

WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL
February 03, 2020 - 7:00 P.M.

Meeting called to order

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

Work Session

Res. # 2020-66 A Resolution Confirming the Appointment to Fill the Vacancy of Deputy Mayor for the Remainder of the Term

Swearing In of New Deputy Mayor

2020 Budget Message/Introduction – Manager Jim Ridgway, CFO Lauren Read, Auditor Leon Costello

Res. #2020-67 2020 Budget Introduction (2020 budget hearing has been scheduled for March 16th)

Presentation - Dredge Material Project – Dave Hoppenjans, DRBA Chief Engineer
Greg Pawlowski, DRBA Project Engineer

Consent Agenda

Approval of Minutes – January 22, 2020

- Res. #2020-68 Payment of Vouchers \$ 826,029.98
- Res. #2020-69 Issuance of 2020 Taxi and Operator Licenses (Aarts & G Garibaldi)
- Res. #2020-70 Issuance of 2020 Limousine and Operator Licenses (High Roller, Cape May Limo & G Garibaldi)
- Res. #2020-71 Authorization for Waiver of Planning Board Application Fee for the Lower Township Municipal Utilities Authority
- Res. #2020-72 Authorizing Payment of 2020 County Tax (First and Second Quarters) and 2019 Added Tax (annual)
- Res. #2020-73 Approval of Change Order #1 to Resolution #2019-321; Approving Additional Professional Services for the Construction Phase of the Beach Access Improvements Piling Installation (Mott MacDonald \$8,400)
- Res. #2020-74 Confirmation of Officials for Joint Insurance Fund and Municipal Excess Liability Fund (annual)
- Res. #2020-75 Acceptance and Contract Award for Beach Access Decks and Stair Piling Installation (Walters Marine Construction \$39,400)
- Res. #2020-76 Authorization for the Payout of Accumulated Sick Time (K.Lewis \$2,388.92)
- Res. #2020-77 Authorizing the Payout of Terminal Leave (H.Bailey \$57,122.00)
- Res. #2020-78 Authorization for the Payout of Accumulated Sick Time (M.Plenn \$17,416.01 to Def Comp)
- Res. #2020-79 Approval of 2020 Rotary Towing Licenses (Cape May Exxon, John's Auto Body, Cape Harbor, Off Shore Getty & Eddies Auto - Annual approval)

Regular Agenda

Res. #2020-80 A Resolution Declaring the Township of Lower a Second Amendment/Lawful Gun Owner Sanctuary

Manager's Report

Council Comments

Call to the Public

Adjournment

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

RESOLUTION #2020-66

Title: A RESOLUTION CONFIRMING THE APPOINTMENT TO FILL THE VACANCY OF DEPUTY MAYOR FOR THE REMAINDER OF THE TERM

WHEREAS, on January 22, 2020, Lower Township Deputy Mayor Frank Sippel submitted a letter of resignation to Township Clerk Julie Picard, formally resigning from his position as Deputy Mayor of the Township of Lower due to his appointment as Mayor of the Township of Lower; resulting in a vacancy in the seat of Deputy Mayor of the Township of Lower; and

WHEREAS, the Municipal Vacancy Law, N.J.S.A. 40A:16-1 et seq., sets forth the procedure for filling a vacancy in the office of deputy mayor and/or in the membership of a governing body; and

WHEREAS, pursuant to N.J.S.A. 40A:16-11, in light of the fact that former Deputy Mayor Sippel was elected to the office of Mayor as a nominee of the Republican Party, the Lower Township Regular Republican Organization has presented the names of three (3) qualified nominees to the Lower Township Council for its consideration in order to fill this vacancy; and

WHEREAS, after careful consideration, the Lower Township Council has elected to appoint the individual identified below to immediately fill the vacant office of Deputy Mayor and serve for the duration of the current term until its expiration of December 31, 2020:

NAME:

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that _____ is hereby appointed as the Deputy Mayor of the Township of Lower, filling the vacancy of Deputy Mayor Frank Sippel.

Table with 8 columns: MOTION, SECOND, AYE, NAY, RECUSE, ABSTAIN, ABSENT and 5 rows: CONRAD, PERRY, ROY, SIPPEL, and an empty row.

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 3, 2020.

Julie A Picard, Township Clerk

COUNCIL MEETING MINUTES – January 22, 2020

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on January 22, 2020 at 7:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

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

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

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

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

Work Session

Res. #2020-55 A Resolution Confirming the Appointment to Fill the Vacancy of Mayor for the Remainder of the Term

Solicitor Stefankiewicz explained the procedure to fill a vacancy on Council and pointed out the letter received from the Republican Organization.

Motion to appoint Frank Sippel as Mayor:

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

Deputy Mayor Sippel resigned his position as Deputy Mayor and accepted the nomination for Mayor.

Swearing In of Mayor Frank Sippel

Sheriff Robert Nolan administered the Oath of Office of Mayor of the Township of Lower to Frank Sippel.

Mayor Sippel's grandchildren, Colin and Ava Belle, held the Bible.

Mayor Sippel thanked everyone in attendance and the Lower Township Republican Organization for their endorsement. He thanked Sherriff Nolan for swearing him in, his family and friends, and his military brothers and sisters for their support. He closed by vowing his commitment to the residents of Lower Township as well as the soldiers.

Consent Agenda

Approval of Minutes/Closed Session Minutes – January 6, 2020

Res. #2020-56 Payment of Vouchers \$ 216,589.34

Res. #2020-57 A Resolution Awarding a Professional Service Contract Without Public Bidding to Rutala Associates Consulting Services for Grants Consulting Services (NTE \$25,000)

Res. #2020-58 Re-Appointment to the Municipal Utilities Authority Board (K.Rechner)

Res. #2020-59 Approval of Secondhand Merchant and Dealer of Precious Metals License (Adele's & Lucky 7)

Res. #2020-60 Transfer of 2019 Appropriations

Res. #2020-61 Re-appointment to the Recreation Advisory Board (R.Lamoreux)

Res. #2020-62 Appointment of Health Insurance Brokerage Consultant for the Year 2020 as a Professional Service Contract Without Public Bidding (Marsh & McLennan \$25,000)

Res. #2020-63 Authorization for the Payout of Accumulated Sick Time (2 employees \$3,633.67)

Res. #2020-64 Appointment to the Recreation Advisory Board – Replacing a Member Who Has Resigned (L .Bedell)

Ordinance #2020-02 – An Ordinance Authorizing the Township of Lower to Covey a Deed of Easement to the Property Owners of Block 796, Lots 45 & 46 In Order to Afford Said Owner Access to Use and Maintain An Existing Wooden Pier/Walkway Constructed on Township Owned Property. This is

the first reading of this Ordinance. The second reading and Public Hearing has been scheduled for February 19, 2020.

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

Regular Agenda

Ordinance #2020-01 - An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A.40A:4-15.14) This is the second reading and public hearing for this Ordinance. This Ordinance has been posted, published and made available to the public.

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

Res. #2020-65 - Payment of Vouchers (D.Perry \$624.30 Contractual Reimb)

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

Manager's Report

Manager Ridgway congratulated Mayor Sippel on his appointment, and voiced anticipation of many more accomplishments in 2020. He thanked Clerk Picard, Karen Fournier and Eileen Kreis for their work behind the scenes. He gave Council a report of DPW projections for 2020 and shared news about grant funding for Rotary Park. He also gave a brief update on the Roseann Avenue project and informed Council about the budget.

Engineer's Report

Shawn Carr gave Council a report on all current engineering projects being handled by Mott MacDonald.

Administrative Reports

2019 Annual Tax Collector's Report

2019 Variance Report

Monthly Reports: Clerk, Construction, Dog, Fire, Tax Collector, Treasurer, Vital Statistics

Council Comments

Councilmember Conrad congratulated Mayor Sippel.

Councilmember Perry congratulated Mayor Sippel.

Councilmember Roy congratulated Mayor Sippel and thanked his family and friends for their support.

Mayor Sippel expressed appreciation for everyone's support and attendance.

Call to the Public

No comments

Adjournment

There being no further business to address, motion to adjourn moved by Councilmember Roy, seconded by Councilmember Perry. Motion to adjourn was unanimous. Meeting adjourned at 7:18 p.m.

Mayor

Township Clerk

Approved:

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01225 DOLLAMUR SPORT SURFACES*								
	19-03315	12/04/19	WRESTLING BLACK STRAPS	Open	116.60	0.00		
01239 DIANA L DeNOTE								
	20-00242	01/22/20	CONTRACTUAL REIMBURSEMENT M	Open	1,626.00	0.00		
01480 E-Z PASS								
	20-00330	01/30/20	POLICE 12/20 1/23 DPW 1/18	Open	314.00	0.00		PC1
01499 JOSEPH FAZZIO, INC*								
	20-00015	01/07/20	MATERIAL/FENDER/REPAIR TRK #20	Open	1,653.90	0.00		
01502 PAMELA FELDER								
	20-00195	01/15/20	CONTRACTUAL REIMBURSEMENT M	Open	187.19	0.00		B
01806 ANTHONY J HARVATT, II, ESQ								
	20-00191	01/14/20	BOARD SOLICITOR SALARY	Open	625.00	0.00		
01898 HERITAGE BUSINESS SYSTEMS, INC*								
	20-00305	01/28/20	FIRE SAFETY COPIER 1/1-3/31/20	Open	113.85	0.00		
	20-00326	01/29/20	COPIER BOCA ID 40744	Open	<u>440.41</u>	0.00		
					554.26			
02027 JESCO INC*								
	20-00169	01/10/20	HYDRAULIC PUMP BACKHOE	Open	2,361.74	0.00		
02108 KEEN COMPRESSED GAS CO*								
	19-03523	12/30/19	HAZARDOUS MATERIAL CHARGE	Open	140.97	0.00		
	20-00097	01/09/20	COMPRESSED GAS	Open	<u>103.65</u>	0.00		
					244.62			
02140 KINDLE FORD LINC/MERC., INC.*								
	19-03570	12/31/19	PARTS/VEHICLES	Open	1,588.62	0.00		
02223 LANDSMAN UNIFORMS*								
	19-03187	11/19/19	UNIFORMS	Open	491.66	0.00		
02247 LAWSON PRODUCTS, INC.*								
	20-00109	01/09/20	SUPPLIES FOR DPW GARAGE	Open	699.05	0.00		
02248 LAWREN SUPPLY*								
	19-03288	12/03/19	VEST CARRIER	Open	235.00	0.00		
02334 LOWER TWP CHAMBER OF COMMERCE								
	20-00170	01/10/20	JANUARY BREAKFAST MEETING	Open	50.00	0.00		
02632 N J PLANNING OFFICIALS*								
	20-00039	01/08/20	MEMBERSHIP DUES	Open	440.00	0.00		
	20-00040	01/08/20	MANDATORY BOARD MEMBER TRAINING	Open	<u>170.00</u>	0.00		
					610.00			
02661 KENNETH J. MCGURK								
	20-00277	01/24/20	CONTRACTUAL REIMBURSEMNT M/V	Open	2,056.38	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02810 MOUNT CONSTRUCTION CO*								
	19-02035	07/16/19	ROSEANN PHASE 3 DNE \$2464865.0	Open	148,145.89	0.00		
02940 MUNICIPAL RECORD SERVICE*								
	20-00167	01/10/20	TRAFFIC TICKETS	Open	607.00	0.00		
02948 NATW*								
	20-00141	01/09/20	ANNUAL MEMBERSHIP FEE 2020	Open	35.00	0.00		
02991 NJ CONFERENCE OF MAYORS								
	20-00046	01/08/20	2020 MEMBERSHIP DUES	Open	510.00	0.00		
03008 NJ DEPT OF TREASURY/FEES								
	19-03560	12/31/19	WATER ALLOCATION FEES	Open	205.00	0.00		
03026 NJ STATE HEALTH BENEFITS								
	20-00298	01/27/20	FEB 20 HEALTH BENEFITS ACTIVE	Open	181,241.66	0.00		
	20-00299	01/27/20	FEB 20 HEALTH BENEFITS RETIREE	Open	64,158.73	0.00		
					<u>245,400.39</u>			
03086 NJ STATE ASSN CHIEFS OF POL*								
	20-00127	01/09/20	TRAINING JANUARY 7-8, 2020	Open	598.00	0.00		
	20-00132	01/09/20	TRAINING JANUARY 13-14,2020	Open	598.00	0.00		
	20-00133	01/09/20	MEMBERSHIP DUES 2020	Open	275.00	0.00		
					<u>1,471.00</u>			
03158 NYSCA*								
	19-03402	12/12/19	RENEWAL OF COACHES	Open	40.00	0.00		
03305 PEDRONI FUEL*								
	20-00301	01/28/20	NO LEAD GAS	Open	468.12	0.00		
03518 RIGGINS, INC.*								
	20-00312	01/29/20	OFF HIGHWAY DIESEL	Open	240.48	0.00		
03537 RUTGERS, THE STATE UNIVERSITY*								
	20-00211	01/16/20	PROP TAX ADM MCCORKEL/RUNDAL	Open	1,552.00	0.00		
03544 PORTER LEE CORP*								
	20-00130	01/09/20	ANNUAL CONTRACT - THE BEAST	Open	1,126.00	0.00		
03573 SAFETY-KLEEN CORP*								
	19-03511	12/26/19	EQUIP MAINTENANCE	Open	494.72	0.00		
03688 SOUTHERN NJ CHAPTER NIGP*								
	20-00237	01/22/20	2020 SJ NIGP MEMBERSHIP	Open	100.00	0.00		
03692 SOUTH JERSEY GAS CO*								
	20-00308	01/28/20	12/13-1/15/20 NATURAL GAS	Open	8,630.51	0.00		
03764 TCTANJ								
	20-00051	01/08/20	TCTANJ Membership 2020	Open	100.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03820 MUNICIPAL UTIL. AUTH ON CALL	20-00302	01/28/20	REIMBURSE HALF OF TOTAL BILL	Open	170.35	0.00		
03958 DEBORAH VAN MOURIK	20-00328	01/30/20	CONTRACTUAL REIMBURSEMENT M	Open	50.00	0.00		
03969 VERIZON	20-00245	01/22/20	1/13-2/12/20 LANDLINES	Open	252.63	0.00		
03992 VAL-U AUTO PARTS LLC*	19-01295	05/02/19	RDS/SANT/RECY/DPW/JULY	Open	2,451.10	0.00		
03995 VITAL COMMUNICATIONS, INC.*	19-03566	12/31/19	VITAL INSTALLATION	Open	250.00	0.00		
	20-00201	01/15/20	2020 MODIV PRELIMINARY UPDATE	Open	<u>100.00</u>	0.00		
					350.00			
04075 BARBER CONSULTING SERVICES LLC	20-00148	01/09/20	2020 MIS FS SERVICES	Open	1,600.00	0.00		
04085 CHRISTOPHER WINTER (EMPLOYEE)	20-00276	01/24/20	CONTRACTUAL REIMBURSEMENT M	Open	74.50	0.00		
	20-00304	01/28/20	CONTRACTUAL REIMBURSEMENT M	Open	<u>12.00</u>	0.00		
					86.50			
04097 CINTAS FIRST AID AND SAFETY*	20-00325	01/29/20	REC. DEPT-RE-STOCK & ICE PACKS	Open	707.96	0.00		
04261 STATE OF NEW JERSEY	20-00238	01/22/20	4TH QTR 2019 UNEMPLOYMENT	Open	13,629.15	0.00		
04327 SHI INTERNATIONAL CORP*	20-00216	01/16/20	PROPHOENIX INSPECTION SOFTWARE	Open	20,349.48	0.00		
6059 USABLE LIFE	20-00300	01/27/20	FEB 2020 LIFE INSURANCE	Open	618.20	0.00		
6071 UNITED UNIFORMS LIMITED LIAB*	19-03513	12/26/19	PINS	Open	96.00	0.00		
7036 VINCENT MORRISON	20-00207	01/16/20	ASSISTANT JUDGE	Open	600.00	0.00		
7079 SUBURBAN PROPANE L P*	20-00265	01/23/20	DOUGLASS & MULLIGAN PARKS	Open	271.73	0.00		
7092 TREASURER, STATE OF NEW JERSEY	20-00260	01/22/20	BFCE REGISTRATION	Open	512.00	0.00		
7098 SHORE VETERINARIAN ANIMAL *	20-00159	01/10/20	RES 2020-16 DNE \$56K ANIMAL CO	Open	4,666.67	0.00		B

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7132 BUSINESS WATCH INTERNATIONAL*								
	20-00128	01/09/20	ANNUAL LICENSE RAPID	Open	250.00	0.00		
7196 LAUREN HUGGINS SUIT*								
	20-00158	01/10/20	RES 2020-09 PUBLIC INFORMATION	Open	1,075.00	0.00		B
7199 STAPLES CREDIT PLAN-INSTORE PU								
	19-03461	12/19/19	OFFICE SUPPLIES	Open	250.22	0.00		
	20-00052	01/08/20	OFFICE SUPPLIES	Open	159.63	0.00		
	20-00092	01/09/20	COPY PAPER	Open	<u>284.90</u>	0.00		
					694.75			
7393 ACCESS REC, LLC.								
	19-03445	12/18/19	BEACH ACCESS SURFACE - ADA	Open	2,735.04	0.00		
7475 SUZANNE M SCHEID								
	20-00241	01/22/20	CONTRACTUAL REIMBURSEMENT M	Open	66.00	0.00		
	20-00294	01/27/20	CONTRACTUAL REIM, BUREMENT M	Open	<u>63.00</u>	0.00		
					129.00			
7507 STEFANKIEWICZ & BELASCO LLC								
	19-00047	01/04/19	DNE \$97,000 EXPENSES	Open	7,415.00	0.00		
	20-00154	01/10/20	RES # 2020-01 DNE \$34K	Open	<u>2,833.33</u>	0.00		
					10,248.33			
7508 BLANEY & KARAVAN PC*								
	20-00157	01/10/20	RES2020-05 MONTHLY DNE \$40K	Open	3,333.33	0.00		B
7636 MOTT MACDONALD LLC*								
	20-00243	01/22/20	PROFESSIONAL ENGINEERING	Open	242.38	0.00		
	20-00244	01/22/20	PROFESSIONAL ENGINEERING	Open	<u>7,481.17</u>	0.00		
					7,723.55			
7687 ENHANCED WEB SERVICES*								
	20-00198	01/15/20	MAYOR FRANK SIPPEL FONT	Open	29.95	0.00		
7839 JAMES DIETTERICH								
	20-00228	01/17/20	CONTRACTUAL REIMBURSEMENT M	Open	369.48	0.00		
7929 AMAZON CAPITAL SERVICES, INC								
	20-00168	01/10/20	JUDGES GAVEL/NAMEPLATE	Open	44.98	0.00		
	20-00194	01/14/20	OKI RIBBON & OTTERBOX	Open	50.63	0.00		
	20-00209	01/16/20	SUPPLIES	Open	811.22	0.00		
	20-00223	01/17/20	OFFICE SUPPLIES	Open	80.77	0.00		
	20-00224	01/17/20	OFFICE SUPPLIES	Open	28.10	0.00		
	20-00235	01/22/20	FILE FOLDER JACKETS	Open	18.99	0.00		
	20-00310	01/28/20	OFFICE SUPPLIES	Open	<u>82.56</u>	0.00		
					1,117.25			
8012 FRED LAHM								
	20-00313	01/29/20	BASKETBALL OFFICIAL	Open	100.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
8189 pCLOUD AG	19-03200	11/20/19	I CLOUD STORAGE 2TB LIFETIME	Open	247.45	0.00		PCI
8197 GREAT AMERICAN FINANCIAL SERV	20-00309	01/28/20	1/16/20 MAIL MACHINE LEASE	Open	560.00	0.00		
8211 CONFIRE FIRE PROT SERV LLC*	19-02696	10/02/19	ANSUL SYSTEM INSPECT 9/19/19	Open	157.00	0.00		
	19-02840	10/22/19	SERVICE CALL FOR LEAK-MILLMAN	Open	205.00	0.00		
	19-03527	12/30/19	SYSTEM INSPECTION/MILLMAN	Open	146.00	0.00		
	20-00161	01/10/20	REPAIR ALARM TOWNHALL 9/26/19	Open	438.50	0.00		
					946.50			
8225 MASTER WIRE MANUFACTURING INC	20-00143	01/09/20	DAMAGE TO FENCE/CONSTRUCTION	Open	233.78	0.00		
8231 SCOTT BAXTER	20-00231	01/22/20	REIMBURSEMENT- FINGERPRINT	Open	24.05	0.00		
8234 DREW MUZSLAY	20-00314	01/29/20	WRESTLING OFFICIAL	Open	120.00	0.00		
8235 DENNIS DIDONATO	20-00315	01/29/20	WRESTLING OFFICIAL	Open	120.00	0.00		
8236 EDWARD FLYNN-LAFTY	20-00324	01/29/20	BASKETBALL COACH	Open	74.05	0.00		
DOUGHERT GEORGIA DOUGHERTY	20-00327	01/30/20	CONTRACTUAL REIMBURSEMENT M	Open	166.39	0.00		
G-UNITED UNITED UNIFORMS OF NEW JERSEY	20-00144	01/09/20	NAME TAGS COLLAR BRASS	Open	74.00	0.00		
ROSSIS STEVEN ROSSI	20-00230	01/22/20	BASKETBALL OFFICIAL	Open	50.00	0.00		
Total Purchase Orders: 110				Total P.O. Line Items: 0	Total List Amount: 826,029.98	Total Void Amount: 0.00		

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD							
PERRY							
ROY							
SIPPEL							

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 3, 2020.

Julie A Picard, Township Clerk

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

RESOLUTION #2020-69

Title: **ISSUANCE OF 2020 TAXI AND OPERATOR LICENSES**

WHEREAS, applications have been submitted by Aarts Transportation Services, Inc., and G Garibaldi Transportation, LLC pursuant to Ord. #2000-4 for Taxi, Limo and Operator Licenses; and

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

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

Aarts Transportation Services, Inc

<u>License Type</u>	<u>Description</u>
Taxi	2007 Dodge Grand Caravan Vin #2D4GP44L97R211657
Operators	Thomas Fontannaz

G Garibaldi Transportation, LLC

<u>License Type</u>	<u>Description</u>
Taxi	2005 Chrysler Town & Country Vin#2C4GP44R75R152011
Operators	Oleg Pismenny

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD							
PERRY							
ROY							
SIPPEL							

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 3, 2020.

Julie A Picard, Township Clerk

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

RESOLUTION #2020-70

Title: ISSUANCE OF 2020 LIMOUSINE AND OPERATOR LICENSES

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

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

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

HIGH ROLLER LIMOUSINE

License Type Description
Limo 2010 Chrysler Town & Country Vin# 2A4RR5D13AR105291
Operators Arthur Wolf
Karen Wolf

CAPE MAY LIMOUSINE

License Type Description
Limo 2011 Lincoln Town Car Vin# 2L1FL8JW4BX752630
Limo 2013 Toyota Avalon Vin# 4T1BD1EB4DU004575
Operators Brian T Carroll
Robert Wells

G GARIBALDI TRANSPORTATION LLC

License Type Description
Limo 2006 Chrysler Town & Country Vin# 2A4GP44R66R852534
Limo 2005 Ford Econoline Vin# 1FBSS31L75HB30769
Limo 2007 Dodge Caravan Vin# 1D4GP24R77B165754
Limo 2010 Dodge Caravan Vin# 2D4RN4DE5AR146006
Operators Oleg Pismennyy
John O'Donoghue
Jon Reeves
Carlas Gonzalez

Table with 8 columns: MOTION, SECOND, AYE, NAY, RECUSE, ABSTAIN, ABSENT and 4 rows: CONRAD, PERRY, ROY, SIPPEL

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 3, 2020.

Julie A Picard, Township Clerk

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

RESOLUTION #2020-71

Title: AUTHORIZATION FOR WAIVER OF PLANNING BOARD APPLICATION FEE FOR THE LOWER TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

WHEREAS, the Lower Township Municipal Utilities Authority has the need to make application to the Lower Township Planning Board for a sub-division application for the purchase of 4.25 acres of privately owned property located at 115 Fishing Creek Road, to be used in the current sewer system expansion project ; and

WHEREAS this project will require an application before the Planning Board for a subdivision and the Municipal Utilities Authority has requested a waiver of the fee for said application; and

WHEREAS, the Township Council has reviewed this request and deems it appropriate to support our Municipal Utilities Authority as this project will enhance both the township and our community.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the aforementioned application fee be waived.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD							
PERRY							
ROY							
SIPPEL							

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 3, 2020.

Julie A Picard, Township Clerk

LAW OFFICE

Cafiero & Kaufmann

Andrew J Cafiero
andrew.cafiero@cafierolaw.com
Andrea Cafiero Ballietto
Of Counsel

a PROFESSIONAL ASSOCIATION
3303 NEW JERSEY AVENUE
WILDWOOD, NJ 08260

William J Kaufmann
william.kaufmann@cafierolaw.com
Bruce B. Conwell, Jr.
bruce.conwell@cafierolaw.com

(P)(609) 522-0511
(F)(609) 729-3441

January 28, 2020

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

Re: MUA Sewer Expansion Project

Dear Ms. Picard:

I am corresponding in my role as Solicitor to the Lower Township Municipal Utilities Authority ("MUA") and as a follow-up to our telephone conversation of Monday, January 27, 2020 regarding the referenced project. I am writing with respect to application fees charged by the Planning Board. I do not see any provision in the Board's fee schedule or in the Township's ordinances for a waiver of application fees when the applicant is a local governmental entity. If there are none then I ask that you please consider this correspondence as a request to the governing body for a waiver of the application fees for a subdivision application about to be filed by the MUA.

As you probably are aware, the MUA is in the process of expanding its existing sewer system. The project primarily will be constructed within existing rights-of-way and existing utility easements. The project was planned to traverse three parcels of private property. As to two of those properties, the MUA already has obtained and paid for the needed utility easements and those easements have been recorded in the Office of the Cape May County Clerk. The third parcel of private property, owned by Covenant Bible Church, is located on Fishing Creek Road.

The parcel at issue is known as 115 Fishing Creek Road. It is shown on the tax map as Block 410.01, Lot 43. That parcel is 8.5 acres in size. The MUA has contracted the purchase 4.25 acres. In order to conclude the purchase, it is necessary to subdivide the 4.25 acres to be purchased from the rest.

As we read the Planning Board fee schedule for this subdivision application, the fee is \$450.00. We ask that the governing body please consider waiving that fee in this unique situation. We are not asking for a waiver of the required escrow fees as we understand and appreciate that those fees are used by the Board to compensate the Board's professionals for work performed and billed to the Planning Board by the professionals for their review of the application, advising the Board and preparing a memorializing resolution on the application decision.

Julie Picard, Township Clerk
January 28, 2020
Page 2

In conclusion, should you or the governing body have any questions regarding the above or any other aspect of the project please do not hesitate to contact either me or the MUA's Executive Director, Mike Chapman.

Thank you for your assistance and consideration of the foregoing.

Sincerely,

A handwritten signature in cursive script that reads "William J. Kaufmann". The signature is written in black ink and extends to the right with a long horizontal flourish.

William J. Kaufmann

WJK/sd

Via email only

Cc: Brian O'Connor, Authority Chairman
Mike Chapman, Executive Director
Stephen Testa, C.P.A.
William Galestock, Planning Director

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

RESOLUTION #2020-72

Title: AUTHORIZING PAYMENT OF 2020 COUNTY TAX (First and Second Quarters) AND 2019 ADDED TAX

WHEREAS, the amounts listed below are due to Cape May County and it is necessary to receive authorization for the payment of bills; and

WHEREAS, payment of County tax and fees may be remitted through electronic payment (EFT); and

WHEREAS, it is the recommendation of the Chief Financial Officer that authorization for electronic payments be made through a resolution so that such payments are made in a timely and efficient manner, and

WHEREAS, County Tax payments are charged to non-budget appropriation County Tax 9-01-55-910-015 as certified by the Chief Financial Officer _____ payable as follows:

\$2,747,489.06 due 2/15/2020
\$2,747,489.06 due 5/15/2020

AND, WHEREAS, County Added Tax payments are charged to non-budget appropriation, County Added Tax 0-01-55-910-016 as certified by the Chief Financial Officer _____ payable as follows:

\$32,535.31 due 2/15/2020

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the aforementioned payments to Cape May County are hereby authorized.

Table with 8 columns: MOTION, SECOND, AYE, NAY, RECUSE, ABSTAIN, ABSENT and 5 rows of names: CONRAD, PERRY, ROY, SIPPEL, and an empty row.

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 3, 2020.

Julie A Picard, Township Clerk

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

RESOLUTION # 2020-73

Title: APPROVAL OF CHANGE ORDER #1 TO RESOLUTION #2019-321; APPROVING ADDITIONAL PROFESSIONAL SERVICES FOR THE CONSTRUCTION PHASE OF THE BEACH ACCESS IMPROVEMENTS PILING INSTALLATION

WHEREAS, Mott MacDonald has been approved by Resolution #2019-321 on October 21, 2019 to provide Professional Engineering Services for the Stairs Design Plan for Shadeland Avenue, Hollywood Avenue, Rosewood Avenue and Redwood Avenue for \$8,600.00; and

WHEREAS, Mott MacDonald has provide a proposal for engineering services for the Construction Phase of the Beach Access Project for \$8,400.00; the purchase order sign-off will be under the direction of the Recreation Director; and

WHEREAS, the Township Council desires to approve Change Order #1 and the CFO has certified the availability of funds by her signature in the budget as follows:

Appropriation # 0-01-20-165-299

CFO Signature _____

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Change Order #1 for \$8,400.00 to Mott MacDonald is hereby approved, increasing the contract total to \$17,000.00.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD							
PERRY							
ROY							
SIPPEL							

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 3, 2020.

Julie A Picard, Township Clerk



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

Via email at gdouglass@townshipoflower.org

Your Reference
Beach Access Improvements

**Construction Phase Engineering Services Proposal
Beach Access Improvements – Piling Installation
Township of Lower, Cape May County, New Jersey**

Our Reference
399094

January 29, 2020

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

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

Dear Mr. Douglass:

Mott MacDonald is pleased to provide herewith our proposal for construction phase engineering services for the above referenced project. As you are aware, the Township received quotes for the installation of timber pilings at Shadeland, Hollywood, Rosewood and Redwood Avenues on January 22, 2020. One quote was received for the project, and the Township anticipates awarding the project to Walters Marine Construction at the February 3, 2020 Council Meeting.

Mott MacDonald will be able to provide construction engineering services and aid in the layout and inspection of the piling installation for this project for the lump sum amount of **\$8,400**. The following outlines our scope of work for these services:

- Review and approve shop drawings, construction procedures, certificates of compliance, etc. as generated by the Contractor for conformance to the plans and specifications;
- Provide survey layout services including providing two (2) control points at each site which the Contractor will utilize to layout and install the pilings;
- Provide construction observation services throughout the duration of the project to monitor and enforce the Contractor's compliance with the construction plans and specifications. Mott MacDonald's inspection staff will be present during all critical activities of the project and will maintain a presence at the site to the extent required to provide sufficient oversight of the Contractor's work;
- Conduct blow counts for each pile and ensure the piles are driven to the correct depth per the plans;
- Coordinate with the Township for acceptance of the project and for issuance of payment to the Contractor.



Contract: Mott MacDonald will perform this work under our 2020 "Agreement for Professional Engineering Services" with the Township of Lower.

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

We thank you for the opportunity to provide this Scope of Work. Should you have any questions regarding the above information or should you wish to discuss this proposal in more detail, please do not hesitate to contact this office.

Very truly yours,

Mott MacDonald, LLC

A handwritten signature in black ink, appearing to read 'Thomas R. Thornton'.

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

A handwritten signature in black ink, appearing to read 'Shawn A. Carr'.

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

cc: Jim Ridgway, Township Manager (via email)
Julie Picard, Township Clerk (via email)
Margaret Vitelli, RPPS, QPA (via email)
Mitchell Plenn, Superintendent Parks and Recreation (via email)
Steven C. Morey, CEP, Mott MacDonald (via email)

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

RESOLUTION # 2020-74

Title: CONFIRMATION OF OFFICIALS FOR JOINT INSURANCE FUND AND MUNICIPAL EXCESS LIABILITY FUND

WHEREAS, it is necessary for the Township to designate certain persons for the receipt of notices and processing of claims for the Joint Insurance Fund; and

WHEREAS, the Township is desirous of updating the records of the Atlantic County Municipal Joint Insurance Fund with changes.

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 persons are named in the capacity listed for the Joint Insurance Fund for 2019 and shall remain in said positions until changed by resolution:

Fund Commissioner	Karen Fournier
Alt. Fund Commissioner	James Ridgway, Township Manager
Claims Coordinator	Colleen Crippen
Safety Coordinator	Kathleen Brown
Township Clerk	Julie A. Picard

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD							
PERRY							
ROY							
SIPPEL							

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 3, 2020.

Julie A Picard, Township Clerk

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

RESOLUTION # 2020-75

Title: **ACCEPTANCE AND CONTRACT AWARD FOR BEACH ACCESS DECKS AND STAIR PILING INSTALLATION**

WHEREAS, the Township of Lower has a need to acquire Beach Access Decks and Stair Piling installation; pursuant to the provisions of N.J.S.A. 19:44A-20.4 Fair and Open Process; and

WHEREAS, Bid # P2P 2020-01 to contract for Beach Access Decks and Stair Piling Installation was advertised on the Township website on January 8, 2020 and accepted and opened on Wednesday January 22, 2020 at 10:00 a.m.; One (1) Proposal was submitted and negotiated; reviewed by the QPA, Township Engineer Shawn Carr and the Public Works Director; and

WHEREAS, the bidder complied with the specifications and supplied all required certifications and bid documents and the CFO has determined sufficient funds are available in the budget as follows:

Appropriation: 0-01-28-370-200

CFO Signature: _____
Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey hat the contract for the above is hereby awarded as follows:

AWARD TO: WALTERS MARINE CONSTRUCTION INC.

TOTAL AWARD: \$39,400.00

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD							
PERRY							
ROY							
SIPPEL							

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 3, 2020.

Julie A Picard, Township Clerk

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

RESOLUTION #2020-76

Title: AUTHORIZATION FOR THE PAYOUT OF ACCUMULATED SICK TIME

WHEREAS, the employee listed on the attached schedule has accrued sick time due from the Township and per union contract the Township will at the employees request, annually buy back a maximum of five (5) days of unused sick leave in December of any year, from employees who have not used more than the amount of sick days as determined in their union contracts; 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 2019 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 the employee listed on the attached schedule not to exceed the amount of \$2,388.92 is authorized and chargeable to the 2019 Budget.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD							
PERRY							
ROY							
SIPPEL							

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 3, 2020.

Julie A Picard, Township Clerk

LOWER TOWNSHIP POLICE DEPARTMENT

SPECIAL REPORT

TO: Chief William Mastriana

FROM: Lieutenant Kevin Lewis

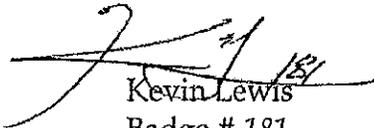
DATE: January 29, 2020

SUBJECT: Sick Time

Chief Mastriana,

I am respectfully requesting to cash out 40 hours of accrued sick time, as I only utilized 24 hours during the 2019 calendar year. Thank you in advance for your consideration in this matter.

Respectfully Submitted,



Kevin Lewis
Badge # 181
Lieutenant

0° *
40° x
59° 7229 =
2,368° 916 **

C	File	Date	Officer	Comments
		1-29-2020	CVL	REVD FWD TO Sup Hall

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

RESOLUTION #2020-77

Title: AUTHORIZING THE PAYOUT OF TERMINAL LEAVE

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that a payment due to Howard Bailey III in the amount of \$ 57,122.00 is authorized and chargeable to the Reserve for Accumulated Absences.

BE IT FURTHER RESOLVED that the funds shall be disbursed in one payment of \$28,561 in 2020 and one payment of \$28,561 in 2021.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD							
PERRY							
ROY							
SIPPEL							

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 3, 2020.

Julie A Picard, Township Clerk

TOWNSHIP OF LOWER
 RETIREMENT PAYOUT ANALYSIS
 DATE:

EMPLOYEE: Bailey, Howard
 DATE OF RESIGNATION: 2/1/2020
 DATE OF PAYMENT: _____
 RESOLUTION #: _____

Annual Salary:	\$86,847.28
Hourly Rate:	\$41.7535
Longevity	\$0.00

TERMINAL LEAVE:			
	Hours	Rate	Total
Comp	0.00	41.75	0.00
Personal	0.46	41.75	19.27
Sick	1,313.23	41.75	54,831.98
Vacation	54.38	41.75	2,270.75
Terminal Leave Payout			\$57,122.00

2020 \$28,561.00
 2021 \$28,561.00

	(A)	(B)	(C)	(B * C)	(E)	A + D - E	
	Carryover	Annual	4/ 52 weeks	Prorated Time Due	Time Used	Hours to be paid	
Comp				0.00		0.00	
Personal	2.00	32.00	0.08	2.46	4.00	0.46	contract max 1440 hours
Sick	1,304.00	120.00	0.08	9.23	0.00	1,313.23	
Vacation	59.00	200.00	0.08	15.38	20.00	54.38	
Holidays							
Total	1,365.00	352.00	0.23	27.08	24.00	1,368.08	

Accrual and time used are current 1/27/2020

Employee Signature: _____

Date: _____

Treasurer's Signature: _____

Date: _____

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

RESOLUTION #2020-78

Title: AUTHORIZATION FOR THE PAYOUT OF ACCUMULATED SICK TIME

WHEREAS, the employee listed below has accrued sick 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 budget for "Reserved for Accumulated Absences".

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that payment to Mitchell Plenn in the amount of \$17,416.01 is authorized and chargeable to the Reserve for Accumulated Absences.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD							
PERRY							
ROY							
SIPPEL							

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 3, 2020.

Julie A Picard, Township Clerk

Lower Township Department of Parks & Recreation

Mitchell B. Plenn

Superintendent of Parks & Recreation

Bruce A. Fournier

Assistant Superintendent of Parks & Recreation

2600 Bayshore Road
Villas, New Jersey 08251

Telephone (609) 886- 7880

Fax (609) 886-7838

E-mail recreation@townshipoflower.org

To: Township Manager Jim Ridgway
From: Mitchell B. Plenn
Re: 457 Deferred Compensation Contribution
Date: January 9, 2020

At this time I am requesting the purchase of up to 840 hours of my sick time for the purpose of contributing to my 457 deferred compensation plan. The number of hours purchased would be deducted from my terminal leave allotted time. Due to contributory laws and guidelines, I am requesting that the requested purchase be made in two equal parts in 2020 and at the completion of my 25th working year. This would be a purchase and contribution of 420 sick hours during the year 2020. Thanking you in advance for all considerations made to this request.

Respectfully,


Mitchell B. Plenn
Revised 1/15/2020

0° *
420° x
41°4667 =
17°16°074 *+

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

RESOLUTION #2020-79

Title: APPROVAL OF 2020 ROTARY TOWING LICENSES

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the following applicants shall be issued a Rotary Towing License for the year 2020:

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

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD							
PERRY							
ROY							
SIPPEL							

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 3, 2020.

Julie A Picard, Township Clerk

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

RESOLUTION #2020-80

Title: **A RESOLUTION DECLARING THE TOWNSHIP OF LOWER A SECOND AMENDMENT/LAWFUL GUN OWNER SANCTUARY**

WHEREAS, the Second Amendment of the United States Constitution reads. "A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed," an individual right affirmed by the United States Supreme Court; and

WHEREAS, the State of New Jersey was the first state to ratify the Bill of Rights, including the right to keep and bear Arms, and the New Jersey Supreme Court has recognized it as a fundamental right of its citizens; and

WHEREAS, certain legislation introduced in the State Legislature, and certain legislation introduced in the current session of the United States Congress could have the effect of infringing on the rights of law-abiding citizens to keep and bear Arms, as guaranteed by the Second Amendment of the United States Constitution; and

WHEREAS, the Township of Lower is concerned about the passage of any bill containing language which could be interpreted as infringing the rights of the citizens of Lower Township to keep and bear Arms or could begin a slippery slope of restrictions on the Second Amendment Rights of the citizens of Lower Township; and

WHEREAS, the Township of Lower desires to express its deep commitment to the rights of citizens of Lower Township to keep and bear Arms; and

WHEREAS, the Township of Lower desires to express opposition to any law that would unconstitutionally restrict the rights under the Second Amendment of the citizens of Lower Township, such as Assembly Bill 6003 proposed before the New Jersey General Assembly; and

WHEREAS, the Township of Lower desires to express its intent to stand as a Sanctuary Municipality for Second Amendment rights and to oppose, within the limits of the Constitution of the United States, any efforts to unconstitutionally restrict such rights, and to use such legal means at its disposal to protect the right of the citizens to keep and bear arms, including through legal action, the power of appropriation of public funds, and the right to petition for redress of grievances.

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

1. The Mayor and Council of the Township of Lower hereby expresses its intent to uphold the Second Amendment rights of the citizens of Lower Township and its intent that public funds of the Township not be used to restrict Second Amendment rights or to aid in the unnecessary and unconstitutional restriction of the rights under the Second Amendment of the Citizens of Lower Township to bear Arms.
2. The Mayor and Council of the Township of Lower hereby declares its intent to oppose unconstitutional restrictions on the right to keep and bear Arms through such legal means as may be expedient including without limitation court action.
3. The Mayor and Council of the Township of Lower hereby declare Lower Township a "Second Amendment/Lawful Gun Owner Sanctuary."

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD							
PERRY							
ROY							
SIPPEL							

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 3, 2020.

Julie A Picard, Township Clerk