WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL
October 19, 2020 - 7:00 P.M.

Meeting called to order
Opening Announcement
Pledge of Allegiance & Moment of Silence
Roll Call & Determination of Quorum

Work Session

Consent Agenda
Approval of Minutes – October 5, 2020
Res. #2020-267 Payment of Vouchers $ 244,431.75
Res # 2020-268 A Resolution Requesting Release of Maintenance Guarantee for Lighthouse Pointe Marina Condo Association of Cape May, Inc; Block 806, Lot 4.01; Escrow P-09-05-06
Res. #2020-269 Approving a Professional Service Contract with DeBlasio & Associates for the New Public Works Department Administration Building ($74,000)
Res. #2020-270 2020 Drive Sober or Get Pulled over Year End Holiday Crackdown
Res. #2020-271 Approval for Lower Township Veterans Day Parade (11-7-2020)
Res. #2020-272 A Resolution Approving a Memorandum of Agreement Between the County of Cape May, The Delaware River and Bay Authority, and the Township of Lower in Relation to the Payment of Real Estate Taxes Associated with Properties Located at the Cape May County Airport
Res. #2020-273 Approval of Change Order #1 to Del-Tech Inc. for the Judge Nathaniel Foster House for a Change in the Original Scope of Work (-0-)
Res. #2020-274 Certification of Best Practices Inventory
Res. #2020-275 Bid Acceptance and Award for FY2019 Municipal Aid Program Reconstruction of Star Avenue (South State $1,155,995.50)
Res. #2020-276 Approving a Professional Service Contract with Mott MacDonald for Public Works Department Environmental Consulting and Licensed Site Remediation Professional (LSRP) Services ($9,850.)

Regular Agenda
Ordinance #2020-16; An Ordinance of the Township of Lower Amending Chapter 157, Alcoholic Beverages, Subsection 157-6(D) (1), of the Code of the Township of Lower. This is the second reading and public hearing of this Ordinance. This Ordinance has been published, posted and made available to the public.

Res. #2020-277 Authorizing the Payment of Vouchers – Rescue Contribution $35,000

Manager's Report

Engineer's Report

Administrative Reports
Clerk, Construction, Dog, Fire, Tax, Vital Statistics

Council Comments

Call to the Public

Closed Session
Res. #2020-278 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. **PERSONNEL**

Adjournment

This Meeting will be open to the public with a room capacity of 25 persons according to Governor Murphy's Executive Orders. Anyone wishing to participate in this meeting is urged to do so by dialing 1-408-650-3123. Access Code: 900-096-789#.

COUNCIL MEETING MINUTES – October 5, 2020

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on October 5, 2020 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 Kevin Coombs
Councilmember Roland Roy, Jr.
Deputy Mayor David Perry
Mayor Frank Sippel

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

Work Session

Consent Agenda

Approval of Minutes - September 21, 2020

Res. #2020-255 Payment of Vouchers $1,208,104.21

Res. #2020-256 Certification of Lot Clearing Charges to the Tax Collector (3 properties $2,160.)

Res. #2020-257 Authorizing the Disposal of Township of Lower Surplus No Longer Needed for Public Use

Res. #2020-258 Authorization for Refund of Taxes (1 property)

Res. #2020-259 Amend Resolution #2020-01; Appointment of Municipal Solicitor for the year 2020 as a Professional Service Contract without Public Bidding ($60,000)

Res. #2020-260 Bid Acceptance and Award of two (2) 2021 Ford Explorer 4WD and One (1) 2021 Dodge Durango 4WD ($86,154.00)

Res. #2020-261 A Resolution Authorizing the Township of Lower to Loan Thirty Google Chromebook Laptop Computers to the Lower Township Elementary School District for use by Students in Response to the Impact on Educational Needs Due to the Coronavirus Pandemic

Res. #2020-262 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (OEM Grant $10,000)

Res. #2020-263 Issuance of 2020 Limousine License (Cape May Limousine)

Res. #2020-264 Award of Professional Service Contract without Public Bidding to Wizards Festival of Fun for Tricks and Treats Halloween Magic Show ($7,500)

Res. #2020-265 A Resolution Requesting Release of Performance Guarantee for Scott Peter / Shore Real Estate Developers; Block 712, Lots 1, 2 & 30. Escrow #Z17-11-02

Res. #2020-266 A Resolution Requesting Release of Performance Guarantee for Marie Mihalcik-Mascaro – Baba Bakery; Block 673, Lot 12, Escrow #P08-03-09

Ordinance #2020-16; An Ordinance of the Township of Lower Amending Chapter 157, Alcoholic Beverages, Subsection 157-6(D) (1), of the Code of the Township of Lower. This is the first reading of this Ordinance. The second reading and public hearing has been scheduled for October 19, 2020.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD		X	X				
COOMBS			X				
ROY			X				
PERRY	X		X				
SIPPEL			X				

Regular Agenda

Manager's Report
Manager Ridgway updated Council on several matters including: flood maps, 2021 budget preparations, the tax sale, protocols for reopening the Rec Center, upcoming Halloween events, beach accesses, Autumn leaf and branch schedule, meeting with Wildwood Crest to discuss services to Diamond Beach, meeting regarding off-shore windmills, Schellenger's Landing, and Jonathan Hoffman Park improvements.

Administrative Reports
Affidavit of Mailing, Advertising & Posting of Notice of Tax Sale

Council Comments
Councilmember Conrad commented on the significance of the flood maps, and informed of progress with the Foster House.

Councilmember Coombs shared his experience in a recent training webinar and expressed appreciation for Township department-heads.

Councilmember Roy stressed the importance of posting house numbers on your property, and informed of a speed indicator at the foot of the bridge in Schellenger's Landing.

Deputy Mayor Perry shared promising news from a meeting with County Engineer Robert Church regarding County road improvements within the Township.

Manager Ridgway informed of increased enforcement in Schellenger's Landing and expressed appreciation to Council for their willingness to assist the elementary schools.

Mayor Sippel announced upcoming Halloween events, and shared a thank-you note from Holy Spirit Lutheran Church for the food drive donations.

Call to the Public
James Sanford, Raleigh Ave., addressed Council regarding EMS services to Diamond Beach.
Manager Ridgway informed that negotiations are being discussed with Wildwood Crest.
Mr. Sanford expressed his appreciation and offered help if needed.

Adjournment
There being no further business to address, motion to adjourn moved by Mayor Sippel, seconded by Councilmember Coombs. Motion to adjourn was unanimous. Meeting adjourned at 7:31 p.m.

_____ _____
Mayor Township Clerk

Approved:

P.O. Type: All
Range: First to Last
Format: Condensed

Include Project Line Items: Yes

Open: N Paid: N Void: N
Rcvd: Y Held: Y Aprv: N
Bid: Y State: Y Other: Y Exempt: Y

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00067 ALL AMERICAN SPORTS CORP.*							
20-02114	09/14/20	CLEANING OF BIOLITE PADS	Open	224.59	0.00		
00110 ANCO HOME CENTER*							
20-00978	04/22/20	RDS/SIGNS/BLDG/MAY	Open	312.30	0.00		
20-02046	09/03/20	MONTHLY- SEPTEMBER	Open	215.75	0.00		
				528.05			
00153 ATLANTIC CITY ELECTRIC*							
20-02338	10/06/20	9/1-9/31/20 STREET LIGHTS	Open	31,430.42	0.00		
00189 AUSTINS SPORTS CENTER							
20-02187	09/18/20	FALL SOCCER SHIRTS	Open	1,753.15	0.00		
00298 BATTELINI TRANSPORTATION SYS*							
20-02250	09/25/20	TOWING TRUCK 28	Open	495.00	0.00		
00775 CAPRIONI PORTABLE TOILETS,INC*							
20-02226	09/23/20	PORTA POTTIES-SOCCER SEASON	Open	372.00	0.00		
00784 CAPE MAY STAR & WAVE							
20-02341	10/07/20	LEGAL ADS - 9/30/20	Open	70.06	0.00		
00825 COMCAST*							
20-02304	10/05/20	Internet 9/28/20-10/27/20	Open	119.66	0.00		
20-02384	10/13/20	OCT 2020 DPW 8499050090092954	Open	153.98	0.00		
				273.64			
01055 ERIC COOMBS							
20-02348	10/07/20	CONTRACTUAL REIMBURSEMENT V	Open	225.00	0.00		
01075 COPIERS PLUS*							
20-02325	10/05/20	COPIER DPW 10/1-9/30/21	Open	488.68	0.00		
01170 VERIZON WIRELESS* F/S							
20-02362	10/08/20	cell service 8/27/20-9/26/20	Open	53.52	0.00		
01171 VERIZON WIRELESS - TOWNHALL							
20-02326	10/05/20	CELL PHONE 8/24-9/23/20	Open	450.36	0.00		
20-02383	10/13/20	IPHONE BILL 9/29-10/28/2020	Open	1,025.59	0.00		
				1,475.95			
01200 DELTA DENTAL PLAN OF NJ							
20-02382	10/09/20	SEPT 2020 CLAIMS	Open	15,983.40	0.00		
01530 FIRE DISTRICT #1							
20-00291	01/27/20	2020 FIRE DISTRICT #1 TAXES	Open	2,939.04	0.00		B

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01540 FIRE DISTRICT #2							
20-00292	01/27/20	2020 FIRE DISTRICT #2 TAXES	Open	3,918.72	0.00		B
01550 FIRE DISTRICT #3							
20-00293	01/27/20	2020 FIRE DISTRICT #3 TAXES	Open	1,306.24	0.00		B
01675 GENRON, INC.*							
20-02148	09/15/20	INSPECTION OF EVIDENCE ROOM	Open	185.00	0.00		
01685 W W GRAINGER, INC.*							
20-02212	09/22/20	AED PADS	Open	585.48	0.00		
01741 GENTILINI CHEVROLET, LLC*							
20-00981	04/22/20	PARTS FOR TRUCKS/MAY	Open	455.28	0.00		
01768 ROBERT HARTMAN JR							
20-02398	10/14/20	CONTRACT REIMB V	Open	155.00	0.00		
01806 ANTHONY J HARVATT, II, ESQ							
20-00905	04/08/20	ZONING BOARD SOLICITOR SALARY	Open	625.00	0.00		
20-02260	09/28/20	SEPT. RESOLUTIONS	Open	600.00	0.00		
				1,225.00			
01826 WILLIAM HIENKEL							
20-02401	10/14/20	CONTRACT REIMB	Open	762.33	0.00		
01898 HERITAGE BUSINESS SYSTEMS,INC*							
20-02330	10/06/20	BOCA COPIER ID# 40744	Open	54.81	0.00		
02136 TED KINGSTON INC*							
20-01960	08/20/20	SHUNPIKE TOWER MAINT.	Open	75.00	0.00		
02223 LANDSMAN UNIFORMS*							
20-01954	08/19/20	UNIFORMS	Open	535.50	0.00		
02777 RR DONNELLEY*							
20-01927	08/13/20	SAFETY PAPER	Open	294.00	0.00		
03034 SAFEGUARD DOCUMENT DESTRUCTION							
20-02085	09/09/20	TOWNSHIP SHRED DAY	Open	695.00	0.00		
03052 NATIONAL FIRE PROTECTION ASSN*							
20-01736	07/22/20	NFPA Subscription Service	Open	1,795.50	0.00		
03072 NJ STATE LEAGUE OF MUNICIPALI*							
20-02144	09/15/20	League Seminar - Ethics	Open	150.00	0.00		
03109 TRU GREEN CHEMLAWN							
20-01750	07/22/20	VEGETATION CONTROL	Open	780.00	0.00		
03158 NYSCA*							
20-02191	09/18/20	SOCCER RENEWAL OF COACHES	Open	200.00	0.00		

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03162 RUTGERS UNIVERSITY - OFFICE OF							
20-01932	08/13/20	POWERS & DUTIES OF GOV BODY	Open	200.00	0.00		
03305 PEDRONI FUEL*							
20-02307	10/05/20	NO LEAD GAS	Open	516.85	0.00		
03387 POGUE INC. *							
20-02340	10/07/20	CONTROLLED SUBSTANCES TEST	Open	399.00	0.00		
03491 RENTAL COUNTRY*							
20-01886	08/10/20	MISC PARTS	Open	11.99	0.00		
03518 RIGGINS, INC.*							
20-02319	10/05/20		Open	538.69	0.00		
03537 RUTGERS, THE STATE UNIVERSITY*							
20-02303	10/05/20	PROP TAX2 RUNDALL10/20-11/24	Open	760.00	0.00		
03573 SAFETY-KLEEN CORP*							
20-00990	04/22/20	EQUIP MAINTENANCE/MAY	Open	483.11	0.00		
03583 ROBERT SMITH JR							
20-02400	10/14/20	CONTRACT REIMB V	Open	185.00	0.00		
03844 GIACOMO TROMBETTA							
20-02349	10/07/20	CONTRACTUAL REIMBURSEMENT M	Open	18.44	0.00		
20-02397	10/14/20	CONTRACT REIMB M	Open	62.84	0.00		
				81.28			
03863 TREASURER, STATE OF NEW JERSEY							
20-02358	10/08/20	JULY-SEPTEMBER 2020	Open	5,865.00	0.00		
03904 LOWE'S HOME CENTER INC*							
20-02242	09/25/20	STORAGE TOTES	Open	93.99	0.00		
03915 TURF EQUIPMENT & SUPPLY CO*							
20-02290	09/30/20	AXLE ASM	Open	3,132.31	0.00		
03917 STATE OF NJ DEPT OF CHILD/FAML							
20-02353	10/08/20	Marr/CU July, Aug, Sept 2020	Open	1,500.00	0.00		
03971 VERIZON WIRELESS MDT POLICE							
20-02309	10/05/20	VERIZON MDT	Open	843.39	0.00		
04075 BARBER CONSULTING SERVICES LLC							
20-02265	09/28/20	MALWARE BYTES LICENSES	Open	313.20	0.00		
04085 CHRISTOPHER WINTER (EMPLOYEE)							
20-02374	10/09/20	CONTRACT REIMBURSEMENT	Open	44.17	0.00		
04266 NJ DEPT OF HEALTH&SENIOR SVCS							
20-02345	10/07/20	STATE DOG LICENSE FEE - SEPT	Open	63.60	0.00		

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04301 SEASHORE ASPHALT CORPORATION*							
20-02379	10/09/20	ASPHALT/PATCH/RDS/	Open	906.60	0.00		
05064 CAPE ISLAND GRAPHICS*							
20-02311	10/05/20	SIGNS FOR FIELDS	Open	150.00	0.00		
5032 NORTH WILDWOOD $ CREST SHIRT*							
20-01631	07/08/20	POOL BANNERS	Open	225.00	0.00		
7098 SHORE VETERINARIAN ANIMAL *							
20-02286	09/30/20	03/20 04/20 06/20 07/20 EMERG	Open	2,025.00	0.00		
7310 CORELOGIC REAL ESTATE TAX SER							
20-02185	09/18/20	B-349.10 L-4.01 MCGEEHAN	Open	220.50	0.00		
7354 FLEETPRIDE INC.*							
20-02291	09/30/20	MATERIAL FOR TRUCKS/DPW	Open	340.08	0.00		
20-02308	10/05/20	MATERIALS FOR TRUCKS	Open	1,038.78	0.00		
				1,378.86			
7457 SERVPRO OF CAPE MAY COUNTY*							
20-00718	03/12/20	SERVPRO	Open	215.00	0.00		B
7461 DEGLER WHITING, INC*							
20-02183	09/18/20	REPAIR OF SCOREBOARD	Open	1,435.00	0.00		
7475 SUZANNE M SCHEID							
20-02347	10/07/20	CONTRACTUAL REIMBURSEMENT M/V	Open	18.06	0.00		
20-02399	10/14/20	CONTRACT REIMB	Open	30.00	0.00		
				48.06			
7507 STEFANKIEWICZ & BELASCO LLC							
20-00221	01/17/20	DNE $116K EXPENSES RES 2020-01	Open	5,215.00	0.00		
7508 BLANEY & KARAVAN PC*							
20-00155	01/10/20	RES# 2020-02 LABOR DNE $40k	Open	3,598.00	0.00		B
20-01652	07/08/20	CO1 RES 20-162 MORREL & HANSEN	Open	62.50	0.00		B
				3,660.50			
7618 MEGONIGAL ELECTRIC LLC*							
20-02262	09/28/20	DOUGLASS FIELD SCOREBOARD	Open	875.00	0.00		
7636 MOTT MACDONALD LLC*							
20-01729	07/21/20	CONSULT TWN BK/NCM BEACH PATH	Open	363.25	0.00		B
20-01992	08/25/20	C/O #1 J HOFF PARK RES20-230	Open	2,041.66	0.00		B
20-01993	08/25/20	HVAC - REC CTR RES 2020-231	Open	1,399.00	0.00		B
20-01997	08/26/20	C/O #2 MOTT-MULLIGAN RES20-232	Open	8,120.00	0.00		B
20-02327	10/06/20	ZBA BD. ENG. VOUCHER	Open	4,284.26	0.00		
				16,208.17			
7689 GOVERNMENT FORMS AND SUPPLIES*							
20-02288	09/30/20	Business Cards - Council/Mayor	Open	151.00	0.00		

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7762 STEVE MICCICHE							
20-02296	10/01/20	CONTRACTUAL REIMBURSEMENT V	Open	315.00	0.00		
7772 PIONEER ATHLETICS*							
20-02181	09/18/20	QUIK STRIPE PAINT	Open	1,050.00	0.00		
20-02237	09/25/20	GOAL LINE PYLONS - FOOTBALL	Open	623.00	0.00		
				1,673.00			
7785 PRIMERA TECHNOLOGY, INC*							
20-02361	10/08/20	PT PUBLISHER SOFTWARE	Open	599.00	0.00		
7820 DEBLASIO & ASSOCIATES, P.C*							
20-01344	06/04/20	2019 ROAD PHASE 2/ SEC1 20-170	Open	2,900.00	0.00		
20-01870	08/10/20	WILS DR,1ST,2ND,3RD RES 20-212	Open	4,395.00	0.00		B
20-02223	09/23/20	CHANGE ORDER RES #2020-244	Open	7,980.00	0.00		B
				15,275.00			
7929 AMAZON CAPITAL SERVICES, INC							
20-01972	08/24/20	SUPPLIES	Open	501.62	0.00		
20-02210	09/22/20	SUPPLIES PD	Open	1,256.02	0.00		
20-02216	09/23/20	CHROMEBOOKS 38	Open	14.99	0.00		
20-02244	09/25/20	OFFICE SUPPLIES COURT	Open	28.34	0.00		
20-02249	09/25/20	MONEY COUNTER W/ COUNTERFEIT D	Open	1,026.98	0.00		
20-02255	09/25/20	FUEL PEDAL TRK 34 DPW	Open	76.97	0.00		
				2,904.92			
8187 MARINA BOSELL							
20-02310	10/05/20	REFUND- CHEERLEADING	Open	15.00	0.00		
8212 MICHAEL CALAFATI ARCHITECT LLC							
20-00610	03/04/20	FOSTER HOUSE C/O 1 RES 20-101	Open	2,622.50	0.00		B
8323 SCOTT WINTER							
20-02302	10/05/20	IAAO COURSE 300-DOWE/MCCORKEL	Open	1,300.00	0.00		
8350 DELL-TECH INC							
20-01840	08/05/20	RES 20-220 FOSTER HOUSE RENOV	Open	68,056.70	0.00		B
8384 Z-TECH CONTRACTING LLC							
20-02139	09/15/20	JONATHAN HOFFMAN IMPROVEMENTS	Open	33,167.32	0.00		B
8394 CRUZAN'S TRUCK SERVICE INC							
20-02221	09/23/20	TRUCK PARTS INVOICE #1182434	Open	140.24	0.00		
8396 JANETTE SPADA							
20-02299	10/05/20	REIMBURSEMENT- SOCCER	Open	15.00	0.00		
8398 MELISSA LOMONACO							
20-02314	10/05/20	REIMBURSEMENT-SOCCER	Open	15.00	0.00		
8399 ATLANTIC COUNTY FIRE TRAINING							
20-02315	10/05/20	Fire Off Training 10/15-12/3	Open	200.00	0.00		

Vendor # Name PO # PO Date Description	Status	Amount	Void Amount	Contract	PO Type
8400 NATALYA AVETISYAN					
20-02329 10/06/20 REIMBURSEMENT-SOCCER	Open	20.00	0.00		
8401 VICKY BAEZ					
20-02355 10/08/20 REIMBURSEMENT-SOCCER	Open	20.00	0.00		
8672 LOGMEIN INC.					
20-02295 09/30/20 GO TO MEETING 2020	Open	19.00	0.00		PC1
8673 STEPHANIE RILEY					
20-02378 10/09/20 REIMBURSEMENT-SOCCER	Open	25.00	0.00		
BOSNA KAREN MANETTE BOSNA					
20-02328 10/06/20 YOGA ON BAY- SEPTEMBER	Open	185.00	0.00		
PRESS PRESS OF ATLANTIC CITY					
20-02256 09/25/20 9/30/20 STAR NTB	Open	63.84	0.00		

Total Purchase Orders: 102 Total P.O. Line Items: 0 Total List Amount: 243,862.15 Total Void Amount: 0.00

Title: **AUTHORIZING THE PAYMENT OF VOUCHERS**

Vendor	Description	Amount
Bank of America	P-Card Payments	$ 569.60
	TOTAL Manual Checks	$ 569.60
	TOTAL Computer Generated	$ 243,862.15
	TOTAL BILL LIST	**$ 244,431.75**

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD							
COOMBS							
ROY							
PERRY							
SIPPEL							

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 October 19, 2020.

Julie A Picard, Township Clerk

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

RESOLUTION #2020-268

Title: **A RESOLUTION REQUESTING RELEASE OF MAINTENANCE GUARANTEE FOR *LIGHTHOUSE POINTE MARINA CONDO ASSOCIATION OF CAPE MAY, INC; BLOCK 806, LOT 4.01; ESCROW P09-05-06**

WHEREAS, *Lighthouse Pointe Marina Condo Association of Cape May, Inc., posted a Maintenance Guarantee with the Township of Lower, in the amount of $2,656.80; and

WHEREAS, Harold Pearl Executed an ASSIGNMENT, dated May 23, 2016, assigning certain rights, title and interest to Lighthouse Pointe Condominium Association (attachments (3); 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, that the Maintenance Guarantee is released.

BE IT FURTHER RESOLVED that the Township Treasurer be granted permission to issue a check in the amount of $2,656.80 plus any accrued interest in payment of the released Maintenance Guarantee.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD							
COOMBS							
ROY							
PERRY							
SIPPEL							

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 October 19, 2020.

Julie A Picard, Township Clerk

MEMORANDUM

TO: Township Council

FROM: William J. Galestok, PP,AICP

DATE: October 7, 2020

RE: Lighthouse Pointe Marina
Block 806, Lot 4.01
Escrow #P09-05-06
Resolution #2020-268

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 Maintenance Guarantee".

Pursuant to the above referenced Subsection 400-81E, Resolution #2020-268 is required to release the Maintenance Guarantee held in trust by the Township of Lower for Lighthouse Pointe Marina.

The required final inspection report, certifying completion, compliance and condition of work, has been received from the Township Engineer, Mott MacDonald.

The Township Engineer recommends release of the retained $2,656.80.

WJG:las

att.

RECEIVED 10-1-20

MOTT MACDONALD

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

Via E-mail

Your Reference
P09-05-06

Our Reference
507100071-063

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

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

Lighthouse Pointe Marina Block 806, Lot 4.01
Township of Lower, Cape May County, New Jersey

October 1, 2020

Dear Mr. Galestok:

The applicant, Lighthouse Pointe Marina, has requested release of their maintenance guarantee in the amount of $2,656.80. The two year maintenance period has expired, and the site improvements no longer warrant the requirement for a maintenance guarantee under the newly enacted Municipal Land Use Law related to posting of performance and maintenance guarantees. Therefore, Mott MacDonald recommends the maintenance guarantee in the amount of $2,656.80 be released.

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

Very truly yours,

Mott MacDonald, LLC

Shawn A. Carr, PE, CME
Associate
T 609.465.9377 F 609.465.5270
Shawn.carr@mottmac.com

SAC

cc: Lisa Schubert, Board Secretary (via email)
Scott Macpherson, PE, CME (via email)

9-18-20

Lighthouse Pointe Marina Condominium Association
1500 Shawcrest Road
Wildwood, New Jersey 08260

September 14, 2020

William Galestok, Planning Director
Township of Lower
2600 Bayshore Road
Villas, NJ 08251

Re: Performance Guaranty for Lighthouse Point, Block 206, Lot 4.01
Escrow No. P09-05-06

Dear Mr. Galestok:

Please be advised that I am the President of the Lighthouse Point Condominium Association. Many years ago Lower Township required a performance guaranty for work which was being done at Lighthouse Pointe. Harold Pearl who was a member of the Lighthouse Point Condominium Association at that time posted cash in the amount of $2,656.80 for the Association. Since that time Mr. Pearl left the Association and requested return of his money. The Association paid Mr. Pearl the amount which he had posted with the Township, $2,656.80. Mr. Pearl signed an assignment whereby his interest in that money was assigned by him to the Association. I am enclosing copy of that assignment.

Request is hereby made for return of the performance guaranty money to the Association pursuant to the enclosed assignment. It is my understanding that all work has been completed and accepted by the Township. If anything further is needed, please let me know. It will be easiest if you contact me at my office. In that regard, I am enclosing a copy of my firm's letterhead which contains my correct contact information.

Very truly yours,

Charles W. Gabage, President
Lighthouse Point Marina Condominium Association
CWG/pcs
Enc.
10/14/20

3720 — ASSIGNMENT, GENERAL
Ind. or Corp.— Plain Language

ADGRVST—1

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One Commerce Drive, Cranford, N.J. 07016

ASSIGNMENT

This Assignment is made on May 23, 2016 xx19xx ,

BETWEEN the Assignor(s) Harold Pearl residing at 2818 Hance Bridge Road, Vineland, N.J. 08361

referred to as "I",

AND the Assignee(s) Lighthouse Pointe Condominium Association

referred to as "You".

If more than one person makes this Assignment, the word "I" shall mean "We".

1. Assignment. I own the property described below (referred to as the "property"). I now transfer ownership of the property to you. ~~I have been paid $xxxxxxxxxxxxxxx for making this Assignment.~~
I will be paid $2,656.80 by the Association within 10 days of May 23,2016

2. Property. The property which I now assign to you consists of all my right, title and interest in and to the following:

Return of approximately $2,656.80 which I paid to the township of Lower as part of performance guarantee for swimming poolfor Lighthouse Pointe Marina, Block 806, Lot 4.01, Township of Lower Escrow # P09-05-06

3. Ownership. You are now the legal owner of the property. You may now exercise full and complete control over the property in your name or in my name.

4. Signatures. I agree to the terms of this Assignment. If this Assignment is made by a corporation, its proper corporate officers sign and its corporate seal is affixed.

Witnessed or Attested by:

[signature] Patricia Gerald

[signature] (Seal)
Harold Pearl

(Seal)

EISENSTAT, GABAGE & FURMAN
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
1179 EAST LANDIS AVENUE
VINELAND, NEW JERSEY 08360-4278
www.eisenstatgabagelaw.com
Direct email: charles.gabage2@gmail.com

GERALD M. EISENSTAT
CHARLES W. GABAGE
HARRY FURMAN

856-691-1200

FACSIMILE 856-691-0414

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

RESOLUTION #2020-269

Title: **APPROVING A PROFESSIONAL SERVICE CONTRACT WITH DeBLASIO & ASSOCIATES FOR THE NEW PUBLIC WORKS DEPARTMENT ADMINISTRATION BUILDING**

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, DeBlasio & Associates have provided a proposal for the New Public Works Department Administration Building at the fee of $74,000.00 broken down as follows and payable upon the signature of Gary Douglass, Superintendent of Public Works:

Engineering and Architectural Services	$ 54,000.00
Construction Phase Services	$ 20,000.00
TOTAL	**$ 74,000.00**

WHEREAS, the Township Council desires to approve the proposal, and the CFO has certified the availability of funds in the appropriation listed below as evidenced by her signature:

Appropriation:	Ord 18-07	C-04-55-422-910	$ 49,000
	Ord 20-12	C-04-55-428-910	$ 25,000.

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 Proposal between DeBlasio & Associates and the Township of Lower, in the form attached hereto as EXHIBIT A, for an amount of $74,000.00 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	RECUSE	ABSTAIN	ABSENT
CONRAD							
COOMBS							
ROY							
PERRY							
SIPPEL							

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 October 19, 2020.

_____
Julie A Picard, Township Clerk

DEBLASIO & ASSOCIATES
CONSULTING ENGINEERS AND PLANNERS

4701 NEW JERSEY AVENUE • WILDWOOD, NJ 08260 PHONE: 609-854-3311 • FAX: 609-854-4323

October 8, 2020 **VIA EMAIL & REGULAR MAIL**

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

RE: Township of Lower
New Public Works Department Administration Building-*Revised*
D&A Project #: LT-C-009

Dear Gary:

DeBlasio & Associates, P.C. is pleased to submit the following scope of work and professional service fee to perform the engineering, architectural and construction phase services for the **New Public Works Department Administration Building.**

As discussed at our meetings, the project shall consist of constructing a new public works office building at the existing public works facility located at 771 Seashore Road. The project has the following scope of work:

- Demolition of the existing 960 square foot public works office building located at 771 Seashore Road. The existing building shall be demolished by the Township.
- Construction of a new 24' x 64' (1,550 square foot) public works department administration building in the same footprint including a 24' x 24' (576 square foot) expansion.
- The proposed building shall be constructed in accordance with Lighthouse Architecture's conceptual design dated January 25, 2019. A copy of the conceptual design is enclosed for your reference.
- It is the intent of the project to utilize the existing block wall and concrete footing as a foundation for a portion of the new building.
- Provide one (1) soil boring inside the building footprint for a geotechnical analysis.
- The project will be designed in accordance with IBC, 2015 regulating the design of the building.
- The proposed building shall be connected to the existing septic system and potable well located on site.
- Installation of concrete curb, sidewalk and handicap ramps along the perimeter of the proposed building. Site work shall also consist of asphalt pavement restoration as required.
- The estimated construction cost including a 10% contingency is $500,000.00.

Our professional service fee to complete the above referenced scope of work is listed below:

Engineering and Architectural Services	**$54,000.00***

- Architectural and Engineering Design
- Preparation of Contract Documents
- Public Bidding Procurement

Construction Phase Services	**$20,000.00**

- Contract Administration
- Review Shop Drawings
- Part Time Construction Observation Based On 250 Hours
- Project Close Out

Total Professional Service Fee	**$74,000.00**

Architectural services shall be provided by Peter Porretta, AIA of Lighthouse Architecture.

DeBlasio & Associates, P.C. looks forward to the opportunity of working with Township of Lower on the **New Public Works Department Administration Building.**

Should you have any questions or require additional information, please do not hesitate to contact me in our Wildwood office at (609) 854-3311. We thank you for the opportunity to submit this proposal.

Sincerely,

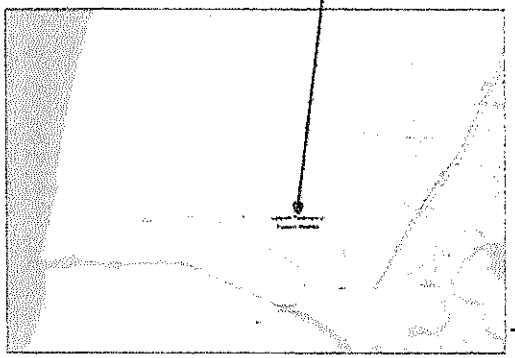
DeBlasio & Associates, P.C.

Marc DeBlasio, P.E., P.P., C.M.E.
President

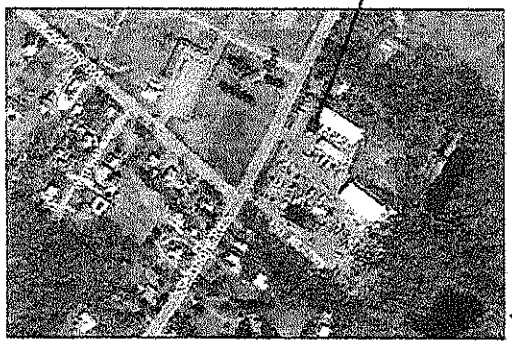
T: 609-854-3311
Marc@deblasioassoc.com

Cc: Jim Ridgway, Manager (via email w/encl.)
Margaret Vitelli, Purchasing Agent (via email w/encl.)
Julie Picard, Clerk (via email w/encl.)

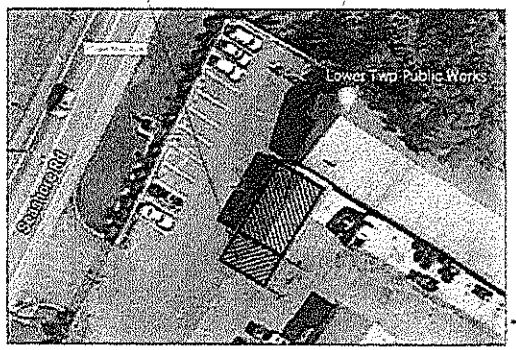
LOCATION MAP



VICINITY MAP



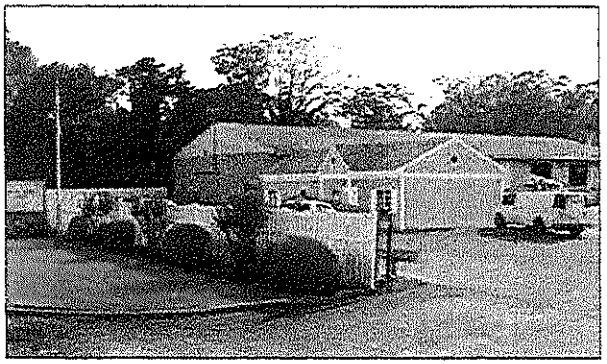
SITE MAP



NEW OFFICE BUILDING

777 SEASHORE ROAD,
COLD SPRING, NJ 08204

FOR:
LOWER TOWNSHIP MUA
777 SEASHORE ROAD
COLD SPRING, NJ 08204



01 Proposed BUILDING VIEW

SCALE: N.T.S.

DRAWING LIST

ARCHITECTURAL DRAWINGS:

1	of	3	A0.00	Cover Sheet
2	of	3	A1.00	Floor Plan
3	of	3	A2.00	Building Elevations

02 EXISTING BUILDING VIEW

SCALE: N.T.S.

LIGHTHOUSE ARCHITECTURE
The Offices at The Vallowes
360 South Street Street – Suite 900
Philadelphia, PA 19102
– 215-732-5603 –
www.LighthouseDesign.com

PETER J PORRETTA, AIA, PM

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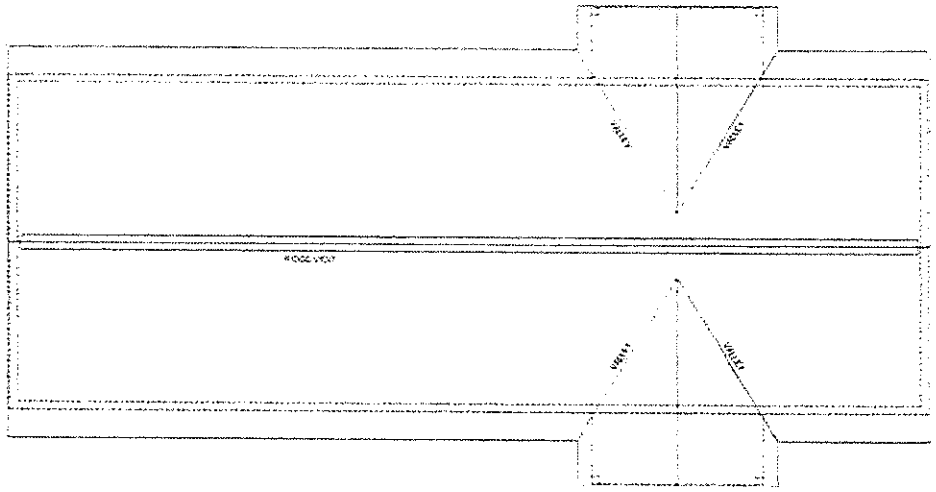
No.	REVISION DESCRIPTION	DATE

PROJECT TITLE: NEW OFFICE BUILDING
777 SEASHORE ROAD,
COLD SPRING, NJ 08204

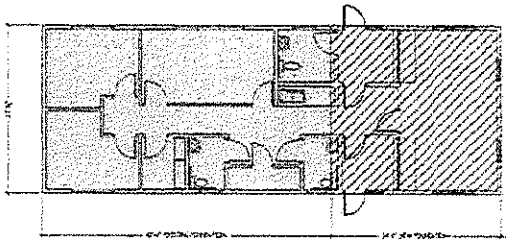
FOR: LOWER TOWNSHIP MUA
777 SEASHORE ROAD,
COLD SPRING, NJ 08204

DRAWING TITLE: COVER SHEET

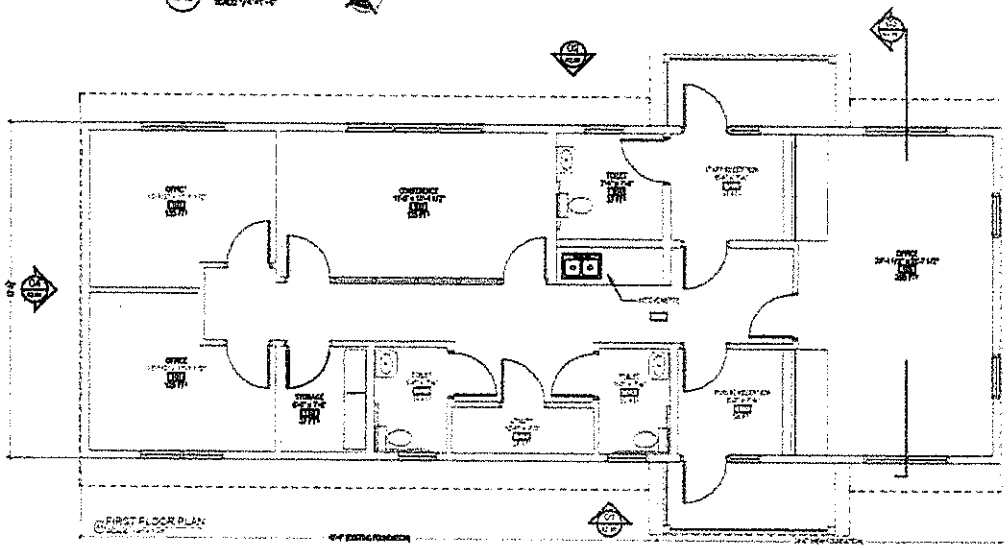
DRAWN: CJA
CONTRACT NO.: 100179
CHECKED: PJP
DRAWING NO.: A0.00
DATE: 1/25/2023
SCALE: AS SHOWN
SHEET: 01 OF 03
REVISED:
SCHEMATIC DESIGN



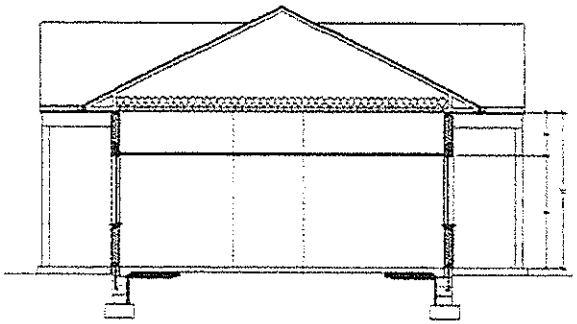
02 ROOF PLAN



04 AREA DIAGRAM



01 FIRST FLOOR PLAN



03 BUILDING SECTION

LIGHTHOUSE ARCHITECTURE
The Offices at The Bellevue
200 South Broad Street - Suite
Philadelphia, PA 19102
- 215-732-5663 -
www.LighthouseDesign.com

PETER J PORRETTA, AIA, PS

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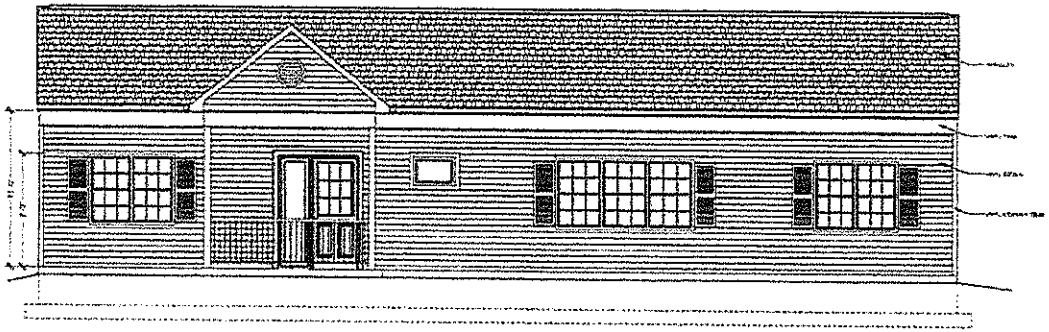
No.	REVISION DESCRIPTION	DATE

PROJECT TITLE:
NEW OFFICE BUILDING
777 SEASHORE ROAD,
COLD SPRING, NJ 08204

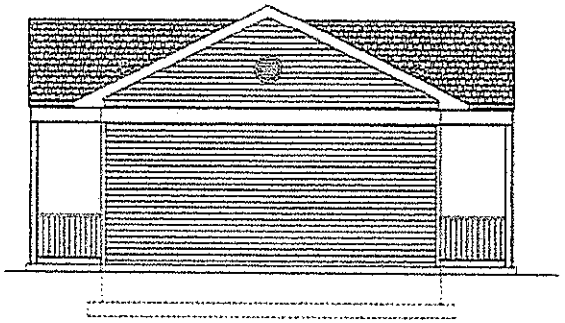
FOR: LOWER TOWNSHIP AUA
777 SEASHORE ROAD,
COLD SPRING, NJ 08204

DRAWING TITLE:
FLOOR PLAN

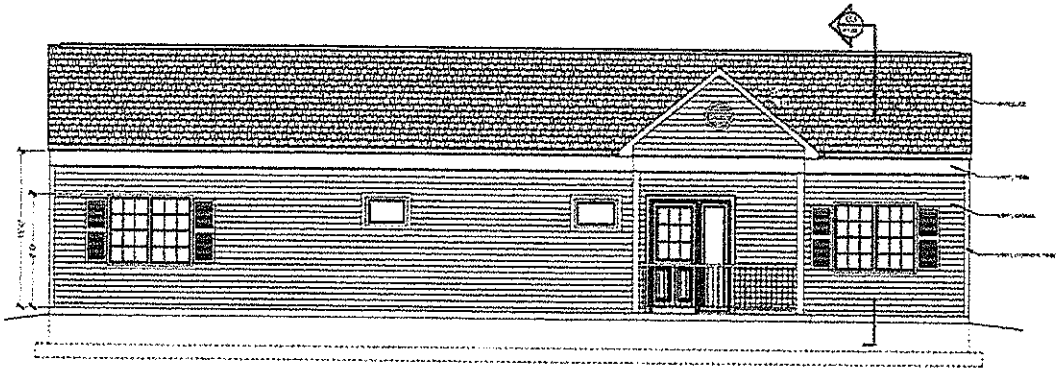
DRAWN: SK
CHECKED: PJP
DATE: 1/13/2020
SCALE: AS SHOWN
CONTRACT No.:
DRAWING No.: A1.00
SHEET: 1 OF 03
RELEASE: SCHEMATIC DESIGN



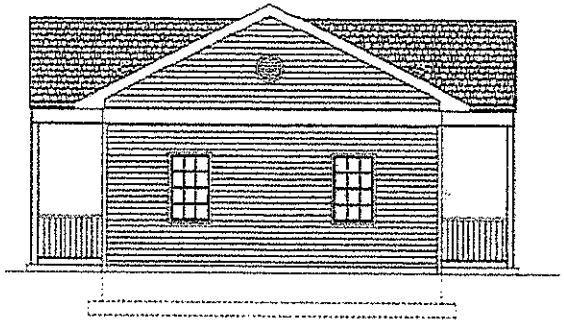
02 REAR ELEVATION



04 LEFT SIDE ELEVATION



01 FRONT ELEVATION



03 RIGHT SIDE ELEVATION

LIGHTHOUSE ARCHITECTURE
The Offices at The Bellevue
200 South Broad Street – Suite
S T C
Philadelphia, PA 19102
– 215-732-6893 –
www.LighthouseDesign.com

PETER J PORRETTA, AIA, PRs

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No.	REVISION DESCRIPTION	DATE

PROJECT TITLE : NEW OFFICE BUILDING
777 SEAGRAVE AVE.
COLD SPRING, NJ 08201

FOR : LOWER TOWNSHIP MUA
777 SEAGRAVE ROAD
COLD SPRING, NJ 08201

DRAWING TITLE : BUILDING ELEVATIONS

DRAWN : SDK	CONTRACT No. : 16019
CHECKED : PJP	DRAWING No. : A2.00
DATE : 1/23/2013	
SCALE : AS SHOWN	SHEET : 03 OF 03
REVISED	SCHEMATIC DESIGN

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

RESOLUTION #2020-270

Title: **2020 DRIVE SOBER OR GET PULLED OVER YEAR END HOLIDAY CRACKDOWN**

WHEREAS, the Township of Lower desires to apply for and obtain a grant from the New Jersey Department of Law and Public Safety, Division of Highway Traffic Safety for $6000.00 to carry out a 2020 Drive Sober or Get Pulled Over Year End Holiday Crackdown from December 4, 2020 to January 1, 2021.

NOW THEREFORE, BE IT RESOLVED, that the Township of Lower does hereby authorize the application for such a grant; and, upon receipt of the grant agreement from the New Jersey Department of Law and Public Safety, Division of Highway Traffic Safety, does further authorize the execution of the grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of said agreement between the Township of Lower and the New Jersey Department of Law and Public Safety, Division of Highway Traffic Safety.

BE IT FURTHER RESOLVED, that the persons whose names, titles and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

Frank Sippel, Mayor

William Mastriana, Chief of Police

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD							
COOMBS							
ROY							
PERRY							
SIPPEL							

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 October 19, 2020.

Julie A Picard, Township Clerk

HTS Mobilization 2020 Drive Sober or Get Pulled Over Year End Holiday Crackdown
Organization: Lower Township
Narrative Description of Project

[✔] **I agree to the Terms and Conditions found below.**

Problem Statement:

Impaired driving remains a significant issue, both in New Jersey and nationally. Over the past five years, the state experienced 36,049 alcohol involved crashes, resulting in 648 fatalities (2014-2018). This project will provide funding to implement a statewide impaired driving enforcement campaign as part of the *2020 Drive Sober or Get Pulled Over Year End Holiday Crackdown*.

Between December 4, 2020 and January 1, 2021, police officers, on an overtime basis, will conduct special enforcement patrols targeting impaired drivers. The patrols will consist of roving patrols and fixed checkpoints.

Objectives:

To reduce the rate of alcohol-involved driving fatalities in New Jersey by 6.8% from 129.6 (2014-2018 average) to 120.8 (2017-2021 average) as detailed in the FY2021 NJ Highway Safety Plan through targeted impaired driving enforcement and education during the *2020 Drive Sober or Get Pulled Over Year End Holiday Crackdown*.

Methodology:

REMINDER: As per directives from the National Highway Traffic Safety Administration (which provides the federal funding for this grant) Chiefs of Police are **not** eligible to work grant-funded overtime through this grant.****

This federally-funded grant project consists of an enforcement overtime campaign from **December 4, 2020 through January 1, 2021**. The project is designed to raise awareness about the dangers of drinking and driving, to offer deterrence through visible enforcement, to arrest impaired drivers, and to issue summonses for relevant motor vehicle violations. The grant will pay for overtime enforcement during the approved crackdown period, with a maximum rate to be reimbursed of **$60 per hour**. The overtime hours will be used for roving patrols and checkpoints.

This is a **reimbursement grant**. Participating departments will incur all costs and then submit the necessary documentation to the Division of Highway Traffic Safety for reimbursement.

This is an **enforcement campaign**. A reasonable number of impaired driving arrests and other summonses are expected in relation to overtime hours worked. **Overtime activities can only be conducted within the dates of the project period and must be conducted between the hours of 8 pm and 4 am.**

All grantees are expected to conform to the established "Law Enforcement Performance/Productivity Standards for Federally Funded NJDHTS Grants."

The maximum project overtime rate is **$60.00 per hour** regardless of what officer works the project hours. The officer is to receive the full dollar amount in overtime. Administrative

costs or fees should be considered "in kind services" or soft matches and are not a part of this grant. **It is up to the agency to establish its pay rate for the project.** The Division encourages agencies to pay all participating officers a flat $60 per hour rate for this overtime detail, but agencies may pay their usual overtime rates, if they wish, in which case the reimbursement from the Division will be:

Officers paid $60.00 - project will reimburse at $60.00 per hour.

Officers paid less than $60.00 - project will reimburse at that lower rate.

Officers paid more than $60.00 - project will reimburse at $60.00 per hour with the municipality covering the remainder of the rate.

Again, the maximum hourly rate to be reimbursed is $60 per hour, regardless of whether all the grant-budgeted hours are worked or not.

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

RESOLUTION #2020-271

Title: **APPROVAL FOR LOWER TOWNSHIP VETERANS DAY PARADE**

WHEREAS, Veterans are a vital part of our Community, and in honor of our Veterans, Lower Township will be hosting a Parade on Saturday, November 7, 2020; and

WHEREAS, Lower Township has received approval from the Cape May County Board of Chosen Freeholders to close a portion of Bayshore Road (County Road No. 603) from the Villas Fire House to the Lower Township Municipal Hall from 10:00 am until the conclusion of the parade, approximately 1:00 pm.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that permission is hereby granted for the above stated event to take place.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD							
COOMBS							
ROY							
PERRY							
SIPPEL							

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 October 19, 2020.

Julie A Picard, Township Clerk

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

RESOLUTION #2020-272

Title: **A RESOLUTION APPROVING A MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF CAPE MAY, THE DELAWARE RIVER AND BAY AUTHORITY, AND THE TOWNSHIP OF LOWER IN RELATION TO THE PAYMENT OF REAL ESTATE TAXES ASSOCIATIED WITH PROPERTIES LOCATED AT THE CAPE MAY COUNTY AIRPORT**

WHEREAS, The Cape May County Airport and Industrial Park (hereinafter "Leasehold Property"), located in the Township of Lower (hereinafter "Township"), county of Cape May (hereinafter "County"), and State of New Jersey, is owned by the County; and

WHEREAS, Pursuant to an Acquisition Agreement dated December 15, 1998 (the "Acquisition Agreement"), executed by and between the Delaware River and Bay Authority (hereinafter the "Authority") and the County, the Authority agreed to assume operation and control of certain parcels of land and improvements at the Leasehold Property and further agreed to operate and manage the Leasehold Property and related facilities and to administer various leases relating to tenants at the Leasehold Property. The County and Authority entered into a Ground Lease dated June 8, 1999 (the "Ground Lease"), a memorandum of which was recorded on June 9, 1999 in the Office of the Clerk of Cape May County in Book 2809, Page 0584. The Ground Lease is for a thirty (30) year term with two automatic thirty (30) year renewals subject to certain rights to elect non-renewal as set forth therein; and

WHEREAS, from time to time, since at least 2006, the Township has sought to collect, from the County and/or Authority, unpaid real estate taxes due from delinquent tenants occupying properties/units at the Leasehold Property; and

WHEREAS, the Township claims that the County and/or Authority are obligated to pay all delinquent taxes if a tenant defaults in payment of same. The County claims that if any real estate taxes are due, the Authority is liable to pay same. The County further claims that the Authority must reimburse it for real estate taxes it pays to the Township pursuant to the County's interpretation of the Acquisition Agreement; and

WHEREAS, the Authority claims that pursuant to law and/or the Compact, there is no basis to impose real estate taxes on tenants at the Leasehold Property under these circumstances and, in any event, the Authority is not liable for real estate taxes as the Authority further claims that it is not liable for any real estate taxes pursuant to the Acquisition Agreement; and

WHEREAS, since at least 2006, the parties have attempted to amicably resolve this dispute amongst themselves, and, in 2013, the Authority passed Resolution 13-38, the County passed resolution 786-13 and the Township passed Resolution 2013-271 authorizing the parties to enter into an MOA to work cooperatively and in harmony with each other party thereto with respect to payment of real estate taxes by third-party tenants on the Leasehold Property; and

WHEREAS, on August 27, 2019, in an effort to renegotiate the terms of the Memorandum of Agreement with respect to unassessed properties located within the Leasehold Property and in an effort to address the ongoing delinquency of tenants who failed to satisfy real estate taxes owed to the Township as contemplated within the Memorandum of Agreement, the Township provided notice to the Authority and the County of its intent to terminate the Memorandum of Agreement executed in 2013; and

WHEREAS, over the course of the past year the parties have met on two occasions in an effort to the resolve the concerns identified by the Township, the parties were able to resolve the concerns raised by the Township, and all parties expressed a desire to continue working cooperatively to ensure that third-party tenants on the Leasehold Property make timely real estate tax payments; and

WHEREAS, to that end the parties, in good faith, negotiated the terms of a successor Memorandum of Agreement, a copy of which is attached hereto as Exhibit A, and all parties have come to an agreement on the form and content of said Memorandum of Agreement, specifically that all property occupied by tenants, shall pay taxes to the Township of Lower, and same will be explicitly set forth within the Lease Agreements executed by said third-party tenants and the Authority; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Mayor of the Township of Lower is hereby authorized to execute attached Memorandum of Agreement Regarding Real Estate Taxes at the Cape May County Airport on behalf of the Township of Lower

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD							
COOMBS							
ROY							
PERRY							
SIPPEL							

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 October 19, 2020.

_____
Julie A Picard, Township Clerk

MEMORANDUM OF AGREEMENT REGARDING REAL ESTATE TAXES

This Memorandum of Agreement (hereinafter "MOA") is entered into as of October 27, 2020 by and between the County of Cape May; The Delaware River and Bay Authority; and the Township of Lower.

A. The Cape May County Airport and Industrial Park (hereinafter "Leasehold Property"), located in the Township of Lower (hereinafter "Township"), County of Cape May (hereinafter "County"), and State of New Jersey, is owned by the County.

B. The Delaware River and Bay Authority (hereinafter "Authority") was duly created pursuant to the Delaware-New Jersey Compact, 17 Del. C. § 1701 and N.J.S.A. 32:11E-1, et. seq. (the "Compact"). Among the purposes of the Authority is the undertaking of projects which advance the economic growth and development within the counties of Delaware and New Jersey which border the Delaware River and Bay by providing for, planning and engaging in projects which will enhance the future economic growth and development of those areas.

C. Pursuant to an Acquisition Agreement dated December 15, 1998 (the "Acquisition Agreement"), executed by and between the Authority and the County, the Authority agreed to assume operation and control of certain parcels of land and improvements at the Leasehold Property and further agreed to operate and manage the Leasehold Property and related facilities and to administer various leases relating to tenants at the Leasehold Property.

D. The County and Authority entered into a Ground Lease dated June 8, 1999 (the "Ground Lease"), a memorandum of which was recorded on June 9, 1999 in the Office of the Clerk of Cape May County in Book 2809, Page 0584, pursuant to which the County leased to the Authority certain parcels of land and improvements located at the Leasehold Property described therein as the "Demised Premises." The Ground Lease is for a thirty (30) year term with two automatic thirty (30) year renewals subject to certain rights to elect non-renewal as set forth therein.

E. In 2013, the Authority passed Resolution 13-38, the County passed resolution 786-13 and the Township passed Resolution 2013-271 authorizing the parties to enter into an MOA to work cooperatively and in harmony with each other party thereto with respect to payment of real estate taxes by third-party tenants on the Leasehold Property.

F. The MOA had an initial term of four years, with automatic renewals for successive three year periods.

G. In August 2019, the Township gave notice to the Authority and the County, that upon expiration of the MOA on October 27, 2020, it did not intend to renew the MOA in its current form for an additional three-year term.

H. Nonetheless, the parties desire to continue working cooperatively to ensure that third-party tenants on the Leasehold Property make timely real estate tax payments.

I. The parties' have negotiated in good faith to develop a successor MOA.

J. Pursuant to the "Uniform Shared Services and Consolidation Act", N.J.S.A. 40A:65-1 et. seq., local government units, including Townships and Counties, are authorized to jointly to enter into agreements pursuant to the provisions of that statute.

K. In order to allow for the objectives of the parties to advance, the parties agree to the terms of this MOA and recognize that these provisions are binding on all parties and their successors, heirs and assigns.

NOW, THEREFORE, in consideration of the following promises and covenants and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto, intending to be legally bound, agree as follows:

1. The Recitals set forth above are incorporated in the body of this MOA as if fully set forth at length.

2. The parties agree to cooperatively address the interest of their entities and constituents as outlined in this MOA and agree that with the exception of the tenant identified on the attached Schedule A, there are no other outstanding real estate taxes due and owing at the time of the execution of this MOA.

3. The term of this MOA shall begin on October 27, 2020 and run for an initial term of three years.

4. This MOA will automatically renew for successive three (3) year terms unless one (or more) of the parties provides written notice as required herein within sixty (60) days of the beginning of the last full year of each term to all other parties.

5. The Authority agrees to quarterly provide, in written form, to both the County and the Township contacts noted below, an updated list of current tenants and the duration of each tenant's leasehold. The Authority will provide an updated list to the County and Township of a tenant vacating the property within thirty (30) days of the knowledge thereof.

6. Unless the tenant is evicted or vacates in breach of the lease, the Township, upon receipt of the aforesaid notification, will remove the property from the Township's tax rolls effective as of the 1st day of the next calendar month following said vacation. The parties agree that no taxes for the intervening period (consisting of the date the tenant vacates the property to the first day of the next calendar month) will be due and owing to or from any party or tenant. If the tenant is evicted or vacates in breach of the lease, the property will remain on the tax rolls until said lease would have expired; provided, however, that the Township may only seek payment of any real estate taxes for the term of the lease solely from the tenant and not the County and/or Authority and the Township will not assert any liens related thereto.

7. If the opportunity to amend any existing tenant leases presents itself and subject to the tenant's consent thereto, the Authority agrees to attempt to modify the language in such leases to include an acknowledgement by the tenant that the Township reserves any right to pursue legal action against the tenant for any real estate taxes due and owing to the Township. For any new leases (excluding renewals) the Authority enters into after the date this MOA is fully executed, the Authority agrees to include language in such leases whereby the tenant acknowledges that the Township reserves any right to pursue legal action against the tenant for any real estate taxes due and owing to the Township. Notwithstanding any right the Township has to pursue legal action against any tenant for delinquent real estate taxes, the Township shall not at any time seek any payment of any real estate taxes from the County or Authority which allegedly accrued or were imposed during the time that the MOA is/was in effect or assert any liens based on such accrued or imposed real estate taxes. The Township acknowledges that its sole means of recourse to collect real estate taxes that allegedly accrued or were imposed during the time that this MOA is/was in effect, is against the tenants and not the County or Authority. The determination as to whether to pursue legal action will lie solely with the Township. The Township will provide the County and Authority contacts notice of any legal action it pursues against any tenant.

8. The Township will, upon notification from the Authority, make an added assessment for any property that is not on the assessment list as of January 1 of any year of this MOA but becomes occupied at any point during the tax year on a pro-rata basis.

9. The Township will send to the County and Authority contacts copies of any delinquent notices sent to any tenants which notices are typically sent quarterly and once at the end of the year.

10. This MOA may be executed in any number of original or telecopied counterparts, each of which shall be deemed to be an original as against any party whose

signature appears thereon, and all of which shall constitute one and the same instrument.

11. The **Authority contacts** will be:

Primary Contact: Michelle Griscom, Property Manager
Phone Number: (302) 571-6482.
Fax Number: (302) 571-6479
Email: michelle.griscom@drba.net

Secondary Contact: Michelle Warner, Esquire
Phone Number: (302) 571-6002
Fax Number: (302) 571-6305
Email: michelle.warner@drba.net

The **County contacts** will be:

Primary Contact: Nancy Mauro, PE
Phone Number: 609-465-1035
Fax Number: 609-465-1148
Email: Nancy.Mauro@co.cape-may.nj.us

Secondary Contact: Jeffrey R. Lindsay, Esquire
Phone Number: 609-465-1062
Fax Number: 609-463-0705
Email: Jeffrey.Lindsay@co.cape-may.nj.us

The **Township contacts** will be:

Primary Contact: Julie Picard, Township Clerk
Phone Number: 609-886-2005 ext 113
Fax Number: 609-886-9488
Email: jpicard@townshipoflower.org

Secondary Contact: Robert T. Belasco, Esquire
Phone Number: 609-729-5250
Fax Number: 609-729-0954
Email: rbelasco@sblawteam.com

The parties shall immediately notify each other in the event of any change in their respective designated contact person.

12. The Township, for itself and all persons and entities claiming by, through or under it, releases, acquits and forever discharges the County and Authority and all related entities and their agents, trustees, officers, commissioners, freeholders, directors, members, employees, servants, shareholders, partners, members,

representatives, attorneys, subsidiaries, predecessors, successors, heirs and assigns (the "County/Authority Releasees") from all liens, obligations, claims, debts, demands, covenants, contracts, promises, agreements, liabilities, costs, attorney's fees, expenses, interest, penalties, fines, actions, and causes of action, whatsoever, at law or in equity, whether known or unknown, from the beginning of the World to the present date, which the Township and all persons or entities claiming by, through or under it, had, has or claims to have against the County/Authority Releasees (individually, jointly or severally) which are connected with, related to, and/or arising from, real estate taxes which allegedly accrued or were imposed during the time that this MOA is/was in effect. The Township, for itself and all persons and entities claiming by, through or under it, also agrees not to pursue at any time any legal action to collect any real estate taxes against the County/Authority Releasees (individually, jointly or severally) or otherwise seek to collect at any time any real estate taxes from the County/Authority Releasees (individually, jointly or severally) which allegedly accrued or were imposed during the time that this MOA is/was in effect and forever waives any and all rights to do so.

13. No party to this Agreement waives any immunity to which it may be entitled pursuant to the New Jersey Tort Claims Act, N.J.S.A. 59:1-1 et. seq. or any other law.

14. This MOA reflects a compromise reached between the parties and nothing in this MOA shall constitute an admission by any party to this MOA. Nothing in this MOA shall affect the parties' rights, positions, claims or defenses with respect to any real estate taxes that allegedly accrue and/or are imposed after the expiration of this MOA.

15. Due to the unique nature of this MOA, the parties will be irreparably harmed in the event this MOA is not specifically enforced and all parties waive any claim or defense that an adequate remedy at law exists. In the event any party breaches this MOA, an injunction may be issued and any and all rights or obligations shall be enforceable in a court of equity by a decree of specific performance. This remedy is cumulative and not exclusive, and shall not preclude the pursuit of any other remedies at law or in equity including, but not limited to, the right to maintain an action for any monetary damages caused by any breach.

16. Unless otherwise stated in this MOA, all notices required by this MOA shall be hand delivered or mailed to the following addresses:

For the Authority:

Michelle Warner, Esquire
The Delaware River and Bay Authority
1-295 and Route 9

Delaware Memorial Bridge Plaza
P.O. Box 71
New Castle, DE 19720

With a copy to:

Thomas J. Cook, Executive Director,
The Delaware River and Bay Authority
1-295 and Route 9
Delaware Memorial Bridge Plaza
P.O. Box 71
New Castle, DE 19720

For the County:

Jeffrey R. Lindsay Esquire
Cape May County Department of Law
4 Moore Road, DN104
Cape May Court House, NJ 08210

For the Township:
Julie Picard, Township Clerk
Township of Lower
2600 Bayshore Road
Villas, NJ 08251

17. Each party represents and warrants to the other that all governmental, municipal or county action necessary to enter into and perform all obligations required by this MOA has been, or will have been, validly taken and that the undersigned are authorized to execute this MOA.

18. This MOA shall be governed by and construed in accordance with the laws of the State of New Jersey.

19. This MOA sets forth the entire understanding of the parties hereto with respect to the transactions contemplated herein. No change or modification of this MOA shall be valid unless the same shall be in writing and signed by all the parties hereto.

20. If any clause, sentence, paragraph, section, or part of this MOA shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof, directly involved in the controversy in which such judgment shall have been rendered.

IN WITNESS WHEREOF, the parties affix their signatures to this MOA, intending to be legally bound.

COUNTY OF CAPE MAY

DATE:_____ BY:_____

Gerald M. Thornton
Director, Board of Chosen Freeholders

ATTEST: _____

Elizabeth Bozzelli
Clerk

APPROVED AS TO FORM:

_____

Jeffrey R. Lindsay, Esquire
Cape May County Counsel

TOWNSHIP OF LOWER

DATE:_____ BY:_____

Frank Sippel
Mayor

ATTEST: _____

Julie Picard
Clerk

APPROVED AS TO FORM:

_____

Robert T. Belasco, Esquire

DELAWARE RIVER AND BAY AUTHORITY

DATE:_____ BY:_____

Samuel E. Lathem
Chairperson

DATE:_____ BY:_____

James N. Hogan
Vice-Chairperson

DATE:_____ BY:_____

Thomas J. Cook
Executive Director

ATTEST: _____

Stephen D. Williams
Assistant Secretary

APPROVED AS TO FORM:

_____

Philip A. Norcross, Esquire

SCHEDULE A
LIST OF DELINQUENT TENANTS AS OF 10/7/2020

1. Hanley Strength
   251 Ranger Road, Units 5&6
   Block 410.01, Lot: 36:28

   Principal: $ 969.37
   Interest: $ 23.76*
   TOTAL: $993.13*

*Interest will continue to accrue daily until Principal balance is paid in full.

++2020 4th Quarter taxes of $516.22 will be due on November 1, 2020 and may increase Principal and Interest due if not paid timely.

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

RESOLUTION # 2020-273

Title: **APPROVAL OF CHANGE ORDER #1 TO DEL-TECH INC. FOR THE JUDGE NATHANIEL FOSTER HOUSE FOR A CHANGE IN THE ORIGINAL SCOPE OF WORK**

WHEREAS, Del-Tech Inc. was awarded on August 3, 2020 by Resolution #2020-220 for the Renovations of the Judge Nathaniel Foster House; and

WHEREAS, the Architect Michael Calafati and Del-Tech Inc. have determined due to the unforeseen amount of damage to the historical building; a change to the original scope of work was needed to keep within the budgeted amount resulting in a no cost change order; and

WHEREAS, the Township Council desires to approve the Change Order #1 and alter the original scope of work;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Change Order #1 for Del-Tech Inc. will change the scope of work at the original cost of the contract of $394,700.00.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD							
COOMBS							
ROY							
PERRY							
SIPPEL							

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 October 19, 2020.

Julie A Picard, Township Clerk

CHANGE ORDER

G701

Distributed To:

- ☐ Owner
- ☐ Contractor
- ☒ Architect
- ☐ Subcontractor
- ☐ Field
- ☐ Other

PROJECT: Improvements to the Judge Nathaniel Foster House
1649 Bayshore Road
Villas, NJ 08251

TO: Township of Lower
2600 Bayshore Road
Villas, NJ 08251

CHANGE ORDER NO: 1

DATE: October 13, 2020

PROJECT NO:

CONTRACT DATE:

CONTRACT FOR:

The contract is changed as follows:

#	COST	DESCRIPTION
1	-14,000.00	Basement repointing work
2	-6,000.00	Addition window allowance
3	-7,500.00	Allowance chimney rebuild
4	-4,000.00	Allowance 3 storm doors
5	-9,000.00	Electrical work 2nd floor rewiring
6	-1,103.00	Archeologist (services)
7	-2,000.00	Foolings at front porch
8	18,000.00	Additional siding replacemant (estimated additional 30% above original base amount)
9	2,400.00	Window frames rebild/restoration (4 @ $600)
10	3,500.00	New window sills (10 pcs @ $350)
11	2,600.00	New window trims (10 units @ $260)
12	15,000.00	Heavy timber repairs (50ft @ $300/ft) reclaimed white oak, dutchman repair, replacement as needed
13	2,520.00	Wood studs repair (140ft @ $18/ft) modern lumber (dutchman repair/sister existing where possible)
14	-417.00	Additional credit

0.00 TOTAL

The original Contract Sum was	$	394,700.00
Net change by previously submitted Change Orders	$	0.00
The Contract Sum prior to this Change Order was	$	394,700.00
The Contract Sum will be unchanged by this Change Order in the amount of	$	0.00
The new Contract Sum including this Change Order will be	$	394,700.00
The Contract Time will be increased by	Five (5) days.	
The date of Substantial Completion as of the date of this Change Order		

Accepted By:

Dell-Tech Inc.		
CONTRACTOR	OWNER	OTHER
By:	By:	By:
October 13, 2020		
Date	Date	Date

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MCA

Michael Calafati Architect, LLC

510 Bank Street, P.O.Box 2363, Cape May, NJ 08204
T 609 884 4922 F 609 884 8608 www.calafati.com

October 14, 2020

Margaret Vitelli, QPA
Purchasing Agent
Township of Lower
2600 Bayshore Road
Villas, NJ 08251

Re: Proposed Change Order #1
Improvements at the Judge Nathaniel Foster House (Re-Bid)
Project funded by the NJ Historic Trust, Cape May County Open Space Program and the Township of Lower

Dear Ms. Vitelli,

As summarized in the recently issued project meeting minutes and as observed by Colleen Crippen at yesterday's regularly scheduled meeting, the degree of damage to the building's structural wood (heavy timber) frame and wood siding is greater than I had anticipated.

Actual field review of conditions of the framing and siding became possible only recently with the removal of the house's the asbestos siding. A certain degree of repair and replacement were expected and included in the contract documents, namely a defined quantity of siding to be replaced and the number of heavy timbers to be replaced or repaired (specifically, rafters and rafter sills to be replaced or repaired). The revealed conditions, however, indicate timber members and siding worse than allotted quantities. The areas that require attention include:

1. Stud bases (vertical framing) where meets the heavy timber sill.
2. The heavy timber sill, often where they support the intermediate studs and at door openings.
3. Heavy timber corner posts, especially the northeast corner of the house where the gutter and downspout failed over many years.
4. Vertical framing at windows, especially on the north elevation at the stair halls (window over window) and the kitchen's side door.
5. Window frames themselves.
6. Additional areas of siding (the actual area is in excess of the 20% estimated).

The timber frame damage can be addressed by a combination of repairs through dutchmen, sistering and whole unit replacement. Fortunately, the repairs can be executed without disturbing the interior plaster and wood trim finishes. [Note: A dutchman refers to a wood patch where the deteriorated area is squared-off and a new wood section is inset into the damaged area (and usually secured with glue, epoxy and/or and screws). Sistering refers to leaving a structural member in place while flanking it on one or both sides with a similarly sized member for reinforcement.]

In order to offset the cost of the additional repair work, potential savings have been identified without compromising the essential goals of enclosing the house, making it weathertight and restoring its exterior appearance. Such aspects include changes or reductions that entail:

1. Basement/interior brick repointing work.
2. The additional window allowance for the enclosed porch.
3. Reconstruction of the chimneystacks.
4. Three new custom wood storm doors.
5. Electrical work, namely 2nd floor rewiring.
6. Footings at the new front stoop and, therefore, reduction of archeologist services in favor of pouring a concrete slab instead.

Accordingly, Dell-Tech, Inc. has prepared the attached Change Order proposal. As you know, a Change Order usually modifies cost, time, and quantities and are prompted by an Owner's Request and/or differing field conditions. If accepted, the Change Order would address the additional work without a change in the contract price by eliminating or reducing other aspects. In terms of time, it would add 5 days to the construction schedule – a modest amount of additional time. In short, this proposal could be referred to as a "no cost" Change Order.

I do recommend that the Township accept and authorize the Change Order as prepared by Dell-Tech, Inc. dated 10/13/20. If you have any questions, please do not hesitate to contact me.

Sincerely,

Michael Calafati, AIA, Principal
Michael Calafati Architect, LLC

cc: Jim Ridgway, Township Manager
Julie A. Picard, Township Clerk, Township of Lower
Colleen Crippen, Assistant Treasurer/Grants Coordinator, Township of Lower
Project File

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

RESOLUTION #2020-274

Title: **CERTIFICATION OF BEST PRACTICES INVENTORY**

WHEREAS, the New Jersey State Appropriations Act (P.L. 2011, c85) requires the Division of Local Government Services (DLGS) to determine the payment amount for each municipality's final share of State Aid based upon the results of the Best Practices Checklist; and

WHEREAS, the purpose of the Best Practices worksheet is to promote and improve financial accountability and transparency by withholding some or all of the final payment of State Aid from municipalities who do not score high enough on the annual worksheet; and

WHEREAS, the attached 2020 Best Practices Inventory for the Township of Lower shows that the Township scores a 21.5 (No aid withholding) .

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the 2020 Best Practices Inventory has been reviewed and can be forwarded to the State of New Jersey Department of Community Affairs.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD							
COOMBS							
ROY							
PERRY							
SIPPEL							

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 October 19, 2020.

Julie A Picard, Township Clerk

2020 Best Practices Inventory Online Platform

Lower Township

Printable Current Answers

001	Core Competencies	Personnel	
The Fair Labor Standards Act (FLSA) is a federal law requiring that overtime pay must be paid for all hours over 40 hours in a work week except for those employees classified as exempt and thus not entitled to overtime. Management employees such as elected officials, managers/administrators, municipal clerks, CFOs, public works superintendents, police chiefs and other department heads are typically classified as having exempt status and thus not entitled to overtime pay. Other municipal employees may also be classified as exempt under the FLSA (please consult labor counsel for detailed guidance). Exempt status also precludes overtime pay for time worked during emergencies, attendance at night meetings and participation in training sessions. Compensated leave time in lieu of cash payments is considered a form of overtime pay unless such leave is utilized in the same pay period. Does your municipality not pay overtime to employees classified as exempt under the FLSA?			[0.00] No
002	Core Competencies	Personnel	
Has your municipality reviewed and updated its employee personnel manual/handbook by resolution or ordinance within the past three years or upon the conclusion of each of your municipality's collective negotiated agreements (CNAs)? If yes, please provide in the Comments section the date of the meeting at which the personnel manual was updated. If not yes, please type "Did Not Answer Yes" into the comment box.			[1.00] Yes Comment: 9/16/19 4/20/20
003	Core Competencies	Budget	
Does your municipality complete an initial draft of its annual budget no later than the first week of January (or first week of July if an SFY municipality), and obtain input in crafting the draft budget from elected officials and department heads as appropriate to the form of government?			[1.00] Yes
004	Core Competencies	Budget	
Has your municipality created an accumulated absence liability trust fund pursuant to N.J.A.C. 5:30-15.5?			[1.00] Yes
005	Core Competencies	Budget	
Does your municipality annually review 1) its fee schedules against revenue collected, and 2) its fee ordinance(s) to determine whether fees need to be brought more in line with expenses?			[1.00] Yes
006	Core Competencies	Financial Administration	
The Government Electronic Payment Acceptance Act (N.J.S.A. 40A:5-43 et seq.) and its implementing regulations (N.J.A.C. 5:30-9.1 et seq.) set forth requirements for municipalities accepting credit cards, debit cards, and other electronic fund transfer mechanisms as means of collecting payment. In part, N.J.A.C. 5:30-9.9 limits any surcharges or convenience fees charged by a municipality for handling and processing the transaction. Is your municipality adhering to N.J.A.C. 5:30-9.9 when charging surcharges or convenience fees relating to electronic payment acceptance?			[1.00] Yes
007	Core Competencies	Capital Projects	
Has your municipality adopted a capital program as defined by N.J.A.C. 5:30-4.2, meaning a moving, multi-year plan and schedule for capital projects (including prospective financing sources) and, when pertinent, first year operating costs and savings?			[1.00] Yes
008	Core Competencies	Capital Projects	
If your municipality charges administrative fees for off-duty police traffic safety personnel on a public works or utility project, are such fees set by ordinance at an amount not exceeding the municipality's actual costs for administering the off-duty work? See Local Finance Notice CFO 2000-14 for further guidance.			[1.00] Yes
009	Core Competencies	Transparency	
Are your municipality's codified and uncodified ordinances, including all current salary ordinances, available online?			[1.00] Yes
010	Best Practices	Transparency	
Does your municipality have an official social media account or accounts and, if so, is there a written policy establishing guidelines on access, use, and permitted content?			[0.50] Yes
011	Core Competencies	Procurement	
Do your municipality's professional services contracts include a "not to exceed" amount?			[1.00] Yes

012	Best Practices	Procurement	
If your municipality contracts with an insurance broker for health insurance, and said contract exceeds the Local Public Contracts Law bid threshold, is your municipality's health insurance broker being procured through a competitive contracting or sealed bid process conducted pursuant to the Local Public Contracts Law?			[0.00] No
013	Best Practices	Procurement	
Insurance broker fees dependent on the amount of health insurance premiums or fees paid by the municipality are vulnerable to abuse as brokers could face conflicting incentives in seeking lower-cost health insurance alternatives. If your municipality contracts with an insurance broker for health insurance, is the structure for broker payments set at a flat-fee rather than on a commission basis to mitigate the risk of a broker recommending more expensive health insurance coverage to earn higher fees?			[0.50] Yes
014	Core Competencies	Cybersecurity	
A cybersecurity incident response plan is a set of instructions to help detect, respond to, and recover from network security incidents. These plans address areas such as cybercrime, data loss, and service outages. Does your municipality have a cybersecurity incident response plan?			[0.00] No
015	Core Competencies	Cybersecurity	
Are all municipal employees receiving ongoing cybersecurity training in malware detection, password construction, identifying security incidents and social engineering attacks?			[1.00] Yes
016	Core Competencies	Ratables/PILOTs	
Before formalizing negotiations and entering into a Long-Term Financial Agreement, does your municipality have at least one staff member or contractually-retained professional evaluate all proposed Long-Term PILOTs to assure that the proposed agreement is a net-benefit to the municipality?			[1.00] Yes
017	Best Practices	Environment	
If your municipality has a combined sewer overflow (CSO) system, has the conversion to a non-CSO overflow system been incorporated into your municipality's capital improvement program? If your municipality does not have a CSO system, is it undertaking affirmative measures to reduce stormwater runoff? Non-CSO municipalities answering Yes should explain these measures in the Comment Box.			[0.50] Yes Comment: The Township does not have a CSO. We follow the NJDEP standards to reduce storm water runoff including retention basins and pumping stations.
018	Core Competencies	Financial Administration	
Pursuant to N.J.S.A. 40A:5-14(d), a local unit's investment policies shall be based on a cash flow analysis prepared by the CFO, with those policies being commensurate with the nature and size of the funds held by the local unit. Has your municipality conducted a cash flow analysis of its deposited and invested funds, and, based on that analysis, does your municipality's cash management plan set policies for your municipality's investments that consider preservation of capital, liquidity, current and historical investment returns, diversification, maturity requirements, costs and fees associated with the investment and, when appropriate, policies of investment instrument administrators?			[1.00] Prospective
019	Best Practices	Budget	
Does your municipality periodically review the historical activity and balances of all trust fund accounts not created through public referendum (i.e. open space) to determine the need for, and adequacy of, each account? Only answer N/A if your municipality does not have any non-referendum trust funds.			[0.50] Yes
020	Core Competencies	Budget	
Is your municipality ensuring that insurance reimbursements are credited back to the budget appropriation line item in the budget in accordance with N.J.S.A 40A:5-32, instead of applied as miscellaneous revenue not anticipated? Compliance with this statutory obligation relieves pressure on current year appropriations. Only answer N/A if your municipality had no insurance reimbursements in 2019 or 2020.			[1.00] Yes
021	Core Competencies	Capital Projects	
Has your municipality reviewed all completed capital project bond ordinances for remaining balances that can be cancelled by resolution, and revert to their respective balance sheet accounts?			[1.00] Yes
022	Best Practices	Financial Administration	
Are monthly cash-flow statements prepared to assist in identifying and managing liquidity risk and used to conduct regular stress test forecasting payments based on known due dates and anticipated revenues received during the same period?			[0.50] Yes
023	Best Practices	Budget	
Has your municipality reviewed individual grants receivable and appropriated to 1) ensure all grants are appropriately charged; 2) receivables are collected in a timely manner; and 3) considered cancelling any expired or otherwise stale grants? Doing so minimizes or avoids fund balance depletion due to use of current fund cash to cover grant expenses. Only answer N/A if your municipality does not have any grants receivable and appropriated.			[0.50] Yes

024	Best Practices	Personnel	
In the event of a staff vacancy, municipalities should ensure there is backup to critical positions through cross-training staff and/or entering into shared services agreements with other local units. Has your municipality 1) cross-trained staff for multiple functions to the extent permitted by employee titles, labor agreements and Civil Service, as applicable; and/or 2) entered into a shared service agreement with another municipality or local government entity for the provision of staffing as may be needed?			[0.50] Yes
025	Best Practices	Personnel	
Has your municipality established by ordinance an anti-nepotism policy that, at minimum, prohibits hiring the immediate family members of elected officials, department heads, or supervisors?			[0.00] No
026	Core Competencies	Procurement	
Has your municipality reviewed with legal counsel and other appropriate officials (e.g. engineer; purchasing agent) the boilerplate language in its bid or RFP documents to ensure such language meets legal requirements under the Local Public Contracts Law and pay-to-play, along with other relevant statutes and caselaw?			[1.00] Yes
027	Core Competencies	Transparency	
Does your municipality maintain an up-to-date municipal website containing at minimum the following: past three years adopted budgets; the current year proposed budget (including the full adopted budget for the current year when approved by the governing body); most recent annual financial statement and audits; notification(s) for solicitation of bids and RFPs; and meeting dates, minutes and agendas for the governing body, planning board, board of adjustment and all commissions?			[1.00] Yes
028	Core Competencies	Transparency	
N.J.S.A. 34:13A-8.2 requires public employers, including municipalities, to file with the Public Employment Relations Commission (PERC) a copy of all contracts negotiated with public employee representatives. This includes, but is not limited to, collective bargaining agreements, memoranda of understanding, contract amendments, and "side letter" or "side bar" agreements. Copies of same may be emailed to contracts@perc.state.nj.us. Has your municipality filed all current contracts with PERC? Only answer N/A if your municipality does not have any employee labor unions.			[1.00] Yes
029	Core Competencies	Cybersecurity	
Does your municipality perform off-network daily incremental backups with weekly full backups of all data?			[1.00] Yes
030	Unscored Survey	COVID-19 Response	
How has the COVID-19 crisis impacted your municipality's cash flow and/or anticipated surplus going into 2021? Please select one answer only.			[0.00] Moderately
031	Unscored Survey	COVID-19 Response	
Has your municipality had to make any reductions in expenditures due to COVID-19? If so, please include under Comments the departments or programs impacted by COVID-19 related spending reductions. If the answer is no, insert None under Comments.			[0.00] Yes Comment: We've reduced the amount we're spending on public events due to safety issues.
032	Unscored Survey	COVID-19 Response	
Has your municipality received any CARES Act funding from the State, your county government, or directly from the federal government? Please state under Comments the dollar amount of such funding, the source(s), and whether such funds have been partially or totally disbursed to the municipality; if none please insert $0 under Comments.			[0.00] No Comment: $0
033	Unscored Survey	COVID-19 Response	
Please select the one most critical area in which your municipality currently requires technical non-monetary assistance.			[0.00] Affordable Housing
034	Unscored Survey	COVID-19 Response	
In reviewing your municipality's operations during the COVID-19 pandemic, what is the department, division, office or other area of municipal operations that has been most strained by the pandemic?			[0.00] Public Safety
035	Unscored Survey	COVID-19 Response	
Provide one procedure or process that your municipality developed in response to the pandemic that it intends to keep after the COVID-19 emergency concludes.			Comment: Stricter sanitizing procedures for all buildings/offices.
036	Unscored Survey	COVID-19 Response	
Is your municipality providing grants to small businesses impacted by COVID-19? If so, please provide under Comments the total number of businesses approved for grants thusfar, the total amount in grants approved, and a link to the grant program guidelines. If your municipality is not providing grants, please insert N/A under Comments.			[0.00] No Comment: N/A. Our municipality provides loans.

037	Unscored Survey	Alcoholic Beverage Licensing	
Have any liquor licenses for Type 33 plenary retail consumption licenses (e.g. bars) been sold in your municipality by private sale during 2019 and 2020? If yes, please state the date of sale along with sale price for each license under Comments. If no, please insert the number zero under Comments.			[0.00] Yes Comment: June 2019 $500,000 March 2020 $450,000
038(a)	Unscored Survey	Shared Services	
Is your municipality currently in negotiations with another local government or board of education to either provide or receive one or more of the following shared services? If the fact that negotiations are taking place has not yet been made public, this question may be answered No. (a) Police			[0.00] Yes Comment: School Resource Officers
038(b)	Unscored Survey	Shared Services	
Is your municipality currently in negotiations with another local government or board of education to either provide or receive one or more of the following shared services? If the fact that negotiations are taking place has not yet been made public, this question may be answered No. (b) Fire			[0.00] No
038(c)	Unscored Survey	Shared Services	
Is your municipality currently in negotiations with another local government or board of education to either provide or receive one or more of the following shared services? If the fact that negotiations are taking place has not yet been made public, this question may be answered No. (c) Dispatch			[0.00] No Comment: We currently have an agreement in place with Cape May County, who provides this service.
038(d)	Unscored Survey	Shared Services	
Is your municipality currently in negotiations with another local government or board of education to either provide or receive one or more of the following shared services? If the fact that negotiations are taking place has not yet been made public, this question may be answered No. (d) Public Works			[0.00] No Comment: We currently have a shared services in place with Cape May County for garage services.
038(e)	Unscored Survey	Shared Services	
Is your municipality currently in negotiations with another local government or board of education to either provide or receive one or more of the following shared services? If the fact that negotiations are taking place has not yet been made public, this question may be answered No. (e) Health Department / Board of Health			[0.00] No
038(f)	Unscored Survey	Shared Services	
Is your municipality currently in negotiations with another local government or board of education to either provide or receive one or more of the following shared services? If the fact that negotiations are taking place has not yet been made public, this question may be answered No. (f) Construction Code Enforcement			[0.00] No
039	Unscored Survey	Shared Services	
Does your municipality handle the entirety of its public safety and emergency dispatching with its own employees? If Yes, please indicate in the Comments what, if anything, has been done to explore a more regional approach to dispatch along with any barriers. If the answer is No, please list under Comments the other local government entities and/or private entity and the dispatching services each provides for the municipality.			[0.00] No Comment: Dispatch is provide by Cape May County.
040(a)	Unscored Survey	Shared Services	
Does your municipality currently provide a chief financial officer, tax collector, tax assessor, municipal clerk, qualified purchasing agent, certified public works manager, municipal treasurer, and/or a public works superintendant to another municipality pursuant to a shared services agreement, Please answer yes if the following position is being provided pursuant to a shared services agreement and indicate under Comments list each municipality where this position is being provided. If the following position is not being provided, select No and insert N/A into Comments. (a) Chief Financial Officer			[0.00] No Comment: N/A
040(b)	Unscored Survey	Shared Services	
Does your municipality currently provide a chief financial officer, tax collector, tax assessor, municipal clerk, qualified purchasing agent, certified public works manager, municipal treasurer, and/or a public works superintendant to another municipality pursuant to a shared services agreement, Please answer yes if the following position is being provided pursuant to a shared services agreement and indicate under Comments list each municipality where this position is being provided. If the following position is not being provided, select No and insert N/A into Comments. (b) Tax Collector			[0.00] No Comment: N/A
040(c)	Unscored Survey	Shared Services	
Does your municipality currently provide a chief financial officer, tax collector, tax assessor, municipal clerk, qualified purchasing agent, certified public works manager, municipal treasurer, and/or a public works superintendant to another municipality pursuant to a shared services agreement, Please answer yes if the following position is being provided pursuant to a shared services agreement and indicate under Comments list each municipality where this position is being provided. If the following position is not being provided, select No and insert N/A into Comments. (c) Tax Assessor			[0.00] No Comment: N/A

040(d)	Unscored Survey	Shared Services	
Does your municipality currently provide a chief financial officer, tax collector, tax assessor, municipal clerk, qualified purchasing agent, certified public works manager, municipal treasurer, and/or a public works superintendant to another municipality pursuant to a shared services agreement, Please answer yes if the following position is being provided pursuant to a shared services agreement and indicate under Comments list each municipality where this position is being provided. If the following position is not being provided, select No and insert N/A into Comments. (d) Municipal Clerk			[0.00] No Comment: N/A
040(e)	Unscored Survey	Shared Services	
Does your municipality currently provide a chief financial officer, tax collector, tax assessor, municipal clerk, qualified purchasing agent, certified public works manager, municipal treasurer, and/or a public works superintendant to another municipality pursuant to a shared services agreement, Please answer yes if the following position is being provided pursuant to a shared services agreement and indicate under Comments list each municipality where this position is being provided. If the following position is not being provided, select No and insert N/A into Comments. (e) Municipal Treasurer			[0.00] No Comment: N/A
040(f)	Unscored Survey	Shared Services	
Does your municipality currently provide a chief financial officer, tax collector, tax assessor, municipal clerk, qualified purchasing agent, certified public works manager, municipal treasurer, and/or a public works superintendant to another municipality pursuant to a shared services agreement, Please answer yes if the following position is being provided pursuant to a shared services agreement and indicate under Comments list each municipality where this position is being provided. If the following position is not being provided, select No and insert N/A into Comments. (f) Qualified Purchasing Agent			[0.00] No Comment: N/A
040(g)	Unscored Survey	Shared Services	
Does your municipality currently provide a chief financial officer, tax collector, tax assessor, municipal clerk, qualified purchasing agent, certified public works manager, municipal treasurer, and/or a public works superintendant to another municipality pursuant to a shared services agreement, Please answer yes if the following position is being provided pursuant to a shared services agreement and indicate under Comments list each municipality where this position is being provided. If the following position is not being provided, select No and insert N/A into Comments. (g) Certified Public Works Manager			[0.00] No Comment: N/A
040(h)	Unscored Survey	Shared Services	
Does your municipality currently provide a chief financial officer, tax collector, tax assessor, municipal clerk, qualified purchasing agent, certified public works manager, municipal treasurer, and/or a public works superintendant to another municipality pursuant to a shared services agreement, Please answer yes if the following position is being provided pursuant to a shared services agreement and indicate under Comments list each municipality where this position is being provided. If the following position is not being provided, select No and insert N/A into Comments. (h) Public Works Superintendent			[0.00] No Comment: N/A
041	Unscored Survey	Shared Services	
If the answer to any subpart in Question 40 is yes, did one or more of the identified shared service agreements result in the dismissal of a tenured official? If yes, please insert under Comments the position or positions where an agreement resulted in the dismissal of a tenured official. If no or N/A, please also insert No or N/A under Comments. See LFN 2018-3R for more information on this provision of the Common Sense Shared Service Act.			[0.00] N/A Comment: N/A
042	Unscored Survey	Environment	
How much did your municipality spend on operational costs associated with managing and treating stormwater runoff in the prior fiscal year, and how much did your municipality appropriate toward same for the current fiscal year? Examples of such costs include street cleaning, conveyance system clean-out, routine maintenance of storm drains and outfall pipes, and stormwater runoff-related educational programs. For projects with definite but ancillary stormwater runoff benefits, describe those benefits under Comments. Also list under Comments the FCOA codes your municipality is using to classify these stormwater-related prior year expenditures and current year appropriations.			Comment: PY expended: $155,000 CY budgeted: $171,750 FCOA code: 26-305-101 & 102
043	Unscored Survey	Environment	
Please list which projects in your municipality's most recent adopted capital budget, if any, are associated with stormwater management. State "None" if no project fits this criteria or "N/A" if your municipality has not adopted a capital budget in the most recent fiscal year.			Comment: Roseanne Avenue reconstruction and pump station project.
044	Unscored Survey	Environment	
Is your municipality considering establishing a stormwater utility, authorizing a sewerage authority or MUA to establish a separate stormwater operation, or joining a regional stormwater utility? If the answer to the above is "Yes", please explain under Comments where your municipality is in the process. If the answer to the above is "No", please explain under Comments the reason(s) why your municipality is not currently pursuing the creation of a stormwater utility.			[0.00] No Comment: The Township is currently focused on other priorities.
045	Unscored Survey	Environment	
What type of residential recycling program does your municipality have? Select only one.			[0.00] Single-stream
046	Unscored Survey	Environment	
Has your residential recycling program changed from single-stream to dual-stream in the past two years?			[0.00] No

047	Unscored Survey	Environment	
If your residential recycling program is single-stream, is your municipality considering a conversion to dual-stream recycling?			[0.00] No
048	Unscored Survey	Environment	
Is recycling in your municipality picked up utilizing a truck with an automated single-arm?			[0.00] No
049	Unscored Survey	Opportunity Zones	
Is your municipality aware of any real estate development projects or businesses that will be using the Opportunity Zone tax incentive or receiving an Opportunity Fund investment? Only answer N/A if your municipality is not located within an Opportunity Zone.			[0.00] No Comment: There are some possible projects being considered but nothing definitive at present.
050	Unscored Survey	Opportunity Zones	
If your municipality knows of any projects that are using or will be using the Opportunity Zone tax incentive, please include the name of each project, the full address, a short description that includes the primary developer (if applicable), estimated value of the development (i.e. total permitted value), and the project's status (if known) on the Excel form provided on DLGS's Best Practices webpage. Upload the Excel form using the "Attach File" button toward the bottom of your screen. If you have uploaded the Excel form, type "File Uploaded" in the Comment Box. If you have not uploaded the Excel Form, type NA in the Comment Box.			Comment: N/A
051	Unscored Survey	Planning & Econ. Devt.	
Does your municipality have a minimum lot size requirement of one acre or more for new residential development?			[0.00] No
052	Unscored Survey	Planning & Econ. Devt.	
Does your municipality place annual limits on the total allowable number of permits or dwellings for new single family construction?			[0.00] No
053	Unscored Survey	Planning & Econ. Devt.	
Does your municipality place annual limits on the total allowable number of permits or dwellings for new multi-family construction?			[0.00] No
054	Unscored Survey	Planning & Econ. Devt.	
Does your municipality have an urban growth or containment ordinance or policy in place?			[0.00] No
055	Unscored Survey	Planning & Econ. Devt.	
Does your municipality currently have a development moratorium or a set of regulations that effectively create a development moratorium?			[0.00] No
056	Unscored Survey	Planning & Econ. Devt.	
Does your municipality currently have a ban on mobile homes?			[0.00] No
057	Unscored Survey	Planning & Econ. Devt.	
Does your municipality have any restrictions on the pace of residential development (i.e. number of units that can be added each year)?			[0.00] No
058	Unscored Survey	Planning & Econ. Devt.	
Inclusionary zoning ordinances require developments to provide a percentage of the residential units constructed/developed/created be set-aside and available to low- and moderate-income households. Does your municipality have an inclusionary zoning ordinance in place?			[0.00] Yes
059	Unscored Survey	Planning & Econ. Devt.	
Density bonuses encourage the production of affordable housing by allowing developers to build more units than would ordinarily be allowed on a site by the underlying zoning code, in exchange for a commitment to include a certain number of below-market units in the development. Do you offer a density bonus for affordable housing development?			[0.00] Yes
060	Unscored Survey	Planning & Econ. Devt.	
Please describe the general attitude of your residents toward additional affordable housing development? (Select only one answer)			[0.00] Neutral

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

RESOLUTION #2020-275

Title: **BID ACCEPTANCE AND AWARD FOR FY2019 MUNICIPAL AID PROGRAM RECONSTRUCTION OF STAR AVENUE**

WHEREAS, the Notice to Bidders for FY2019 Municipal Aid Program Reconstruction of Star Avenue, was advertised on September 30, 2020 and accepted on October 14, 2020 at 11:00 a.m. prevailing time; and

WHEREAS, One (1) sealed bid was submitted and reviewed by the QPA, Gary Douglass, Public Works Director; and Remington Vernick; and

WHEREAS, South State Inc. was the lowest qualified bidder, complied with the specifications and supplied all required bid documents; and the Township will receive $285,427.00 from Lower Township Municipal Utility Authority for bid items M1-17; and the CFO has certified the availability of funds as evidenced by her signature below:

Appropriation: Ord #20-13 C-04-55-429-100

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 the following contract is hereby awarded:

AWARD TO:	**SOUTH STATE INC.**		
TOTAL:	**$1,155,995.50**	**Total Base Bid Items 1-28**	**$ 513,653.00**
		Item B1-27	**$ 328,040.50**
		Item M1-17	**$ 285,427.00**
		Alternate A1-2	**$ 28,875.00**

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD							
COOMBS							
ROY							
PERRY							
SIPPEL							

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 October 19, 2020.

_____
Julie A Picard, Township Clerk

REMINGTON & VERNICK ENGINEERS

4907 New Jersey Avenue
Wildwood, NJ 08260
O: (609) 522-5150
F: (609) 522-5313

October 14, 2020

Via Email & Regular Mail
Gary Douglass, Superintendent
Department of Public Works
2600 Bayshore Road
Villas, New Jersey 08251

RE: Township of Lower/Cape May County
FY2020 NJDOT Municipal Aid Program
Reconstruction of Star Avenue
Our File #: 05-05-U-015

Dear Mr. Douglass:

We have tabulated the bid received on October 14, 2020, with reference to the above captioned project. Based on our review, we find the low, responsive bidder to be South State, Inc., 202 Reeves Road, Bridgeton, New Jersey 08302 in the amount of $1,155,995.50. A copy of the bid tabulation is enclosed for your review.

Therefore, in accordance with the Local Public Contracts Law, NJSA 40A:11-1 et seq., the contract may be awarded to the lowest responsible bidder, which appears to be South State, Inc. in the amount of $1,155,995.50 representing the Base Bid and Alternate Bid #1. Please note the costs attributed to Lower Township and LTMUA are as follows:

Lower Township:	$ 870,568.50
LTMUA:	$ 285,427.00
Total	**$1,155,995.50**

The award should be contingent upon your Solicitor and monies being available.

Should you have any questions or comments, please do not hesitate to call me at our Wildwood office.

Very truly yours,
REMINGTON & VERNICK ENGINEERS, INC.

James M. Oris, P.E., P.P., C.M.E., C.F.M., C.P.W.M.
Regional Manager

JMO/nab
Enclosures

cc: Mayor & Council, Township of Lower (via email)
James Ridgway, Township Manager, Township of Lower (via email)
Margaret Vitelli, QPA, Township of Lower (via email)
Julie Picard, RMC, Township Clerk, Township of Lower (via email)
Robert Belasco, Esquire, Solicitor, Township of Lower (via email)
Anthony Donofrio, Regional Manager, Inspections (via email)
Lia Domico, Engineering Technician (via email)

S:\Lower Township\05-05-u\0505U015 Reconstruction of Star Avenue\Design\1. Correspondence\0505U015 Recommendation of Award Ltr 20Oct14.doc

REMINGTON & VERNICK ENGINEERS

BID TABULATION

PROJECT NAME:
FY2020 N.J.D.O.T. MUNICIPAL AID PROGRAM
Reconstruction of Star Avenue

PROJECT NUMBER:
0505-U-015
CLIENT:
Township of Lower
DATE OF BID OPENING:
October 14, 2020

South State Inc.
202 Reeves Road
Bridgeton, New Jersey 08302
856-451-5300/856-455-3461 (f)
bbryan@southstateinc.com

BASE BID

#	DESCRIPTION	QUANTITY & UNITS		UNIT PRICE	TOTAL
GREENWOOD AVENUE TO FULLING MILL ROAD					
1	BREAKAWAY BARRICADES	15	UNIT	$0.01	$0.15
2	DRUMS	35	UNIT	$0.01	$0.35
3	CONSTRUCTION SIGNS	250	S.F.	$0.01	$2.50
4	ALLOWANCE - UNIFORMED POLICE OFFICERS (IF & WHERE DIRECTED)	1	ALLOWANCE	$80.00	$6,400.00
5	FUEL PRICE ADJUSTMENT	1875	DOLLAR	$1.00	$1,875.00
6	ASPHALT PRICE ADJUSTMENT	1875	DOLLAR	$1.00	$1,875.00
7	CLEARING SITE	1	LUMP SUM	$30,000.00	$30,000.00
8	EXCAVATION, UNCLASSIFIED	10400	S.Y.	$7.25	$75,400.00
9	DENSE GRADED AGGREGATE BASE COURSE, 6" THICK	10400	S.Y.	$8.50	$88,400.00
10	HOT MIX ASPHALT 19M64 BASE COURSE, 2" THICK	1250	TON	$75.00	$93,750.00
11	HOT MIX ASPHALT 9.5M64 SURFACE COURSE, 2" THICK	1250	TON	$85.00	$106,250.00
12	12" PVC CULVERT PIPE	150	L.F.	$110.00	$16,500.00
13	15" PVC CULVERT PIPE	50	L.F.	$115.00	$5,750.00
14	INLET FILTERS., TYPE 2	150	S.F.	$10.00	$1,500.00
15	INLET, TYPE E	1	S.F.	$5,000.00	$5,000.00
16	INLET, TYPE A	7	UNIT	$5,000.00	$35,000.00
17	BICYCLE SAFE GRATE (IF & WHERE DIRECTED)	2	UNIT	$450.00	$900.00
18	RESET VENT/VALVE BOXES (IF & WHERE DIRECTED)	10	UNIT	$10.00	$100.00
19	RESET EXISTING CASTINGS (IF & WHERE DIRECTED)	5	UNIT	$500.00	$2,500.00
20	CONCRETE SIDEWALK, 4" THICK	20	S.Y.	$150.00	$3,000.00
21	CONCRETE DRIVEWAY, 6" THICK	200	S.Y.	$125.00	$25,000.00
22	RECONSTRUCT BRICK PAVER WALK/DRIVEWAY	20	S.Y.	$100.00	$2,000.00
23	RESTORATION OF EXISTING STONE DRIVEWAYS	50	S.Y.	$20.00	$1,000.00
24	ASPHALT DRIVEWAY	15	S.Y.	$80.00	$1,200.00
25	8"" X 18" CONCRETE VERTICAL CURB	150	L.F.	$35.00	$5,250.00
26	CONNECT TO EXISTING STORM SEWER	1	UNIT	$800.00	$800.00
27	TURF REPAIR STRIP	1450	S.Y.	$2.00	$2,900.00
28	TRAFFIC STRIPES, 12" WHITE, LONG-LIFE THERMOPLASTIC	50	L.F.	$26.00	$1,300.00
SUBTOTAL AMOUNT BID BASED ON, BASE BID ITEMS #1 - #28, INCLUSIVE					$513,653.00

REMINGTON & VERNICK ENGINEERS

BID TABULATION

PROJECT NAME:
FY2020 N.J.D.O.T. MUNICIPAL AID PROGRAM
Reconstruction of Star Avenue

PROJECT NUMBER:
0505-U-015
CLIENT:
Township of Lower
DATE OF BID OPENING:
October 14, 2020

South State Inc.
202 Reeves Road
Bridgeton, New Jersey 08302
856-451-5300/856-455-3461 (f)
bbryan@southstateinc.com

#	DESCRIPTION	QUANTITY & UNITS		UNIT PRICE	TOTAL
FULLING MILL ROAD TO CAROLINE AVENUE					
B1	BREAKAWAY BARRICADES	15	UNIT	$0.01	$0.15
B2	DRUMS	35	UNIT	$0.01	$0.35
B3	CONSTRUCTION SIGNS	250	S.F.	$0.01	$2.50
B4	ALLOWANCE - UNIFORMED POLICE OFFICERS (IF & WHERE DIRECTED)	1	ALLOWANCE	$80.00	$6,400.00
B5	FUEL PRICE ADJUSTMENT	1875	DOLLAR	$1.00	$1,875.00
B6	ASPHALT PRICE ADJUSTMENT	1875	DOLLAR	$1.00	$1,875.00
B7	CLEARING SITE	1	LUMP SUM	$30,000.00	$30,000.00
B8	EXCAVATION, UNCLASSIFIED	6650	S.Y.	$7.25	$48,212.50
B9	DENSE GRADED AGGREGATE BASE COURSE, 6" THICK	6650	S.Y.	$8.50	$56,525.00
B10	HOT MIX ASPHALT 19M64 BASE COURSE, 2" THICK	800	TON	$75.00	$60,000.00
B11	HOT MIX ASPHALT 9.5M64 SURFACE COURSE, 2" THICK	800	TON	$85.00	$68,000.00
B12	12" PVC CULVERT PIPE	110	L.F.	$110.00	$12,100.00
B13	CONNECT TO EXISTING STORM SEWER	3	UNIT	$800.00	$2,400.00
B14	INLET FILTERS., TYPE 2	45	S.F.	$10.00	$450.00
B15	STORM SEWER MANHOLE, 4' DIAMETER	1	UNIT	$5,000.00	$5,000.00
B16	INLET, TYPE A	2	UNIT	$5,000.00	$10,000.00
B17	BICYCLE SAFE GRATE	3	UNIT	$450.00	$1,350.00
B18	RESET VENT/VALVE BOXES (IF & WHERE DIRECTED)	10	UNIT	$10.00	$100.00
B19	RESET EXISTING CASTINGS (IF & WHERE DIRECTED)	5	UNIT	$500.00	$2,500.00
B20	CONCRETE SIDEWALK, 4" THICK	40	S.Y.	$150.00	$6,000.00
B21	CONCRETE DRIVEWAY, 6" THICK	50	S.Y.	$125.00	$6,250.00
B22	RECONSTRUCT BRICK PAVER WALK/DRIVEWAY	5	S.Y.	$100.00	$500.00
B23	RESTORATION OF EXISTING STONE DRIVEWAYS	185	S.Y.	$20.00	$3,700.00
B24	ASPHALT DRIVEWAY	30	S.Y.	$80.00	$2,400.00
B25	NO ITEM	--	--	$0.00	$0.00
B26	NO ITEM	--	--	$0.00	$0.00
B27	TURF REPAIR STRIP	1200	S.Y.	$2.00	$2,400.00
SUBTOTAL AMOUNT BID BASED ON, BASE BID ITEMS #B1 - #B27, INCLUSIVE					$328,040.50

REMINGTON & VERNICK ENGINEERS

BID TABULATION

PROJECT NAME:
FY2020 N.J.D.O.T. MUNICIPAL AID PROGRAM
Reconstruction of Star Avenue

PROJECT NUMBER:
0505-U-015
CLIENT:
Township of Lower
DATE OF BID OPENING:
October 14, 2020

South State Inc.
202 Reeves Road
Bridgeton, New Jersey 08302
856-451-5300/856-455-3461 (f)
bbryan@southstateinc.com

#	DESCRIPTION	QUANTITY & UNITS		UNIT PRICE	TOTAL
LOWER TOWNSHIP MUNICIPAL UTILITIES AUTHORITY PARTICIPATING ITEMS					
M1	MOBILIZATION MAXIMUM 5% OF TOTAL BID COST	1	LUMP SUM	$14,000.00	$14,000.00
M2	BYPASS PUMPING, COMPLETE (IF & WHERE DIRECTED)	16	HR	$600.00	$9,600.00
M3	SANITARY MAIN MANHOLE TO MANHOLE CIPP REPAIR, 24" DIAMETER RCP	875	LF	$130.00	$113,750.00
M4	24" RCP SANITARY MAIN CLEANING AND CCTV, PRE & POST REPAIRS	1750	LF	$10.00	$17,500.00
M5	LATERAL REINSTATEMENTS	15	UNIT	$275.00	$4,125.00
M6	4" LATERAL HAT LINER INSTALLATION (IF & WHERE DIRECTED)	15	UN	$1,900.00	$28,500.00
M7	SANITARY MAIN CHEMICAL GROUT CRACKED PIPE REPAIRS, 24" DIAMETER RCP (IF & WHERE DIRECTED)	20	LF	$300.00	$6,000.00
M8	SANITARY MAIN CHEMICAL GROUT JOINT REPAIR, 24" DIAMETE RCP (IF & WHERE DIRECTED)	3	UN	$1,900.00	$5,700.00
M9	24" PVC SDR-26 SPOT REPAIR (OPEN CUT REMOVE & REPLACE) FOR SANITARY MAIN 8' DEEP (IF & WHERE DIRECTED)	20	LF	$475.00	$9,500.00
M10	24" PVC SDR 26 SANITARY MAIN - 8' DEEP MANHOLE TO MANHOLE (IF & WHERE DIRECTED)	250	LF	$180.00	$45,000.00
M11	PROVIDE RECONNECTION OF PIPE TO MANHOLE (IF & WHERE DIRECTED)	2	UN	$1,500.00	$3,000.00
M12	REMOVE AND REPLACE SANITARY SEWER LATERAL, COMPLETE, 0' TO 40' LONG (IF & WHERE DIRECTED)	5	UN	$2,000.00	$10,000.00
M13	HOT MIX ASPHALT 19M64 BASE COURSE, 6" THICK (IF & WHERE DIRECTED)	75	TON	$50.00	$3,750.00
M14	TRENCH STABILIZATION (IF & WHERE DIRECTED)	50	CY	$0.01	$0.50
M15	SELECT BACKFILL (IF & WHERE DIRECTED)	150	CY	$0.01	$1.50
M16	ALLOWANCE - UNIFORMED POLICE OFFICERS	1	ALLOWANCE	$5,000.00	$5,000.00
M17	ALLOWANCE FOR ADDITIONAL WORK	1	ALLOWANCE	$10,000.00	$10,000.00
SUBTOTAL AMOUNT BID BASED ON, BASE BID ITEMS #M1 - #M17, INCLUSIVE					$285,427.00

TOTAL AMOUNT BID BASED ON, BASE BID ITEMS #1-#28, #B1 - #B27, & #M1 - #M17, INCLUSIVE	$1,127,120.50

REMINGTON & VERNICK ENGINEERS

BID TABULATION

PROJECT NAME:
FY2020 N.J.D.O.T. MUNICIPAL AID PROGRAM
Reconstruction of Star Avenue

PROJECT NUMBER:
0505-U-015
CLIENT:
Township of Lower
DATE OF BID OPENING:
October 14, 2020

South State Inc.
202 Reeves Road
Bridgeton, New Jersey 08302
856-451-5300/856-455-3461 (f)
bbryan@southstateinc.com

#	DESCRIPTION	QUANTITY & UNITS		UNIT PRICE	TOTAL
ALTERNATE BID					
A1	DUAL 10" PVC CULVERT PIPE IN COMMON TRENCH	225	L.F.	$75.00	$16,875.00
A2	10" TIDEFLEX CHECK MATE VALVE	2	UN	$6,000.00	$12,000.00
SUBTOTAL AMOUNT BID BASED ON, ALTERNATE BID ITEMS #A1 - #A2, INCLUSIVE					$28,875.00

TOTAL AMOUNT BID BASED ON, BASE BID ITEMS #1-#28, #B1 - #B27, & #M1 - #M17 AND ALTERNATE BID ITEMS #A1 - #A2, INCLUSIVE	$1,155,995.50

~~DOT~~

South State
Star Ave

BID FORM

Pursuant to and in compliance with your Advertisement for Bids and the Information for Bidders relating thereto, the undersigned hereby offers to furnish all plant, labor, materials, supplies, equipment and other facilities and things necessary for, or proper for, or incidental to the FY2020 N.J.D.O.T. MUNICIPAL AID PROGRAM RECONSTRUCTION OF STAR AVENUE as required by, and in strict accordance with the applicable provisions of plans and specifications and all addenda issued by the Township of Lower or its Engineer prior to the date of opening the bids whether received by the undersigned or not for the amount bid based on the following unit and/or lump sum prices:

NOTE: Extension of Unit Prices must be exact.

BASE BID

Item	Quantity	Units	Description	Unit Price	Amount
GREENWOOD AVENUE TO FULLING MILL ROAD					
1	15	UNIT	BREAKAWAY BARRICADES	$ .01	$ .15
2	35	UNIT	DRUMS	$ .01	$ .35
3	250	S.F.	CONSTRUCTION SIGNS	$ .01	$ 2.50
4	1	ALLOWANCE	ALLOWANCE - UNIFORMED POLICE OFFICERS (IF & WHERE DIRECTED)	$ 80.00	$ 6,400.00
5	1875	DOLLAR	FUEL PRICE ADJUSTMENT	$ 1.00	$ 1,875.00
6	1875	DOLLAR	ASPHALT PRICE ADJUSTMENT	$ 1.00	$ 1,875.00
7	1	LUMP SUM	CLEARING SITE	$ 2000.00	$ 2000.00
8	10400	S.Y.	EXCAVATION, UNCLASSIFIED	$ 7.25	$ 75400.00 ✓
9	10400	S.Y.	DENSE GRADED AGGREGATE BASE COURSE, 6" THICK	$ 8.50	$ 88400.00 ✓
10	1250	TON	HOT MIX ASPHALT 19M64 BASE COURSE, 2" THICK	$ 75.00	$ 93750.00 ✓
11	1250	TON	HOT MIX ASPHALT 9.5M64 SURFACE COURSE, 2" THICK	$ 85.00	$ 106250.00 ✓
12	150	L.F.	12" PVC CULVERT PIPE	$ 110.00	$ 16500.00 ✓
13	50	L.F.	15" PVC CULVERT PIPE	$ 115.00	$ 5750.00 ✓

Item	Quantity	Units	Description	Unit Price	Amount
14	150	S.F.	INLET FILTERS., TYPE 2	$ 10.00	$ 1500.00
15	1	S.F.	INLET, TYPE E	$ 2000.00	$ 2000.00
16	7	UNIT	INLET, TYPE A	(3K) $ 2000.00	$ 21000.00
17	2	UNIT	BICYCLE SAFE GRATE (IF & WHERE DIRECTED)	$ 1450.00	$ 2900.00
18	10	UNIT	RESET VENT/VALVE BOXES (IF & WHERE DIRECTED)	$ 100.00	$ 1000.00
19	5	UNIT	RESET EXISTING CASTINGS (IF & WHERE DIRECTED)	$ 400.00	$ 2000.00
20	20	S.Y.	CONCRETE SIDEWALK, 4" THICK	$ 120.00	$ 2400.00
21	200	S.Y.	CONCRETE DRIVEWAY, 6" THICK	$ 125.00	$ 25000.00
22	20	S.Y.	RECONSTRUCT BRICK PAVER WALK/DRIVEWAY	$ 100.00	$ 2000.00
23	50	S.Y.	RESTORATION OF EXISTING STONE DRIVEWAYS	$ 200.00	$ 10000.00
24	15	S.Y.	ASPHALT DRIVEWAY	$ 800.00	$ 12000.00
25	150	L.F.	8"' X 18" CONCRETE VERTICAL CURB	$ 38.00	$ 5700.00
26	1	UNIT	CONNECT TO EXISTING STORM SEWER	$ 800.00	$ 800.00
27	1450	S.Y.	TURF REPAIR STRIP	$ 2.00	$ 2900.00
28	50	L.F.	TRAFFIC STRIPES, 12" WHITE, LONG-LIFE THERMOPLASTIC	$ ~~1.00~~ 40.00	$ 1300.00

SUBTOTAL AMOUNT BID BASED ON, BASE BID Items #1 - #28, Inclusive

$ 513,653.00

Item	Quantity	Units	Description	Unit Price	Amount

Item	Quantity	Units	Description	Unit Price	Amount
FULLING MILL ROAD TO CAROLINE AVENUE					
B1	15	UNIT	BREAKAWAY BARRICADES	$ .01	$ .15
B2	35	UNIT	DRUMS	$ .01	$ .35
B3	250	S.F.	CONSTRUCTION SIGNS	$ .01	$ 2.50
B4	1	ALLOWANCE	ALLOWANCE - UNIFORMED POLICE OFFICERS (IF & WHERE DIRECTED)	$ 80.00	$ 6,400.00
B5	1875	DOLLAR	FUEL PRICE ADJUSTMENT	$ 1.00	$ 1,875.00
B6	1875	DOLLAR	ASPHALT PRICE ADJUSTMENT	$ 1.00	$ 1,875.00
B7	1	LUMP SUM	CLEARING SITE	$ 3000.00	$ 3000.00
B8	6650	S.Y.	EXCAVATION, UNCLASSIFIED	$ 7.25	$ 48212.50
B9	6650	S.Y.	DENSE GRADED AGGREGATE BASE COURSE, 6" THICK	$ 8.50	$ 56525.00
B10	800	TON	HOT MIX ASPHALT 19M64 BASE COURSE, 2" THICK	$ 75.00	$ 60000.00
B11	800	TON	HOT MIX ASPHALT 9.5M64 SURFACE COURSE, 2" THICK	$ 85.00	$ 68000.00
B12	110	L.F.	12" PVC CULVERT PIPE	$ 110.00	$ 12100.00
B13	3	UNIT	CONNECT TO EXISTING STORM SEWER	$ 800.00	$ 2400.00
B14	45	S.F.	INLET FILTERS., TYPE 2	$ 10.00	$ 450.00
B15	1	UNIT	STORM SEWER MANHOLE, 4' DIAMETER	$ 800.00	$ 800.00
B16	2	UNIT	INLET, TYPE A	$ 800.00	$ 1600.00
B17	3	UNIT	BICYCLE SAFE GRATE	$ 462.00	$ 1386.00
B18	10	UNIT	RESET VENT/VALVE BOXES (IF & WHERE DIRECTED)	$ 10.00	$ 100.00

Item	Quantity	Units	Description	Unit Price	Amount
B19	5	UNIT	RESET EXISTING CASTINGS (IF & WHERE DIRECTED)	$ 200.00	$ 1000.00
B20	40	S.Y.	CONCRETE SIDEWALK, 4" THICK	$ 15.00	$ 600.00
B21	50	S.Y.	CONCRETE DRIVEWAY, 6" THICK	$ 85.00	$ 4250.00
B22	5	S.Y.	RECONSTRUCT BRICK PAVER WALK/DRIVEWAY	$ 100.00	$ 500.00
B23	185	S.Y.	RESTORATION OF EXISTING STONE DRIVEWAYS	$ 20.00	$ 3700.00
B24	30	S.Y.	ASPHALT DRIVEWAY	$ 80.00	$ 2400.00
B25	--	--	NO ITEM	$ —	$ —
B26	--	--	NO ITEM	$ —	$ —
B27	1200	S.Y.	TURF REPAIR STRIP	$ 2.00	$ 2400.00

SUBTOTAL AMOUNT BID BASED ON, BASE BID Items #B1 - #B27, Inclusive

$ 328,040.50

Item	Quantity	Units	Description	Unit Price	Amount
LOWER TOWNSHIP MUNICIPAL UTILITIES AUTHORITY PARTICIPATING ITEMS					
M1	1	LUMP SUM	MOBILIZATION MAXIMUM 5% OF TOTAL BID COST	$ 14000.00	$ 14000.00
M2	16	HR	BYPASS PUMPING, COMPLETE (IF & WHERE DIRECTED)	$ 600.00	$ 9600.00
M3	875	LF	SANITARY MAIN MANHOLE TO MANHOLE CIPP REPAIR, 24" DIAMETER RCP	$ 130.00	$ 113750.00
M4	1750	LF	24" RCP SANITARY MAIN CLEANING AND CCTV, PRE & POST REPAIRS	$ 10.00	$ 17500.00
M5	15	UNIT	LATERAL REINSTATEMENTS	$ 275.00	$ 4125.00
M6	15	UN	4" LATERAL HAT LINER INSTALLATION (IF & WHERE DIRECTED)	$ 1900.00	$ 28500.00

Item	Quantity	Units	Description	Unit Price	Amount
M7	20	LF	SANITARY MAIN CHEMICAL GROUT CRACKED PIPE REPAIRS, 24" DIAMETER RCP (IF & WHERE DIRECTED)	$ 300.00	$ 6000.00 ✓
M8	3	UN	SANITARY MAIN CHEMICAL GROUT JOINT REPAIR, 24" DIAMETE RCP (IF & WHERE DIRECTED)	$ 1900.00	$ 5700.00 ✓
M9	20	LF	24" PVC SDR-26 SPOT REPAIR (OPEN CUT REMOVE & REPLACE) FOR SANITARY MAIN - 8' DEEP (IF & WHERE DIRECTED)	$ 475.00	$ 9500.00 ✓
M10	250	LF	24" PVC SDR 26 SANITARY MAIN - 8' DEEP MANHOLE TO MANHOLE (IF & WHERE DIRECTED)	$ 180.00	$ 45000.00 ✓
M11	2	UN	PROVIDE RECONNECTION OF PIPE TO MANHOLE (IF & WHERE DIRECTED)	$ 1500.00	$ 3000.00 ✓
M12	5	UN	REMOVE AND REPLACE SANITARY SEWER LATERAL, COMPLETE, 0' TO 40' LONG (IF & WHERE DIRECTED)	$ 200.00	$ 1000.00
M13	75	TON	HOT MIX ASPHALT 19M64 BASE COURSE, 6" THICK (IF & WHERE DIRECTED)	$ 52.00	$ 3900.00 ✓
M14	50	CY	TRENCH STABILIZATION (IF & WHERE DIRECTED)	$ .01	$ .50 ✓
M15	150	CY	SELECT BACKFILL (IF & WHERE DIRECTED)	$ .01	$ 1.50 ✓
M16	1	ALLOWANCE	ALLOWANCE - UNIFORMED POLICE OFFICERS	$ 5,000.00	$ 5,000.00 ✓
M17	1	ALLOWANCE	ALLOWANCE FOR ADDITIONAL WORK	$ 10,000.00	$ 10,000.00

MUA

SUBTOTAL AMOUNT BID BASED ON, BASE BID Items #M1 - #M17, Inclusive

$ 285,457.00

TOTAL AMOUNT BID BASED ON, BASE BID Items #1 - #28, #B1 - #B27 & #M1 - #M17, Inclusive

$ 1,127,120.50

Item	Quantity	Units	Description	Unit Price	Amount

one million one hundred fifty five thousand nine hundred ninety five dollars

TOTAL AMOUNT/BASE BID WRITTEN OUT

Chester J. Ottinger, Jr., President

SIGNATURE **NAME & TITLE**

October 14, 2020 South State, Inc.

BID DATE **COMPANY NAME**

ALTERNATE BID

Item	Quantity	Units	Description	Unit Price	Amount
A1	225	L.F.	DUAL 10" PVC CULVERT PIPE IN COMMON TRENCH	$ 75.00	$ 16875.00
A2	2	UN	10" TIDEFLEX CHECK MATE VALVE	$ 6000.00	$ 12000.00

SUBTOTAL AMOUNT BID BASED ON, ALTERNATE BID Items #A1 - #A2, Inclusive

$ 28875.00

TOTAL AMOUNT BID BASED ON, BASE BID Items #1 - #28, #B1 - #B27 & #M1 - #M17 and ALTERNATE BID Items #A1 - #A2, Inclusive

$ 1,155,995.50

one million one hundred fifty five thousand nine hundred ninety five dollars fifty cents

TOTAL AMOUNT BASE BID AND ALTERNATE BID WRITTEN OUT

Chester J. Ottinger, Jr., President

SIGNATURE **NAME & TITLE**

October 14, 2020 South State, Inc.

BID DATE **COMPANY NAME**

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

RESOLUTION #2020-276

Title: **APPROVING A PROFESSIONAL SERVICE CONTRACT WITH MOTT MACDONALD FOR PUBLIC WORKS DEPARTMENT ENVIRONMENTAL CONSULTING AND LICENSED SITE REMEDIATION PROFESSIONAL (LSRP) SERVICES**

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 the attached proposal in the amount of $9,850.00 for Public Works Department Environmental Consulting and Licensed Site Remediation Professional (LSRP) Services, including the following scope of work:

Site Inspection and Explosimeter Survey	$ 3,150.00
Indoor Air Sampling	$ 6,700.00
Total Proposal	**$ 9,850.00**

and the CFO has certified the availability of funds in the following budget lines as evidenced her signature:

Appropriation: C-04-55-428-910

Signature: _____
Lauren Read, CFO

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

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 to Mott MacDonald for the Public Works Department Environmental Consulting Project in the amount of $ 9,850.00

BE IT FURTHER RESOLVED that this award shall be published in the Township's Official newspaper.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD							
COOMBS							
ROY							
PERRY							
SIPPEL							

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 October 19, 2020.

_____
Julie A Picard, Township Clerk

MOTT MACDONALD

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

Lower Township Public Works Department - Environmental Consulting and Licensed Site Remediation Professional (LSRP) Services

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

T +1 (609) 465 9377

October 13, 2020

Dear Mr. Douglass:

Mott MacDonald is pleased to submit to Lower Township the following proposal to conduct an indoor air investigation at the Township's Public Works Department (DPW).

Project Understanding

The DPW has recently experienced odors emanating from the employee break room resulting in limited use of the space. Recently, monitoring for natural gas leaks in the building was conducted by the local Fire Department with no leaks detected. In 2013 and 2014, Mott MacDonald conducted a soil and groundwater investigation of two areas of concern: AOC 1—former 1,000-gallon leaded gasoline UST and former 550-gallon diesel fuel UST and AOC 3—former 2,000-gallon diesel fuel UST, located adjacent to the building. The investigation and remediation of these AOCs did not reveal the presence of vapor intrusion and all groundwater sample results were below the screening levels. The break room is located adjacent to the current sign shop and historically, the building was utilized as a garage.

The source of the odors is unknown but the DPW is requesting sampling to document whether the break room could pose a concern to employees. Based on the above, Mott MacDonald is proposing the following scope of work.

Scope of Work

Task 1 – Site Inspection and Explosimeter Survey

Mott MacDonald will conduct a building walkthrough with the purpose of identifying potential background sources of chemicals, observable vapor pathways, assess the building construction and ventilation, and potential sample locations.

Mott MacDonald will conduct an interview with site personnel familiar with the current and former operations within and along the immediate exterior of the building, including the heating, ventilation, and cooling (HVAC) system. For this task, Mott MacDonald requests that the DPW provide information related to recent construction, modifications, and upgrades to the building, changes or

MOTT MACDONALD

reconfigurations of the HVAC system and/or building utilities, and any current and historic site plans and/or building floor plans showing tanks (above and below grade), chemical storage areas/containers, floor drains, utilities, and the HVAC system within and immediately surrounding the building.

Mott MacDonald will conduct a photoionization detector and explosimeter survey of the building to evaluate for the presence of total volatile organic compounds and toxic gases (e.g. H_2S and CO). The survey will be completed within every room of the building and along the immediate exterior. The survey will be utilized to select the appropriate locations for indoor air sampling (Task 2).

Task 2 – Indoor Air Sampling

Mott MacDonald will collect up to three (3) indoor air samples within the building biased to locations with elevated PID and or toxic gas readings identified during the survey (Task 1). One sample of ambient air will be collected from the immediate exterior of the building. Samples will be collected using a six-liter SUMMA canister with a flow regulator calibrated for an 8-hour sample collection time (approximately 12.5 mL/min) and submitted to a New Jersey Certified laboratory for TO+15 analysis. Canisters will be decontaminated according to the laboratory's Quality Assurance/Quality Control (QA/QC) plan.

The above sampling will be conducted during a normal 8-hr day work shift and it is estimated that one (1) work shift of air sampling will be needed (reflected in cost below). Results will be compared to the American Conference of Governmental Industrial Hygienists (ACGIH) Threshold Limit Values (TLV) and/or other applicable threshold values (e.g. OSHA PEL). A summary letter report with recommendations will be prepared documenting the results of the investigation.

The cost to complete the above outline tasks is described below. We propose to complete the above scope of work on a reimbursable basis in accordance with our current rate schedule.

Task	Fee
1 – Site Inspection and Explosimeter Survey	$3,150
2 – Indoor Air Sampling	$6,700
Total	**$9,850**

We look forward to providing the Township with the above environmental services at the DPW. If you have any questions regarding this proposed amendment, please do not hesitate to contact Nick Taylor or me.

Very truly yours,

Thomas R. Thornton, PE, CME
Vice President
T 609.465.9377
thomas.thornton@mottmac.com

cc: Shawn A. Carr, PE, CME, Mott MacDonald
Nicholas A. Taylor, LSRP, Mott MacDonald

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

ORDINANCE #2020-16

Title: **AN ORDINANCE OF THE TOWNSHIP OF LOWER AMENDING CHAPTER 157, ALCOHOLIC BEVERAGES, SUBSECTION 157-6(D)(1), OF THE CODE OF THE TOWNSHIP OF LOWER.**

WHEREAS, Chapter 157, Alcoholic Beverages, of the Code of the Township of Lower sets forth and memorializes regulations and restrictions associated with the consumption and licensing of Alcoholic Beverages within the Township of Lower; and

WHEREAS, section 157-6(D)(1) of the Code of the Township of Lower sets forth the required annual fees and the maximum number of licenses for the sale or distribution of alcoholic beverages in the Township of Lower based upon their respective classes; and

WHEREAS, pursuant to the provisions of the New Jersey Alcohol Beverage Control Act, N.J.S.A. 33:1-1 et seq., a municipality is permitted to establish the maximum number of Club Liquor Licenses by Ordinance; and

WHEREAS, in accordance with the provisions of section 157-6(D)(1), which was last amended in 2001 via Ordinance #2001-6, of the Code of the Township of Lower a maximum of 5 Club Liquor Licenses are permitted within the Township of Lower whereas a total of 8 Club Liquor Licenses are currently in existence; and

WHEREAS, in effort to remedy the discrepancy between the current maximum number of Club Liquor Licenses permitted within the Township of Lower in relation to the current number of actual Club Liquor Licenses in existence, the Township Council of the Township of Lower has elected to increase the maximum number of Club Liquor Licenses within the Township of Lower to 10.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that Chapter 157, Alcoholic Beverages, of the Code of the Township of Lower, shall be amended as follows:

Section 1. Chapter 157 Alcoholic Beverages, Subsections 157-6(D)(1) of the Code of the Township of Lower is hereby repealed and replaced as follows:

D. License fees; maximum number.

(1) The annual fees and maximum number of licenses for the sale or distribution of alcoholic beverages in the Township of Lower shall be as follows:

Class of License	Annual Fee	Number of Licenses
Plenary retail consumption	$2,000.00	18
Plenary retail distribution	$1,000.00	3
Club license	$150.00	10

Section 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provision of this Ordinance are hereby declared to be severable.

Section 4. This Ordinance shall become effective 20 days after final passage and publication according to law.

_____
Thomas Conrad, Councilmember

_____
Kevin Coombs, Councilmember

_____
Roland Roy, Jr., Councilmember

_____
Dave Perry, Deputy Mayor

_____
Frank Sippel, Mayor

First Reading: 10/5/2020

Adopted:

Attest: _____
Julie A Picard, Township Clerk

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

RESOLUTION #2020- 277

Title: AUTHORIZING THE PAYMENT OF VOUCHERS

Vendor	Description	Amount
Lower Township Rescue	Contribution Resolution 2020-04 Due	$ 35,000.00
	Total	**$ 35,000.00**

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD							
COOMBS							
ROY							
PERRY							
SIPPEL							

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 October 19, 2020.

Julie A Picard, Township Clerk

September 2020 Clerk Report

Register Report - Last month

9/1/2020 through 9/30/2020

Account	Num	Memo	Category	Amount
INCOME				**12,550.00**
Business Mercantile 2020-2021				**825.00**
Liquor Licenses				**10,000.00**
Rental Merc 2020-2021				**525.00**
Vac Prop Reg				**1,000.00**
Yard Sale Permit				**200.00**
TRANSFERS				**-12,550.00**
Council Checking				**-12,550.00**
		OVERALL TOTAL		**0.00**

Township of Lower
2600 Bayshore Road
Villas, NJ 08251
609-8861455

OFFICE OF CONSTRUCTION OFFICIAL

Construction Permit Activity Report

RANGE: 09/01/2020 To 09/30/2020

October 02, 2020 10:30:06AM

SUMMARY

CONSTRUCTION COSTS				COUNT	
Cost Of Construction:	$1,392,357.00	Cubic Footage:	231923 Cu.ft	Permit Issued:	102
Cost Of Alteration:	$1,418,843.00	Square Footage:	18544 Sq.ft	Updates Issued:	15
Cost Of Demolition:	$157,500.00			All Fees Waived:	3
Total Cost:	$2,968,700.00			Municipal Fees Waived:	0

PERMIT FEES		ADMIN FEES		WAIVED FEES		TOTAL FEES	
Building:	$30,253.00	Building:	$0.00	Building:	$10,950.00	Building Fees:	$19,303.00
Electrical:	$9,106.00	Electrical:	$0.00	Electrical:	$546.00	Electrical Fees:	$8,560.00
Fire :	$4,001.00	Fire :	$0.00	Fire :	$200.00	Fire Fees:	$3,801.00
Plumbing:	$6,223.00	Plumbing:	$0.00	Plumbing:	$45.00	Plumbing Fees:	$6,178.00
Elevator:	$0.00	Elevator:	$0.00	Elevator:	$0.00	Elevator Fees:	$0.00
Mechanical:	$3,375.00	Mechanical:	$0.00	Mechanical:	$0.00	Mechanical Fees:	$3,375.00
				* Total Waived:	*$11,741.00*	Technical Fees:	*$41,217.00*

DCA	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	$857.00	$0.00	$857.00
Alteration TrainingFee:	$2,704.00	$1,362.00	$1,342.00
DCA Minimum Fee:	$10.00	$0.00	$10.00
Sub total Training Fee:	$3,571.00	$1,362.00	*$2,209.00*

Certificate of Occupancy Fee:	$2,854.00
Waived Certificate Fees:	$0.00
Sub Total Certificate Fees:	*$2,854.00*

TECHNICAL ISSUES

Building Technical:	45
Electrical Technical:	80
Fire Protection Technical:	21
Plumbing Technical:	35
Elevator Technical:	
Mechanical Technical:	38

CERTIFICATE ISSUES

Certificate of Occupancy:	5
Certificate of Approval:	17
Certificate of Continued Occupancy:	0

PERMIT FEES:	$41,217.00
DCA FEES:	$2,209.00
CERTIFICATE FEES:	$2,854.00
MIN FEES:	$0.00
NET TOTAL FEES:	*$46,280.00*
PENALTIES COLLECTED:	$0.00
CCO FEES:	$0.00
OTHER FEES:	$50.00
GRAND TOTAL FEES:	*$46,330.00*

*** By State law (see N.J.S. 52:27D-126c):**	$11,741.00
*** By Municipality (see N.J.S. 52:27D-126b):**	$0.00

OFFICE OF THE CONSTRUCTION OFFICIAL

Account Summation-Summary

Report Run from 09/01/2020 To 09/30/2020

October 2, 2020 10:33:21AM

ACCOUNT:		Cash Amount	Check Amount	Credit Card Amount	Total Fee
PERMIT FEES	Sub Totals:	$509.00	$45,821.00	$0.00	$46,330.00
DUMPSTER	Sub Totals:	$20.00	$0.00	$0.00	$20.00
LICENSE FEE	Sub Totals:	$0.00	$600.00	$0.00	$600.00
	GRAND TOTALS:	$529.00	$46,421.00	$0.00	$46,950.00

DOG REPORT

SEPTEMBER 2020

Date	#'s	Void/Dup	#S/N	Non S/N	Late Fee	Total D	Total E	Deposit
			5	10	$5.00			
9/1/2020	962-964		3		$15.00	$15.00	$0.00	$30.00
9/2/2020	965-969		5		$25.00	$25.00	$0.00	$50.00
9/3/2020	970-971		2			$10.00	$0.00	$10.00
9/4/2020	972-974	1	2			$10.00	$0.00	$10.00
9/8/2020	975-979		5		$25.00	$25.00	$0.00	$50.00
9/9/2020	980		1	0	$5.00	$5.00	$0.00	$10.00
9/10/2020	981		1		$5.00	$5.00	$0.00	$10.00
9/11/2020	982		1		$5.00	$5.00	$0.00	$10.00
9/15/2020	983-985		3		$10.00	$15.00	$0.00	$25.00
9/16/2020	986		1		$5.00	$5.00	$0.00	$10.00
9/17/2020	987-991		5		$20.00	$25.00	$0.00	$45.00
9/18/2020	992-993		1	1	$10.00	$5.00	$10.00	$25.00
9/21/2020	994-995		2		$5.00	$10.00	$0.00	$15.00
9/22/2020	996-1000		4	1	$20.00	$20.00	$10.00	$50.00
9/25/2020	1001-1005		4		$15.00	$20.00	$0.00	$35.00
9/29/2020	1006-1010		5		$20.00	$25.00	$0.00	$45.00
9/30/2020	1011		1			$5.00	$0.00	$5.00
						$0.00	$0.00	$0.00
						$0.00	$0.00	$0.00
						$0.00	$0.00	$0.00
						$0.00	$0.00	$0.00
						$0.00	$0.00	$0.00
						$0.00	$0.00	$0.00
						$0.00	$0.00	$0.00
						$0.00	$0.00	$0.00
						$0.00	$0.00	$0.00
						$0.00	$0.00	$0.00
						$0.00	$0.00	$0.00
			46	2	185	$230.00	$20.00	$435.00

Total Licenses collected w/fees **48**

Twp. Fee	$182.40
State Reg.	$48.00
Pilot Clinic	$9.60
Anim. Pop.	$6.00
Anim. Pop.	$4.00
Late Fee	$185.00
Total Collected	**$435.00**

Pd State	$63.60
Twp. Fee	$371.40

BUREAU OF FIRE SAFETY - TOWNSHIP OF LOWER

Lower Township Public Safety Building
1389 Langley Road
Cape May Airport
Erma, NJ 08204
Phone: (609) 889-0404
Fax: (609) 889-8876

Mailing Address:
407 Breakwater Road
Rio Grande, NJ 08242
LTBFS@COMCAST.NET

For the month of SEPTEMBER 2020, the Lower Township Bureau of Fire Safety made deposits of $24,412.00 in the Lower Township Tax office.

Sincerely,

Donna Blackley
Fire Official

cc: file
Board Members
Lauren Read
James Ridgway

2020 CASH RECEIPTS
SEPTEMBER

Township of Lower
Office of the Tax Collector

	MONTH TO DATE	YEAR TO DATE
Receipts		
Preliminary Tax Year (2021)	**411,993.79**	777,675.34
Current Tax Year (2020)	1,064,395.80	48,657,597.20
Current year taxes (2019)	106,051.37	618,842.21
Prior year taxes (2018)	-	5,892.91
Prior year taxes (2017)		1,527.00
Previously exempt property		0.00
State Audit Pay Back	-	500.00
Municipal Lien		6,896.85
Recording		50.00
Bankruptcy		0.00
6% Penalty	1,969.07	3,519.79
Municipal Service Fees	3,390.00	49,770.00
Tax Search Fees		30.00
Interest	31,653.98	128,148.01
Lot clearing	875.00	3,360.00
Returned Check Fees*	40.00	300.00
Duplicate Bills	50.00	715.00
Trash	8,113.50	37,716.00
Tax Sale Cost	3,282.10	454.91
MUA	41,949.33	3,805.84
TOTAL DEPOSITS	**1,673,763.94**	**50,342,032.49**
DEPOSITED TO COUNCIL CHECK	**1,434,746.85**	**45,914,886.25**
DEPOSITED TO WIPP ACCOUNT	**239,017.09**	**4,427,142.23**
TOTAL DEPOSITS	1,673,763.94	50,342,028.48
NSF Reversals *	3,174.53	81,831.55
WIPP NSF Reversals	**793.57**	57,852.58
NSF Fee Reversal (20.00)*	40.00	40.00
TOTAL NSF	4,008.10	139,724.13
TOTAL	1,669,755.84	**50,202,304.35**

Prepared by Kathy Brown

SEPTEMBER 2020
VITAL STATISTICS

Marriages,Civil Unions	25
Domestic Partners	0
Ceritified Copies	182
Certified Copies EDRS	5
Burial Permits	0

Marriages, Civil Unions State	$625.00
Domestic Partners State	$0.00
Marriages, Civil Unions Twp	$75.00
Domestic Partners Twp	$0.00
Certified Copies	$1,820.00
Certified Copies EDRS	$50.00
Burial Permits	$0.00
TOTAL	**$2,570.00**

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

RESOLUTION # 2020-278

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.

____(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.

__X_(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. **PERSONNEL**

_____(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 October 19, 2020 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	RECUSE	ABSTAIN	ABSENT
CONRAD							
COOMBS							
ROY							
PERRY							
SIPPEL							

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 October 19, 2020.

_____

Julie A Picard, Township Clerk