		
7836	AXON ENTERPRISE, INC*							
	19-00689	03/06/19	TASERS	Open	3,800.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7918 JAMES M. RUTALA ASSOCIATES LLC								
	18-00753	03/21/18	GRANT CONSULTING SERVICES	Open	1,020.00	0.00		B
	19-00054	01/04/19	ECONMIC DEV RES 19-41 DNE 50K	Open	<u>8,000.00</u>	0.00		
					9,020.00			
7929 AMAZON CAPITAL SERVICES, INC								
	19-00770	03/18/19	OFFICE SUPPLIES	Open	106.22	0.00		
	19-00838	03/21/19	OFFICE/KITCHEN SUPPLIES	Open	86.96	0.00		
	19-00905	03/27/19	OFFICE SUPPLIES	Open	23.72	0.00		
	19-00926	03/29/19	OFFICE SUPPLIES	Open	79.02	0.00		
	19-00984	04/01/19	RAGS FOR SHOP	Open	119.88	0.00		
	19-01032	04/02/19	FB OFFICE SUPPLIES 4/2/19	Open	<u>84.19</u>	0.00		
					499.99			
7930 RAY WELSH								
	19-01029	04/02/19	LACROSSE OFFICIAL	Open	90.00	0.00		
7942 THOMAS & ELEANOR CHESTNUT								
	19-01116	04/10/19	4/2/19 REFUND B537 L 20	Open	179.63	0.00		
7943 ERNEST A & MARCIA H PAULUS								
	19-01099	04/09/19	4/2/19 REFUND B 352.02 L 1	Open	109.80	0.00		
7950 KELLY BERGMAN								
	19-00983	03/29/19	LACROSSE OFFICIAL	Open	60.00	0.00		
7959 ALL PRO TEAM SPORTS								
	19-00555	02/21/19	LACROSSE ADDITIONAL BOYS JERSE	Open	380.00	0.00		
8020 EDWARD A UETZ								
	19-01098	04/09/19	4/2 REFUND B 495.06 L 7	Open	140.28	0.00		
8023 CONSTELLATION NEW ENERGY INC								
	19-01038	04/03/19	2/16-3/19/19 ENERGY	Open	3,787.88	0.00		
8036 RAGNASOFT INC								
	19-00913	03/29/19	PLANIT POLICE SCHEDULING	Open	2,500.00	0.00		
8068 ESPOS LAW ENFORCEMENT LLC								
	19-00510	02/14/19	TRAINING MARCH 27, 2019	Open	500.00	0.00		
8075 AMACC								
	19-00635	03/01/19	ASSESSORS SEMINAR 3/27/19	Open	55.00	0.00		
8082 THE ADELPHIA RESTAURANT								
	19-00871	03/22/19	LINDA THOMAS 4/5/2019 CEU	Open	95.00	0.00		
8084 CHRIS KANE								
	19-01077	04/09/19	SOCCER OFFICIAL	Open	90.00	0.00		
8085 KENNETH NELSON								
	19-01086	04/09/19	RETURN ESCROW B/35 L/1.01	Open	256.25	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
8086 NJMVC JUNK TITLE								
	19-01100	04/09/19	JUNK TITLES	Open	2.00	0.00		
	19-01101	04/09/19	JUNK TITLES	Open	2.00	0.00		
					4.00			
8205 MATT MCGAFFNEY TOP NOTCH*								
	18-03327	12/19/18	POWER WASH CONST/REC/TOWNHALL	Open	3,500.00	0.00		
8208 GUARDIAN DOCUMENT DESTRUCTION*								
	19-01006	04/01/19	3/25/19 COURT /POLICE SHRED	Open	48.00	0.00		
BOSNA KAREN MANETTE BOSNA								
	19-00998	04/01/19	MARCH 2019 YOGA	Open	90.00	0.00		
CANCELO DON CANCELOSI								
	19-00909	03/29/19	LACROSSE OFFICIAL	Open	90.00	0.00		
DEMUSZ JAMES AND PATRICA DEMUSZ								
	19-01097	04/09/19	4/2/19 REFUND B451.01 L 20	Open	95.36	0.00		
DOUGHERT GEORGIA DOUGHERTY								
	19-01111	04/10/19	CONTRACTUAL REIMBURSEMNT M	Open	469.40	0.00		
G-MUA LTMUA								
	19-00730	03/12/19	TOWNSHIP SHARE PIPE CAMERA	Open	101,150.00	0.00		
MCMAST SANDRA MCMASTER								
	19-00741	03/13/19	LACROSSE ASSIGNER FEE- GIRLS	Open	90.00	0.00		
NJEPA NJEPA								
	19-00318	01/25/19	NJEPA CONFERENCE ED DONOHUE	Open	135.00	0.00		
ROMANOW FRED ROMANOWSKI								
	19-00762	03/15/19	LACROSSE ASSIGNER FEE - BOYS	Open	95.00	0.00		
TOMTO005 TOM TOTO								
	19-01080	04/09/19	LACROSSE OFFICIAL	Open	60.00	0.00		
<p>Total Purchase Orders: 153 Total P.O. Line Items: 0 Total List Amount: 474,198.72 Total Void Amount: 0.00</p>								

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

RESOLUTION #2019-¹⁴⁵

Title: **AUTHORIZING THE PAYMENT OF VOUCHERS**

<u>Vendor</u>	<u>Description</u>	<u>CK #</u>	<u>Amount</u>
STATE OF NJ DEP BEACH PERMIT	VILLAGE RD PERMIT	64567	\$3000.00

TOTAL Manual Checks	\$3000.00
TOTAL Computer Generated	\$ 474,198.72
TOTAL BILL LIST	\$ 477,198.72

	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 April 15, 2019.

Julie A Picard, Township Clerk

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

RESOLUTION #2019-146

Title: A RESOLUTION AWARDING A CONTRACT TO CAPE MINING AND RECYCLING LLC FOR THE REMOVAL AND DISPOSAL OF WOOD CHIPS LOCATED AT THE MUNICIPAL UTILITIES AUTHORITY ON AN AS-NEEDED BASIS

WHEREAS, the Township of Lower Public Works Department identified a need to arrange for the removal and disposal of wood chips located at the Municipal Utility Authority, and the Township has elected to contract for said services with Cape Mining & Recycling, LLC, utilizing a non-fair and open process pursuant to the provisions of N.J.S.A. 40A:11-5; and

WHEREAS pursuant to N.J.S.A. 40A:11-5(1)(s), "Any contract the amount of which exceeds the bid threshold, may be negotiated and awarded by the governing body without public advertising for bids and bidding therefor and shall be awarded by resolution of the governing body if the subject matter thereof consists of ... the marketing of recyclable materials recovered through a recycling program, or the marketing of any product intentionally produced or derived from solid waste received at a resource recovery facility or recovered through a resource recovery program, including, but not limited to, refuse-derived fuel, compost materials, methane gas, and other similar products;" and

WHEREAS, the Township of Lower's current recycling program includes branch and tree part collection thereby necessitating the need to contract for the removal and disposal of wood chips; and

WHEREAS, Township Council desires to authorize the above contract at the fee listed on the price list attached hereto as Exhibit A; and the CFO has certified the availability of funds as evidenced by her signature:

Appropriation: 9-01-32-465-611

Signature: _____
Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, in consultation with the Township Director of Public Works and Township Purchasing Agent, that Cape Mining is hereby awarded a contract for the removal and disposal of wood chips located at the Municipal Utility Authority upon authorization from the Director of Public Works with the approval of the CFO for the availability of funds through December 31, 2019.

BE IT FURTHER RESOLVED, that upon approval of this resolution, the fully executed Purchase Order shall serve as the Contract.

Table with 7 columns: MOTION, SECOND, AYE, NAY, ABSTAIN, ABSENT and 5 rows: 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 April 15, 2019.

Julie A Picard, Township Clerk

CAPE MINING AND RECYCLING

609-465-5617

Price List 2019

Materials Received Into Facility

Concrete	\$ 8.75 per ton
Concrete with Rebar	\$10.00 per ton
Asphalt	\$ 6.00 per ton
Stumps/Tree Parts	\$25.00 per ton

Materials Picked-up or Delivered

	Picked-up	Delivered South of Rt 83	Delivered North of Rt 83
Common Fill/Sand	\$ 5.00 per ton	\$ 9.50 per ton	\$10.50 per ton
Bankrun	\$ 6.75 per ton	\$11.25 per ton	\$12.25 per ton
I-5 Road Gravel	\$ 9.00 per ton	\$13.50 per ton	\$14.50 per ton
K-4/K-5 Sand	\$ 7.00 per ton	\$11.50 per ton	\$12.50 per ton
Screened Topsoil	\$14.50 per ton	\$18.00 per ton	\$19.00 per ton
I-5 Recycled Concrete	\$10.00 per ton	\$14.50 per ton	\$15.50 per ton
1-3" Recycled Concrete	\$18.00 per ton	\$22.50 per ton	\$23.50 per ton
I-5 Recycled Asphalt	\$10.00 per ton	\$14.50 per ton	\$15.50 per ton
Mulch	\$12.00 per cy	\$12.00 per cy*	\$12.00 per cy*
Black Mulch	\$15.00 per cy	\$15.00 per cy*	\$15.00 per cy*
Wood Chips	\$12.50 per cy	\$12.50 per cy*	\$12.50 per cy*

*Specified Items have an additional Delivery Charge of \$75.00

If a partial load is ordered-There may be an additional Delivery Charge

Minimum Charge of \$10.00 each load of Concrete/Asphalt received

Minimum Charge of \$10.00 each load picked-up from facility

Minimum Charge of \$20.00 each load of Stumps/Tree Parts received

For Delivery-Please call at least 1 day prior to set-up delivery

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

RESOLUTION #2019-147

Title: A RESOLUTION REQUESTING RELEASE OF PERFORMANCE GUARANTEE FOR NORTH CAPE MAY WAWA; BLOCK 499.02, LOT 33.01; ESCROW #Z08-06-01

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 that the improvements have been properly installed and are presently acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, 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 April 15, 2019.

Julie A Picard, Township Clerk

MEMORANDUM

TO: Mayor Erik Simonsen &
Council members

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

DATE: April 3, 2019

RE: Wawa, Inc. - Store #980
3719 Bayshore Road
North Cape May, NJ 08204
Block 499.02, Lot 33.01
Resolution # 2019-147

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 # 2019-147 is required to release the Performance Guarantee held in trust by the Township of Lower for North Cape May Wawa, Block 499.02, Lot 33.01. 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.

cc: financial file

M
M
MOTT
MACDONALD

*RCM
Diesel*

RECEIVED
3-28-19

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

Via 1st Class Mail

Your Reference
Twp. No. Z18-06-01

**Minor Site Plan for Wawa Inc. – Store #980
Township of Lower, Cape May County**

Our Reference
393631ZB06

March 26, 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

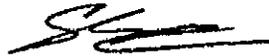
Per the Developer's request for a performance guarantee release, Mott MacDonald conducted multiple inspections at the above referenced site. The inspections were based on a review of the drawings entitled "Minor Site Plan for: Wawa, Inc. – Store #980 Proposed ADA Improvements and Diesel Fuel Modifications" Sheets 1-7, prepared by Matthew Sharo, PE, last revised August 13, 2018.

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 #2019-148

Title: A RESOLUTION APPROVING THE SUBMITTAL OF AN APPLICATION WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST

WHEREAS, the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust (NJEIT) are accepting applications for the New Jersey Environmental Infrastructure Trust Financing Program; and

WHEREAS, this program is intended to fund water, sewer and stormwater projects; and

WHEREAS, the Township of Lower carefully considers funding programs that assist the Township in achieving projects that are priorities for the community; and

WHEREAS, the Township of Lower intends to file an application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for the following projects:

- Roseanne Avenue Drainage Project

WHEREAS, the Mayor and Township Council wish to formally confirm the authority of Colleen Crippen and Jim Ridgway to represent the Township for all purposes with regard to the NJEIT Application.

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

Section 1. That Colleen Crippen and Jim Ridgway be authorized to act as the Authorized Representative to represent Lower Township in all matters relating to the projects undertaken pursuant to the above referenced New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust.

Section 2. The Township hereby authorizes the Authorized Representatives to file all NJEIT Applications as may be required for loans under the NJEIT Program and to execute and deliver all applications, documents, bonds, instruments, or closing certificates as may be required in connection with such loan

Section 3. That a true copy of this Resolution be forwarded with said NJEIT Applications to the New Jersey Department of Environmental Protection for their review and final action.

Section 4. This Resolution shall take effect immediately.

	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 April 15, 2019.

Julie A Picard, Township Clerk

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

RESOLUTION #2019-149

Title: ISSUANCE OF ICE CREAM SALESMAN LICENSE FOR THE YEAR 2019

WHEREAS, James Brown t/a Jim's Mister Softee of Cape May County, LLC has submitted an application for an Ice Cream Peddling and Ice Cream Salesman License for the year 2019; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Clerk be authorized to issue the following license for the year 2019, after inspection of the vehicle with the Police Department:

Ice Cream Peddling Salesman License
Donald Montgomery – Mister Softee

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

	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 April 15, 2019.

Julie A Picard, Township Clerk

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

RESOLUTION #2019-150

Title: **A RESOLUTION REFERRING A PROPOSED REHABILITATION AREA DESIGNATION OF BLOCK 410.01, LOTS 82, 83, 84 & 87.01 IN THE TOWNSHIP OF LOWER, COUNTY OF CAPE MAY TO THE LOWER TOWNSHIP PLANNING BOARD**

WHEREAS, NJSA 40A:12A-14, authorizes the governing body of any municipality, by Resolution, to determine whether, according to the criteria set forth therein, an area within the municipality is in need of rehabilitation, and that a program of rehabilitation, as defined in NJSA 40A:12A-3 may be expected to prevent further deterioration and promote overall development of the community; and

WHEREAS, pursuant to NJSA 40A:12A-14(a), the Governing Body must refer the proposed Resolution to the Planning Board for the Board's recommendation regarding the proposed declaration as an area in need of rehabilitation.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Township of Lower, County of Cape May that:

1. The attached proposed resolution entitled "RESOLUTION DESIGNATING BLOCK 410.01 LOTS 82, 83, 84 & 87.01 IN THE TOWNSHIP OF LOWER, COUNTY OF CAPE MAY AS AN AREA IN NEED OF REHABILITATION" is hereby referred to the Planning Board for its statutory review pursuant to NJSA 40A:12A-14(a).
2. The Planning Board is further directed to provide its recommendation within the statutorily mandated 45-day period.
3. This Resolution shall take effect immediately.

	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 April 15, 2019.

Julie A Picard, Township Clerk

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

RESOLUTION #2019-

Title: A RESOLUTION DESIGNATING BLOCK 410.01 LOTS 82, 83, 84 & 87.01 IN THE TOWNSHIP OF LOWER, COUNTY OF CAPE MAY AS AN AREA IN NEED OF REHABILITATION

WHEREAS, N.J.S.A. 40A:12A-14, authorizes the governing body of any municipality, by Resolution, to determine whether, according to the criteria set forth therein, an area within the municipality is in need of rehabilitation, and that a program of rehabilitation, as defined in N.J.S.A. 40A:12A-3, may be expected to prevent further deterioration and promote overall development of the community; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-14(a), the Governing Body has referred this Resolution to the Planning Board and have received the Board's favorable recommendation to declare the Block 410.01, Lots 82, 83, 84 & 87.01 ("the Study Area") an area in need of rehabilitation.

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

1. The Study Area meets one or more of the requirements of N.J.S.A. 40A:12A-14 to be deemed an Area in Need of Rehabilitation as set forth in a report prepared by _____ and dated _____; and
2. The Study Area meets the requirements of N.J.S.A. 40A:12A-14 to be deemed an Area in Need of Rehabilitation. Specifically, there is a pattern of underutilization of the properties in the area; and
3. A program of rehabilitation, as defined in N.J.S.A. 40A:12A-3, may be expected to prevent further deterioration and promote overall development of the community; and
4. The Township Planning Board has provided a favorable recommendation to Governing Body for designation of the Study Area as an area in need of rehabilitation; and
5. The Study Area is hereby designated as an area in need of rehabilitation according to the criteria of N.J.S.A. 40A:12A-14.

	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

Julie A Picard, Township Clerk

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

RESOLUTION #2019-151

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>
495.06	7	Edward Uetz	Refund Homestead Benefit Exempt Veteran as of 7/20/18	\$ 140.28
352.02	1	Ernest & Marcia Paulus	Refund Homestead Benefit Exempt Veteran as of 2/26/18	\$ 109.80
451.01	20	James & Patricia DeMusz	Refund Homestead Benefit-Veteran	\$ 95.36
537	20	Thomas & Eleanor Chestnut	Refund Homestead Benefit	\$ 179.63

	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 April 15, 2019.

Julie A Picard, Township Clerk

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

RESOLUTION #2019-152

Title: APPROVAL OF CHANGE ORDER #1 TO RESOLUTION #2018-115; RUTALA ASSOCIATES CONSULTING SERVICES FOR GRANTS CONSULTING SERVICES

WHEREAS, Rutala Associates Consulting Services was awarded a contract as a Grant Consultant on March 19, 2018 by Resolution #2018-115 at a fee of \$140.00 per hour with an amount Not to Exceed \$10,000.00; and

WHEREAS, Rutala Associates has provided a proposal for additional services in an amount Not to Exceed \$5,000.00; and

WHEREAS, the Township Council desires to approve the additional expense and the CFO has certified the availability of funds as evidenced by her signature below:

Appropriation: Ord #15-10 C-04-55-417-910

CFO Signature: _____
Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Change Order #1 attached hereto in the amount of \$5,000.00 for Rutala Associates Consulting Services is hereby approved and the contract total is now increased to \$15,000.00.

	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 April 15, 2019.

Julie A Picard, Township Clerk

James M. Rutala Associates, LLC

April 9, 2019

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

**Re: Rutala Associates Planning Consulting Services Proposal
Township of Lower**

Dear Mr. Ridgway:

Rutala Associates is pleased to continue to serve the Township of Lower. Rutala Associates is a multi-disciplined firm, representing public, private and nonprofit clients in securing federal, state and regional resources for a wide range of grant procurement and management, energy, community and economic development projects.

James M. Rutala, the Principal of Rutala Associates, LLC, has over thirty-five years of experience in attracting federal, State, regional, County and non-profit grants for local government agencies. This experience includes knowledge of applicable federal and state statutes, as well as the regulations promulgated by the New Jersey Division of Local Government Services and the Local Finance Board.

Mr. Rutala will be the primarily responsible for providing the services required. A licensed Professional Planner in the State of New Jersey, Mr. Rutala is also a member of the American Institute of Certified Planners and a Certified Floodplain Manager. Mr. Rutala also holds master's degrees in Business Administration and in City and Regional Planning. Mr. Rutala was appointed by the Governor to serve on the New Jersey Commission on Capital Budgeting and Planning.

This proposal for 2019 will not exceed \$5,000. All invoices are due within 30 days. This office reserves the right to stop work for non-payment of services completed. Rutala Associates is acting in a consulting capacity and any opinions, advice, forecasts and analyses provided are based on professional judgment and do not constitute a guarantee.

Thank you for this opportunity to continue to serve the Township of Lower.

Respectfully submitted,
Rutala Associates, LLC



James M. Rutala, PP, AICP, MBA

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

RESOLUTION # 2019-153

Title: A RESOLUTION OF THE TOWNSHIP OF LOWER CONSENTING TO THE VACATION OF FISH DOCK ROAD, A COUNTY ROAD, LOCATED WITHIN THE TOWNSHIP OF LOWER

WHEREAS, N.J.S.A. 27:16-28(b) sets forth the procedure by which a County Governing Body may vacate and/or abandon a roadway or a portion of a roadway owned by the County or under its exclusive control; and

WHEREAS, Fish Dock Road is an unimproved road owned by or under the control of the County of Cape May which is located within the Township of Lower; and

WHEREAS, on February 21, 2019, the Lower Township Planning Board heard and considered the application of H&H Two Mile, LLC, owners of the property located at 1 Fish Dock Road, Lower Township, New Jersey, seeking minor site plan approval related to the proposed renovation of the Crab House Restaurant; and

WHEREAS, at the February 21, 2019 Lower Township Planning Board meeting the Planning Board approved the minor site plan application of H&H Two Mile, LLC and the proposed partial vacation of Fish Dock Road as depicted on the approved site plan; and

WHEREAS, in order to approve the request to vacate the portion of Fish Dock Road depicted on the H&H Two Mile, LLC approved site plan, the County of Cape May has requested a resolution from the Council of the Township of Lower granting its consent to the request to vacate said roadway.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Council of the Township of Lower hereby grants its consent to the County of Cape May to vacate and abandon the portion of Fish Dock Road depicted on the H&H Two Mile, LLC site plan which was approved by the Lower Township Planning Board on February 21, 2019.

Table with 7 columns: MOTION, SECOND, AYE, NAY, ABSTAIN, ABSENT and 5 rows of names: 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 April 15, 2019.

Julie A Picard, Township Clerk

TOWNSHIP OF LOWER

2600 Bayshore Road
Villas, New Jersey 08251



Incorporated 1798

(609) 886-2005

March 4, 2019

Mayor Erik Simonsen &
Lower Township Council Members
2600 Bayshore Road
Villas, NJ 08251

RE: Proposed vacation of Fish Dock
Road, Cape May County Route #630

Dear Mayor Simonsen & Council Members:

The Lower Township Planning Board, at a duly held meeting, on February 21, 2019, voted to approve the partial vacation of Fish Dock Road. I have enclosed the approved overall site plan by EDA dated February 15, 2019 showing the portion of Fish Dock Road to be vacated.

If you have any questions or comments, please do not hesitate to contact me.

Thank you.

Sincerely,

William J. Galestok, PP, AICP
Director of Planning
Planning Board Secretary

WJG:las

enc.1

cc: application file, w/enc. (SP 18-1-A)

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

RESOLUTION #2019-154

Title: ISSUANCE OF 2019 TAXI AND OPERATOR LICENSES

WHEREAS, applications have been submitted by Aarts Transportation Services, 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:

Aarts Transportation Services, Inc

<u>License Type</u>	<u>Description</u>
Taxi	2006 Chrysler Town & Country Vin #2A8GP44RX6R632117
Taxi	2007 Dodge Grand Caravan Vin #2D4GP44L97R211657
Operators	Thomas Fontannaz

	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 April 15, 2019.

Julie A Picard, Township Clerk

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

RESOLUTION #2019-155

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

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

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

SECTION 1.

NOW, THEREFORE BE IT RESOLVED that the Township of Lower, County of Cape May, hereby requests the Director of the Division of Local Government Services to approve the increase of \$38,850.00 for an item of revenue in the budget of the year 2019 as follows:

Miscellaneous Revenues –
Revenue Offset with Appropriations - New Jersey Historic Trust
Total with increase to be \$38,850.00

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$38,850.00 be and the same is hereby appropriated under the caption of:

General Appropriations –
Public & Private Programs Offset by Revenues - New Jersey Historic Trust
State/Federal Share \$ 38,850.00
Non State Share \$
Total with increase to be \$ 38,850.00

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

	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 April 15, 2019.

Julie A Picard, Township Clerk

Project Name: Judge Nathaniel Foster House
Project Number: 2018.0018

**STATE OF NEW JERSEY
NEW JERSEY HISTORIC TRUST**

GENERAL TERMS AND CONDITIONS

I. Grant Award Data and Signatures

GRANTEE

Organization Name: Lower Township
Address: 2600 Bayshore Road
Villas, NJ 08251

Chief Financial Officer: Lauren Read

Tax I.D. #: 21-6005700
Vendor ID: V00043239

NJHT PROJECT NUMBER: 2018.0018

GRANTING ORGANIZATION

Department, Division Name: New Jersey Historic Trust
Department of Community Affairs
P.O. Box 457
Trenton, New Jersey 08625-0457

GRANT AMOUNT

Total Grant Amount: \$38,850.00

CFS: FY19-100-033
CAH 4/3

MATCHING FUNDS

Matching share provided by Grantee: \$12,950.00

If Federal funds are used as matching dollars, give CFDA Account #: N/A

The effective date of the Grant is the date the document is countersigned by the Trust.

TIME FRAME

Work Period Commencement Date:	Work Period Expiration Date:
March 18, 2019	March 18, 2021
Agreement Commencement Date:	Agreement Expiration Date:
March 18, 2019	March 18, 2022

SCOPE OF WORK FUNDED BY GRANT:

The creation of design and construction documents, an architectural conservator report, professional construction cost estimations, a phase IA archaeological investigation, an interpretive and furnishings plan, and a hazardous materials audit.

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

RESOLUTION #2019-156

Title: APPROVAL OF CHANGE ORDER #1 TO RESOLUTION #2018-197; MOTT MACDONALD, FOR ROSEANN AVENUE/BAYSHSHORE ESTATE DRAINAGE AND STORMWATER MANAGEMENT IMPROVEMENTS PROJECT – PHASE III

WHEREAS, Mott MacDonald was awarded a contract for professional engineering services for the Roseann Avenue/Bayshore Estate Drainage and Stormwater Management Improvements Project – Phase III on June 4, 2018 by Resolution #2018-197, fee of \$131,180.00; and

WHEREAS, Mott MacDonald has provided a proposal for additional improvements on Croydon Drive within the Phase III project under Task I in the amount of \$2,700.00; and

WHEREAS, the Township Council desires to approve the additional expense and the CFO has certified the availability of funds as evidenced by her signature below:

Appropriation: C-04-55-421-920

CFO Signature: _____
Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Change Order #1 attached hereto in the amount of \$2,700.00 for Mott MacDonald is hereby approved and the contract total is now increased to \$133,880.00.

	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 April 15, 2019.

Julie A Picard, Township Clerk



Mr. Gary Douglass, Public Works Superintendent
Township of Lower
2600 Bayshore Road
Villas, NJ 08251

Via email at gdouglass@townshipoflower.org

Your Reference
Roseann Avenue Roadway
and Utility Improvements
Phase 3

NJDOT Reference
MA-2019-LT-00036

Our Reference
398225

211 Bayberry Drive
Suite 1A
Cape May Court House NJ
08210

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

**Professional Engineering Services Proposal
Additional Work – Croydon Drive
Roseann Avenue Roadway and Utility Improvements Project, Phase 3
Township of Lower, Cape May County, New Jersey**

April 11, 2019

Dear Mr. Douglass:

As discussed the Township would like to include additional improvements on Croydon Drive within the Phase 3 project from the Phase 1 project limit extending southerly for approximately 85 linear feet. Improvements would be consistent with the proposed design cross section of the Phase 3 project (i.e. curb, sidewalk, gutter, driveway apron (for House No. 300), full depth roadway reconstruction, topsoil & sod).

In order to include this additional work in the Phase 3 project we will need to complete a field survey of the area and prepare a drawing and design of the improvements for inclusion into the Phase 3 drawing set. We propose to complete the scope of work outlined above for the lump sum amount of **\$2,700**.

Should you have any questions regarding the above information or should you wish to discuss this proposal in more detail, please do not hesitate to contact this office.

Very truly yours,

Mott MacDonald, LLC

Mark R. Sray, PE, CME
Senior Associate
T 609.465.9377
mark.sray@mottmac.com

cc: Jim Ridgway, Township Manager (via email)
Julie Picard, Township Clerk (via email)

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

RESOLUTION #2019-157

Title: **APPROVING A PROFESSIONAL SERVICE CONTRACT WITH MOTT MACDONALD FOR COORDINATION OF SERVICES OF A NJDOT GRANT (\$160,000) FOR THE ROSEANN AVENUE ROADWAY AND UTILITY IMPROVEMENT PROJECT PHASE III**

WHEREAS, the Township of Lower is given authority by N.J.S.A. 40A:11-1 *et seq.* to enter into contracts for "Professional Services" without competitive bidding, when the need arises, so long as the award of such contract is made public by a Resolution of the Governing Body and satisfies the requirements of the New Jersey Pay-to-Play law; and

WHEREAS, Mott MacDonald has provided a proposal for Coordination of Services of a NJDOT Grant (\$160,000) for the Roseann Avenue Roadway and Utility Improvement Project Phase III in the amount of \$6,700.00; and

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

Appropriation: C-04-55-421-920

Signature: _____
Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that a Professional Service Contract without public bidding is awarded as follows:

1. The Project Proposal between Mott MacDonald and the Township of Lower, in the form attached hereto as EXHIBIT A, in the amount of \$6,700.00 is hereby approved.

BE IT FURTHER RESOLVED that a notice of Award of Professional Service Contract for the above award shall be published in the Township's Official paper.

	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 April 15, 2019.

Julie A Picard, Township Clerk



Mr. Gary Douglass, Public Works Superintendent
Township of Lower
2600 Bayshore Road
Villas, NJ 08251

Via email at gdouglass@townshipoflower.org

Your Reference
Roseann Avenue Roadway
and Utility Improvements
Phase 3

NJDOT Reference
MA-2019-LT-00036

Our Reference
398225

211 Bayberry Drive
Suite 1A
Cape May Court House NJ
08210

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

**Professional Engineering Services Proposal
NJDOT Coordination Services
Roseann Avenue Roadway and Utility Improvements Project, Phase 3
Township of Lower, Cape May County, New Jersey**

April 1, 2019

Dear Mr. Douglass:

Please find enclosed herewith our proposal for professional engineering services for the above referenced project.

As you are aware the Township received a grant from the New Jersey Department of Transportation's (NJDOT) Fiscal Year 2019 Municipal Aid Program for the Roseann Avenue Roadway and Utility Improvements, Phase 3 project in the amount of \$160,000.

As requested, we have provided a detailed breakdown of our scope of services below for the NJDOT coordination services required.

Task 1 NJDOT Coordination Services

Mott MacDonald will provide the following services under Task 1:

- Assist the Township with both upfront and final funding reimbursement from the NJDOT;
- Updates to the NJDOT SAGE system;
- Submission of signed and sealed Plans, Specifications, and revised (updated as per Bid Documents) Engineer's Estimate (PSE) package, including a signed and sealed Engineer's Design Certification, to the NJDOT for review and approval prior to advertising the Notice To Bidders;
- Coordinate the bidding of the project with the NJDOT as required under the grant conditions;

- Submission of Bid Tabulation and Township Award Resolution to NJDOT;
- Coordination and notification with the NJDOT for the pre-construction meeting and provide the NJDOT a copy of the Pre-Construction Meeting Minutes Report;
- Prepare NJDOT Material Questionnaire Form SA-11 and submit to NJDOT;
- Review and forward HMA test results and analyses to the NJDOT on DS-8 Forms and Payment Voucher to the NJDOT for the completed project; and
- Completion of an Engineer's Completion Certification, the NJDOT SA-1 Final Change Order Form, a final as-built quantity spreadsheet report, and assistance with the completion of the CFO Certification Form.

We propose to complete the scope of work outlined above (**Task 1**) for the lump sum amount of **\$6,700**.

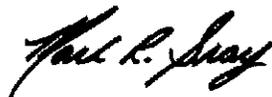
Contract: Mott MacDonald will perform this work under our 2019 "Agreement for Professional Engineering Services" with the Township of Lower.

Invoicing: Compensation for Task 1 shall be on a lump sum basis and the Township shall be invoiced on a percent complete basis.

We thank you for the opportunity to provide this Scope of Work for the NJDOT Coordination Services for the Roseann Avenue Roadway and Utility Improvements, Phase 3 project. Should you have any questions regarding the above information or should you wish to discuss this proposal in more detail, please do not hesitate to contact this office.

Very truly yours,

Mott MacDonald, LLC



Mark R. Sray, PE, CME
Senior Associate
T 609.465.9377
mark.sray@mottmac.com

Encl.

cc: Jim Ridgway, Township Manager (via email)
Julie Picard, Township Clerk (via email)
Cathleen Marcelli, PE, CME, Vice President, Mott MacDonald

P:\398225-Roseann Avenue-Phase 3-Design\Proposals\gd0401.19-Proposal-Roseann Avenue Phase 3-NJDOT.docx

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

RESOLUTION #2019- 158

Title: **AUTHORIZING THE PAYMENT OF VOUCHERS**

<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
LOWER TWSP RESCUE SQUAD	CPR CLASS	\$1200.00

TOTAL Manual Checks	\$
TOTAL Computer Generated	\$
TOTAL BILL LIST	\$ 1200.00

	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 April 15, 2019.

Julie A Picard, Township Clerk

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

ORDINANCE #2019-06

BOND ORDINANCE PROVIDING FOR VARIOUS 2019 CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF LOWER, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$1,705,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,520,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LOWER, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Township of Lower, in the County of Cape May, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$1,705,000, said sum being inclusive of a down payment in the aggregate amount of \$185,000 for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). The down payment is now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$1,705,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount not exceeding \$1,520,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in an aggregate principal amount not exceeding \$1,520,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued, include, but are not limited to, as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) Police Department - Acquisition And Installation, As Applicable, Of Various Equipment and Information Technology Improvements, Including, But Not Limited To, A Variable Message Board With Radar, A License Plate Reader, Ballistic Vests, A Shredder, A Port Switch, A Server; Computer Hardware And Software; And Acquisition Of Two (2) Non-Passenger Vehicles With Police And Emergency Equipment;	\$184,533	\$164,160	\$20,373	5.09 years
(ii) Public Works (DPW) - Acquisition And Installation, As Applicable, Of Equipment and Non-Passenger Vehicles Including, But Not Limited To, A Rear Load Refuse Truck; A Backhoe, A Chassis Mounted Leaf Vacuum Truck, A Four Wheel Drive Pick Up Truck With Plow, A Four Wheel Drive Dump Truck With Plow, And Signage And Posts;	\$562,657	\$501,600	\$61,057	5.14 years
(iii) Recreation - Various Improvements To	\$791,106	\$705,280	\$85,826	14.06

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
Recreation And Park Facilities Including, But Not Limited To, Removal And Replacement Of Pavilions At Mayflower, Tranquility And Canal Parks; Acquisition And Installation, As Applicable, Of Various Equipment Including But Not Limited To Playground And Fitness Equipment At Mitnick Park, Restroom Improvements At The Township Recreation Center And Improvements to the Township's Outdoor Pool; And				years
(iv) <u>Administration</u> – General Capital Improvements, And/Or Acquisition And Installation Of Equipment, As Applicable, Throughout Various Township Facilities Including, But Not Limited To, Computer Hardware And Software For The Municipal Building; The Acquisition Of A Non-Passenger Vehicle And Improvements To The Municipal Building, Annex And Courtrooms, As Applicable, Including, But Not Limited To, Acquisition And Installation Of Flooring, Exterior Improvements Including, But Limited To, Masonry, Lighting And Signage Improvements, And Downspouts And Dehumidification Improvements.	166,704	\$148,960	\$17,744	11.65 years
TOTALS	<u>\$1,705,000</u>	<u>\$1,520,000</u>	<u>\$185,000</u>	

(b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$1,520,000.

(c) The aggregate estimated cost of said improvements or purposes is \$1,705,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the aggregate down payment available for said purposes.

(d) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, all engineering, architectural and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto and all in accordance with the plans and specifications therefor on file in the Office of the Clerk of the Township and available for public inspection and hereby approved.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Cape May make a contribution or grant in aid to the Township for the improvements and purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Cape May. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Cape May shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law.. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Township shall determine all matters in connection with the

notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, is on file in the Office of the Clerk of the Township and is available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 9.91 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$1,520,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$192,900 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements herein before described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township hereby declares the intent of the Township to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

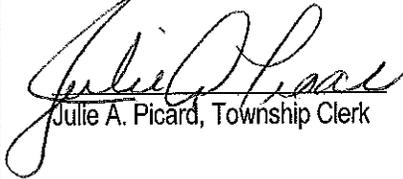
SECTION 10. The Township Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Township Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Adopted on first reading:

Date: April 1, 2019


Julie A. Picard, Township Clerk

Thomas Conrad, Councilmember

David Perry, Councilmember

Adopted on second reading:

Date: April 15, 2019

Julie A. Picard, Township Clerk

Roland Roy, Jr., Councilmember

Frank Sippel, Deputy Mayor

Erik Simonsen, Mayor

Clerk
Register Report - Last month
3/1/2019 through 3/31/2019

4/2/2019

Page 1

<u>Account</u>	<u>Description</u>	<u>Memo</u>	<u>Category</u>	<u>Amount</u>
INCOME				20,491.10
Business Mercantil 2019-2020				300.00
Campgrounds, trailers				6,010.00
Ice cream lic 2019				270.00
Ice Cream Sales				20.00
Opra Request				1.10
Rental 2019-2020				2,250.00
Street Openings				3,110.00
Vac Prop Reg				8,500.00
Yard Sale Permit				30.00
TRANSFERS				-20,491.10
Council Checking				-20,491.10
			OVERALL TOTAL	0.00

Township of Lower
 2600 Bayshore Road
 Villas, NJ 08251
 609-886-1455

OFFICE OF CONSTRUCTION OFFICIAL

Construction Permit Activity Report

RANGE: 03/01/2019 To 03/31/2019

April 02 , 2019 12:34:42PM

SUMMARY

<u>CONSTRUCTION COSTS</u>		<u>COUNT</u>			
Cost Of Construction:	\$1,107,310.00	Cubic Footage:	316518 Cu.ft	Permit Issued:	158
Cost Of Alteration:	\$1,434,556.00	Square Footage:	25530 Sq.ft	Updates Issued:	8
Cost Of Demolition:	\$6,000.00			All Fees Waived:	7
Total Cost:	\$2,547,866.00			Municipal Fees Waived:	0

<u>PERMIT FEES</u>	<u>ADMIN FEES</u>	<u>WAIVED FEES</u>	<u>TOTAL FEES</u>
Building: \$27,214.00	Building: \$0.00	Building: \$1,035.00	Building Fees: \$26,179.00
Electrical: \$13,575.00	Electrical: \$0.00	Electrical: \$984.00	Electrical Fees: \$12,591.00
Fire : \$3,470.00	Fire : \$0.00	Fire : \$120.00	Fire Fees: \$3,350.00
Plumbing: \$9,576.00	Plumbing: \$0.00	Plumbing: \$125.00	Plumbing Fees: \$9,451.00
Elevator: \$0.00	Elevator: \$0.00	Elevator: \$0.00	Elevator Fees: \$0.00
Mechanical: \$2,880.00	Mechanical: \$0.00	Mechanical: \$0.00	Mechanical Fees: \$2,880.00
		Total Waived: \$2,264.00	Technical Fees: \$54,451.00

DCA

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$1,173.00	\$0.00	\$1,173.00
Alteration Training Fee:	\$2,735.00	\$848.00	\$1,887.00
DCA Minimum Fee:	\$28.00	\$1.00	\$27.00
Sub total Training Fee:	\$3,936.00	\$849.00	\$3,087.00

TECHNICAL ISSUES

Building Technical:	75
Electrical Technical:	96
Fire Protection Technical:	30
Plumbing Technical:	71
Elevator Technical:	
Mechanical Technical:	33

CERTIFICATE ISSUES

Certificate of Occupancy:	3
Certificate of Approval:	15
Certificate of Continued Occupancy:	0

Certificate of Occupancy Fee:	\$3,703.00
Waived Certificate Fees:	\$0.00
Sub Total Certificate Fees:	\$3,703.00

PERMIT FEES:	\$54,451.00
DCA FEES:	\$3,087.00
CERTIFICATE FEES:	\$3,703.00
MIN FEES:	\$0.00
NET TOTAL FEES:	\$61,241.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$0.00
OTHER FEES:	\$50.00
GRAND TOTAL FEES:	\$61,291.00

Township of Lower
 2600 Bayshore Road
 Villas, NJ 08251
 609-886-1455

OFFICE OF CONSTRUCTION OFFICIAL

Construction Permit Activity Report

RANGE: 03/01/2019 To 03/31/2019

April 02 , 2019 12:35:19PM

SUMMARY

CONSTRUCTION COSTS

COUNT

Cost Of Construction:	\$1,107,310.00	Cubic Footage:	316518 Cu.ft	Permit Issued:	158
Cost Of Alteration:	\$1,434,556.00	Square Footage:	25530 Sq.ft	Updates Issued:	8
Cost Of Demolition:	\$6,000.00			All Fees Waived:	7
Total Cost:	\$2,547,866.00			Municipal Fees Waived:	0

<u>PERMIT FEES</u>		<u>ADMIN FEES</u>		<u>WAIVED FEES</u>		<u>TOTAL FEES</u>	
Building:	\$27,214.00	Building:	\$0.00	Building:	\$1,035.00	Building Fees:	\$26,179.00
Electrical:	\$13,575.00	Electrical:	\$0.00	Electrical:	\$984.00	Electrical Fees:	\$12,591.00
Fire :	\$3,470.00	Fire :	\$0.00	Fire :	\$120.00	Fire Fees:	\$3,350.00
Plumbing:	\$9,576.00	Plumbing:	\$0.00	Plumbing:	\$125.00	Plumbing Fees:	\$9,451.00
Elevator:	\$0.00	Elevator:	\$0.00	Elevator:	\$0.00	Elevator Fees:	\$0.00
Mechanical:	\$2,880.00	Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical Fees:	\$2,880.00
				Total Waived:	\$2,264.00	Technical Fees:	\$54,451.00

DCA

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$1,173.00	\$0.00	\$1,173.00
Alteration Training Fee:	\$2,735.00	\$848.00	\$1,887.00
DCA Minimum Fee:	\$28.00	\$1.00	\$27.00
Sub total Training Fee:	\$3,936.00	\$849.00	\$3,087.00

TECHNICAL ISSUES

Building Technical:	75
Electrical Technical:	96
Fire Protection Technical:	30
Plumbing Technical:	71
Elevator Technical:	
Mechanical Technical:	33

CERTIFICATE ISSUES

Certificate of Occupancy:	3
Certificate of Approval:	15
Certificate of Continued Occupancy:	0

Certificate of Occupancy Fee:	\$3,703.00
Waived Certificate Fees:	\$0.00
Sub Total Certificate Fees:	\$3,703.00
PERMIT FEES:	\$54,451.00
DCA FEES:	\$3,087.00
CERTIFICATE FEES:	\$3,703.00
MIN FEES:	\$0.00
NET TOTAL FEES:	\$61,241.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$0.00
OTHER FEES:	\$50.00
GRAND TOTAL FEES:	\$61,291.00

**2019 CASH RECEIPTS
MARCH**

Township of Lower
Office of the Tax Collector

	MONTH TO DATE	YEAR TO DATE
Receipts		
Current year taxes (2019)	777,783.35	15,121,604.90
Prior year taxes (2018)	100,819.80	386,873.14
Prior year taxes (2017)	-	0.00
Previously exempt property		0.00
State Audit Pay Back	1,375.00	2,625.00
Municipal Lien		0.00
Recording		0.00
Bankruptcy		0.00
6% Penalty	0.55	1,559.87
Municipal Service Fees	44,290.00	53,953.49
Tax Search Fees		10.00
Interest	15,421.76	33,803.98
Lot clearing	825.00	1,925.00
Returned Check Fees	60.00	260.00
Duplicate Bills	40.00	235.00
Trash	6,066.50	12,390.25
TOTAL DEPOSITS	946,681.96	15,615,240.63
DEPOSITED TO COUNCIL CHECK	774,218.72	14,381,767.01
DEPOSITED TO WIPP ACCOUNT	172,463.24	1,233,473.62
TOTAL DEPOSITS	946,681.96	15,615,240.63
NSF Reversals	2,159.82	13,977.89
WIPP NSF Reversals	5,358.97	13,411.30
NSF Fee Reversal		
TOTAL NSF	7,518.79	27,389.19
TOTAL	939,163.17	15,587,851.44

Prepared by Kathy Brown

**2019 MARCH
VITAL STATISTICS**

Marriages,Civil Unions	16
Domestic Partners	0
Certified Copies	176
Certified Copies EDRS	0
Burial Permits	0

Marriages, Civil Unions State	\$400.00
Domestic Partners State	\$0.00
Marriages, Civil Unions Twp	\$48.00
Domestic Partners Twp	\$0.00
Certified Copies	\$1,760.00
Certified Copies EDRS	\$0.00
Burial Permits	\$0.00

TOTAL	\$2,208.00
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TOWNSHIP OF LOWER

2600 Bayshore Road
Villas, New Jersey 08251



Incorporated 1798

(609) 886-2005

April 5, 2019

Mayor Erik Simonsen &
Council Members
2600 Bayshore Road
Villas, NJ 08251

RE: MLUL 40:55D-70.1; Annual report
on variances heard by Zoning Board;
Year 2018

Dear Mayor Erik Simonsen & Council Members:

Please find attached the approving resolution and variance report of the Township of Lower Zoning Board for the Year 2018.

The Zoning Board carefully examined the report at their April 4, 2019 regular meeting and reserves the right to recommend any zoning ordinance changes at a future date.

If you have any questions, please call at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Galestok".

William J. Galestok, PP, AICP
Director of Planning
Board Secretary

WJG:las

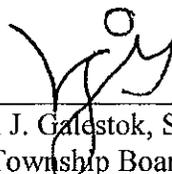
enc.1

cc: Township Manager, w/enc.
Township Clerk, w/enc.
Zoning Board Solicitor, w/o enc.
Zoning Board Chairman, w/o enc.
Planning Board Chairman, w/o enc.

RESOLUTION NO.19-8-ZBA

BOARD OF ADJUSTMENT OF THE TOWNSHIP OF LOWER

ON THIS 4th day of April, 2019, the Zoning Board of Adjustment of the Township of Lower, having been presented with and having reviewed the Annual Report of Variances approved by the Zoning Board of Adjustment of the Township of Lower as submitted to said Board by William J. Galestok, PP,AICP, Director of Planning, and having determined that the same is accurate and complete and by affirmative vote, does hereby approve the same and authorize the same to be kept as an official record of the Township of Lower.



William J. Galestok, Secretary
Lower Township Board of Adjustment

DATED: April 4, 2019

2018 ZONING BOARD VARIANCE REPORT

<u>ZONE</u>	<u>APPLICANT</u>	<u>SITE PLAN</u>	<u>SUBDIVISION</u>	<u>USE VARIANCE</u>	<u>HARDSHIP</u>	<u>OTHER</u>
R-1	Bayshore Friends (3418) Still, Still & Still (3425)				CA - Side yard CA - Side yard & coverage	
R-2 (W)	Hunt (3419)				CA - Frontage	
R-2 (U)	Seashore Land Venture, LLC (3401) Patrick (3408) Mimlitsch (3415) Hughes (3426) Mimlitsch (3429) Vonu (3432)	CA		CA D - Barn without principal structure	CA - Area, frontage, width & front yard <i>Change from antique sales to retail/sales</i> CA - Accessory use larger than principal use CA - Side yard & accessory use larger & taller than principal use CA - Side yard & coverage	
R-3(W)	Fox (3402) Curtie (3405) 101 West Delaware Pkwy, LLC (3409) Bulger (3410) Fidelity Asset Management (3411) Lipiecki (3412) Hunt/Lilly (3413) Mimlitsch (3414) Brenton ((3415) Dougherty (3416)				CA - Front yard CA - Front & side yards CA - Side yard CA - Area, frontage, width & depth CA - Front, side & rear yards CA - Front yard CA - Accessory use side yard & taller than principal CA - 6' fence front yard	A - cert. of a guard A - Cert. of duplex

2018 ZONING BOARD VARIANCE REPORT

<u>ZONE</u>	<u>APPLICANT</u>	<u>SITE PLAN</u>	<u>SUBDIVISION</u>	<u>USE VARIANCE</u>	<u>HARDSHIP</u>	<u>OTHER</u>
R-3(W)	Harpoon's on the Bay (3420) <i>McKeon (3421)</i> Rietheimer (3422) AGR Builders, LLC (3423) <i>Peter (3427)</i> Teitelbaum (3430) Boyle (3434) <i>Carino/Wenger (3435)</i>	CA		CA	CA - Front yard setback, fence height in front yard & parking variances	
GB	Wawa - NCM (3399) <i>Verizon Wireless (3404)</i>	CA		CA	CA - Fence height CA - Fence height	
GB-I	Platzer (3428) <i>Platzer (3428A)</i>		CA	CA	CA - Permit where lot doesn't abut a street	
GB-II	Tomes (3406) <i>Tomes (3406A)</i>			CA CA		
RB	Carter (3403) <i>Fiskeladan (3407)</i>	CA		CA	CA - Remove condition that property must be owner occupied CA - Area, frontage & width	

2018 ZONING BOARD VARIANCE REPORT

	<u>SITE PLAN</u>	<u>SUBDIVISION</u>	<u>USE VARIANCE</u>	<u>HARDSHIP</u>	<u>OTHER</u>
TOTALS	5 - CA	1 - CA	10 - CA 1 - D	26 - CA	3 - CA

CA = Conditionally approved

A = Approved

D = Denied

(W) = Sewered

(U) = Unsewered

- 5 - Area
- 6 - Frontage
- 5 - Width
- 1 - Depth
- 7 - Front yard
- 8 - Side yard
- 1 - Rear yard
- 2 - Building coverage
- 3 - Accessory use larger than principal
- 4 - Accessory use taller than principal
- 1 - Accessory use side yard setback
- 4 - Fence height
- 1 - Parking
- 1 - Permit where lot does not abut Township street
- 2 - Certificate of non-conforming use
- 1 - Dune review

2018 PLANNING BOARD VARIANCE REPORT

<u>ZONE</u>	<u>APPLICANT</u>	<u>SUBDIVISION</u>	<u>SITE PLAN</u>	<u>DUNE REVIEW</u>	<u>HARDSHIP VARIANCE</u>
R-1	Casway (SUB 1446) <i>Casale (SUB 1450)</i>	CA	CA		CA - Frontage & width <i>CA - Area, frontage, width, depth & side yard</i>
R-2 (U)	Hansen/Mathews (SUB 1448)	CA			CA - Side yard
R-3 (W)	Dera (SUB 1445) <i>Pastu (SUB 1449)</i> Ed Mar Properties (Dune 18-6 & SUB 1451)	CA CA CA		CA	CA - Area, frontage, width & depth <i>CA - Area, frontage, width, front & side yard</i> CA - Area, frontage & width
R-4	Achristavest (SP 18-3)		W		W - Front yard, number of stories, internal deck setback, number of signs & sign setback
R-6	Achristavest (SP 17-9) <i>Achristavest (SP 17-9-A)</i>		W CA		W - Frontage & side yard <i>CA - Frontage, side yard, coverage, number of signs, sign area & sign height</i>
GB	FCF Realty (Cape Liquor - SP 17-7-A)		CA		CA number of signs & sign setback

2018 PLANNING BOARD VARIANCE REPORT

<u>TOTALS</u>	<u>SUBDIVISION</u>	<u>SITE PLAN</u>	<u>DUNE REVIEW</u>	<u>HARDSHIP VARIANCE</u>
	6 - CA	2 - CA 2 - W	1 - CA	8 - CA 2 - W

CA = Conditionally approved
W = Withdrawn
(S) = Sewered
(U) = Unsewered

- 4 - Area
- 6 - Frontage
- 5 - Width
- 2 - Depth
- 1 - Front yard
- 4 - Side yards
- 1 - Coverage
- 2 - Number of signs
- 1 - Sign area
- 1 - Sign height
- 1 - Sign setback

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

RESOLUTION # 2019-159

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

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

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

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

_____ (1) Matters Required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

_____ (2) Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

_____ (3) Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information, relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

_____ (4) Matters Relating to Collective Bargaining Agreement: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

_____ (5) Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

_____ (6) Matters relating to Public Safety and Property: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.

 X (7) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer. **Attorney-Client Privilege**

_____ (8) Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

_____ (9) Matters Relating to the Potential Imposition of a Penalty: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss if a license or permit belonging to the responding party bears responsibility.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, assembled in public session on February 20, 2019 that an Executive Session closed to the public shall be held on this date at approximately _____ P.M. in the Conference Room of the Township Hall, 2600 Bayshore Road, Villas for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Council that the public interest will no longer be served by such confidentiality.

	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 April 15, 2019.

Julie A Picard, Township Clerk