

WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL
July 15, 2019 - 5:00 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 – July 1, 2019
Approval of Closed Session Minutes – July 1, 2019
Res. #2019-233 Payment of Vouchers \$ 289,269.45
Res. #2019-234 Requesting Change in Title, Text or Amount of Appropriation; N.J.S.A. 40A:4-85 (Chapter 159, P.L. 1948)
Res. #2019-235 A Resolution Authorizing the Transfer of a Firearm No Longer Needed, to a Licensed Firearms Dealer for Private Sale (J.Boyle \$200.)
Res. #2019-236 Authorization for the Payout of Accumulated Compensatory Time (W.Kocis, \$3,393.54)
Res. #2019-237 Resolution Providing For the Combination of Certain Issues and Determining the Form and Other Details of the Offering of \$7,450,000 General Obligation Bonds, Series 2019 of the Township of Lower in the County of Cape May, State of New Jersey and Providing for the Sale of Such Bonds
Res. #2019-238 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (DEDR \$31,409.)
Res. #2019-239 Re-Appointment to the Zoning Board of Adjustment (R.Basco)
Res. #2019-240 A Resolution Approving Schellenger's Landing Sidewalk Project Maintenance Agreement with the New Jersey Department of Transportation (responsibility for brick pavers)
Res. #2019-241 Resolution Amending the Appropriation Number on Resolution #2019-205 for Mott MacDonald, Change Order #2 Construction Phase of Roseanne Avenue Roadway and Utility Improvements Project Phase III (correct appropriation 55-417-000)
Ordinance #2019-11; An Ordinance of the Township of Lower Vacating, Surrendering and Extinguishing the Public Rights of a Portion of Cedar Avenue - This is the first reading of this Ordinance, the second reading and public hearing has been scheduled for August 5, 2019.

Regular Agenda

Manager's Report

Engineer's Report

Administrative Reports

Personnel Action Report
Monthly Reports: Clerk, Construction, Dog, Fire Safety, Tax Collector, Vital Statistics

Council Comments

Call to the Public

Closed Session

Res. #2019-242 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. **Contract Negotiation Update & Attorney/Client Privilege**

Adjournment

COUNCIL MEETING MINUTES – July 1, 2019

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on July 1, 2019 at 5:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

The Clerk announced that the meeting was being held in compliance with the Open Public Meetings Act and that adequate notice of the meeting had been provided according to law.

The following members of Council were present for roll call taken by the Clerk:

Councilmember Thomas Conrad
Councilmember David Perry
Councilmember Roland Roy, Jr.
Deputy Mayor Frank Sippel
Mayor Erik Simonsen

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

Work Session

Schellenger's Landing Project Update – Joe Maffei, Engineering Design Associates

Joe Maffei presented the proposed Schellenger's Landing Pedestrian Safety Project, inclusive of the area at the foot of the large bridge and continuing to Wilson Drive. He highlighted the plan for ADA accessible sidewalks and crosswalks, as well as signage and materials to be used. He also informed of the process, contingent upon NJDOT approval.

Mayor Simonsen pointed out how the plan came to inception through a grant from NJDOT.

David Craig, Lucky Bones, inquired about sidewalk maintenance and snow removal.

Manager Ridgway communicated his thoughts regarding sidewalk maintenance. He also thanked Atlantic City Electric for their assistance with removal of poles.

Councilmember Conrad informed that snow removal is the responsibility of the business owner, while public sidewalks should be maintained by the Township.

Keith Laudeman, Lobster House, inquired about street lighting.

Joe Maffei informed that lighting is not included in this phase; however he welcomes suggestions.

Discussion ensued about a lighted sign and possible speed limit reduction.

Ernie Utsch, Utsch's Marina, voiced concern about the ingress and egress to his parking lot.

Manager Ridgway communicated that the problem the boat ramp at Spicer's Creek has created is being addressed.

Consent Agenda

Approval of Minutes June 17, 2019

Res. #2019-225 Payment of Vouchers \$ 1,692,764.27

Res. #2019-226 Renewal of Commercial Excavation (Gravel Pit) License (Cape Mining)

Res. #2019-227 A Resolution Authorizing A Grant Application and the Execution of a Grant Agreement with the New Jersey Department of Transportation for Star Avenue

Res. #2019-228 Award National Cooperative Purchasing Agreement with Sourcewell, Formerly National Joint Powers Alliance (NJPA) to Hunter Jersey Peterbilt for One (1) 2020 Peterbilt 348 Tandem Axel Cab and Chassis (\$113,767.)

Res. #2019-229 Award National Cooperative Purchasing Agreement with Sourcewell, Formerly National Joint Powers Alliance (NJPA) to Granturk Equipment Company for One (1) 2020 Leach 29 Cu Yd. 2 R-III Rear Loader to be Mounted on new 2020 Peterbilt Chassis (\$91,330.80)

Res. #2019-230 Authorization for the Payout of Accumulated Compensatory Time (K.Lewis \$21,239.26)

Res. #2019-231 Authorization for the Payout of Accumulated Compensatory Time (D.Whitten \$20,117.40)

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

Regular Agenda

Manager's Report

Manager Ridgway gave an update on Township infrastructure on Miramar, Foster, Clubhouse, Woolson and Idell, as well as Roseann Avenue. He talked about the preparation for the Independence Day Festival and anticipation of the Bond Sale and the Summer Concert Series.

Council Comments

Councilmember Conrad said he is awaiting an update on Mulligan Field Improvements and Beach Accesses and wished everyone an enjoyable holiday.

Councilmember Perry voiced disappointment with the delay on Roseann Avenue and wished everyone a safe and happy 4th of July.

Councilmember Roy reiterated the safety advice for the holiday and voiced favor with the infrastructure improvements in Ward 3. He also wished everyone a safe and enjoyable 4th of July.

Deputy Mayor Sippel gave an update on the Police Youth Camp.

Mayor Simonsen wished everyone a safe and happy 4th of July and reminded about upcoming National Night Out.

Call to the Public

Closed Session

Res. #2019-232 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. **Contract Negotiations Update / Attorney/Client Privilege**

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

Council adjourned to Closed Session at approximately 5:30 p.m.

Council returned to Open Session at approximately 6:25 p.m.

Adjournment

There being no further business to address, motion to adjourn moved by Mayor Simonsen, seconded by Councilmember Roy. Motion to adjourn was unanimous. Meeting adjourned at 6:26 p.m.

Mayor

Township Clerk

Approved:

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01170 VERIZON WIRELESS* F/S								
	19-01993	07/10/19	CELL FIRE SAFETY 5/27-6/26/19	Open	52.60	0.00		
01171 VERIZON WIRELESS - TOWNHALL								
	19-01901	07/01/19	4/24-5/23/19 PHONE 622310837	Open	497.06	0.00		
	19-01947	07/08/19	IPHONE 5/29-6/28/19	Open	949.15	0.00		
					<u>1,446.21</u>			
01200 DELTA DENTAL PLAN OF NJ								
	19-01888	06/28/19	JUNE 2019 ADMIN GROUP 9427	Open	1,310.40	0.00		
	19-01931	07/08/19	JUNE 2019 CLAIMS GROUP #9427	Open	14,651.45	0.00		
					<u>15,961.85</u>			
01201 DELL CORPORATION*								
	19-01557	05/31/19	COMPUTER	Open	1,122.06	0.00		
	19-01736	06/11/19	DELL COMPUTER FOR FRONT DESK	Open	1,121.76	0.00		
					<u>2,243.82</u>			
01480 E-Z PASS								
	19-02012	07/12/19	E Z PASS REPLENISH 7/12/19	Open	500.00	0.00		PC1
01653 GENTILINI FORD*								
	19-00077	01/07/19	PARTS FOR TRUCKS/JAN	Open	364.85	0.00		
01806 ANTHONY J HARVATT, II, ESQ								
	19-00800	03/21/19	BOARD SOLICITOR SALARY	Open	625.00	0.00		
01898 HERITAGE BUSINESS SYSTEMS, INC*								
	19-01924	07/02/19	PRINTER MAINT 3/9-9/8/19	Open	3,559.71	0.00		
	19-01925	07/02/19	RM 218 ID19543 WHITTEN	Open	30.00	0.00		
	19-01926	07/02/19	REPAIR EILEENS PRINTER	Open	123.09	0.00		
	19-01927	07/02/19	COPIER 40373 PS 1/1/19-1/2/20	Open	432.00	0.00		
	19-01939	07/08/19	COPIER FIRE SAFETY 4/1-6/30/19	Open	113.85	0.00		
	19-01940	07/08/19	COPIER FIRE SAFETY 7/1-9/30/19	Open	115.09	0.00		
	19-01990	07/10/19	COPIER BOCA 4/1-9/30/19	Open	287.59	0.00		
	19-01991	07/10/19	POOLED COPIER 6/1-7/31/19	Open	544.29	0.00		
					<u>5,205.62</u>			
02025 HUNTER JERSEY PETERBILT*								
	19-01281	05/02/19	PARTS FOR TRUCKS/JULY	Open	1,874.88	0.00		
	19-01867	06/27/19	SUPPLIES FOR TRUCKS	Open	1,801.56	0.00		
					<u>3,676.44</u>			
02027 JESCO INC*								
	19-01698	06/07/19	2019 BACKHOE 310SL RES2019-203	Open	106,188.92	0.00		
02108 KEEN COMPRESSED GAS CO*								
	19-00812	03/21/19	BOTTLED WATER/MARCH	Open	466.79	0.00		
02134 THOMAS KEYWOOD								
	19-01966	07/09/19	CONTRACTUAL REIMBURSEMENT M	Open	757.20	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02223 LANDSMAN UNIFORMS*								
	19-01322	05/03/19	UNIFORMS	Open	209.80	0.00		
	19-01496	05/24/19	UNIFORMS	Open	705.00	0.00		
					<u>914.80</u>			
02247 LAWSON PRODUCTS, INC.*								
	19-01282	05/02/19	SUPPLIES FOR GARAGE/JUNE	Open	699.47	0.00		
02292 DONALD LOMBARDO								
	19-01886	06/28/19	CONTRACTUAL REIMBURSEMENT M	Open	1,526.63	0.00		
02411 MENEAR'S TREE SERVICE*								
	19-01756	06/12/19	ROSEANNE AVENUE	Open	400.00	0.00		
02418 MAJESTIC SEWER AND DRAIN*								
	19-00979	03/29/19	TOWNSHIP SEWER BACK UP	Open	250.00	0.00		
	19-01735	06/11/19	EMERGENCY WORK-MEN'S-BACKUP	Open	195.00	0.00		
	19-01806	06/20/19	SNAKE DRAIN FOR TOWNSHIP POOL	Open	390.00	0.00		
					<u>835.00</u>			
02461 JOHN MAHER								
	19-01922	07/02/19	CONTRACTUAL REIMBRSEMENT M	Open	2,986.90	0.00		
02585 WILLIAM MASTRIANA								
	19-01894	07/01/19	INTL CONFERENCE REIMBURSEMENT	Open	613.71	0.00		
02607 MICHAEL MAJANE								
	19-01964	07/09/19	TRAINING REIMBURSMENT	Open	25.00	0.00		
02647 KATHLEEN MCPHERSON								
	19-01935	07/08/19	CONTRACTUAL REIMBURSEMENT M/V	Open	1,207.24	0.00		
03001 STATE TOXICOLOGY LABORATORY*								
	19-01769	06/13/19	DRUG TESTING	Open	475.00	0.00		
03003 NEW JERSEY DIVISION OF ABC								
	19-01879	06/28/19	2019-2020 RENEWALS	Open	84.00	0.00		
03008 NJ DEPT OF TREASURY/FEES								
	19-01487	05/24/19	STORM WATER DISCHARGE PERMIT	Open	5,250.00	0.00		
	19-01575	06/04/19	VEHICLE REGISTRATION ADD-ON	Open	72.00	0.00		
					<u>5,322.00</u>			
03086 NJ STATE ASSN CHIEFS OF POL*								
	19-00390	01/31/19	TRAINING CONFERENE 6/24-27/19	Open	1,025.00	0.00		
03109 TRU GREEN CHEMLAWN								
	19-01584	06/04/19	VEGETATION CONTROL	Open	750.00	0.00		
03160 OFFICE BASICS, INC*								
	19-01559	05/31/19	PRINTER HP M426FDN	Open	281.50	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03414 WILLIAM PRIOLE	19-01963	07/09/19	TRAINING REIMBURSMENT	Open	55.00	0.00		
03427 POLAR BEAR MECHANICAL SERVICES	19-01783	06/17/19	REPLACE DIELECTRIC UNION	Open	213.46	0.00		
	19-01797	06/18/19	CHECK LEAK IN WEIGHT ROOM	Open	98.00	0.00		
					311.46			
03466 R & R SPECIALTIES	19-01876	06/27/19	4X10 ETCHED PLAQUE KRAIL	Open	270.00	0.00		
03518 RIGGINS, INC.*	19-01934	07/08/19	HIGHWAY DIESEL	Open	921.23	0.00		
03554 RUTGERS, ENVIRONMENTAL SCIENCE	19-01492	05/24/19	Noise Polution Training	Open	460.00	0.00		
03619 THOMAS SOLENSKI	19-01912	07/02/19	CONTRACTUAL REIMBURSEMENT V	Open	253.00	0.00		
03671 SOUTH JERSEY OVERHEAD DOOR, INC	19-00117	01/09/19	SERVICE OF DOORS & OPERATORS	Open	2,290.00	0.00		
03863 TREASURER, STATE OF NEW JERSEY	19-01938	07/08/19	STATE SURCHARGE 2ND QTR 2019	Open	7,627.00	0.00		
03904 LOWE'S HOME CENTER INC*	19-00854	03/22/19	SUPPLIES/MATERIALS/TWP/MAY	Open	346.34	0.00		
	19-01300	05/02/19	SUPPLIES/TWPS/JUNE	Open	246.86	0.00		
	19-01301	05/02/19	SUPPLIES/TWP/JULY	Open	208.78	0.00		
					801.98			
03917 STATE OF NJ DEPT OF CHILD/FAML	19-01932	07/08/19	QRT MARRIAGE APRIL, MAY JUNE 19	Open	950.00	0.00		
03918 TREASURER, STATE OF NJ BURIAL	19-01933	07/08/19	BURIAL PERMIT APR, MAY, JUNE 19	Open	5.00	0.00		
03958 DEBORAH VAN MOURIK	19-01936	07/08/19	CONTRACTUAL REIMBURSEMENT M	Open	242.64	0.00		
03971 VERIZON WIRELESS MDT POLICE	19-01916	07/02/19	MDT WIRELESS	Open	843.23	0.00		
04097 CINTAS FIRST AID AND SAFETY*	19-01883	06/28/19	REFILL MEDICAL CABINET	Open	67.90	0.00		
04266 NJ DEPT OF HEALTH&SENIOR SVCS	19-01951	07/08/19	DOG DAMAGE JUNE 2019	Open	62.40	0.00		
04301 SEASHORE ASPHALT CORPORATION*	19-01285	05/02/19	HP PATCH/JUNE	Open	985.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04301 SEASHORE ASPHALT CORPORATION* Continued								
	19-01795	06/18/19	HP PATCH/AUG	Open	<u>906.52</u>	0.00		
					1,891.52			
04504 MEDIA FIVE LTD*								
	19-00974	03/29/19	RES 19-66 CONCERT SERIES BANDS	Open	9,000.00	0.00		B
6071 UNITED UNIFORMS LIMITED LIAB*								
	19-00733	03/12/19	UNIFORMS	Open	400.42	0.00		
	19-00757	03/14/19	UNIFORMS	Open	540.00	0.00		
	19-01830	06/26/19	COUNCIL SHIRTS	Open	<u>447.72</u>	0.00		
					1,388.14			
7209 FRANK KIELB ENTERTAINMENT INC*								
	19-00975	03/29/19	CONCERT SERIES - BANDS	Open	4,750.00	0.00		B
7354 FLEETPRIDE INC.*								
	19-01906	07/02/19	COMPRESSOR	Open	637.53	0.00		
7475 SUZANNE M SCHEID								
	19-01965	07/09/19	CONTRACTUAL REIMBURSEMENT M	Open	61.28	0.00		
7478 WINDSTREAM COMMUNICATION INC*								
	19-01948	07/08/19	6/29/19 PHONE SERVICE	Open	3,004.54	0.00		
7508 BLANEY & KARAVAN PC*								
	19-00048	01/04/19	LABOR ATT RES#2019-02 DNE 40K	Open	3,836.00	0.00		B
	19-01518	05/29/19	RES 2019-180 DNE 14K	Open	<u>1,862.50</u>	0.00		B
					5,698.50			
7526 J HARRIS ACADEMY OF POLICE LLC								
	19-00525	02/19/19	TRAINING MARCH 15, 2019	Open	250.00	0.00		
7532 HEATHER MCNULTY*								
	19-01914	07/02/19	JUNE 2019 SPROUT SPOT	Open	70.00	0.00		
	19-01915	07/02/19	JUNE 2019 HIFITNESS	Open	<u>380.00</u>	0.00		
					450.00			
7636 MOTT MACDONALD LLC*								
	18-02192	08/10/18	REC CENTER BATHROOM	Open	655.00	0.00		
7751 HOFFMAN'S EXTERMINATING*								
	19-01817	06/21/19	2019 PEST CONTROL CONTRACT	Open	780.00	0.00		
7798 THE HON COMPANY								
	19-00968	03/29/19	CHAIR PARTS	Open	80.52	0.00		
7820 DEBLASIO & ASSOCIATES, P.C.*								
	18-02168	08/08/18	ENGINEERING 2018 ROAD PROGRAM	Open	15,295.00	0.00		B
7836 AXON ENTERPRISE, INC*								
	19-01710	06/07/19	TASERS	Open	6,115.44	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7872 GO DADDY	19-01919	07/02/19	.COM DOMAIN RENEW 7/19-7/20	Open	18.17	0.00		PC1
7918 JAMES M. RUTALA ASSOCIATES LLC	19-00054	01/04/19	ECONMIC DEV RES 19-41 DNE 50K	Open	8,000.00	0.00		
7925 BLUE HOST INC	19-01451	05/20/19	WEB HOSTING 2 YR 5/20/19	Open	287.76	0.00		PC1
7929 AMAZON CAPITAL SERVICES, INC	19-01694	06/07/19	EZ POP UP TENT	Open	239.95	0.00		
	19-01798	06/18/19	T5 LED TUBE LAMP HOLDERS	Open	39.96	0.00		
	19-01812	06/21/19	SUPPLIES	Open	660.17	0.00		
	19-01813	06/21/19	NEW OFFICE SUPPLIES	Open	148.84	0.00		
	19-01818	06/21/19	MEAD SPIRAL NOTEBOOK	Open	26.15	0.00		
	19-01882	06/28/19	SUPPLIES	Open	227.34	0.00		
	19-01899	07/01/19	MAGAZINE RACK/ FOOD BANK CONTA	Open	356.98	0.00		
	19-01917	07/02/19	SUPPLIES	Open	265.38	0.00		
					<u>1,964.77</u>			
8023 CONSTELLATION NEW ENERGY INC	19-01877	06/27/19	5/21/6/19/19 CONSTELLATION	Open	4,528.79	0.00		
8081 UGI ENERGY SERVICES	19-01902	07/01/19	NATURAL GAS 5/20-6/19/19	Open	199.76	0.00		
8113 MEDTECH FORENICS INC	19-01777	06/13/19	INVESTIGATIVE SUPPLIES	Open	432.00	0.00		
8121 JAMES CELLA	19-01983	07/10/19	LIFEGUARD COURSE REIMBURSEMENT	Open	200.00	0.00		
8208 GUARDIAN DOCUMENT DESTRUCTION*	19-01887	06/28/19	6/24/19 SHREDDING	Open	96.00	0.00		
8211 CONFIRE FIRE PROT SERV LLC*	19-01418	05/14/19	TOWNHALL/MILLMAN SPRINK REPAIR	Open	3,678.20	0.00		
	19-01767	06/13/19	MILLMAN LEAK REPAIR	Open	801.00	0.00		
					<u>4,479.20</u>			
HOFFP PAUL HOFF	19-01999	07/10/19	7/10/19 LIVE DJ	Open	200.00	0.00		
<hr/> Total Purchase Orders: 117 Total P.O. Line Items: 0 Total List Amount: 289,212.37 Total Void Amount: 0.00								

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

RESOLUTION #2019-

Title: **AUTHORIZING THE PAYMENT OF VOUCHERS**

<u>Vendor</u>	<u>Description</u>	<u>CK #</u>	<u>Amount</u>
AMAZON	FIXING MISAPPLIED CREDITS	65256	\$57.08

TOTAL Manual Checks \$57.08

TOTAL Computer Generated \$289,212.37

TOTAL BILL LIST \$289,269.45

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on JULY 15, 2019.

Julie A Picard, Township Clerk

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

RESOLUTION #2019-234

Title: **REQUESTING CHANGE IN TITLE, TEXT OR AMOUNT OF APPROPRIATION**
N.J.S.A. 40A: 4-85 (Chapter 159, P.L. 1948)

WHEREAS, N.J.S.A. 40A: 4-85 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the governing body of any municipality, make such correction of the title, to make said item of appropriation available for the purpose or purposes required for the needs of any such county or municipality.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that in accordance with the provisions of N.J.S.A. 40A: 4-85, the Township Council of the Township of Lower hereby requests the Director of the Division of Local Government Services to make the following corrections in the budget of the year 2019:

- 8. General Appropriations
 - (A) Operations – within "CAPS"

<u>LINE ITEM</u>		<u>ACCT. NUMBER</u>	<u>FROM</u>	<u>TO</u>
FINANCE OFFICE	S&W	9-01-20-130-100	341,000.00	333,148.00
MUNICIPAL ALLIANCE- LOCAL MATCH	OE	9-01-41-703-699	7,852.00	15,704.00
			<u>348,852.00</u>	<u>348,852.00</u>

BE IT FURTHER RESOLVED that the foregoing correction is, in the opinion of the governing body, warranted and authorized by the statute above referred to, and is necessary for the orderly operation of the Township of Lower for the reasons hereinafter set forth:

The Township of Lower has received notification of award for the Municipal Alliance Program for the 2019/2020 fiscal year. To utilize the funds, the Township is required to provide a cash match of \$7,852.00. It has been determined that funds for this match are available in the Treasurer's office salary and wage line item and these monies can be utilized for continuing the Municipal Alliance Program.

FURTHER RESOLVED that a certified copy of this Resolution shall be electronically filed with the State of New Jersey, Division of Local Government Services.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on July 15, 2019.

 Julie A Picard, Township Clerk

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

RESOLUTION #2019-235

Title: **A RESOLUTION AUTHORIZING THE TRANSFER OF A FIREARM NO LONGER NEEDED, TO A LICENSED FIREARMS DEALER FOR PRIVATE SALE**

WHEREAS, the Township of Lower has determined that one (1) Glock Model 30 .45 caliber Serial number SNC-688 with 3 magazines are no longer needed for public use by the Lower Township Police Department; and

WHEREAS, the Township has requested and obtained an estimate as to the fair market value of the weapons from United Uniforms, an authorized firearms dealer, located in Rio Grande, New Jersey; and

WHEREAS, N.J.S.A 40A:11-36 permits a municipality to sell, by private sale, personal property no longer needed for public use, when the fair value of the property to be sold does not exceed the applicable bid threshold; and

WHEREAS, N.J.S.A. 2C:58-2 regulates the sale of the firearms within the State of New Jersey and requires that firearms be sold exclusively through a licensed gun dealer; and

WHEREAS, in order to facilitate the sale of one (1) Glock Model 30, .45 Caliber, Serial number SNC-688 with 3 magazines, Fixed Asset #3257, to Lower Township Detective Joseph Boyle whom is retiring effective August 1, 2019 for the estimated value of \$200.00, the firearm will be transferred to United Uniforms and the Township will receive a credit in the amount of \$200.00 on its Police Department Equipment Account.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the transfer of the firearm identified herein to United Uniforms, and the sale of the firearm identified by Serial SNC-688, Fixed Asset #3257 to Lower Township Detective Joseph Boyle for the amount of Two Hundred Dollars (\$200.00), to be received in the form of a credit of \$200.00, is hereby authorized.

BE IT FURTHER RESOLVED that said weapon; fixed asset #3257 will be removed from the Lower Township Fixed Asset Inventory.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on July 15, 2019.

Julie A Picard, Township Clerk

LOWER TOWNSHIP POLICE DEPARTMENT

SPECIAL REPORT

TO: Chief William Mastriana
FROM: Detective Joseph Boyle
DATE: June 25, 2019
SUBJECT: Purchase of Duty Weapon

I am formally requesting to purchase my Glock 30 duty weapon, and 3, 10 round magazines from the Township upon or prior to my retirement. My retirement date is August 1, 2019. The serial number of the Glock 30 is SNC688. I currently have an approved handgun purchase permit and am requesting to purchase this weapon.

Respectfully Submitted,

Det. Joseph Boyle #154

Joseph Boyle
Detective Badge 154

C	File	Officer	Comments
Date	7/2/2019	Chief [Signature]	forward to township for approval

Range 609

1050 Rt. 47
Rio Grande NJ 08242

(609) 600-3499

PROPOSAL

PROPOSAL	DATE
28446	07/01/2019 11:12a
ACCT	EMPL ID
3687	DXSINCAV
PO	EXPIRES
	07/31/2019

Bill To: Joseph P Boyle
6 COMMANDER RD
NORTH CAPE MAY NJ 08204-3504
USA

QTY	SKU#	DESCRIPTION	PRICE EA	TOTAL
1	BUYBACK	Glock 30	200.00	200.00

	SUBTOTAL	200.00
	Tax	13.25
	TOTAL	213.25

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

RESOLUTION # 2019-236

Title: AUTHORIZATION FOR THE PAYOUT OF ACCUMULATED COMPENSATORY TIME

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that payment to William Kocis III in the amount of \$3,393.54 is authorized and chargeable to the 2019 Budget account 9-01-25-240-122.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held July 15, 2019.

Julie A Picard, Township Clerk

LOWER TOWNSHIP POLICE DEPARTMENT

SPECIAL REPORT

TO: Chief William Mastriana
THRU: Sgt. Hansberry
FROM: Patrolman William Kocis #207
DATE: 07/05/2019
SUBJECT: Comp Time Buy Out

Chief,

I am asking to submit this letter to payroll requesting a buy out of 150 hours accrued comp time. Thank you in advance for your attention to this request.

Respectfully Submitted,

William Kocis #207

William Kocis
Patrolman Badge 207

C	File	Date	Officer	Comments
		07/06/19	Sgt. HANSBERRY #173	FORWARDED TO LT. VANAMAN
		07/08/19	LT. VANAMAN #24	FORWARDED TO CPT BROSBERG
		7/09/19	M/S 157	FWD to Twp + chief

0 • *

22 • 6236 X

150 • =

3,393 • 540 **

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

RESOLUTION #2019-237

RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES AND DETERMINING THE FORM AND OTHER DETAILS OF THE OFFERING OF \$7,450,000 GENERAL OBLIGATION BONDS, SERIES 2019 OF THE TOWNSHIP OF LOWER, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY AND PROVIDING FOR THE SALE OF SUCH BONDS

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LOWER, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the bonds of the Township, authorized pursuant to the bond ordinances of the Township heretofore adopted and described in Section 2 hereof, shall be combined into a single issue of General Obligation Bonds, Series 2019 in the aggregate principal amount of \$7,450,000 (the "Bonds" or "General Obligation Bonds").

Section 2. The principal amount of bonds authorized by each ordinance to be combined into a single issue as above provided, the bond ordinances authorizing the Bonds described by reference to the ordinance number, description and date of final adoption, amount of issue and average period of usefulness determined in each of the bond ordinances are respectively as follows:

<u>Ordinance Number</u>	<u>Description and Date of Final Adoption</u>	<u>Amount of Issue</u>	<u>Useful Life</u>
2018-07	Various 2018 Capital Improvements, Finally Adopted May 7, 2018	\$1,600,000	9.2 years
2019-05	Various Roadway and Drainage Improvements, Finally Adopted April 1, 2019	\$615,000	15 years
2019-06	Various 2019 Capital Improvements, Finally Adopted April 15, 2019	\$1,515,000	9.91 years
2015-10, as amended by, 2016-03, as amended by, 2018-05, as amended by 2019-09	Drainage And Stormwater Management Improvements And Associated Road Work To Roseann Avenue And Bayshore Estates, Finally Adopted October 19, 2015 (2015-10), April 4, 2016 (2016-03), March 19, 2018 (2018-05), and May 20, 2019 (2019-09)	\$3,720,000	40 years
TOTALS		\$7,450,000	

Section 3. The following matters are hereby determined with respect to the combined issue of Bonds:

(a) The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average periods of usefulness therein determined, is not more than 25.20 years.

(b) The Bonds of the combined issue shall be designated "General Obligation Bonds, Series 2019" and shall mature within the average period of usefulness hereinabove determined.

(c) The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law that are applicable to the sale and issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) None of the Bonds described in Section 2 hereof have been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded heretofore and now remain in full force and effect as authorizations for the respective amounts of bonds set opposite the descriptions of the bond ordinances set forth in Section 2 hereof.

(b) The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and some of such improvements or purposes, if applicable and permitted by law, a deduction may be taken in any annual or supplemental debt statement.

Section 5. The Bonds shall mature in the principal amounts on August 15 in each of the years as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2020	\$380,000	2026	\$700,000
2021	430,000	2027	740,000
2022	460,000	2028	750,000
2023	510,000	2029	760,000
2024	560,000	2030	760,000
2025	640,000	2031	760,000

The Bonds of this issue maturing prior to August 15, 2027 are not subject to redemption prior to their stated maturities. The Bonds of this issue maturing on or after August 15, 2027 are subject to redemption at the option of the Township, in whole or in part, on any date on or after August 15, 2026 in accordance with the terms provided in the Notice of Sale authorized herein and attached hereto as Exhibit B (the "Notice of Sale"). The Bonds shall be twelve (12) in number, unless the purchaser shall structure a portion of the serial maturities as one or more term bonds in accordance with the Local Bond Law and the Notice of Sale, with one bond certificate being issued for each year of maturity, and shall be designated and numbered GO-1 to GO-12, inclusive.

Section 6. The General Obligation Bonds are sometimes referred to hereinafter as the "Bonds".

Section 7. The Bonds will be issued in fully registered book-entry only form, without coupons. One certificate shall be issued for the aggregate principal amount of the Bonds maturing in each year. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as Securities Depository (the "Securities Depository") for the Bonds. The certificates will be on deposit with DTC. DTC will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases of the Bonds may be made in the principal amount of in \$5,000 each or any integral multiple thereof, through book entries made on the books and records of DTC and its participants. The Bonds will be dated the date of delivery and shall bear interest from the date of delivery, which interest shall be payable semiannually on the fifteenth (15th) day of February and August of each year (each an "Interest Payment Date"), until maturity or prior redemption, as applicable, commencing February 15, 2020, at such rate or rates of interest per annum as proposed by the successful bidder in accordance with the Notice of Sale authorized herein. The principal of and the interest on the Bonds will be paid to the Securities Depository by the Township, or some other paying agent as the Township may designate and appoint, on the maturity dates and due dates and will be credited on the maturity dates and due dates to the participants of DTC as listed on the records of DTC as of each February 1 and August 1 preceding an Interest Payment Date (the "Record Dates"). The Bonds shall be executed by the manual or facsimile signatures of the Mayor or Acting Mayor (the "Mayor") and Chief Financial Officer or Acting Chief Financial Officer (the "Chief Financial Officer") or Manager (the "Manager") of the Township under the official seal (or facsimile thereof) affixed, printed, engraved or reproduced thereon and attested to by the manual signature of the Clerk of the Township (the "Clerk" or "Township Clerk". The following matters are hereby determined with respect to the Bonds:

Date of Bonds	Date of Delivery
Principal Payment Dates:	August 15, 2020 and each August 15 thereafter until maturity, or prior redemption, as applicable
Interest Payment Dates:	Semiannually on each February 15 and August 15 until maturity, or prior redemption, as applicable, commencing February 15, 2020
Place of Payment:	Cede & Co., New York, New York

Section 8. The Bonds shall be substantially in the form set forth in Exhibit A attached hereto with such additions, deletions and omissions as may be necessary for the Township to market the Bonds in accordance with the requirements of DTC, upon advice of Bond Counsel (as hereinafter defined).

Section 9. The Bonds shall be sold upon receipt of electronic proposals on Tuesday, July 30, 2019 at 11:00 a.m. by the Mayor, Manager or Chief Financial Officer of the Township via the Parity Electronic Bid Submission System ("PARITY") in accordance with the Notice of Sale authorized herein. The use of the services provided by PARITY and the fees associated therewith are hereby approved. Archer & Greiner P.C. ("Bond Counsel"), on behalf of the Township Clerk, is hereby authorized and directed, to arrange for (i) the publication of a summary of such Notice of Sale to be published not less than seven (7) days prior to the date of sale in The Bond Buyer, a financial newspaper published and circulating in the County of New York, New York, (ii) the publication of the full text of such Notice of Sale in the Press of Atlantic City and/or the Cape May Star and Wave, such Notice of Sale to be published not less than seven (7) days prior to the date of sale, and (iii) the posting of the full text of the Notice of Sale on the website provided by or for PARITY, and any of the aforesaid actions of Bond Counsel undertaken heretofore are hereby ratified and confirmed. Pursuant to N.J.S.A. 40A:2-34, the Township hereby designates the Mayor, Manager or Chief Financial Officer of the Township as the financial officer authorized to sell and to award the Bonds in accordance with the Notice of Sale authorized herein, and such financial officer shall report in writing the results of the sale to the Township Council at its regularly scheduled meeting thereafter. The Mayor, Manager or Chief Financial Officer is hereby further authorized and directed to do and accomplish all matters and things necessary or desirable to effectuate the offering and sale of the Bonds. Bond counsel is hereby authorized and directed to close the Bonds with DTC.

Section 10. The full Notice of Sale and the summary Notice of Sale shall be substantially in the forms set forth in Exhibit B and Exhibit C, respectively, attached hereto with such additions, deletions and omissions as may be necessary for the Mayor, Manager or Chief Financial Officer to market the Bonds, upon advice of Bond Counsel and Municipal Advisor (as defined herein) to the Township.

Section 11. The Bonds shall have affixed thereto a copy of the written opinion with respect to such Bonds that is to be rendered by Bond Counsel. The Clerk of the Township is hereby authorized and directed to file a signed duplicate of such written opinion in the office of the Clerk of the Township.

Section 12. Bond Counsel is hereby authorized and directed, as applicable, to arrange for the printing of the Bonds and for the printing and electronic posting of the Preliminary Official Statement (as hereinafter defined) and the Official Statement (as hereinafter defined), and any and all fees associated therewith, and any such actions undertaken heretofore are hereby ratified and confirmed. The Preliminary Official Statement and the Official Statement are hereby authorized to be prepared by Bond Counsel, Ford-Scott Associates, LLC, Ocean City, New Jersey, auditor to the Township (the "Auditor"), and Phoenix Advisors, LLC, Bordentown, New Jersey (the "Municipal Advisor") and other Township officials and professionals, and any such actions undertaken heretofore are hereby ratified and confirmed. Bond Counsel and the Municipal Advisor are also authorized and directed to arrange for the distribution of the Preliminary Official Statement on behalf of the Township to those financial institutions that customarily submit bids for such Bonds, and any such actions undertaken heretofore are hereby ratified and confirmed. The Mayor and the Chief Financial Officer are each authorized and directed to execute and deliver any certificates necessary in connection with the distribution of the Preliminary Official Statement and the Official Statement. Bond Counsel, the Auditor and the Municipal Advisor are further authorized and directed to obtain ratings on the Bonds and to prepare and submit financial and other information on the Township to each rating agency and the preparation and submission of any such application is hereby ratified and confirmed.

Section 13. The Township hereby covenants that it will comply with any conditions subsequently imposed by the Internal Revenue Code of 1986, as amended (the "Code"), to preserve the exemption from taxation of interest on the Bonds, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Bonds, if necessary.

Section 14. The Township is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with DTC, as may be necessary to provide that the Bonds will be eligible for deposit with DTC and to satisfy any obligation undertaken in connection therewith.

Section 15. In the event DTC may determine to discontinue providing its services with respect to the Bonds or is removed by the Township and if no successor Securities Depository is appointed, the Bonds which were previously issued in book-entry form shall be converted to Registered Bonds (the "Registered Bonds") in denominations of \$5,000 each or any integral multiple thereof. The beneficial owner under the book-entry system, upon registration of the Bonds held in the beneficial owner's name, will become the registered owner of the respective Registered Bonds. The Township shall be obligated to provide for the execution and delivery of the respective Registered Bonds in certified form.

Section 16. The Chief Financial Officer or Manager are each hereby authorized and directed to "deem final" the Official Statement (the "Official Statement") prepared with respect to the issuance of the Bonds and pursuant to the provisions of the Rule (as hereinafter defined) and to execute a certificate regarding same, and any such actions undertaken heretofore are hereby ratified and confirmed. The Chief Financial Officer or Manager are each hereby authorized and directed to authorize and approve the use and distribution of the Official Statement in preliminary form (the "Preliminary Official Statement") in connection with the offering and sale of the Bonds, and any such actions undertaken heretofore are hereby ratified and confirmed. Upon the sale of the Bonds, the Preliminary Official Statement shall be modified, in consultation with Bond Counsel, to reflect the effect of the sale of the Bonds and said modified Preliminary Official Statement shall constitute the final Official Statement (the "Final Official Statement"). The Chief Financial Officer or Manager are each hereby authorized and directed to execute and deliver the Final Official Statement to the purchaser of the Bonds in accordance with the provisions of the Rule, for its use in the sale, resale and distribution of the Bonds, where and if applicable.

Section 17. The final Official Statement to be dated on or about July 30, 2019 (the "Final Official Statement"), prepared with respect to the issuance of the Bonds, is hereby authorized to be executed on behalf of the Township by the Chief Financial Officer or Manager of the Township, and delivered to the purchaser of the Bonds or for its in connection with the sale, resale and distribution of the Bonds, where and if applicable. The Mayor, Manager or Chief Financial Officer of the Township are each hereby further authorized and directed to deliver any certificates necessary in connection with the distribution of the Official Statement.

Section 18. The Township hereby covenants and agrees that it will comply with and carry out all of the provisions of the respective Continuing Disclosure Certificate (the "Certificate") which will set forth the obligation of the Township to file, as applicable, budgetary, financial and operating data on an annual basis and notices of certain enumerated events deemed material in accordance with the provisions of Rule 15c2-12, as amended and supplemented (the "Rule"), promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended and supplemented. The Mayor, Manager or Chief Financial Officer of the Township are each hereby authorized and directed to execute and deliver the Certificate to the purchaser of the Bonds, evidencing the Township's undertaking with respect to the Rule. Notwithstanding the foregoing, failure of the Township to comply with the Certificate shall not be considered a default on the Bonds, as applicable; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance, to cause the Township to comply with its obligations hereunder and thereunder.

Section 19. The Mayor, Manager or Chief Financial Officer of the Township are each hereby authorized and directed to sell the aforesaid Bonds and to determine all matters in connection with the Bonds (including adjusting the maturity schedule or any other matters set forth in this resolution that are deemed necessary and advisable to change by the Mayor, Manager or Chief Financial Officer of the Township prior to the sale or closing of the Bonds, all in consultation with Bond Counsel, the Auditor and the Municipal Advisor), and the manual or facsimile signature of the Mayor, Manager or Chief Financial Officer of the Township upon any documents shall be conclusive as to all such determinations. The Mayor, Manager, Chief Financial Officer, Clerk of the Township and any other Township Official or professional including, but not limited to Bond Counsel, the Auditor, the Municipal Advisor, the Township Engineer and the Township Attorney (collectively, the "Township Officials"), are each hereby authorized and directed to execute and deliver such documents as are necessary to consummate the sale and closing of the Bonds, and to take

such actions or refrain from such actions as are necessary for the issuance of the Bonds and all such actions or inactions taken by the aforesaid Township Officials heretofore are hereby ratified and confirmed.

Section 20. The Bonds will be designated as "qualified tax-exempt obligations" for purposes of section 265(b)(3)(B)(ii) of the Code.

Section 21. This resolution shall take effect immediately.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on July 15, 2019.

Julie A Picard, Township Clerk

EXTRACT from the minutes of a meeting of the Township Council of the Township of Lower, in the County of Cape May, State of New Jersey (the "Township") held at the Township Hall in the Township of Lower on July 15, 2019 at 5:00 p.m.

PRESENT:

ABSENT:

_____ introduced and
moved for the adoption of the following resolution and _____
seconded the motion:

CERTIFICATION

I, JULIE PICARD, Clerk of the Township of Lower, in the County of Cape May, State of New Jersey (the "Township"), DO HEREBY CERTIFY that the annexed resolution entitled, "RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES AND DETERMINING THE FORM AND OTHER DETAILS OF THE OFFERING OF \$7,450,000 GENERAL OBLIGATION BONDS, SERIES 2019 OF THE TOWNSHIP OF LOWER, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY AND PROVIDING FOR THE SALE OF SUCH BONDS" is a copy of a resolution which was duly adopted by the Township Council at a meeting of the Township Council duly called and held on July 15, 2019 in full compliance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., at which meeting a quorum was present and acting throughout and which resolution has been compared by me with the original thereof as contained in the minutes as officially recorded in my office in the Minute Book of such governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to within and aforesaid resolution has not been repealed, amended or rescinded but remains in full force and effect on and as of the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Township as of this ____ day of _____, 2019.

(SEAL)

JULIE PICARD,
Township Clerk

EXHIBIT A

**UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF CAPE MAY
TOWNSHIP OF LOWER**

GENERAL OBLIGATION BOND, SERIES 2019

NUMBER GO- _____

<u>DATE OF ORIGINAL ISSUE</u>	<u>MATURITY DATE</u>	<u>RATE OF INTEREST PER ANNUM</u>	<u>CUSIP NUMBER</u>
Date of Delivery	August 15, ____	____%	_____

REGISTERED OWNER: Cede & Co.

PRINCIPAL SUM: _____ Dollars
(\$ _____)

The TOWNSHIP OF LOWER, a body politic and corporate of the State of New Jersey (the "Township"), hereby acknowledges itself indebted and for value received promises to pay to CEDE & CO., as nominee of The Depository Trust Company ("DTC"), New York, New York, which will act as Securities Depository (the "Securities Depository"), on the Maturity Date specified above, the Principal Sum specified above, and to pay interest on such sum from the Date of Original Issue of this Bond at the Rate of Interest Per Annum specified above semiannually on the fifteenth day of February and August (each an "Interest Payment Date") in each year until maturity or prior redemption, as applicable, commencing February 15, 2020. Principal of and interest on this Bond will be paid to the Securities Depository by the Township, or a duly designated paying agent, and will be credited to the participants of DTC as listed on the records of DTC as of the first day of February and August preceding each Interest Payment Date (the "Record Dates" for such payments).

This Bond is not transferable as to principal or interest except to an authorized nominee of DTC. DTC shall be responsible for maintaining the book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants are responsible for maintaining records regarding the beneficial ownership interests in the Bonds on behalf of individual purchasers.

The Bonds of this issue maturing prior to August 15, 2027 are not subject to redemption prior to their stated maturities. The Bonds of this issue maturing on or after August 15, 2027 are subject to redemption at the option of the Township, in whole or in part, on any date on or after August 15, 2026, upon notice as required herein at one hundred percent (100%) of the principal amount being redeemed (the "Redemption Price"), plus accrued interest to the date fixed for redemption.

Notice of redemption ("Notice of Redemption") shall be given by mailing such notice at least thirty (30) days but not more than sixty (60) days before the date fixed for redemption by first class mail in a sealed envelope with postage prepaid to the registered owners of such Bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Township or a duly appointed Bond Registrar. So long as DTC (or any successor thereto) acts as Securities Depository for the Bonds, Notice of Redemption shall be sent to such Securities Depository and shall not be sent to the beneficial owners of the Bonds. Any failure of the Securities Depository to advise

any of its participants or any failure of any participant to notify any beneficial owner of any Notice of Redemption shall not affect the validity of the redemption proceedings. If the Township determines to redeem a portion of the Bonds prior to maturity, such Bonds shall be selected by the Township; the Bonds to be redeemed having the same maturity shall be selected by the Securities Depository in accordance with its regulations.

If Notice of Redemption has been given as provided herein, the Bonds or the portion thereof called for redemption shall be due and payable on the date fixed for redemption at the Redemption Price, together with accrued interest to the date fixed for redemption. Interest shall cease to accrue on the Bonds after the date fixed for redemption.

This Bond is one of an authorized issue of Bonds issued pursuant to the provisions of the Local Bond Law (N.J.S.A. 40A:2-1 et seq.), as amended and supplemented, a resolution duly adopted by the Township Council of the Township of Lower on July 15, 2019, entitled, "RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES AND DETERMINING THE FORM AND OTHER DETAILS OF THE OFFERING OF \$7,450,000 GENERAL OBLIGATION BONDS, SERIES 2019 OF THE TOWNSHIP OF LOWER, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY AND PROVIDING FOR THE SALE OF SUCH BONDS", and the various bond ordinances referred to therein, all such ordinances being published as required by law.

The full faith and credit of the Township are hereby irrevocably pledged for the punctual payment of the principal of and the interest on this Bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or the statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this Bond exist, have happened and have been performed and that the issue of Bonds of which this is one, together with all other indebtedness of the Township, is within every debt and other limit prescribed by such Constitution or statutes.

IN WITNESS WHEREOF, the Township of Lower, in the County of Cape May, State of New Jersey has caused this Bond to be executed in its name by the manual or facsimile signatures of its Mayor or Acting Mayor and its Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this Bond and the seal to be attested to by the manual signature of its Clerk, and this Bond to be dated the Date of Original Issue as specified above.

ATTEST:

TOWNSHIP OF LOWER

(SEAL)

By: _____
JULIE PICARD,
Township Clerk

By: _____
ERIK SIMONSEN,
Mayor

By: _____
LAUREN READ,
Chief Financial Officer

EXHIBIT B

**TOWNSHIP OF LOWER
IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY
NOTICE OF SALE**

**\$7,450,000 GENERAL OBLIGATION BONDS, SERIES 2019
(BANK QUALIFIED) (BOOK-ENTRY ONLY) (CALLABLE)**

SUMMARY

ISSUER: Township of Lower, in the County of Cape May, State of New Jersey (the "Township")

PAR AMOUNT: \$7,450,000 General Obligation Bonds, Series 2019 (the "Bonds")

SECURITY: General Obligations of the Township as to all Bonds

TAX EXEMPT: Yes

RATING: Standard & Poor's – Expected

INSURANCE: The Winning Bidder of the Bonds may, at its sole option and expense, purchase a policy of municipal bond insurance

TYPE OF SALE: Electronic Auction with Two Minute Rule (See Bidding Details Item (8) herein)

AUCTION AGENT: PARITY

BID/AWARD DATE: July 30, 2019 at 11:00 a.m. to 11:15 a.m. with the Two Minute Rule applicable. Award by 2:00 p.m.

DATED DATE: Date of Delivery

DELIVERY DATE: On or about August 15, 2019

INTEREST PAYMENT
DATES: February 15 and August 15, commencing February 15, 2020

CALL DATE: August 15, 2026

MINIMUM BID: \$7,450,000 (Par); the Bonds will be sold on the basis of the maturity schedule set forth herein

MAXIMUM BID: Bidders may bid to purchase Bonds from the Township with a premium not to exceed \$521,500, representing a maximum bid price of \$7,971,500 (107%).

BID SECURITY: **Good Faith Check or Wire Transfer in the amount of \$149,000 received by the Township prior to bidding as provided in this Notice**

BASIS OF AWARD: True Interest Cost

OFFERING
STATEMENT: Preliminary Official Statement available at www.munihub.com.

NOTICE

NOTICE IS HEREBY GIVEN that bids will be received by the Township of Lower, in the County of Cape May, State of New Jersey (the "Township") for the purchase of the Township's \$7,450,000 aggregate principal amount of General Obligation Bonds, Series 2019 (the "General Obligation Bonds" or the "Bonds"). **All Bids (as defined below) must be submitted in their entirety via "PARITY Electronic Bid Submission System" ("PARITY") prior to 11:00 a.m., prevailing New Jersey time on July 30, 2019. To bid, Bidders (as defined below) must have submitted a good faith check or wire, payable to the Township, in the amount of \$149,000 by no later than 10:45 a.m. on the Bid Date (see Bidding Details below).**

Preliminary and Final Official Statement

The Township's Preliminary Official Statement (the "POS") is available for viewing in electronic format on www.munihub.com. In addition, broker dealers registered with the National Association of Securities Dealers (the "NASD") and dealer banks with The Depository Trust Company, New York, New York (the "DTC") clearing arrangements may either: (a) print out a copy of the POS on their own printer, or (b) at any time prior to 11:00 p.m. on July 30, 2019, elect to receive a photocopy of the POS in the mail by requesting it on PARITY or by calling the Township's bond counsel, Archer & Greiner P.C., 10 Highway 35, Red Bank, New Jersey 07701. Calls should be directed to John M. Cantalupo, Esq. at 732.268.8009 or by email at jcantalupo@archerlaw.com or Township Municipal Advisor, Sherry Tracey, Phoenix Advisors, LLC, 625 Farnsworth Avenue, Bordentown, New Jersey 08505, or by telephone at 609-291-0130 or by email at stracey@muniadvisors.com. All Bidders must review the POS and certify that they have done so prior to participating in the bidding.

The POS is deemed by the Township to be final as of its date, for purposes of Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended and supplemented, except for the omission of information concerning the offering price(s), interest rate(s), selling compensation, aggregate principal amount of the Bonds and any other terms or provisions to be determined from the successful Bid(s) or depending on such matters, and the identity of the underwriter(s). The POS is, however, subject to such further revisions, amendments and completion in a Final Official Statement (the "Official Statement"), as may be necessary.

The Township at its expense, will make available to the Winning Bidder (as defined herein) a reasonable number of Official Statements within seven (7) business days following the date of acceptance of the Bid.

Types of Bids Allowed

Subject to the Bid requirements described below, Bids for the Bonds must be submitted on an "All-or-None" ("AON") basis for the entire amount of \$7,450,000. First, a Bidder must submit a conforming Bid for the entire issue, and if such Bid is accepted by the Township, the Bidder will be required to purchase the entire issue in accordance with such Bid.

Insurance

If the Bonds qualify for the issuance of any policy of municipal bond insurance, the Bidder of the Bonds may, at its sole option and expense, purchase such insurance. The insurance premium, if any, will be paid by the Bidder. Any failure of the Bonds to be so insured shall not in any way relieve the Winning Bidder of its contractual obligations arising from the acceptance of its proposal for the purchase of the Bonds.

Interest Payment Dates; Description of the Bonds

The Bonds will be dated their date of delivery and will bear interest from such date payable semiannually on each February 15 and August 15 (each an "Interest Payment Date"), commencing February 15, 2020, in each year until maturity or prior redemption, as applicable, by payment of money to DTC or its authorized nominee. DTC will credit payments of principal of and interest on the Bonds to the Participants of DTC as listed on the records of DTC as of each February 1 and August 1 preceding each Interest Payment Date for the Bonds (the "Record Dates").

Principal Amortization

The Bonds will consist of one series of serial bonds maturing on August 15 in each year, commencing August 15, 2020, as indicated in the maturity schedule set forth below, except as otherwise may be determined if the "Term Bond Option" is selected as set forth herein. The principal amounts of each serial maturity shall be as set forth below, subject to the applicable limitations set forth herein under "Term Bond Option."

\$7,450,000 General Obligation Bonds, Series 2019

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2020	\$380,000	2026	\$700,000
2021	430,000	2027	740,000
2022	460,000	2028	750,000
2023	510,000	2029	760,000
2024	560,000	2030	760,000
2025	640,000	2031	760,000

Book-Entry Only

The Bonds will be issued in book-entry only form, and each certificate will be registered in the name of Cede & Co., as nominee of DTC, which will act as securities depository for the Bonds. The Bonds will be issued in the form of one certificate for the aggregate principal amount of the Bonds maturing in each year and will be payable as to both principal and interest in lawful money of the United States of America. The certificates will be on deposit with DTC. DTC will be responsible for maintaining a book-entry system for recording the interests of its Participants or the transfers of the interests among its Participants. The Participants will be responsible for maintaining records regarding the beneficial ownership interests in the Bonds on behalf of the individual purchasers. The Winning Bidder will not receive certificates representing its interests in the Bonds. Individual purchases may be made in the principal amount of \$5,000 each or any integral multiple thereof, through book entries made on the books and records of DTC and its participants. Payments of principal, interest and redemption premium, if any, will be made by the Township or a designated paying agent to DTC for subsequent disbursement to Participants to then be remitted to the Beneficial Owners of the Bonds. It shall be the obligation of the Winning Bidder to furnish to DTC an underwriter's questionnaire and the denominations of the Bonds not less than seventy-two (72) hours prior to the delivery of the Bonds.

Redemption Provisions

The Bonds of this issue maturing prior to August 15, 2027 are not subject to redemption prior to their stated maturities. The Bonds of this issue maturing on or after August 15, 2027 are subject to redemption at the option of the Township, in whole or in part, on any date on or after August 15, 2026, upon notice as required herein at one hundred percent (100%) of the principal amount being redeemed (the "Redemption Price"), plus accrued interest to the date fixed for redemption.

Notice of redemption ("Notice of Redemption") shall be given by mailing such notice at least thirty (30) days but not more than sixty (60) days before the date fixed for redemption by first class mail in a sealed envelope with postage prepaid to the registered owners of such Bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Township or a duly appointed Bond Registrar. So long as DTC (or any successor thereto) acts as Securities Depository for the Bonds, Notice of Redemption shall be sent to such Securities Depository and shall not be sent to the beneficial owners of the Bonds. Any failure of the Securities Depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any Notice of Redemption shall not affect the validity of the redemption proceedings. If the Township determines to redeem a portion of the Bonds prior to maturity, such Bonds shall be selected by the Township; the Bonds to be redeemed having the same maturity shall be selected by the Securities Depository in accordance with its regulations.

If Notice of Redemption has been given as provided herein, the Bonds or the portion thereof called for redemption shall be due and payable on the date fixed for redemption at the Redemption Price, together with accrued interest to the date fixed for redemption. Interest shall cease to accrue on the Bonds after the date fixed for redemption.

[Term Bond Option

Bidders may elect to structure the issue to include term bonds (the "Term Bond Option"), which term bonds, if selected by the Bidder, will be subject to mandatory redemption prior to maturity, in the years and amounts shown above as serial maturities, upon payment of one hundred percent (100%) of the principal amount of the Bonds to be redeemed, together with accrued interest to the date fixed for such mandatory redemption of such amounts. Bidders must designate the Bonds that are to be term bonds at the time of their bid. If the Bonds are awarded and no term bonds are designated in the Winning Bid (as defined herein), the Bonds will mature serially as shown in the preceding maturity schedule.]

Terms of PARITY

Each electronic proposal must be submitted via PARITY. No bidder will see any other bidder's bid, nor will any bidder see the status of its bid relative to other bids (e.g., whether its bid is a leading bid). To the extent any instructions or directions set forth on PARITY conflict with this Notice of Sale, the terms of this Notice of Sale shall control. For further information about PARITY, potential bidders may contact PARITY at (212) 404-8102. The Township may, but is not obligated to, acknowledge its acceptance in writing of any bid submitted electronically via PARITY. When a bid for the Bonds is submitted via PARITY, the bidder further agrees that: the Township may regard the electronic transmission of the bid via PARITY (including information about the purchase price of the Bonds, the interest rate or rates to be borne by the various maturities of the Bonds[, the term Bonds, if any,] specified, the initial public offering price of each maturity of the Bonds and any other information included in such transmission) as the official "Proposal for Bonds" executed by a duly authorized signatory of the bidder. If the bid submitted electronically via PARITY is accepted by the Township, the terms of the bid and this Notice of Sale and the information that is electronically transmitted via PARITY shall form a contract, and the successful bidder shall be bound by the terms of such contract.

PARITY is not an agent of the Township, and the Township shall have no liability whatsoever based on any bidder's use of PARITY including, but not limited to, any failure by PARITY to correctly or timely transmit information provided by the Township or information provided by the bidder.

The Township may choose to discontinue use of electronic bidding via PARITY by issuing a notification to such effect via Thomson News Service ("TM3"), or by other available means, no later than 3:00 p.m., New Jersey Time, on the last business date prior to the bid date.

Once the bids are communicated electronically via PARITY to the Township, each bid will constitute an official "Proposal for Bonds" and shall be deemed to be an irrevocable offer to purchase the Bonds on the terms provided in this Notice of Sale. For purposes of submitting all "Proposals for Bonds" electronically via PARITY, the time as maintained on PARITY shall constitute the official time.

Each bidder shall be solely responsible to make necessary arrangements to access PARITY for purposes of submitting its bid in a timely manner and in compliance with the requirements of this Notice of Sale. Neither the Township nor PARITY shall have any duty or obligation to provide or assure to any bidder, and neither the Township nor PARITY shall be responsible for the proper operation of, or have any liability for any delays or interruptions of, or any damages caused by, PARITY. The Township is using PARITY as a communication mechanism, and not as the Township's agent, to conduct the electronic bidding for the Bonds. By using PARITY, each bidder agrees to hold the Township harmless for any harm or damages caused to such bidder in connection with its use of PARITY for bidding on the Bonds.

The Township may, in its sole discretion and prior to the electronic receipt of proposals, clarify any term hereof, including, without limitation, its decision to discontinue use of electronic bidding via PARITY, by issuing a notification of the clarification via TM3, or any other available means, no later than 3:00 p.m. (prevailing New Jersey time) on the last business day prior to the Bid Date.

Bidding Details

Bidders should be aware of the following bidding details associated with the sale of the Bonds:

- (1) **THE BONDS ARE BEING SOLD ON THE BASIS OF THE MATURITY SCHEDULE SET FORTH ABOVE. ALL BIDDERS SUBMITTING PROPOSALS MUST BID ON ALL OF THE BONDS.**

- (2) **BIDDERS MUST SUBMIT EITHER A GOOD FAITH CHECK OR WIRE IN THE AMOUNT OF \$149,000 PAYABLE TO THE TOWNSHIP PRIOR TO THE TIME FOR SUBMISSION OF BIDS AT THE FOLLOWING ADDRESS:**

Lauren Read
Chief Financial Officer
Township of Lower
2600 Bayshore Road
Villas, New Jersey 08251

BIDDERS SUBMITTING GOOD FAITH CHECKS SHOULD ALSO ENCLOSE A RETURN ENVELOPE FOR USE BY THE TOWNSHIP. TO OBTAIN WIRE TRANSFER INSTRUCTIONS PLEASE CONTACT THE TOWNSHIP'S MUNICIPAL ADVISOR, SHERRY TRACEY AT PHOENIX ADVISORS, LLC, BY TELEPHONE AT (609) 291-0130 OR BY EMAIL AT STRACEY@MUNIADVISORS.COM.

- (3) All Bids must be submitted on the Parity. No telephone, telefax, telegraph or personal delivery Bids will be accepted.
- (4) All Bids for the Bonds must be submitted on an AON basis.
- (5) Bidders may bid to purchase Bonds from the Township with a premium not to exceed \$521,500 representing a maximum bid price of \$7,971,500 (107%).
- (6) Bidders must specify a rate of interest for each maturity of the Bonds which rate of interest must be expressed in multiples of one-eighth (1/8) or one-twentieth (1/20) of one percent (1%). Not more than one rate of interest may be named for the Bonds of the same maturity. There is no limitation on the number of rates of interest that may be named. The difference between the lowest and highest rates named in the proposal for the Bonds shall not exceed two percentum (2%). Each proposal submitted must state the purchase price, which must be not less than the par amount of the Bonds to be delivered plus any premium (which cannot exceed \$521,500 or 7% of the Bonds). The Bonds will be awarded to the bidder on whose bid the total loan may be made at the lowest True Interest Cost. No proposal shall be considered that offers to pay an amount less than the principal amount of Bonds offered for sale or under which the total loan is made at an interest cost higher than the lowest true interest cost to the Township under any legally acceptable proposal. The purchaser must also pay an amount equal to the interest on the Bonds accrued to the date of payment of the purchase price.
- (7) Bidders are only permitted to submit Bids for the Bonds during the bidding period.
- (8) The Winning Bidder shall be obligated to furnish to the Township within forty-eight (48) hours of the Bid Date (i) the public offering prices and reoffering yields for each maturity of the Bonds, and (ii) an arbitrage yield calculation for the Bonds.

Definitions

- "Bid" any confirmed purchase offer received by PARITY on or before the auction deadline.
- "Bidder" any firm registered and approved for participation in sales.
- "True Interest Cost" computed by determining the interest rate, compounded semiannually, necessary to discount the debt service payments to the date of the Bonds and to the price bid,

excluding accrued interest to the delivery date. The True Interest Cost serves as the basis for awarding bonds to Winning Bidders.

"Winning Bid" any purchase offer made by a Bidder and received by

Bid Procedure and Basis of Award

Subject to the right reserved by the Township to reject any or all Bids, the Bonds will be sold to the Bidder whose Bid complies with the Notice of Sale and produces the lowest True Interest Cost for the Township based upon the maturity schedule set forth in the Notice of Sale.

Bids must remain valid until at least 3:00 p.m., prevailing time, on the date of the sale, and if accepted by the Township, prior to such time, shall be irrevocable except as otherwise provided in the Notice of Sale. Upon selection of the winning Bidder, the Township will execute an award certificate to award the Bonds and will promptly communicate with the winning Bidder by telephone, e-mail or fax.

Bid Security and Method of Payment for Bonds

A Good Faith Deposit ("Deposit") in the form of a certified, treasurer's or cashier's check or wire in the amount of \$149,000 payable to the order of the Township, is required for each Bid to be considered. Wire instructions can be obtained by contacting Township's Municipal Advisor, Sherry Tracey, Phoenix Advisors, LLC, by telephone at (609) 291-0130 or by email at stracey@muniadvisors.com, and such wire must be received and confirmed by the Township prior to the time for bids to be submitted. If a check is used, it must be a certified, treasurer's or cashier's check and must be provided to the Township no later than by 11:00 a.m. on the Bid Date. Each bidder accepts responsibility for delivering such check on time and the Township is not responsible for any check that is not received on time. No interest on the Deposit will accrue to the Purchaser. The Deposit will be applied to the purchase price of the Bonds. In the event the Purchaser fails to honor its accepted bid, the Deposit will be retained by the Township. Award of the Bonds to the successful Bidder or rejection of all Bids is expected to be made within two hours after opening of the bids, but such successful Bidder may not withdraw its proposal until after 3:00 p.m. of the day of receipt of such Bids and then only if such award has not been made prior to the withdrawal. The balance of the purchase price shall be paid in Federal Funds by wire transfer to the Township at closing.

Right to Reject Bids; Waive Irregularities

The Township reserves the right to reject any and all Bids and to the extent permitted by law to waive any irregularity or informality in any Bid.

Delivery of the Bonds

The Bonds will be delivered on or about August 15, 2019 (UNLESS A NOTICE OF A CHANGE IN THE DELIVERY DATE IS PUBLISHED ON PARITY NOT LATER THAN TWO (2) HOURS PRIOR TO ANY ANNOUNCED DATE FOR RECEIPT OF BIDS) in New York, New York at the offices of DTC against payment of the purchase price therefor (less the amount of the good faith deposit). PAYMENT FOR THE BONDS AT THE TIME OF ORIGINAL ISSUANCE AND DELIVERY SHALL BE BY WIRE TRANSFER OF IMMEDIATELY AVAILABLE FUNDS.

There will also be furnished the usual closing papers, including (1) a certificate, in form and tenor satisfactory to Bond Counsel and dated as of the date of such delivery of the Bonds, to the effect that there is no litigation pending or (to the knowledge of the signer or signers thereof) threatened affecting the validity of the Bonds, (2) certificates in form satisfactory to Bond Counsel evidencing the proper execution and delivery of the Bonds, the receipt of payment therefor

and compliance with the requirements of the Code necessary to preserve tax exemption, (3) a certificate signed by the Township relating to the Official Statement, and (4) a Continuing Disclosure Certificate evidencing compliance with SEC Rule 15c2-12 and the undertaking of the Township with respect thereto.

Establishment of Issue Price for the Bonds

In the event the Township receives at least three (3) bids for the Bonds, then the Issue Price for the Bonds shall be established based on the reasonably expected initial offering prices of the Bonds as of the Bid Date (the "Expected Offering Prices"). The Expected Offering Prices shall consist of the prices for each maturity of the Bonds used by the winning bidder in formulating its bid to purchase the Bonds. The winning bidder shall be required to deliver on the Delivery Date a certificate to such effect, and provide to the Township, in writing, the Expected Offering Prices as of the Bid Date.

In the event the Township receives fewer than three (3) bids for the Bonds, then the Issue Price for the Bonds shall be established based on the first price at which at least 10% of each maturity of the Bonds was sold to the Public (as defined below). The winning bidder shall be required to deliver on the Delivery Date a certificate to such effect, and provide to the Township, in writing, evidence satisfactory to Bond Counsel to the Township of such sales prices for each maturity of the Bonds. In the event that the winning bidder has not sold at least 10% of each maturity of the Bonds to the Public as of the Delivery Date (each, an "Unsold Maturity"), the winning bidder shall (i) provide to the Township, in writing, on the Delivery Date, the Expected Offering Prices for each Unsold Maturity and a certificate regarding same and (ii) have a continuing obligation to provide to the Township, in writing, evidence satisfactory to Bond Counsel to the Township of the first price at which at least 10% of each Unsold Maturity is sold to the Public, contemporaneous with each such sale, until at least 10% of all such Unsold Maturities have been sold to the Public.

Public means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter (as defined herein) or a related party to an Underwriter. The term "related party" generally means any two or more persons who have greater than 50 percent common ownership, directly or indirectly. Underwriter means (i) any person that agrees pursuant to a written contract with the Township (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the Public).

CUSIP Identification Numbers

It is anticipated that CUSIP Identification Numbers will be printed on the Bonds. Phoenix Advisors, LLC, the Municipal Advisor to the Township, will timely apply for CUSIP Identification Numbers with respect to the Bonds as required by MSRB Rule G-34. The CUSIP Service Bureau charge for the assignment of the numbers shall be the responsibility of and shall be paid for by the successful bidder. The successful bidder will be responsible for notifying CUSIP Global Services of any changes in structure and shall add or cancel CUSIP numbers as needed to conform to the final structure. The Township will assume no obligation for the assignment or printing of such numbers on the Bonds or for the correctness of such numbers, and neither the failure to print such numbers on any Bond nor any error with respect thereto shall constitute cause for a failure or refusal by the successful bidder thereof to accept delivery of and make payment for the Bonds.

Legal Opinion

The approving opinion of Archer & Greiner P.C., Red Bank, New Jersey, Bond Counsel to the Township, will be furnished without cost to the Winning Bidder, such opinion to be substantially in the form set forth in the Official Statement distributed in preliminary form in connection with the sale of the Bonds, to the effect that the Bonds are valid

and legally binding obligations of the Township, unless paid from other sources, that all the taxable property therein will be subject to the levy of *ad valorem* taxes to pay the Bonds and the interest thereon without limitation as to rate or amount and that interest on the Bonds is not includable as gross income under current law if the Township complies with all conditions subsequent contained in the Code, except to the extent that interest on the Bonds held by certain corporate holders of the Bonds indirectly may be subject to the federal alternative minimum tax, and that interest on the Bonds and any gain on the sale thereof is not includable as gross income under the existing New Jersey Gross Income Tax Act.

Postponement

The Township reserves the right to postpone, from time to time, the date and time established for receipt of Bids. **ANY SUCH POSTPONEMENT WILL BE PUBLISHED ON PARITY, BEFORE 11:00 A.M. ON THE DAY OF THE SALE.** If any date fixed for the receipt of Bids and the sale of the Bonds is postponed, an alternative sale date will be announced via PARITY at least forty-eight (48) hours prior to such alternative sale date. On any such alternative sale date, any Bidder may submit a Bid for the purchase of the Bonds in conformity in all respects with the provisions of this Notice of Sale, except for the date of sale and except for the changes announced on PARITY at the time the sale date and time are announced.

Termination

The Winning Bidder at its option may refuse to accept the Bonds if prior to their delivery any change in any income tax law of the United States of America, shall provide that the interest thereon is includable or shall be includable in gross income at a future date for Federal income tax purposes. In such case, the deposit made by such Winning Bidder shall be returned and such bidder will be relieved of its contractual obligations arising from the acceptance of its Winning Bid.

Clarification of Notice of Sale Terms

The Township may, in its sole discretion and prior to the electronic receipt of proposals, clarify any term hereof, including, without limitation, its decision to discontinue use of electronic bidding via PARITY, by publishing the clarification on PARITY, or any other available means, no later than 3:00 p.m., prevailing New Jersey time, on the last business day prior to the Bid Date.

Bank Qualification

The Bonds will be designated "qualified tax-exempt obligations" of the Township for the purposes of section 265(b)(3)(B)(ii) of the Code and the Township will represent that it reasonably expects that neither it nor its subordinate entities will issue in the aggregate more than \$10,000,000 of tax-exempt obligations, other than obligations described in section 265(b)(3)(C)(ii) of the Code, in the current calendar year (2019).

Maturity Schedule Adjustment By The Township

The Chief Financial Officer of the Township may, up to 24 hours prior to the date of advertised sale of and within 4 hours after the award of the Bonds, adjust the maturity schedule of the Bonds in increments of \$5,000, provided, however, that after the award of the Bonds (i) no maturity schedule adjustment shall exceed 10% upward or downward of the principal for any maturity as specified herein (or as adjusted prior to the date of advertised sale) and (ii) the aggregate adjustment to the maturity schedule shall not exceed 10% upward or downward of the aggregate principal amount of bonds as specified herein (or as adjusted prior to the date of advertised sale) and as adjusted will not exceed the amount authorized by the ordinance(s) authorizing the issuance of the Bonds. **NOTICE OF ANY ADJUSTMENT TO THE MATURITY SCHEDULE OF THE BONDS PRIOR TO THE DATE OF THE ADVERTISED SALE SHALL BE GIVEN BY CAUSING A NOTICE THEREOF TO BE PUBLISHED VIA TM3.** The dollar amount bid by the successful bidder shall be adjusted to reflect any adjustments in the aggregate principal

amount of bonds to be issued. The adjusted bid price will reflect changes in the dollar amount of the underwriter's discount and the original issue premium or discount, but will not change the per bond underwriter's discount as calculated from the bid and the Initial Public Offering Prices required to be delivered to the Township as stated herein. The Township shall notify the successful bidder of the final maturity schedule and the resulting adjusted purchase price no later than 5:00 p.m., New Jersey time, on the day of the sale and award of the Bonds. The interest rate or rates specified by the successful bidder for each maturity will not be altered.

Successful Bidder ELEC Filing

The successful bidder is advised of its responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Law Enforcement Commission ("ELEC") pursuant to N.J.S.A. 19:44A-20.13 (P.L. 2005, c.271, s.3) if the successful bidder enters into agreements or contracts, such as its agreement to purchase the Bonds, with a public entity, such as the Township and receives compensation or fees in excess of \$50,000 in the aggregate from public entities, such as the Township, in a calendar year. It is the successful bidder's responsibility to determine if filing is necessary. Failure to do so can result in the imposition of financial penalties by ELEC. Additional information about this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us.

Additional Information

For further information relating to the Bonds, reference is made to the POS prepared for and authorized by the Township. This Notice of Sale and the POS may be viewed on PARITY. However, the Township makes no assurance or representation with respect to the form of this Notice of Sale and the POS on PARITY, and no investment decision should be made in reliance thereon. Printed copies of the POS and this Notice of Sale may be obtained from the Bond Counsel at the address and phone number stated below. Additional information relating to the auction or a private bidding tutorial may be obtained by calling the Auction Administrator at (412) 391-5555 (ext. 370 Auction Support). Additional information relating to the financing of the Township can be obtained by contacting Lauren Read, Chief Financial Officer, Township of Lower, 2600 Bayshore Road, Villas, New Jersey 08251, or by telephone at (609) 886-2005 or by email at lread@townshipoflower.org; or Bond Counsel, John M. Cantalupo, Esq., Archer & Greiner P.C., 10 Highway 35, Red Bank, New Jersey 07701, or by telephone at (732) 268-8009 or by email at jcantalupo@archerlaw.com; or the Financial Advisor, Sherry Tracey, Phoenix Advisors, 625 Farnsworth Avenue, Bordentown, New Jersey 08505, or by telephone at (609) 291-0130 or by email at stracey@muniadvisors.com.

/s/ Lauren Read

Lauren Read
Chief Financial Officer
Township of Lower
County of Cape May
State of New Jersey

Dated: July 23, 2019

EXHIBIT C

SUMMARY NOTICE OF SALE

TOWNSHIP OF LOWER
COUNTY OF CAPE MAY
STATE OF NEW JERSEY

\$7,450,000 GENERAL OBLIGATION BONDS, SERIES 2019

BANK QUALIFIED

BOOK-ENTRY ONLY

CALLABLE

PROPOSALS will be received by the undersigned Chief Financial Officer of the Township of Lower, in the County of Cape May, State of New Jersey (the "Township"), electronically via the Parity Electronic Bid Submission System ("PARITY") on **Tuesday, July 30, 2019** until 11:00 a.m. (prevailing New Jersey time), for the purchase of the above referenced Bonds of the Township due on August 15 as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2020	\$380,000	2026	\$700,000
2021	430,000	2027	740,000
2022	460,000	2028	750,000
2023	510,000	2029	760,000
2024	560,000	2030	760,000
2025	640,000	2031	760,000

The Bonds shall consist of serial bonds, maturing on August 15 in each of the years set forth above [except as otherwise may be determined if the "Term Bond Option" is selected as set forth in the Full Notice of Sale for the Bonds]. . The Bonds will be dated their date of delivery and shall bear interest from that date at the rate or rates of interest per annum specified by the successful proposal therefor in accordance with the Full Notice of Sale for the Bonds, which interest shall be payable semiannually on the fifteenth day of February and August, in each year until maturity, or prior redemption, as applicable, commencing February 15, 2020, by payment of money to DTC or its authorized nominee. Individual purchases may be made in the principal amount of \$5,000 each or any integral multiple thereof, through book entries made on the books and records of DTC and its participants.

The Bonds are being sold on the basis of the maturity schedule set forth above. All bidders submitting proposals must bid on all of the Bonds. Each proposal submitted must specify the rate or rates of interest per annum to be borne by the Bonds, such rate or rates to be in multiples of one-eighth (1/8) or one-twentieth (1/20) of one percent (1%). The Bonds will be awarded to the bidder offering such interest rate or rates which will produce the lowest true interest cost to the Township over the life of the Bonds. All bids must be submitted electronically via PARITY, pursuant to the procedures set forth in the Full Notice of Sale for the Bonds and shall comply with the terms and conditions of such Full Notice of Sale for the Bonds, which Full Notice of Sale for the Bonds is incorporated in full by this reference herein. The Bonds shall be awarded in accordance with the Full Notice of Sale for the Bonds.

The Full Notice of Sale for the Bonds and the Preliminary Official Statement for the Bonds may be viewed electronically at www.munihub.com. Additional information relating to the financing of the Township can be obtained by contacting Lauren Read, Chief Financial Officer, Township of Lower, 2600 Bayshore Road, Villas, New Jersey 08251, or by telephone at (609) 886-2005 or by email at lread@townshipoflower.org; or Township Bond Counsel, John M. Cantalupo, Esq., Archer & Greiner P.C., 10 Highway 35, Red Bank, New Jersey 07701, or by

telephone at (732) 268-8009 or by email at icantalupo@archerlaw.com; or Township Municipal Advisor, Sherry Tracey of Phoenix Advisors, LLC, 625 Farnsworth Avenue, Bordentown, New Jersey 08505, or by telephone at (609) 291-0130 or by email at stracey@muniadvisors.com.

/s/ Lauren Read

Lauren Read
Chief Financial Officer

DATED: July 23, 2019

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

RESOLUTION #2019-238

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

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

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

SECTION 1.

NOW, THEREFORE BE IT RESOLVED that the Township Council of the Township of Lower, County of Cape May, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the increase of \$31,409.00 for an item of revenue in the budget of the year 2019 as follows:

Miscellaneous Revenues –	
Revenue Offset with Appropriations -	DEDR
Total with increase to be	\$ 31,409.00

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$31,409.00 be and the same is hereby appropriated under the caption of:

General Appropriations –	
Public & Private Programs Offset by Revenues -	DEDR
State/Federal Share	\$ 31,409.00
Non State Share	\$
Total with increase to be	\$ 31,409.00

FURTHER RESOLVED that a certified copy of this Resolution shall be electronically filed with the State of New Jersey, Division of Local Government Services.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on July 15, 2019.

Julie A Picard, Township Clerk

CAPE MAY COUNTY
Division of Community and Behavioral Health Services

Jeffrey L. Pierson
Freeholder
Patricia A. Devaney
Director

4 Moore Road, DN 907
Cape May Court House, N.J. 08210
(609) 465-1055 ☐ Fax: (609) 465-4639



June 24, 2019

RCVD JUN 27 '19

Honorable Erik Simonsen
Township of Lower
2600 Bayshore Road
Villas, New Jersey 08251

Re: Notice of Award - Municipal Alliance Grant

Dear Mayor Simonsen:

My office has been informed by the Governor's Council on Alcoholism and Drug Abuse staff that the Lower Cape Municipal Alliance application for the grant period July 1, 2019 to June 30, 2020 has been approved in the amount of:

DEDR (State) Funds	\$31,409.00
Municipal Cash Match (required)	\$ 7,852.00
In Kind Match (required)	\$23,557.00

Contracts for the grant will be sent to the municipality shortly. Please note that should there be changes in the grant due possibly to statewide fiscal situations or other considerations you will be notified immediately. Thank you for your continued cooperation with the Municipal Alliance programs. Please call if you have any questions.

Sincerely,

Patricia A. Devaney, Director
Division of Community & Behavioral Health Services

箠

cc: Mayor Clarence F. Lear III
Mayor Robert Moffatt
Mayor Carol E. Sabo
J. Ridgway, Manager
L. Read, CFO
C. Crippen, Alliance Coordinator

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

RESOLUTION #2019-239

Title: RE-APPOINTMENT TO THE ZONING BOARD OF ADJUSTMENT

WHEREAS, Robert H Basco, Sr.'s term on the Lower Township Board of Adjustment will expire in August, 2019 and he has requested to be re-appointed; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the following individual is hereby re-appointed to the Lower Township Zoning Board of Adjustment:

<u>NAME</u>	<u>TYPE</u>	<u>TERM EXP</u>
Robert H Basco, Sr.	Alternate Member	August, 2021

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on July 15, 2019.

Julie A Picard, Township Clerk

FOR TOWNSHIP USE ONLY

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

Term Exp. _____ Replaced _____ or Reappointed

TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

NAME Robert H. Basco se

CITY AND STATE Villas NJ

YEARS OF RESIDENCY IN TOWNSHIP 31 OCCUPATION Asst. Food serv. Supervisor
Woodbine Developmental Center

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

- | | |
|---|--|
| <input type="checkbox"/> Cable Television Advisory Board | <input type="checkbox"/> Municipal Utilities Authority |
| <input type="checkbox"/> Environmental Commission | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Historic Preservation Commission | <input type="checkbox"/> Recreation Advisory Board |
| <input type="checkbox"/> Citizen Advisory Board | <input checked="" type="checkbox"/> Zoning Board of Adjustment |

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

- U.S. Army Reserve 1987-2008 - Food serv. Sgt.
- EX. Vize Pres. CWA ¹⁰⁴⁰ UNION WDC Branch
- Hea. 142 - Safety committee Member CWA 1040
- Co-Chair CWA 1040 organizing committee
- DHS Leadership School
- Food safe certified through 4-2024 Food Service Manager

Date: 7/1/19 Signature: Robert H. Basco se (VALID FOR ONE YEAR FROM DATE OF RECEIPT)

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

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

RESOLUTION #2019-240

Title: **A RESOLUTION APPROVING SCHELLENGER'S LANDING SIDEWALK PROJECT MAINTENANCE AGREEMENT WITH NEW JERSEY DEPARTMENT OF TRANSPORTATION**

WHEREAS, on October 15, 2018, pursuant to Resolution 2018-326, the Township Council of Township of Lower awarded a professional services contract to Engineering Design Associates, P.A. in connection with the Schellenger's Landing Safety Improvement and Identification Program; and

WHEREAS, Engineering Design Associates, on behalf of the Township of Lower, has made an application to New Jersey Department of Transportation for a sidewalk and curb permit in association with the Schellenger's Landing Sidewalk Project; and

WHEREAS, the New Jersey Department of Transportation requires that Lower Township assume responsibility for the maintenance of the brick sidewalks.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey in compliance with the New Jersey Department of Transportation requirement as follows:

Lower Township shall agree to assume all responsibility for the proposed brick paver sidewalks, as required by the New Jersey Department of Transportation, for the Schellenger's Landing Project.

BE IT FURTHER RESOLVED that the above statement is the entirety of requested agreement.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on July 15, 2019.

Julie A Picard, Township Clerk

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

RESOLUTION #2019-241

Title: RESOLUTION AMENDING THE APPROPRIATION NUMBER ON RESOLUTION #2019-205 FOR MOTT MACDONALD CHANGE ORDER #2 CONSTRUCTION PHASE OF ROSEANN AVENUE ROADWAY AND UTILITY IMPROVEMENTS PROJECT PHASE III

WHEREAS, Mott MacDonald was awarded Change Order #2 by Resolution #2019-205 to provide Professional Services for the Construction Phase of the Roseanne Avenue Roadway and Utility Improvements Project Phase III on June 3, 2019; and

WHEREAS, Resolution #2019-205 was authorized to appropriation number C-04-55-421-100 which needs to be corrected and charged to Ord #15-10 appropriation number C-04-55-417-000.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the correct appropriation number is hereby authorized.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on July 15, 2019.

Julie A Picard, Township Clerk

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

ORDINANCE NO. 2019-11

Title: AN ORDINANCE OF THE TOWNSHIP OF LOWER VACATING, SURRENDERING, AND EXTINGUISHING THE PUBLIC RIGHTS OF A PORTION CEDAR AVENUE

WHEREAS, pursuant to N.J.S.A. 40:67-1(b) and N.J.S.A. 40:67-19, the Township Council of the Township of Lower may, by ordinance, vacate any public street or a portion thereof, dedicated to the Township for public use, but not accepted by the Township, whether or not said street, or any part thereof, has been opened and/or improved; and

WHEREAS, the owners of the property located at 141 Fishing Creek Road, also known as Block 416, Lot 3, have requested that the Township of Lower vacate a portion of Cedar Avenue, described in **Schedule A** which is attached hereto, located in the Township of Lower; and

WHEREAS, Cedar Avenue is an unimproved paper street which has been dedicated for public use but which has not been opened and/or improved by the Township of Lower; and

WHEREAS, the Township Council has determined that the portion of Cedar Avenue requested to be vacated is unnecessary for public use; and

WHEREAS, the Lower Township Public Works Department, Police Department, MUA, Assessor, and Planning Department have indicated that they have no objections to the requested street vacation.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey as follows:

Section 1. The public right, title and interest in the property described within the attached **Schedule A** is hereby vacated, surrendered, and extinguished.

Section 2. Nothing contained herein shall be deemed to vacate, surrender or extinguish any right or privilege of the Township of Lower to any easements which it has, whether or not of record, or of any public utility, as defined in N.J.S.A. 48:2-13, and any cable television company, as defined in N.J.S.A. 48:5A-1, et seq., to maintain, repair and replace their existing facilities in, adjacent to, over and under the street herein vacated, or any part or parts thereof.

Section 3. At least one (1) week prior to such time fixed for further consideration for final passage of such ordinance, a copy thereof, together with a notice of the introduction thereof, and the time and place when and where the ordinance will be further considered for final passage, shall be mailed to every person whose lands may be affected by the ordinance or any assessment which may be made in pursuance thereof, so far as the same may be ascertained, directed to his or her last known post-office address in accordance with the provisions of N.J.S.A. 40:49-6.

Section 4. The Township Clerk shall, within sixty (60) days of the effective date of this Ordinance, file a copy of this Ordinance, certified by her, under the seal of the municipality, to be a true copy of this Ordinance, together with a copy of the proof of publication thereof, in the office of the Clerk of the County of Cape May in accordance with N.J.S.A. 40:67-21.

Section 5. It shall be the responsibility of the requestor to ensure that the Cape May County Clerk's Office records the vacation set forth herein.

Section 6. All other Ordinances that in conflict or are inconsistent with this Ordinance are hereby repealed, to the extent of such inconsistency.

Section 7. 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 provisions of this Ordinance are hereby declared to be severable.

Section 8. This Ordinance shall take effect twenty (20) days after final passage and publication as provided by law.

Erik Simonsen, Mayor

Frank Sippel, Deputy Mayor

Thomas Conrad, Councilmember

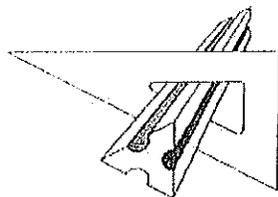
David Perry, Councilmember

Roland Roy, Jr., Councilmember

First Reading:

Adopted:

Attest: _____
Julie A Picard, Township Clerk



Dante Guzzi Engineering Associates, L.L.C.

CIVIL SURVEY MUNICIPAL ENVIRONMENTAL

418 Stokes Road • Medford, New Jersey 08055 • (609) 654-4440 • Fax: (609) 654-7792
 203 South Main Street • Cape May Court House, NJ 08210 • (609) 465-3333 • Fax: (609) 465-3357

**DEED VACATING
NORTHERLY ONE HALF of CEDAR AVENUE
TOWNSHIP of LOWER, CAPE MAY COUNTY, NEW JERSEY**

ALL THAT CERTAIN tract or parcel of land situate in the Township of Lower, County of Cape May, State of New Jersey, shown as Cedar Avenue on the Tax Map of the Township of Lower, Cape May County, New Jersey, more particularly described as follows:

BEGINNING at the point of intersection of the northeasterly side of Fishing Creek (40 feet wide) Road with the centerline of Cedar (35 feet wide) Road, unimproved; thence

1. Along the northeasterly side of Fishing Creek Road, North 33 degrees 00 minutes 00 seconds West, a distance of 17.58 feet to a point, the intersection of the northeasterly side of Fishing Creek Road with the northwesterly side of Cedar Avenue, a corner to Lot 3, Block 416; thence

2. Along the lands of Lot 3, Block 416, and the northwesterly side of Cedar Avenue, North 51 degrees 30 minutes 00 seconds East, a distance of 211.57 feet to a point, a corner to Lot 1, Block 419; thence

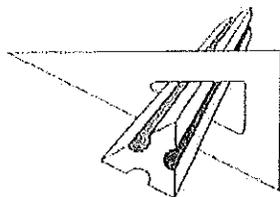
3. Through the existing right-of-way of Cedar Avenue, South 33 degrees 00 minutes 00 seconds East, a distance of 17.58 feet to a point on the centerline of Cedar Avenue; thence

4. Along the centerline of Cedar Avenue, South 51 degrees 30 minutes 00 seconds West, a distance of 211.57 feet to the northeasterly side of Fishing Creek Road and the point of Beginning.

CONTAINING 3,702 Square Feet of land.

BEING the northerly one half of Cedar Avenue, unimproved, abutting and to become a part of Block 416 Lot 3 on the current Tax Maps of the Township of Lower.

Steven C. Woodrow
Professional Land Surveyor
NJ License No. 27514
(October 10, 2018)
DGEA Proj# C-18-015



Dante Guzzi Engineering Associates, L.L.C.

CIVIL SURVEY MUNICIPAL ENVIRONMENTAL

418 Stokes Road • Medford, New Jersey 08055 • (609) 654-4440 • Fax: (609) 654-7792
 203 South Main Street • Cape May Court House, NJ 08210 • (609) 465-3333 • Fax: (609) 465-3357

**DEED VACATING
SOUTHERLY ONE HALF of CEDAR AVENUE
TOWNSHIP of LOWER, CAPE MAY COUNTY, NEW JERSEY**

ALL THAT CERTAIN tract or parcel of land situate in the Township of Lower, County of Cape May, State of New Jersey, shown as Cedar Avenue on the Tax Map of the Township of Lower, Cape May County, New Jersey, more particularly described as follows:

BEGINNING at the point of intersection of the northeasterly side of Fishing Creek (40 feet wide) Road with the centerline of Cedar (35 feet wide) Road, unimproved; thence

1. Along the centerline of Cedar Avenue, North 51 degrees 30 minutes 00 seconds East, a distance of 212.61 feet to a point; thence

2. Still along the centerline of Cedar Road, North 55 degrees 43 minutes 45 seconds East, a distance of 21.60 feet to a point; thence

3. Through the existing right-of-way of Cedar Avenue, South 34 degrees 58 minutes 15 seconds East, a distance of 17.50 feet to a point on the southeasterly side of Cedar Road, unimproved, and a corner to Lots 1 and 3.05, Block 417; thence

4. Along the lands of Lot 1, Block 417, and the southeasterly side of Cedar Avenue, South 55 degrees 43 minutes 45 seconds West, a distance of 21.16 feet to a point; thence

5. Still along the lands of Lot 1, Block 417 and the southeasterly side of Cedar Road, South 51 degrees 30 minutes 00 seconds West, a distance of 213.65 feet to a point on the northeasterly side of Fishing Creek Road and a corner to Lot 1, Block 417; thence

6. Along the northeasterly side of Fishing Creek Road, North 33 degrees 00 minutes 00 seconds West, a distance of 17.58 feet the centerline of Cedar Avenue and the point of Beginning

CONTAINING 4,102 Square Feet of land.

BEING the southerly one half of Cedar Avenue, unimproved, abutting and to become a part of Block 417 Lot 1 on the current Tax Maps of the Township of Lower.

Steven C. Woodrow
Professional Land Surveyor
NJ License No. 27514
(October 10, 2018)
DGEA Proj# C-18-015

PERSONNEL ACTIONS

Report for Council Meeting of 07/15/2019

<u>Department</u>	<u>Name</u>	<u>Eff. Date</u>	<u>Replaces</u>	<u>Action</u>	<u>Title</u>	<u>Budgeted Item</u>
DPW	Babbitt, John	5/13/2019		new hire	temp laborer	yes
DPW	Moore, Joseph	5/13/2019		new hire	temp laborer	yes
DPW	Dowe, Dawson	6/03/2019		new hire	temp laborer	yes
DPW	Robinson, Liam	6/10/2019		new hire	temp laborer	yes
Recreation	Fiore, Elise	6/21/2109		new hire	lifeguard	yes
Recreation	Fiore, Scott	6/21/2019		new hire	lifeguard	yes
Recreation	Gery, David	6/21/2019		new hire	lifeguard	yes
Recreation	Ziemba, Stanley	6/21/2019		new hire	lifeguard	yes
Public Safety	Priole, William	6/10/2019		promotion	Police Captain	yes
Public Safety	Whitten, Douglas	6/10/2019	Priole, William	promotion	Police Lieutenant	yes
Public Safety	Lewis, Kevin	6/10/2019		promotion	Police Lieutenant	yes
Public Safety	McEwing, Brian	6/10/2019	Whitten, Douglas	promotion	Police Sergeant	yes
Municipal Court	Milbrandt, Laura	6/30/2019		retired	Court Administrator	yes
Municipal Court	Van Seeters, Sarah	7/01/2019	Milbrandt, Laura	promotion	Court Administrator	yes
Municipal Court	Perez, Claudia	7/15/2019	Van Seeters, Sarah	new hire	Dep. Court Admin	yes

Date of report: 07/11/2019

c: Manager
Clerk

CLERK
Register Report - Last month
6/1/2019 through 6/30/2019

7/8/2019

Page 1

Account	Description	Memo	Category	Amount
	INCOME			58,638.65
	Business Mercantil 2019-2020			40,358.90
	Gravel Pit			750.00
	Liquor Licenses			4,000.00
	Opra Request			9.75
	Rental 2019-2020			6,000.00
	Solicitation Permit			1,890.00
	Special Events			405.00
	Street Openings			400.00
	Vac Prop Reg			4,500.00
	Yard Sale Permit			325.00
	TRANSFERS			-58,638.65
	Council Checking			-58,638.65
			<u>OVERALL TOTAL</u>	<u>0.00</u>

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

OFFICE OF CONSTRUCTION OFFICIAL

Construction Permit Activity Report

RANGE: 06/01/2019 To 06/30/2019

July 05, 2019 11:26:36AM

SUMMARY

CONSTRUCTION COSTS

COUNT

Cost Of Construction:	\$1,207,243.00	Cubic Footage:	195134 Cu.ft	Permit Issued:	131
Cost Of Alteration:	\$1,012,132.00	Square Footage:	16318 Sq.ft	Updates Issued:	10
Cost Of Demolition:	\$14,500.00			All Fees Waived:	4
Total Cost:	\$2,233,875.00			Municipal Fees Waived:	0

<u>PERMIT FEES</u>		<u>ADMIN FEES</u>		<u>WAIVED FEES</u>		<u>TOTAL FEES</u>	
Building:	\$19,418.00	Building:	\$0.00	Building:	\$1,280.00	Building Fees:	\$18,138.00
Electrical:	\$13,468.00	Electrical:	\$0.00	Electrical:	\$232.00	Electrical Fees:	\$13,236.00
Fire :	\$3,125.00	Fire :	\$0.00	Fire :	\$0.00	Fire Fees:	\$3,125.00
Plumbing:	\$5,981.00	Plumbing:	\$0.00	Plumbing:	\$0.00	Plumbing Fees:	\$5,981.00
Elevator:	\$0.00	Elevator:	\$0.00	Elevator:	\$0.00	Elevator Fees:	\$0.00
Mechanical:	\$2,700.00	Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical Fees:	\$2,700.00
				* Total Waived:	\$1,512.00	Technical Fees:	\$43,180.00

DCA

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$724.00	\$0.00	\$724.00
Alteration Training Fee:	\$1,923.00	\$68.00	\$1,855.00
DCA Minimum Fee:	\$18.00	\$1.00	\$17.00
Sub total Training Fee:	\$2,665.00	\$69.00	\$2,596.00

TECHNICAL ISSUES

Building Technical:	72
Electrical Technical:	100
Fire Protection Technical:	21
Plumbing Technical:	41
Elevator Technical:	
Mechanical Technical:	31

CERTIFICATE ISSUES

Certificate of Occupancy:	4
Certificate of Approval:	20
Certificate of Continued Occupancy:	0

PERMIT FEES:	\$43,180.00
DCA FEES:	\$2,596.00
CERTIFICATE FEES:	\$2,500.00
MIN FEES:	\$0.00
NET TOTAL FBES:	\$48,276.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$0.00
OTHER FEES:	\$50.00
GRAND TOTAL FEES:	\$48,326.00

* By State law (see N.J.S. 52:27D-126c): \$1,512.00

* By Municipality (see N.J.S. 52:27D-126b): \$0.00

OFFICE OF THE CONSTRUCTION OFFICIAL

Account Summation-Summary

Report Run from 06/01/2019 To 06/30/2019

July 5, 2019 11:27:18AM

ACCOUNT:		Cash Amount	Check Amount	Credit Card Amount	Total Fee
PERMIT FEES	Sub Totals:	\$2,063.00	\$46,263.00	\$0.00	\$48,326.00
CHANGE OF USE	Sub Totals:	\$0.00	\$151.00	\$0.00	\$151.00
LICENSE FEES	Sub Totals:	\$0.00	\$1,000.00	\$0.00	\$1,000.00
GRAND TOTALS:		\$2,063.00	\$47,414.00	\$0.00	\$49,477.00



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
Erma, NJ 08204
LTBFS@COMCAST.NET

For the month of JUNE 2019, the Lower Township Bureau of
Fire Safety made deposits of \$43,126.60 in the Lower
Township Tax office.

Sincerely,

Donna Blackley
Fire Official

cc: file

Board Members
Lauren Read
James Ridgway

**2019 CASH RECEIPTS
JUNE**

Township of Lower
Office of the Tax Collector

	MONTH TO DATE	YEAR TO DATE
Receipts		
Current year taxes (2019)	743,542.90	29,645,516.00
Prior year taxes (2018)	66,364.42	555,138.32
Prior year taxes (2017)		0.00
Previously exempt property		0.00
State Audit Pay Back	250.00	3,750.00
Municipal Lien	20,626.61	20,626.61
Recording	20.00	20.00
Bankruptcy		0.00
6% Penalty	680.68	2,240.55
Municipal Service Fees	12,840.00	66,793.49
Tax Search Fees		10.00
Interest	40,690.78	96,279.75
Lot clearing		1,925.00
Returned Check Fees	60.00	420.00
Duplicate Bills	20.00	480.00
Trash	8,074.50	25,036.75
TOTAL DEPOSITS	893,169.89	30,418,236.47
DEPOSITED TO COUNCIL CHECK	753,403.30	28,225,205.69
DEPOSITED TO WIPP ACCOUNT	139,766.59	2,193,030.78
TOTAL DEPOSITS	893,169.89	30,418,236.47
NSF Reversals	3,936.25	30,766.68
WIPP NSF Reversals	657.81	20,781.73
NSF FeeTrash	468.00	468.00
TOTAL NSF	5,062.06	52,016.41
TOTAL	888107.83	30,366,220.06

Prepared by Kathy Brown

**2019 JUNE
VITAL STATISTICS**

Marriages,Civil Unions	10
Domestic Partners	0
Ceritified Copies	135
Certified Copies EDRS	2
Burial Permits	1

Marriages, Civil Unions State	\$250.00
Domestic Partners State	\$0.00
Marriages, Civil Unions Twp	\$30.00
Domestic Partners Twp	\$0.00
Certified Copies	\$1,350.00
Certified Copies EDRS	\$20.00
Burial Permits State	\$5.00
Burial Permits Twp	\$10.00

TOTAL	\$1,665.00
--------------	-------------------

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

RESOLUTION #2019-242

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.

X (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. **Negotiation Update**

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, assembled in public session on July 15, 2019 that an Executive Session closed to the public shall be held on this date at approximately _____ P.M. in the Conference Room of the Township Hall, 2600 Bayshore Road, Villas for the discussion of matters relating to the specific items designated above.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on July 15, 2019

Julie A Picard, Township Clerk