

WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL
February 5, 2018, - 7:00 P.M.

Meeting called to order

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

Swearing In of Officer William Porch – Mayor Erik Simonsen
Certificate of Recognition - Patrolman Saini/Patrolman Kocis/Patrolman Felsing - Mayor Erik Simonsen

Work Session

2018 Budget Message/Introduction - Manager Jim Ridgway, CFO Lauren Read, Auditor Leon Costello
Res. #2018-60 - 2018 Budget (Introduction and First Reading)

Consent Agenda

Approval of Minutes January 17, 2018
Approval of Closed Session Minutes - January 17, 2018
Res. #2018-61 Payment of Vouchers \$ 816,479.15
Res. #2018-62 Approving 2018 Contract with Cape Assist (\$3,213.)
Res. #2018-63 Bid Acceptance and Contract Award for Management Information System Consultant (MIS) for 2018 and 2019 (Barber Consulting Services \$14,500)
Res. #2018-64 Bid Acceptance and Award for Landscaping Services for Various Locations for the Years 2018 and 2019 with an Option for 2020 (Bayshore Landscaping Inc \$39,400)
Res. #2018-65 Bid Acceptance and Award for Fertilizing Services for Various Locations for the Years 2018 and 2019 with an Option for 2020 (Bayshore Landscaping, Inc \$13,200)
Res. #2018-66 Authorizing Payment of 2018 County Taxes (First and Second Quarters) and 2017 Added Taxes (\$2,486,364.12 due 2/15/18; \$2,486,364.12 due 5/15/18 & \$22,785.32 due 2/15/18)
Res. #2018-67 Transfer of 2017 Appropriations (\$1,000 from tipping fees to telephone)
Res. #2018-68 Authorizing Payment for Dispatch Services (\$150,000 each 2/15/2018; 5/15/2018; 8/15/2018 & 11/15/2018)
Res. #2018-69 Resolution Establishing the Quote Threshold Pursuant to N.J.S.A.40A:11-3a (\$4,000)
Res. #2018-70 A Resolution Requesting Release of Performance Guarantee for John & Dolores McNulty/Bayshore Landscaping; Block 410.01, Lot 21.02, Escrow #Z17-08-09 (\$13,539.40)
Res. #2018-71 A Resolution Requesting Release of Performance Guarantee for 8100 Bayview, LLC; Block 820, Lot 2.05, Escrow #P16-09-05 (\$4,896.00)
Res. #2018-72 Approval of 2018 Rotary Towing Licenses (Cape May Exxon/John's Auto Body/ Cape Harbor/Off Shore Getty)
Res. #2018-73 Issuance of 2018 Limousine, Taxi and Operator Licenses (Aarts/G Taxi/G Transportation/High Roller Limo/Cape May Limo)
Res. #2018-74 Renewal of Junk Yard License for Cape May Used Auto Parts for the Year 2018
Res. #2018-75 Renewal of Trailer Park Licenses for the Year 2018 (Broadway Mobile Park/Cape May Landing/Shawcrest Mobile Home Park/Cape May Crossing/Cape Meadows)
Res. #2018-76 Opposing Regulations Proposed by the New Jersey Department of Agriculture to Regulate Beekeeping
Res. #2018-77 Approval of Secondhand Merchants and Dealers of Precious Metals License (Lucky 7 Gold & Consignment)
Res. #2018-78 Bid Rejection for Roseann Avenue Roadway and Utility Improvements Contract No. M-10

Regular Agenda

Resolution #2018-79 Approval of An Alcoholic Beverage Control License Place-to-Place Transfer – Including Expansion of Licensed Premises – License #0505-33-016-006, Maypoint Hospitality, LLC t/a Harpoon's on the Bay The applicant has advertised this transfer as required by law and no objections have been filed with my office
Ordinance #2018-01 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 of this ordinance. This Ordinance has been published, posted and made available to the public.
Ordinance #2018-02 An Ordinance of the Township of Lower Amending Ordinance #2011-03; Amending Chapter 340, Fire Prevention, of the Code of the Township of Lower. This is the second reading and public hearing of this ordinance. This ordinance has been published, posted and made available to the public.

Council Comments

Call to the Public

Adjournment

COUNCIL MEETING MINUTES – January 17, 2018

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on January 17, 2018 at 7:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

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

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

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

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

Work Session

Consent Agenda

- | | |
|---------------------|---|
| Approval of Minutes | January 3, 2018 |
| Res. #2018-48 | Payment of Vouchers \$ \$182,995.71 |
| Res. #2018-49 | Re-Appointment to the Recreation Advisory Board (M.DiDonato) |
| Res. #2018-50 | Re-Appointment to the Municipal Utilities Authority Board (J.Henderson) |
| Res. #2018-51 | Authorization to Cancel Uncashed Checks (Court Bail \$446 / General \$371.01) |
| Res. #2018-52 | A Resolution Approving Year Two of a Three Year Inter-local Service Agreement Between the Township of Lower and Lower Township Fire District #3 (\$13,750.) |
| Res. #2018-53 | Transfer of 2017 Appropriations (\$5,500 from collector/street lighting to collector/electric) |
| Res. #2018-54 | Authorization for Refund of Tax (1 property \$346.22) |
| Res. #2018-55 | Appointment to the Municipal Utilities Authority Board (M.Lambert - Replacing J.Young) |
| Res. #2018-56 | Authorization for the Payout of Accumulated Sick Time (J.Felsing \$904.94) |
| Ordinance #2018-02 | An Ordinance of the Township of Lower Amending Ordinance #2011-03; Amending Chapter 340, Fire Prevention of the Code of the Township of Lower – This Ordinance is at the request of the Fire Commissioners. This is the first reading of this Ordinance. The second reading and public hearing of this Ordinance has been scheduled for February 5, 2018. |

	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 informed that a preliminary construction schedule is available for the Beach Drive Pedestrian Safety Improvement Project. He announced that the 2018 preliminary budget will be introduced on February 5th. He also informed that the Township has two warming centers in the event of a power outage and steps are being taken to provide backup assistance from outside contractors if necessary.

Engineer's Report

Steve Morey, Mott MacDonald, gave an engineer's report that included a timeline of the Roseann Avenue Roadway and Utility Improvement Project, and the Beach Drive Pedestrian Safety Improvements Project.

Administrative Reports

Monthly Reports - Clerk, Construction, Dog, Tax, Vital

Council Comments

Councilmember Conrad thanked the Public Works Department for their hard work during the storm. He also thanked the MUA, Police, Fire and EMS for their assistance, and thanked residents for helping their neighbors.

Councilmember Perry commented on complaints he received regarding snow removal and commended Public Works for a great job. He spoke briefly about the pre-construction meeting for the Beach Drive Pedestrian Safety Improvement Project and reported that the project is underway and all emergency response services will be operable during construction phases.

Councilmember Roy reported a disruption in the leaf pick-up schedule due to the storm.

Deputy Mayor Sippel reminded Veterans about a State Income Tax Deduction opportunity. He applauded the Recreation Department on their holiday events and gave a brief update on the youth camp. He also commended the Public Works Department and Manager Ridgway for their efforts during the storm.

Mayor Simonsen reiterated appreciation to the Public Works Department and announced a fundraiser for the NJ Run for the Fallen.

Call to the Public

Lynn Heritage, Lower Township, addressed Council to make them aware of people walking on the ice near the sunken ship and suggested implementing an ordinance prohibiting it.

Closed Session

Res. #2018-57 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.
INDEMNIFICATION OF APPOINTEE and PERSONNEL ISSUE

COUNCIL MAY RETURN TO OPEN SESSION TO TAKE ACTION

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

Council adjourned to Closed Session at 7:16 p.m.

Council returned to Open Session at 7:48 p.m.

Res. #2018-58 A Resolution Authorizing Indemnification and Defense of a Lower Township Appointee In Accordance With Chapter 25 of the Code of the Township of Lower and N.J.S.A 59:10-4

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

Res. #2018-59 Authorization for the Payout of Accumulated Sick Time G.Playford \$1,537.11

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

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 7:50 p.m.

 Mayor

 Township Clerk

Approved:

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

Include Project Line Items: Yes

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

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00110 ANCO HOME CENTER*	17-02278	08/28/17	RDS/SIGNS/BLDG/DEC.	Open	213.66	0.00		
00134 ATLANTIC COUNTY JOINT INS FUND	18-00013	01/08/18	2018 JIF PAYMENTS	Open	219,105.00	0.00		B
00153 ATLANTIC CITY ELECTRIC*	18-00053	01/09/18	NOVEMBER STREET LIGHTS	Open	29,324.62	0.00		
	18-00334	02/01/18	ELECTRIC	Open	21,402.34	0.00		
					50,726.96			
00179 AVERY TEITLER*	18-00098	01/11/18	RESOLUTIONS: ACME SITE PLAN	Open	200.00	0.00		
	18-00243	01/23/18	RESOLUTIONS: MECA INVESTMENTS	Open	150.00	0.00		
					350.00			
00301 BELMONT AND CRYSTAL SPRINGS*	18-00166	01/18/18	DECEMBER- WATER FOR POLICE	Open	41.29	0.00		
00346 BERGEY'S TRUCK CENTERS*	17-03316	12/19/17	PARTS TRUCK #36	Open	258.33	0.00		
00348 BENNETT BATTERIES, LLC*	17-03192	12/06/17	RDS/DPA/DPW	Open	698.60	0.00		
00370 BLUE CROSS/BLUE SHIELD OF NJ	18-00337	02/01/18	FEBRUARY MED-D ACCT:546900741	Open	240.56	0.00		
00403 BLUE WAVE EXPRESS CAR WASH*	18-00133	01/12/18	CAR WASHES -PLANNING/ZONING	Open	83.74	0.00		
	18-00302	01/30/18	CAR WASHES 11/1/16-11/30/17	Open	1,695.29	0.00		
					1,779.03			
00419 RICHARD M BRASLOW, ESQ	18-00247	01/23/18	PROFESSIONAL SERVICES	Open	70.00	0.00		
00432 MICHAEL BROGAN	18-00294	01/29/18	CONTRACTUAL REIMBURSEMENT-M	Open	87.92	0.00		
00480 BURKE CHEVROLET*	17-02837	11/06/17	POLICE VEHICLE PARTS	Open	469.56	0.00		
00650 CAPE MAY COUNTY CLERK'S ASSN	18-00021	01/09/18	2018 DUES PICARD/FOURNIER/GREE	Open	375.00	0.00		
00775 CAPRIONI PORTABLE TOILETS, INC*	18-00224	01/22/18	MONTHLY SERVICES	Open	161.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00784 CAPE MAY STAR & WAVE								
	18-00168	01/18/18	LEGAL NOTICE 2018 MTING SCHEDL	Open	15.50	0.00		
	18-00169	01/18/18	LEGAL PUBLICATIONS	Open	110.98	0.00		
	18-00316	01/31/18	LEGAL PUBLICATIONS 1/24/18	Open	179.18	0.00		
					<u>305.66</u>			
00825 COMCAST*								
	18-00236	01/23/18	MTHLY INTERNET 1/15/18 2/14/18	Open	124.85	0.00		
	18-00253	01/23/18	INTERNET SERVICE - JANUARY	Open	531.23	0.00		
					<u>656.08</u>			
01110 COLLEEN CRIPPEN								
	18-00332	01/31/18	MILEAGE/ TOLLS HIST WORKSHOP	Open	101.32	0.00		
01115 LOMAX MOREY CONSULTING, LLC*								
	17-03315	12/19/17	REFUND \$10.00 200 FOOT LIST	Open	10.00	0.00		
01171 VERIZON WIRELESS - TOWNHALL								
	18-00325	01/31/18	CELL PHONE 12/24/17 - 1/23/18	Open	488.96	0.00		
01196 H. A. DEHART & SON*								
	17-02796	10/31/17	BROOMS FOR SWEEPER	Open	295.80	0.00		
01200 DELTA DENTAL PLAN OF NJ								
	18-00138	01/16/18	DECEMBER- DENTAL	Open	8,559.45	0.00		
	18-00292	01/26/18	JANUARY ADMIN 2018	Open	1,216.80	0.00		
					<u>9,776.25</u>			
01220 DRAEGER, INC*								
	17-03095	11/28/17	ALCHOTEST RECERT	Open	179.00	0.00		
01239 DIANA L DeNOTE								
	18-00246	01/23/18	CONTRACUTAL REIMBURSEMENT-M	Open	1,557.00	0.00		
01254 JAMES DIETTERICH, II								
	18-00135	01/12/18	CONTRACTUAL REIMBURSEMENT-M	Open	84.23	0.00		
01389 EDDIE'S AUTO BODY*								
	17-02491	09/22/17	TRASH CAN DAMAGE TO CAR	Open	826.08	0.00		
	17-03351	12/27/17	VEHICLE REPAIR	Open	595.80	0.00		
					<u>1,421.88</u>			
01483 FRA TECHNOLOGIES*								
	18-00017	01/09/18	MAINT CONTRACT 12/17-11/18	Open	1,200.00	0.00		
01502 PAMELA FELDER								
	18-00251	01/23/18	CONTRACUTA REIMBURSEMENT-M	Open	408.36	0.00		B
01550 FIRE DISTRICT #3								
	18-00313	01/31/18	RES 2016-307 INTERLOCAL YR2018	Open	13,750.00	0.00		
01590 FORD, SCOTT & ASSOCIATES*								
	18-00130	01/11/18	RES 18-03 AUDITOR DNE 40K	Open	6,000.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01641 GALL'S INC*	17-03227	12/11/17	PATROL SUPPLIES	Open	538.45	0.00		
01657 GOPHER SPORT*	17-03328	12/22/17	STRAPS FOR WRESTLING MATS	Open	152.10	0.00		
01661 GENERAL SALES ADMINISTRATION*	17-02306	08/29/17	2017 FORD PI UTILITY	Open	9,089.49	0.00		
01690 GRANTURK EQUIPMENT CO*	17-03203	12/07/17	LEAF VAC PARTS	Open	2,603.69	0.00		
01703 HARBOR SALES COMPANY*	17-03377	12/29/17	RIDGET FOAM PVC SHEET	Open	125.01	0.00		
01898 HERITAGE BUSINESS SYSTEMS, INC*	18-00041	01/09/18	1ST QTR COPIER CHARGES	Open	103.50	0.00		
	18-00265	01/24/18	QUARTERLY BASE 9/9/17-12/8/17	Open	1,588.55	0.00		
					<u>1,692.05</u>			
02027 JESCO INC*	17-03353	12/27/17	YARD BACK HOE/FUEL PUMP	Open	105.03	0.00		
02108 KEEN COMPRESSED GAS CO*	17-01287	05/11/17	BOTTLED WATER/DPW/AUG	Open	590.44	0.00		
02134 THOMAS KEYWOOD	18-00305	01/30/18	CONTRACTUAL REIMBURSEMENT-M	Open	777.12	0.00		
02136 TED KINGSTON INC*	17-00959	04/10/17	2017 RADIO MAINT. DPS	Open	450.00	0.00		
02140 KINDLE FORD LINC/MERC., INC.*	17-03305	12/18/17	PARTS FOR POLICE CARS	Open	678.80	0.00		
02334 LOWER TWP CHAMBER OF COMMERCE	18-00018	01/09/18	BREAKFAST MTG 1/11/18	Open	40.00	0.00		
02349 ROBERT LUBBERMAN	18-00183	01/18/18	BASKETBALL TOURNAMENT REF	Open	320.00	0.00		
02418 MAJESTIC SEWER AND DRAIN*	17-03324	12/22/17	EMERGENCY WORK - HANDICAP BATH	Open	185.00	0.00		
	18-00092	01/11/18	EMERGENCY WORK - DRAIN BACKUP	Open	185.00	0.00		
					<u>370.00</u>			
02538 MARSH & MCLENNAN AGENCY, LLC*	18-00140	01/16/18	DNE \$26,664 RES 18-43 BROKER	Open	4,444.00	0.00		B
02632 N J PLANNING OFFICIALS*	18-00046	01/09/18	CLASS A DUES PLANNING/ZONING	Open	370.00	0.00		
	18-00047	01/09/18	BOARD MEMEBER TRAINING	Open	85.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02632 NJ PLANNING OFFICIALS*				Continued				
	18-00234	01/23/18	MEMBERSHIP DUES	Open	70.00	0.00		
					525.00			
02661 KENNETH J. MCGURK								
	18-00245	01/23/18	CONTRACUTAL REIMBURSEMENT-M	Open	2,006.48	0.00		
02714 MITCHELL HUMPHREY*								
	18-00094	01/11/18	MAINT FEE 2/1/18-1/31/19	Open	4,350.00	0.00		
03008 NJ DEPT OF TREASURY/FEES								
	18-00097	01/11/18	WATER ALLOCATION FEES	Open	205.00	0.00		
03021 NJ MOTOR VEHICLE COMMISSION								
	17-03385	12/29/17	ANNUAL ONLINE ACCESS FEE/2018	Open	150.00	0.00		
03026 NJ STATE HEALTH BENEFITS								
	18-00306	01/30/18	FEBRUARY 2018 HEALTH BENEFITS	Open	283,019.14	0.00		
03052 NATIONAL FIRE PROTECTION ASSN*								
	17-03286	12/15/17	MEMBERSHIP BLACKLE 11/17-12/18	Open	175.00	0.00		
03160 OFFICE BASICS, INC*								
	17-03080	11/28/17	POLICE DEPARTMENT EQUIP/SUPPLY	Open	1,845.55	0.00		
	17-03187	12/06/17	OFFICE SUPPLIES	Open	3,254.22	0.00		
					5,099.77			
03226 OLD DOMINION BRUSH CO.*								
	17-03202	12/07/17	LEAF VAC PARTS	Open	3,414.00	0.00		
	17-03384	12/29/17	LEAF TRUCK PARTS	Open	3,226.64	0.00		
					6,640.64			
03305 PEDRONI FUEL*								
	18-00165	01/18/18	NO LEAD GAS	Open	421.91	0.00		
03350 MICHAEL PERRY								
	18-00259	01/24/18	TRAINING REINBURSMENT	Open	30.00	0.00		
03365 LYNN JEFFERIS								
	18-00244	01/23/18	CONTRACUAL REIMBURSEMENT-M	Open	168.13	0.00		
03387 POGUE INC. *								
	17-03386	12/29/17	2018 SAFETY AND HEALTH ANNUAL	Open	3,248.00	0.00		
03450 QUALITY PANELING & HOME CENTER*								
	17-02761	10/25/17	FINGERPRINT STATION	Open	210.00	0.00		
03518 RIGGINS, INC.*								
	18-00164	01/18/18	OFF HIGHWAY DIESEL	Open	984.03	0.00		
	18-00260	01/24/18	OFF HIGHWAY DIESEL	Open	1,183.37	0.00		
	18-00308	01/30/18	OFF HIGHWAY DIESEL	Open	496.38	0.00		
					2,663.78			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03608 SEAWAVE CORPORATION*	18-00027	01/09/18	LEGAL PUBLICATION MEETINGS/AFF	Open	31.91	0.00		
03671 SOUTH JERSEY OVERHEAD DOOR, INC	17-03284	12/15/17	GARAGE DOOR-CLEM MULLIGAN PARK	Open	2,690.00	0.00		
03678 SMELTZER & SONS INC.*	18-00024	01/09/18	ICE MELT	Open	863.52	0.00		
03692 SOUTH JERSEY GAS CO*	18-00252	01/23/18	GAS BILL 12/16 TO 01/18	Open	9,080.55	0.00		
03814 UNIVERSAL COMPUTING SERV., INC*	17-03072	11/27/17	MAILERS AND SHIPPING	Open	275.70	0.00		
03834 CAPE MAY COUNTY TREASURER/HAVE	18-00286	01/25/18	4TH QTR IN LIEU HAVEN HOUSE	Open	498.33	0.00		
03844 GIACOMO TROMBETTA	18-00171	01/18/18	CONTRACTUAL REIMBURSEMENT-M	Open	94.85	0.00		
03902 DONALD VANAMAN JR	18-00303	01/30/18	CONTRACTUAL REIMBURSEMENT-V	Open	190.00	0.00		
03969 VERIZON	18-00254	01/23/18	PHONE SERVICE	Open	243.45	0.00		
03971 VERIZON WIRELESS MDT POLICE	18-00327	01/31/18	MDT WIRELESS 12/21/17-1/20/18	Open	843.29	0.00		
03992 VAL-U AUTO PARTS LLC*	17-02276	08/28/17	RDS/SIGNS/RECY/DPW/DEC	Open	2,202.21	0.00		
03995 VITAL COMMUNICATIONS, INC.*	17-03349	12/27/17	2018 MODIV PRELIMINARY UPDATE	Open	100.00	0.00		
04075 BARBER CONSULTING SERVICES LLC	18-00037	01/09/18	250 GB CLOUD BACKUP	Open	125.00	0.00		
	18-00038	01/09/18	MIS SUPPORT 2018-FIRE SAFETY	Open	1,300.00	0.00		
	18-00199	01/18/18	INV #1170 /1176 IT SERVICES	Open	1,332.50	0.00		
	18-00264	01/24/18	CYBER SECURITY CLASS 1/26/2018	Open	700.00	0.00		
	18-00291	01/25/18	EMAIL EXCHANGE TOWNHALL	Open	1,430.00	0.00		
	18-00300	01/29/18	2018 MIS CONTRACT POLICE/TWNSP	Open	14,500.00	0.00		
					19,387.50			
04300 W B MASON CO INC*	17-02538	09/28/17	OFFICE SUPPLIES	Open	206.90	0.00		
05081 SYSTEMS AND NETWORK ENGINEERS*	17-03283	12/15/17	SERVER ROOM CUT OVER	Open	1,200.00	0.00		
06034 SOUTH JERSEY PAPER PRODUCTS*	17-02612	10/10/17	CLEANING SUPPLIES	Open	326.86	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
06034 SOUTH JERSEY PAPER PRODUCTS* Continued								
	17-03346	12/27/17	CARPET CLEANER FOR BUILDINGS	Open	2,045.60	0.00		
					<u>2,372.46</u>			
5032 NORTH WILDWOOD \$ CREST SHIRT*								
	18-00237	01/23/18	FOOTBALLS- XMAS PARADE	Open	875.00	0.00		
6059 USABLE LIFE								
	18-00301	01/30/18	FEBRUARY 2018 LIFE INSURANCE	Open	547.28	0.00		
6071 UNITED UNIFORMS LIMITED LIAB*								
	17-03206	12/07/17	FIRE SAFETY UNIFORMS	Open	941.88	0.00		
	17-03343	12/27/17	UNIFORMS	Open	614.99	0.00		
					<u>1,556.87</u>			
6088 CRAFT OIL CORPORATION*								
	18-00069	01/10/18	DIESEL MOTOR OIL 15-40	Open	2,113.69	0.00		
7079 SUBURBAN PROPANE L P*								
	18-00318	01/31/18	PROPANE FOR PARKS	Open	575.86	0.00		
7091 STEVE SELBY								
	18-00189	01/18/18	BASKETBALL TOUNRAMENT REF	Open	80.00	0.00		
7098 SHORE VETERINARIAN ANIMAL *								
	18-00139	01/16/18	ANIMAL CNTRL DNE \$54K RES18-20	Open	4,500.00	0.00		B
7196 LAUREN HUGGINS SUIT*								
	18-00085	01/10/18	RES 18-09 DNE \$10,400	Open	866.67	0.00		B
7199 STAPLES CREDIT PLAN-INSTORE PU								
	17-02803	11/01/17	CORK BOARDS	Open	361.16	0.00		
	17-03303	12/18/17	OFFICE SUPPLIES	Open	26.69	0.00		
	17-03318	12/19/17	OFFICE SUPPLIES	Open	1,116.85	0.00		
	17-03319	12/21/17	OFFICE SUPPLIES	Open	1,818.73	0.00		
	17-03370	12/28/17	OFFICE SUPPLIES	Open	734.82	0.00		
	17-03371	12/28/17	TV AND DVD FOR CONST TRAINING	Open	454.77	0.00		
	17-03372	12/28/17	OFFICE SUPPLIES	Open	524.57	0.00		
	17-03376	12/29/17	OFFICE SUPPLIES	Open	447.35	0.00		
	17-03387	12/29/17	OFFICE SUPPLIES - CLERK	Open	156.58	0.00		
	17-03393	12/29/17	OFFICE SUPPLIES	Open	856.11	0.00		
	18-00012	01/08/18	TREASURERS OFFICE SUPPLIES	Open	162.31	0.00		PC1
	18-00084	01/10/18	ARCHIVE BOXES FOR POLICE DEPT	Open	295.16	0.00		
					<u>6,955.10</u>			
7354 FLEETPRIDE INC.*								
	18-00136	01/12/18	PARTS	Open	420.63	0.00		
7368 ACE PLUMBING/ELEC SUPPLY INC*								
	17-03378	12/29/17	ONE BALLAST	Open	158.40	0.00		
7475 SUZANNE M SCHEID								
	18-00193	01/18/18	CONTRACTUAL REIMBURSEMENT-M	Open	154.32	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7502 SMARTPROCURE INC*	17-03332	12/26/17	12/22/17-12/22/18 SOFTWARE	Open	2,000.00	0.00		
7507 STEFANKIEWICZ & BELASCO LLC	17-00124	01/11/17	RES 2017-01 DNE \$125,000	Open	4,743.00	0.00		B
7508 BLANEY & KARAVAN PC*	18-00131	01/11/18	RES# 18-05 PROSECUT DNE 37,500	Open	6,250.00	0.00		B
7512 DIANA LILLO	18-00181	01/18/18	BASKETBALL TOUNRAMENT REF	Open	200.00	0.00		
7521 SOUTHERN COMPUTER WHSE INC*	17-03312	12/19/17	HP LASER JET PRINTER	Open	417.22	0.00		
7526 J. HARRIS ACADEMY OF POLICE LLC	18-00157	01/18/18	TRAINING	Open	510.00	0.00		
7532 HEATHER MCNULTY*	18-00255	01/24/18	DECEMBER 2017 HI-FITNESS PYMT	Open	320.00	0.00		
	18-00256	01/24/18	NOVEMBER 2017 HI-FITNESS PYMT	Open	200.00	0.00		
	18-00257	01/24/18	OCTOBER 2017 HI-FITNESS PYMT	Open	310.00	0.00		
	18-00258	01/24/18	SEPTEMBER 2017 HI-FITNESS PYMT	Open	275.00	0.00		
	18-00335	02/01/18	JANUARY PAYMENT HI-FITNESS	Open	335.00	0.00		
					1,440.00			
7552 EVERBRIDGE, INC*	17-03154	12/04/17	2018 EMERGENCY NOTIFICATION	Open	5,304.50	0.00		
7556 ATLANTIC ENVELOPE COMP, INC*	18-00134	01/12/18	ENVELOPES WINDOW/NON WINDOW	Open	138.40	0.00		
7568 AMERICAN FURNITURE RENTALS*	18-00015	01/09/18	COURT RENTAL FURNITURE	Open	716.80	0.00		B
7615 WILLIAMS SCOTSMAN INC*	16-01912	07/08/16	CONTAINER RENTALS FOR POLICE	Open	730.00	0.00		
	17-00689	03/15/17	CONTAINER RENTALS FOR POLICE	Open	525.00	0.00		B
	18-00324	01/31/18	CONTAINER RENTAL POLICE DEPART	Open	405.00	0.00		
					1,660.00			
7636 MOTT MACDONALD LLC*	17-01015	04/13/17	BEACH DRIVE PED SFTY IMPROVEMT	Open	16,446.00	0.00		B
	17-01730	06/20/17	TRAFFIC ENG BEACH DRIVE PED	Open	560.00	0.00		B
	17-02966	11/09/17	ROSEANN SOIL SAMPLE & DESIGN	Open	2,102.50	0.00		
	18-00238	01/23/18	PROFESSIONAL ENINGEERING	Open	650.55	0.00		
	18-00239	01/23/18	PROFESSIONAL ENINGEERING	Open	338.75	0.00		
	18-00240	01/23/18	PROFESSIONAL ENINGEERING	Open	27.10	0.00		
	18-00241	01/23/18	PROFESSIONAL ENINGEERING	Open	2,567.04	0.00		
	18-00242	01/23/18	PROFESSIONAL ENINGEERING	Open	40.65	0.00		
	18-00310	01/30/18	BEACH DR/OPEN SPACE	Open	600.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7636 MOTT MACDONALD LLC* Continued	18-00338	02/01/18	PROFESIONAL ENGINEERING	Open	210.50	0.00		
					23,543.09			
7711 LORETTA MURPHY	18-00185	01/18/18	BASKETBALL TOUNRAMENT REF	Open	240.00	0.00		
7712 KATELYN KELLY	18-00180	01/18/18	BASKETBALL TOUNRAMENT REF	Open	200.00	0.00		
7714 MACH JACKSON	18-00179	01/18/18	BASKETBALL TOUNRAMENT REF	Open	280.00	0.00		
7715 JOE ENGLEHERT	18-00176	01/18/18	BASKETBALL TOUNRAMENT REF	Open	160.00	0.00		
7720 ROBERT MACOM	18-00210	01/22/18	WRESTLING OFFICIAL	Open	100.00	0.00		
7728 SOUTH JERSEY ENERGY	18-00088	01/10/18	GAS BILL	Open	4,928.84	0.00		
7735 JOHN HARRIS	18-00208	01/22/18	WRESTLING OFFICIAL	Open	80.00	0.00		
	18-00209	01/22/18	WRESTLING OFFICIAL	Open	100.00	0.00		
					180.00			
7794 HON COMPANY*	17-03000	11/13/17	DRAWERS AND KEYBOARD TRAYS PD	Open	2,088.24	0.00		
7811 KYOCERA DOCUMENT SOLUTION AMER	18-00016	01/09/18	COPIER CONTRACT DECEMBER	Open	78.00	0.00		
7842 INFORMATICS HOLDINGS INC*	17-02954	11/09/17	FIXED ASSET TAGS	Open	559.23	0.00		
7843 C.S. PRODUCTS INC	17-02968	11/09/17	11 ROLL OFF CONTAINERS	Open	18,754.00	0.00		B
7871 PLANET TECHNOLOGIES, INC*	17-03196	12/06/17	POLICE DEPT EMAIL MICROSOFT	Open	2,616.48	0.00		
	17-03210	12/08/17	TOWNHALL EMAIL ADDRESS	Open	2,123.52	0.00		
					4,740.00			
7878 WITMER PUBLIC SAFETY GROUP*	17-03317	12/19/17	GA FACE PIECE/ QUICK CHECK FIT	Open	355.00	0.00		
7879 SNAP BOLT*	17-03330	12/22/17	PHOTO BOOTH - NEW YEARS EVE	Open	450.00	0.00		
7881 MICHAEL A STRICKLAND	18-00191	01/18/18	BASKETBALL TOUNRAMENT REF	Open	280.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7885 JOHN & DELORES MCNULTY	18-00295	01/29/18	RELEASE OF PERFORMANCE BOND	Open	13,539.40	0.00		
7887 SCOTT PETER	18-00298	01/29/18	RETURN OF UNUSED ESCROW	Open	72.90	0.00		
7888 ASPHALT PAVING SYSTEMS, INC*	18-00321	01/31/18	BEACH DR PEDESTRIAN SAFETY IMP	Open	13,426.00	0.00		
7889 VINCENT LEVIN	18-00319	01/31/18	WRESTLING MATCH OFFICIAL	Open	80.00	0.00		
7890 PAUL SPARANO	18-00320	01/31/18	WRESTLING MATCH OFFICIAL	Open	80.00	0.00		
7892 MATTHEW JACKSON	18-00314	01/31/18	CONTRACTUAL REIMBURSEMENT-V	Open	285.00	0.00		
BAILEYL LANCE BAILEY	18-00173	01/18/18	BASKETBALL TOUNRAMENT REF	Open	240.00	0.00		
BASILE FRANK BASILE	18-00172	01/18/18	BASKETBALL TOUNRAMENT REF	Open	200.00	0.00		
BLAUE BLAUER ASSOCIATES INC*	15-01940	07/22/15	RES#2015-214 2016 SMALL CITIES	Open	625.00	0.00		B
BOSNA KAREN MANETTE BOSNA	18-00317	01/31/18	JANUARY 2018 PAYMENT-YOGA	Open	175.00	0.00		
CARTYW WALLACE CARTY	18-00174	01/18/18	BASKETBALL TOUNRAMENT REF	Open	160.00	0.00		
CUNNIFF BRIAN CUNNIFF	18-00175	01/18/18	BASKETBALL TOUNRAMENT REF	Open	80.00	0.00		
DSTEFANK DAN STEFANKIEWICZ	18-00190	01/18/18	BASKETBALL TOUNRAMENT REF	Open	200.00	0.00		
FAIR JOHN FAIR	18-00177	01/18/18	BASKETBALL TOUNRAMENT REF	Open	200.00	0.00		
GRIFFI GRIFFIN AUTO-MANUAL SALES, INC*	17-03380	12/29/17	2018 ONLINE RENEWAL	Open	2,695.00	0.00		
HALLK KERRY HALL	18-00178	01/18/18	BASKETBALL TOUNRAMENT REF	Open	160.00	0.00		
JLLOYD JOSEPH LLOYD	18-00182	01/18/18	BASKETBALL TOUNRAMENT REF	Open	160.00	0.00		
MATTHEWS ROBERT MATTHEWS SR	18-00184	01/18/18	BASKETBALL TOUNRAMENT REF	Open	280.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
OCONNOR BRIAN O'CONNOR	18-00187	01/18/18	BASKETBALL TOUNRAMENT REF	Open	160.00	0.00		
ROSSIS STEVEN ROSSI	18-00188	01/18/18	BASKETBALL TOUNRAMENT REF	Open	160.00	0.00		
SMITHS SHEILA D SMITH	18-00170	01/18/18	CONTRACTUAL REIMBURSEMENT-V	Open	315.00	0.00		
STAN1 STANLEY ACCESS TECH LLC	17-03379	12/29/17	SERVICE CONTRACT/DOORSTOWNHALL	Open	2,084.56	0.00		
<hr/> Total Purchase Orders: 187 Total P.O. Line Items: 0 Total List Amount: 816,479.15 Total Void Amount: 0.00								

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 5, 2018.

Julie A Picard, Township Clerk

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

RESOLUTION #2018-62

Title: APPROVING 2018 CONTRACT WITH CAPE ASSIST

WHEREAS, N.J.S.A. 40A:11-3 authorizes the award of any contract without competitive bidding for any purchase, work or service that does not exceed in the fiscal year the total sum of Seventeen Thousand Five Hundred (\$17,500) Dollars; and

WHEREAS, the Township is desirous of renewing its contract with Cape May County Council on Alcoholism and Drug Abuse, Inc. administered by Cape Assist for the Employee Assistance Program; and

WHEREAS, the contract amount for 2018 is Twenty-One Dollars (\$21) per employee currently based on 153 employees for a total of Three Thousand Two Hundred Thirteen Dollars (\$3,213.00) and funds are available in the current fund entitled Group Health 01-23-220-402 as evidenced by the Treasurer's signature below:

Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk are hereby authorized to sign the contract agreement for the year 2018.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 5, 2018.

Julie A Picard, Township Clerk



AGREEMENT

EMPLOYEE ASSISTANCE PROGRAM

This is an agreement between the CAPE MAY COUNTY COUNCIL ON ALCOHOLISM AND DRUG ABUSE, INC., a New Jersey non-profit corporation (hereafter "Cape Assist") and Municipality of Lower Township (hereafter "Employer") to establish an EMPLOYEE ASSISTANCE PROGRAM (hereafter "EAP") to commence on 1/1/2018 and terminate on 12/31/2018.

WHEREAS, the Employer recognizes the need for an EAP for its employees and desires to retain Cape Assist to establish, administer, and provide personnel for an EAP, it is hereby agreed that

CAPE ASSIST WILL:

- * Meet and confer with appropriate personnel of the Employer to develop the policies that will define the scope of the program, and, the procedures and the activities of the program that will most effectively meet the needs of the Employer to be referred to as the "EAP Policies and Procedures."
- * Conduct a training program for the Employer's administrative and supervisory Personnel on EAP Policies and Procedures.
- * Conduct an initial orientation and educational seminar on EAP Policies and Procedures, for all employees who are eligible to participate in the EAP.
- * Provide assessment, evaluation, intervention, referral and case management Services for employees referred to the EAP.

THE EMPLOYER WILL:

- Designate specific members of its administrative staff to assist Cape Assist's representatives in the development of EAP Policies and Procedures.
- * Designate and set aside an appropriate meeting place for the initial orientation seminar on EAP Policies and Procedures for all employees who are eligible for the EAP and for any additional education or training program that the parties agree are necessary to facilitate the EAP.
- * Provide a private, confidential meeting place where the Employer's can meet with Cape Assist Staff when they wish to be counseled at their work site consistent with EAP Policies and Procedures, if requested.

BOTH PARTIES AGREE:

- To strictly adhere to the confidential regulations that are defined in Federal Law 42 CFR Part 2 and pertains to the confidentiality of patient/client records.
- To abide by the EAP Policies and Procedures.
- To review and update the Policies and Procedures annually or on an as needed basis, when the need to do so is identified by either the Employer or Cape Assist.

In Consideration for the EAP services to be provided by Cape Assist, the Employer agrees to pay:

A flat rate of \$3,213.00 for 153 employees for twelve (12) months beginning January 1, 2018 and ending December 31, 2018. Annual cost per employee is \$21.00. Full payment to be received within thirty (30) days of formal acceptance of Agreement. Increases or decreases in personnel of 10% or more shall be reported to Cape Assist and will result in Agreement modification.

INDEMNITY AND HOLD HARMLESS AGREEMENT PROVISION

Cape May County Council on Alcoholism and Drug Abuse, Inc. agrees to indemnify and hold harmless the Employer and their agents, servants and employees, from and against all claims, damages, losses, and expenses, including reasonable attorney's fees in case of the work herein, which 1) for personal or bodily injury, illness or death, or for property damage, including loss of use, and 2) caused in whole or part by Cape May County Council on Alcoholism and Drug Abuse, Inc.'s negligent act or omission or that of a subcontractor may be liable. This indemnification and agreement shall apply in all instances whether the Employer is subsequently made a party to the action by third-party in-pleading or is made a party to a collateral action arising, in whole or in part, from any of the issues emanating from the original cause of the action or claim.

The employer agrees to indemnify and hold harmless Cape May County Council on Alcoholism and Drug Abuse, Inc. and their agents, servants, and employees, from and against all claims, damages, losses, and expenses, including reasonable attorney's fees in case it shall be necessary to file an action, arising out of performance of the work herein, which is 1) for personal or bodily injury, illness or death for property damage, including loss of use, and 2) caused in whole or part by the Employer's negligent act or omission or that of a subcontractor, or that of anyone employed by them or for whose acts contractors or subcontractor may be liable. This indemnification and agreement shall apply in all instances whether Cape May County Council on Alcoholism and Drug Abuse, Inc. is made a party to the action or claim or is subsequently made a party to the action by third-party in-pleading or is made a party to a collateral action arising, in whole or in part, from any of the issues emanating from the original cause of the action or claim.

Nothing herein shall constitute a waiver of or otherwise limit any right either the Employer or Cape Assist may claim for immunity pursuant to N.S.S.A. 2a:53Aa-7, et seq., or, any other law of this State.

CAPE MAY COUNTY COUNCIL ON ALCOHOLISM AND DRUG ABUSE, INC., a New Jersey non-profit corporation.

by _____
Executive Director Date

Witness _____
Name Date

Municipality of Lower Township:

by _____
Name
Mayor Erik Simonsen
_____ Title Date

by _____
Township Clerk Julie Picard
_____ Title Date

Witness _____
Name Date

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

RESOLUTION # 2018-63

Title: **BID ACCEPTANCE AND CONTRACT AWARD FOR MANAGEMENT INFORMATION SYSTEM CONSULTANT (MIS) FOR 2018 AND 2019**

WHEREAS, the Township of Lower has a need to acquire a Management Information Systems Consultant (MIS) for 2018 and 2019 calendar years pursuant to the provisions of N.J.S.A. 19:44A-20.4 Fair and Open Process; and

WHEREAS, Bid # P2P 2018-01 to hire a Management Information Systems Consultant (MIS) for 2018 and 2019 for all Township of Lower Departments including the Lower Township Police Department, was advertised on the Township website on January 10, 2018 and accepted and opened on Tuesday January 23, 2018 at 11:00 a.m.; One (1) Proposal was submitted and reviewed by the QPA; 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: \$5,000 8-01-20-310-363 (Township)
\$9,500 8-01-25-240-276 (Police)

CFO Signature: _____
Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, that the contract for the above is hereby awarded as follows:

AWARD TO: BARBER CONSULTING SERVICES, LLC
TOTAL AWARD: \$14,500.00 - 2.5 hours Weekly Visits
Regular Hourly Rate \$75.00
Emergency Hourly Rate \$150.00

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 5, 2018.

Julie A Picard, Township Clerk

Proposal Page

P2P #2018 -01 Lower Township MIS Consultant 2018 and 2019

The undersigned proposes to furnish and deliver the above goods/services pursuant to the bid specification and made part hereof:

The initial term of this contract shall be from March 1, 2018 and continuing through December 31, 2018. Providing that the performance under this contract is satisfactory and that the contractor complies with the requirements of the specifications, the contract may be extended for one (1) additional year. The options to extend the contract shall be at the sole discretion of the Township of Lower and shall be enacted by a resolution of award by the Township Council.

- 1. 2018 Onsite 2 hour weekly visit, annual cost:
 - \$ \$14,500 for 2.5 hour weekly visit
 - In words _____
- 2. 2018 Hourly rate Regular Hours
 - \$ \$75.00
 - In words _____
- 3. 2018 Emergency Hourly Rate (after 5:00 p.m.)
 - \$ \$150.00
 - In words _____
- 4. 2019 Onsite 2 hour weekly visit, annual cost:
 - \$ \$14,500 for 2.5 hour weekly visit
 - In words _____
- 5. 2019 Hourly rate Regular Hours
 - \$ \$75.00
 - In words _____
- 6. 2019 Emergency Hourly Rate (after 5:00 p.m.)
 - \$ \$150.00
 - In words _____
- 7. Years of Experience with Edmunds
 - 19 Year(s)
- 8. Attach list of Referrals from other Municipalities and/or Government Agencies with similar software packages and applications.

Barber Consulting Services, LLC
Company Name

26-3507082
Federal I.D. # or Social Security #

32 Central Ave
Address


Signature of Authorized Agent

Wesley Barber
Type or Print Name

Title: Managing Member

609-703-9104
Telephone Number

1/10/18
Date

Fax Number

wesb@wbconsulting.net
E-mail address

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

RESOLUTION # 2018-64

Title: **BID ACCEPTANCE AND AWARD FOR LANDSCAPING SERVICES FOR VARIOUS LOCATIONS FOR THE YEARS 2018 AND 2019 WITH AN OPTION FOR 2020**

WHEREAS, the Notice to Re-Bid 2017-10 Landscaping Services for Various Locations in Township of Lower for 2018 and 2019 with an option for 2020 was advertised on November 29, 2017 and accepted on December 13, 2017 at 11:00 a.m. prevailing time; and

WHEREAS, Two (2) sealed bids were submitted and reviewed by the QPA, and the Recreation Superintendent; and

WHEREAS, Bayshore Landscaping Inc was the lowest qualified bidder, complied with the specifications and supplied all required bid documents and the CFO has certified the availability of funds as evidenced by her signature below:

Appropriation: 8-01-27-340-281

CFO Signature: Lauren Read, CFO

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

AWARD TO: BAYSHORE LANDSCAPING INC.
TOTAL: \$39,400.00 FOR 2018

*Price Sheet attached if additional cuts are needed throughout the year
\$39,400.00 FOR 2019 AND 2020 (Contract will be awarded annually by Council)

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPLE						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 5, 2018.

Julie A Picard, Township Clerk

PROPOSAL PAGE A

**Re-Bid 2017-10 Landscaping Services for Various Locations in Township of Lower
2018 and 2019 option for 2020**

The undersigned proposes to furnish and deliver the above goods/services pursuant to the contract bid specification and made part hereof:

The initial term of this contract shall be from March 1, 2018 and continuing through December 31, 2018. Providing that the performance under this contract is satisfactory and that the contractor complies with the requirements of the specifications, the contract may be extended for two (2) additional years, in one (1) year optional increments.. The options to extend the contract shall be at the sole discretion of the Township of Lower and shall be enacted by a resolution of award by the Township Council.

Item 1: 2018 YEAR Total Price Proposal for Grounds and Park Bid Maintenance

\$ 39,400⁰⁰
Thirty Nine Thousand four Hundred Dollars
Amount in words

Item 2: 2019 YEAR Total Price Proposal for Grounds and Park Bid Maintenance

\$ 39,400⁰⁰
Thirty Nine Thousand four hundred dollars
Amount in words

Item 3: 2020 YEAR Total Price Proposal for Grounds and Park Bid Maintenance

\$ 39,400⁰⁰
Thirty Nine Thousand four Hundred dollars
Amount in words

Item 4: Proposal Page B: Exhibit A- Submit attached price list for additional cuts if needed.

Bayshore Landscaping Inc.
Company Name

39 Suzanne Ave. N Cape May.
Address

[Signature]
Signature of Authorized Agent

22-3020150

Federal I.D. # or Social Security #

12/12/17

Date

John McNulty

Type or Print Name

Re-Bid 2017-10 PROPOSAL PAGE B**Exhibit A****PRICE LISTING FOR ADDITIONAL CUTS FOR EACH PROPERTY WHEN NEEDED**

Location ID	Description	Location Address	Tier	Price Per Cut
1	Millman Center	209 Bayshore Road Villas	1	65
2	Clem Mulligan Field	Caroline Avenue, Villas	1	110
3	Fishing Creek School	2102 Bayshore Road, Villas	2	40
4A & 4B	Municipal Complex	2600 Bayshore Road, Villas	1	125
5	Tahoe Circle	Tahoe/Bybrook Drive, Villas	3	25
6	Mindy Park	Mindy Avenue, Villas	2	25
7	Mayflower Circle	Mayflower Circle, NCM	2	25
8	Haverford Triangle	Haverford Avenue, NCM	2	25
9	Pilgrim Circle	Washington Blvd Circle, NCM	2	25
10	Rosehill Stripway	Rosehill Parkway, NCM	2	25
11	Lower Twp. Pool	700 Winslow Avenue, NCM	2	40
12	Canal Park	Canal Park Cape May Lewis Ferry	2	65
13	Jonathon Hoffman	Jonathon Hoffman Road, NCM	1	125
14	Tranquility Park	Nantucket Road/Captain, NCM	2	45
15	Dept Public Works	771 Seashore Road, Erma	1	45
16	Freeman Douglass Pk	677 Route 9 North, Erma	1	225
17	Duck Pond	Timber Lane/Carriage Lane, Erma	2	45
18	Diamond Beach	Rochester & Pacific, WWC	3	25
19	Beach Access Entry Benches	Emerson to Lincoln, NCM	*as needed	20
20	Foster House	1649 Bayshore Road, Villas	2	35
21	Mitnick School Fields 3 Fields and surrounding common areas	905 Seashore Road, Cape May	1	175

Bayshore Landscaping Inc.

Company Name

319 Suzanne Ave. N. Cape May, NJ

Address

Signature of Authorized Agent

22-3020150

Federal I.D. # or Social Security #

12/12/17

Date

John McNulty

Type or Print Name

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

RESOLUTION # 2018-65

Title: **BID ACCEPTANCE AND AWARD FOR FERTILIZING SERVICES FOR VARIOUS LOCATIONS FOR THE YEARS 2018 AND 2019 WITH AN OPTION FOR 2020**

WHEREAS, the Notice to Re-Bid 2017-11 Fertilizing Services for Various Locations in Township of Lower for 2018 and 2019 with an option of 2020 was advertised on November 29, 2017 and accepted on December 13, 2017 at 11:00 a.m. prevailing time; and

WHEREAS, Three (3) sealed bids were submitted and reviewed by the QPA and the Recreation Superintendent; and

WHEREAS, Bayshore Landscaping Inc was the lowest qualified bidder complied with the specifications and supplied all required bid documents and the CFO has certified the availability of funds as evidenced by her signature below:

Appropriation: 8-01-27-340-298

CFO Signature: Lauren Read, CFO

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

AWARD TO: BAYSHORE LANDSCAPING INC.
TOTAL: \$13,200.00 2018
\$13,200.00 FOR 2019 AND 2020 (Contract will be awarded annually by Council)

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPLE						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 5, 2018.

Julie A Picard, Township Clerk

Re-Bid #2017-11 PROPOSAL PAGE

Fertilizing and Slice Seeding
2018/2019 w/2020 Option

Maintenance Contract

The undersigned hereby declares that they have carefully read the documents attached and they fully understand Instructions to Bidders and Technical Specifications and will strictly adhere to all terms and conditions of said documents if awarded a contract therefore.

BID 2018 Year

Total Bid: \$ 13,200⁰⁰
Thirteen thousand two Hundred Dollars
In Numbers
In Words

BID 2019 (2nd) Year Option

Total Bid: \$ 13,200⁰⁰
Thirteen thousand two Hundred Dollars
In Numbers
In Words

BID 2020 (3rd) Final Year Option

Total Bid: \$ 13,200⁰⁰
Thirteen thousand two hundred Dollars
In Numbers
In Words

<u>[Signature]</u>	<u>John McNulty</u>
Signature	Printed Name
<u>President</u>	<u>12/12/17</u>
Title	Date
<u>319-Suzanne Ave N. Cape May</u>	<u>Bayshore Landscaping, Inc</u>
Address	Name of Firm
<u>John McNulty</u>	<u>609-425-1852</u>
Contact Person	Telephone
<u>22-3020150</u>	<u>bayshorelandscaping@comcast.net</u>
Tax ID#	E-mail

Exceptions: _____

Initial below if included

Copy of License: JM
Copy of Insurance: JM
MSDS Sheets: JM

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

RESOLUTION #2018-66

Title: AUTHORIZING PAYMENT OF 2018 COUNTY TAXES (FIRST AND SECOND QUARTERS)
AND 2017 ADDED TAXES

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 taxes 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 8-01-55-910-015 as certified by the Chief Financial Officer _____ payable as follows:

\$2,486,364.12 due 2/15/2018
\$2,486,364.12 due 5/15/2018

WHEREAS, County Added Tax payments are charged to non-budget appropriation County Added Tax 8-01-55-910-016 as certified by the Chief Financial Officer _____ payable as follows:

\$22,785.32 due 2/15/2018

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.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 5, 2018.

Julie A Picard, Township Clerk



INVOICE

County of Cape May

DUE DATE:
FEBRUARY 15, 2018

Treasurer's Office
4 Moore Road
DN 103
Cape May Court House, NJ 08210
Phone 609-465-1170
E:Springer@co.cape-may.nj.us

TO Lower Township
2600 Bay Shore Road
Lower Township, N.J. 08251

QTY	ITEM #	DESCRIPTION	UNIT PRICE	DISCOUNT	LINE TOTAL
		2017 ADDED & OMITTED TAXES: County: \$ 21,876.75 Open Space: \$ 908.57			
				TOTAL	\$ 22,785.32

Claimants Certification and Declaration

I do solemnly declare and certify under the penalties of law that the within bill is correct in all it's particulars; that the articles have been furnished or services rendered as stated therein; that no bonus has been given or received by any person or persons with the knowledge of this claimant in connection with the above claim; that the amount stated therein is justly due and owing and that the amount charged is a reasonable one. I further certify that I am an Equal Opportunity Employer and that I have complied with the Affirmative Action regulations issued by the New Jersey Department of the Treasury.

Vendor's Signature Title CFO Date 12-27-17

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

RESOLUTION #2018-67

Title: **TRANSFER OF 2017 APPROPRIATIONS**

WHEREAS, N.J.S.A. 40A: 4-59 provides for appropriation transfers during the first three months of the succeeding year when it has been determined that any appropriation reserve for the immediately preceding fiscal year is insufficient to pay the claims authorized or incurred during the preceding year, which were chargeable to said appropriation, and there is an excess in any appropriation reserve over and above the amount deemed to be necessary to fulfill its purpose.

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 transfers totaling \$1,000.00 be made between the 2017 budget appropriation reserves:

LINE ITEM		ACCT. NUMBER	FROM	TO
TIPPING FEES	OE	7-01-32-465-600	1,000.00	
TELEPHONE	OE	7-01-31-440-200		1,000.00
			1,000.00	1,000.00

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 5, 2018.

Julie A Picard, Township Clerk

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

RESOLUTION #2018-68

Title: AUTHORIZING PAYMENT FOR DISPATCH SERVICES

WHEREAS, the amounts listed below are due to Cape May County for payment of a shared service agreement for dispatch services per Resolution #2016-224, and it is necessary to receive authorization for the payment of bills; and

WHEREAS, payment to Cape May County 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, sufficient funds are available for Dispatch Service payments through budget appropriation: County Interlocal 8-01-25-250-225 as certified by the Chief Financial Officer _____ payable as follows:

\$150,000.00 due 2/15/2018
\$150,000.00 due 5/15/2018
\$150,000.00 due 8/15/2018
\$150,000.00 due 11/15/2018
\$600,000.00

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.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 5, 2018.

Julie A Picard, Township Clerk



INVOICE

County of Cape May

DUE DATE:
FEBRUARY 15, 2018

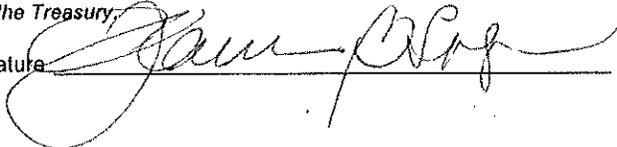
Treasurer's Office
4 Moore Road
DN 103
Cape May Court House, NJ 08210
Phone 609-465-1170
FSpringer@co.cape-may.nj.us

TO Township Of Lower
2600 Bayshore Road
Villas, NJ 08251

QTY	ITEM #	DESCRIPTION	UNIT PRICE	DISCOUNT	LINE TOTAL
		Dispatch Services for the Joint Public Safety Facility Quarter 1 2018 (Res # 778-16)			\$150,000.00
				TOTAL	\$ 150,000.00

Claimants Certification and Declaration

I do solemnly declare and certify under the penalties of law that the within bill is correct in all its particulars; that the articles have been furnished or services rendered as stated therein; that no bonus has been given or received by any person or persons with the knowledge of this claimant in connection with the above claim; that the amount stated therein is justly due and owing and that the amount charged is a reasonable one. I further certify that I am an Equal Opportunity Employer and that I have complied with the Affirmative Action regulations issued by the New Jersey Department of the Treasury.

Vendor's Signature  Title CFO Date 1-23-18

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

RESOLUTION #2018-69

Title: RESOLUTION ESTABLISHING THE QUOTE THRESHOLD PURSUANT TO NJSA 40A:11-3a

WHEREAS, pursuant to N.J.S.A. 40A: 11-3a, the current legal threshold for quotes for Lower Township is \$6,000.00 or 15% of the Qualified Purchasing Agents bid threshold of \$40,000.00; and

WHEREAS, the Township Council is authorized to establish a quote limit which will not require multiple quotes from the using department for any purchase under \$4,000.00, and may authorize the Township Manager to allow exceptions up to the legal quote limit of \$6,000 if it is determined to be in the best interest of the Township.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Council resolves to establish a quote threshold that any purchase under \$4,000.00 will not require multiple quotes from the using departments.

BE IT FURTHER RESOLVED that the Township Manager may allow exceptions up to the legal quote limit of \$6,000 if it is determined to be in the best interest of the Township.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 5, 2018.

Julie A Picard, Township Clerk

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

RESOLUTION #2018-70

Title: **A RESOLUTION REQUESTING RELEASE OF PERFORMANCE GUARANTEE FOR JOHN & DOLORES MCNULTY/BAYSHORE LANDSCAPING; BLOCK 410.01, LOT 21.02, ESCROW #Z17-08-09**

WHEREAS, John & Dolores McNulty/Bayshore Landscaping posted a Performance Guarantee with the Township of Lower, in the amount of \$16,164.00; and

WHEREAS, the Township Engineer has recommended the improvements having a total value of \$16,164.00 have been properly installed and are presently acceptable; and

WHEREAS, the Township of Lower Land Development ordinance requires the posting of a fifteen percent (15%) Maintenance Guarantee prior to the complete release of the original Performance Guarantee; and

WHEREAS, fifteen percent (15%) of the original Performance Guarantee equals \$2,624.60.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, the Governing body thereof, that the Performance Guarantee be and hereby is **released** leaving a balance of \$2,624.60 on account as Maintenance Guarantee.

BE IT FURTHER RESOLVED that the Township Treasurer is granted permission to issue a check in the amount of \$13,539.40 plus any accrued interest for payment of the above released Guarantee.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 5, 2018.

Julie A Picard, Township Clerk

MEMORANDUM

TO: Mayor Erik Simonsen &
Council members

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

DATE: January 26, 2018

RE: John & Dolores McNulty
Bayshore Landscaping
Minor Site Plan
502 Seashore Road
Block 410.01, Lot 21.02
Resolution # 2018-70

The Land Development Ordinance of the Township of Lower, Chapter, XVI, Subsection 400-81E, requires that, "The governing body shall by resolution, release or declare in default each Performance Guarantee".

Pursuant to the above referenced Subsection 400-81E, Resolution # 2018-70 is required to release the Performance Guarantee held in trust by the Township of Lower for John & Dolores McNulty/Bayshore Landscaping, Block 410.01, Lot 21.02. The required final inspection report, certifying completion, compliance and condition of the work, has been received from the Township Engineer, Mott MacDonald.

The Township Engineer recommends release of the retained \$16,164.00.

The inspection and construction costs of the bonded improvements have been paid for by the developer. All mandated improvements must be completed for the project's final approval.

Subsection 400-81F(3) of the Land Development Ordinance of the Township of Lower requires that a Maintenance Guarantee, in an amount equal to not more than fifteen percent (15%) of the original estimate of the cost of improvements, shall be filed by the owner. Therefore, \$2,624.60, (see attached letter from Mott MacDonald dated January 25, 2018), which is fifteen percent, shall be retained as the Maintenance Guarantee.

cc: financial file



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

Via E-mail & 1st Class Mail

Your Reference
Twp. No P17-08-09

Our Reference
380640ZB13

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/americas

**Bayshore Landscaping Minor Site Plan
Township of Lower, Cape May County**

January 25, 2018

Dear Mr. Galestok:

Per the Developer's request for a performance guarantee release, Mott MacDonald conducted multiple inspections at the above referenced site. The inspections were based on a review of the drawings entitled "Minor Site Plan Block 410.01, Lot 21.02 Township of Lower Cape May County, New Jersey" prepared by Joseph H. Maffei, PE, last revised 12/18/17.

The inspections revealed that, to the best of our knowledge and belief, the site improvements have been installed in accordance with the above referenced documents and comply with the Land Development Ordinance of the Township of Lower. Mott MacDonald recommends that the performance bond for the project be released and a maintenance guarantee in the amount of 15% of the cost of the improvements, or **\$2,624.60** be retained with the Township. In accordance with §400-81.F(3), the owner may request the maintenance guarantee be released after one year, upon certification by the Township Engineer, that the improvements have been maintained in a satisfactory manner.

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



Very truly yours,

Mott MacDonald, LLC

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

Shawn A. Carr, PE, CME
Senior Project Engineer
T 609.465.9377 F 609.465.5270

SAC

cc: Lisa Schubert, Planning Board Secretary (via email)
Mark Sray, PE, CME (via email)

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

RESOLUTION #2018-71

Title: A RESOLUTION REQUESTING RELEASE OF PERFORMANCE GUARANTEE FOR 8100 BAYVIEW, LLC; BLOCK 820, LOT 2.05, ESCROW #P16-09-05

WHEREAS, Kathleen M Platzer & Mark A. Platzer posted a Performance Guarantee with the Township of Lower, in the amount of \$5,760.00; and

WHEREAS, the Township Engineer has recommended the improvements having a total value of \$5,760.00 have been properly installed and are presently acceptable; and

WHEREAS, the Township of Lower Land Development ordinance requires the posting of a fifteen percent (15%) Maintenance Guarantee prior to the complete release of the original Performance Guarantee; and

WHEREAS, fifteen percent (15%) of the original Performance Guarantee equals \$864.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, the Governing body thereof, that the Performance Guarantee be and hereby is released leaving a balance of \$864.00 on account as Maintenance Guarantee.

BE IT FURTHER RESOLVED that the Township Treasurer is granted permission to issue a check in the amount of \$4,896.00 plus any accrued interest for payment of the above released Guarantee.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 5, 2018.

Julie A Picard, Township Clerk

MEMORANDUM

TO: Mayor Erik Simonsen &
Council members

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

DATE: January 29, 2018

RE: 8100 Bayview, LLC
8100 Bayview Drive
Block 820, Lot 2.05
Resolution # 2018-71

The Land Development Ordinance of the Township of Lower, Chapter, XVI, Subsection 400-81E, requires that, "The governing body shall by resolution, release or declare in default each Performance Guarantee".

Pursuant to the above referenced Subsection 400-81E, Resolution # 2018-71 is required to release the Performance Guarantee held in trust by the Township of Lower for 8100 Bayview, LLC - Minor Site Plan, Block 820, Lot 2.05. The required final inspection report, certifying completion, compliance and condition of the work, has been received from the Township Engineer, Mott MacDonald.

The Township Engineer recommends **release** of the retained \$5,760.00.

The inspection and construction costs of the bonded improvements have been paid for by the developer. All mandated improvements must be completed for the project's final approval.

Subsection 400-81F(3) of the Land Development Ordinance of the Township of Lower requires that a Maintenance Guarantee, in an amount equal to not more than fifteen percent (15%) of the original estimate of the cost of improvements, shall be filed by the owner. Therefore, \$864.00, which is fifteen percent, shall be retained as the Maintenance Guarantee.

cc: financial file

M
M
MOTT
MACDONALD

RECEIVED
1-29-18

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

Via E-mail & 1st Class Mail

Your Reference
Twp. No P16-09-05

Site Plan – 8100 Bayview, LLC
Township of Lower, Cape May County

Our Reference
366717CM18

January 26, 2018

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

Dear Mr. Galestok:

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

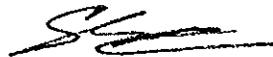
Per the Developer's request for a performance guarantee release, Mott MacDonald conducted multiple inspections at the above referenced site. The inspections were based on a field change related to the trees and a review of the drawings entitled "Site Plan Block 820, Lot 2.05 Township of Lower Cape May County, New Jersey" prepared by Vincent C. Orlando, PE, last revised 2/23/17.

The inspections revealed that, to the best of our knowledge and belief, the site improvements have been installed in accordance with the above referenced documents and comply with the Land Development Ordinance of the Township of Lower. Mott MacDonald recommends that the performance bond for the project be released and a maintenance guarantee in the amount of 15% of the cost of the improvements, or **\$864.00** be retained with the Township.

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

Very truly yours,

Mott MacDonald, LLC



Shawn A. Carr, PE, CME
Senior Project Engineer
T 609.465.9377 F 609.465.5270
Shawn.carr@mottmac.com

SAC

cc: Lisa Schubert, Planning Board Secretary (via email)
Mark Sray, PE, CME (via email)

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

RESOLUTION #2018-72

Title: APPROVAL OF 2018 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 2018:

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.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 5, 2018.

Julie A Picard, Township Clerk

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

RESOLUTION #2018-73

Title: **ISSUANCE OF 2018 LIMOUSINE, TAXI AND OPERATOR LICENSES**

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

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

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

Aarts Transportation Services, Inc

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

G Garibaldi Taxi

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

High Roller Limousine Inc.

<u>License Type</u>	<u>Description</u>
Limo	2005 Dodge Grand Caravan Vin#2DGP44LX5R394953
Operators	Arthur Wolf and Karen Wolf

G Garibaldi Transportation, LLC

<u>License Type</u>	<u>Description</u>
Limo	2005 Ford Ecoline Vin#1FBSS31L7SHB30769
Limo	2005 Dodge Grand Caravan Vin#1D4GP24R95B192368
Limo	2007 Dodge Grand Caravan Vin#1D4GP24R07B260754
Limo	2007 Dodge Grand Caravan Vin#1D4GP24R77B165754
Operators	Oleg Pismenny and John Reeves

Cape May Limousine

<u>License Type</u>	<u>Description</u>
Limo	2007 Lincoln Towncar Vin# 1L1FM88W97Y636026
Limo	2002 Ford Excursion Vin#1FMNU40S12EB96857
Operators	Brian Carroll and Nicholas SanGiorgio

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 5, 2018.

Julie A Picard, Township Clerk

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

RESOLUTION #2018-74

Title: RENEWAL OF JUNK YARD LICENSE FOR CAPE MAY USED AUTO PARTS FOR THE YEAR 2018

WHEREAS, application for the renewal of a junk yard license has been received from Macum Corp./Cape May Used Auto Parts, located at 1024 Shunpike Road, Block 749, Lot 6; and

WHEREAS, said application is in proper form and the required license fee has been paid; and

WHEREAS, no known reason exists why said license should not be renewed.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the renewal of a junk yard license for the year 2018 is hereby approved for Macum Corp t/a Cape May Used Auto Parts, expiring Dec. 31, 2018.

BE IT FURTHER RESOLVED the licensee shall conduct all business in accordance with Chapter 392 of the Code of the Township of Lower.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 5, 2018.

Julie A Picard, Township Clerk

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

RESOLUTION #2018-75

Title: RENEWAL OF TRAILER PARK LICENSES FOR THE YEAR 2018

WHEREAS, the following applicants have submitted applications for renewal of their trailer park licenses for the year 2018; and

WHEREAS, the appropriate license fees have been received and the real estate taxes on subject properties are current.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the renewal of the following trailer park licenses for the year 2018 are hereby approved:

<u>NAME</u>	<u>LOCATION</u>
Patricia Major t/a Broadway Mobile Park	901 Broadway
William Herker t/a Cape May Landing	755 Route 9
Inter Coastal Enterprises, Inc. t/a Shawcrest Mobile Home Park	5200 Shawcrest Road
National RV Communities t/a Cape May Crossing	878 Route 109 South
William Herker t/a Cape Meadows	306 Route 9

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 5, 2018.

Julie A Picard, Township Clerk

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

RESOLUTION # 2018-76

Title: **OPPOSING REGULATIONS PROPOSED BY THE NEW JERSEY DEPARTMENT OF AGRICULTURE TO REGULATE BEEKEEPING**

WHEREAS, the New Jersey Department of Agriculture has published new beekeeping regulations in the New Jersey Register which are now open to public comment; and

WHEREAS, these new regulations include a section on Apiary Standards which states that bee colony density will be regulated as follows: on a residential lot of less than one-quarter acre where agriculture has not otherwise been determined as permitted new (not already in existence) hives are not permitted; on a residential lot of less than one-quarter acre where hives are in existence as of July 31, 2015, the hobbyist beekeeper may seek a waiver; on a residential lot of one-quarter acre to less than five acres, a person wishing to keep bees and a hobbyist may seek a waiver to keep two hives per lot; and

WHEREAS, these regulations also include a section of Location of Hives, which requires that all hives must be located at least ten (10) feet from any property line and at least twenty-five (25) feet from any roadside, sidewalk, or path and eighty-five (85) feet from any public place including playgrounds, sports fields, schools or churches, unless permission is granted for educational or research purposes, as well as establishing a Flyway Barrier at least six (6) feet in height consisting of a solid wall, fence, or dense vegetation parallel to the property line and extending ten (10) feet beyond the colony in each direction; and

WHEREAS, these new regulations ignore key best management practices for beekeeping and would be difficult for the vast majority of New Jersey municipalities to enforce.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the Township Council wishes to go on record with the New Jersey Department of Agriculture that the Township is opposed to the new beekeeping regulations which would have a detrimental effect on beekeeping in the Township as well as throughout New Jersey, and urges the New Jersey State League of Municipalities to work towards creating legislation with straightforward regulations based on fact, science, and best management practices which will protect both beekeepers and non-beekeepers within the State of New Jersey;

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Senator Jeff Van Drew, Assemblyman Bob Andrzejczak, Assemblyman R. Bruce Land, the New Jersey State League of Municipalities, the New Jersey Beekeepers Association, and all Cape May County municipalities urging them to oppose the adoption of the new beekeeping regulations as proposed by the New Jersey Department of Agriculture.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 5, 2018.

Julie A Picard, Township Clerk

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

RESOLUTION # 2018-77

Title: APPROVAL OF SECONDHAND MERCHANTS AND DEALERS OF PRECIOUS METALS LICENSE

WHEREAS, an application has been received by the Township for Secondhand Merchants and Dealers of Precious Metal Licenses by the following applicant in accordance with Ordinance #2016-05 ; and

WHEREAS, the applicant has paid the proper fee, posted the required bond and the Police have no objection to the issuance of said license.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that a Secondhand Merchants and Dealers of Precious Metals License for the year 2018 be approved and issued to the following applicant:

Lucky 7 Gold & Consignment

1425 Bayshore Road, Villas

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 5, 2018.

Julie A Picard, Township Clerk

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

RESOLUTION # 2018-78

Title: **BID REJECTION FOR ROSEANN AVENUE ROADWAY AND UTILITY IMPROVEMENTS CONTRACT No. M-10**

WHEREAS, the Notice to Bidders for Roseann Avenue Roadway and Utility Improvements Contract No. M-10 was advertised on December 27, 2017 and accepted on January 31, 2018 at 10:00 a.m. prevailing time; and

WHEREAS, Two (2) sealed bids were submitted and reviewed by the Township's Purchasing Agent, Public Works Director and Engineer Mott MacDonald; and

WHEREAS, the Two (2) sealed bids are hereby rejected as per: LPCL 40A:11-13.2 (b) the lowest bid substantially exceeds the contracting unit's appropriation for the goods or services.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that all bids are hereby rejected.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPLE						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 5, 2018.

Julie A Picard, Township Clerk



Mr. James Ridgway
Township Manager
Township of Lower
2600 Bayshore Road
Villas, NJ 08251

Via email at manager@townshipoflower.org

Your Reference
Roseann Avenue Roadway
and Utility Improvements,
Contract M-10

Our Reference
363798

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/americas

Report on Bids
Roseann Avenue Roadway and Utility Improvements
Contract No. M-10

February 2, 2018

Dear Mr. Ridgway:

On January 31, 2018 at 10:00 a.m. sealed bids were received for the above referenced project. Twelve (12) contractors picked up bid documents during the bidding period with two (2) contractors submitting a bid for the project.

We have reviewed the prices and amounts provided in the bids and have summarized our findings below:

Bidder's Name	Base Bid	Supplemental Bid	Base Bid Less Supplemental Bid
Mathis Construction Co., Inc.	\$7,555,555.00	\$131,460.00	\$7,424,095.00
Perna Finnigan, Inc.	\$8,878,575.50	\$131,460.00	\$8,747,115.50

It is our understanding that both the base bid of \$7,555,555.00 and the base bid less the supplemental bid of \$7,424,095.00 submitted by Mathis Construction exceed the amount of Township funds available for the project and therefore we recommend that the Township reject the bids.



Should you have any questions or require additional information, please do not hesitate to contact this office.

Very truly yours,

Mott MacDonald, LLC

A handwritten signature in black ink that reads 'Mark R. Sray'.

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

cc: Julie Picard, Clerk (via email)
Margaret A. Vitelli, RPPS, QPA, Purchasing Agent (via email)
Colleen Crippen, Coordinator of Federal and State Aid (via email)
Gary Douglass, CPWM, Public Works Superintendent (via email)
Mark Blauer, Blauer Associates (via email)

PW\384179\Bidding\Bid Report\M-12 - Report on Bids.docx

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

RESOLUTION #2018-79

Title: APPROVAL OF AN ALCOHOLIC BEVERAGE CONTROL LICENSE PLACE TO PLACE
TRANSFER – INCLUDING EXPANSION OF LICENSED PREMISES –
LICENSE #0505-33-016-006, MAYPOINT HOSPITALITY, LLC T/A HARPOON'S ON THE BAY

WHEREAS, an application has been filed for a place-to-place transfer (Expansion of Premises) of Plenary Retail License 0505-33-016-006 for the purpose of expanding the premises under license wherein the sale, service and storage of alcoholic beverages are authorized; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

NOW, THEREFORE, BE IT RESOLVED that the Lower Township Council does hereby approve effective February 5, 2018, the expansion of the aforesaid plenary Retail Consumption licensed premises located at Browning Ave & Beach Drive, Lower Township, New Jersey, to place under license the area delineated in the application form and the sketch of the licensed premises attached thereto.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

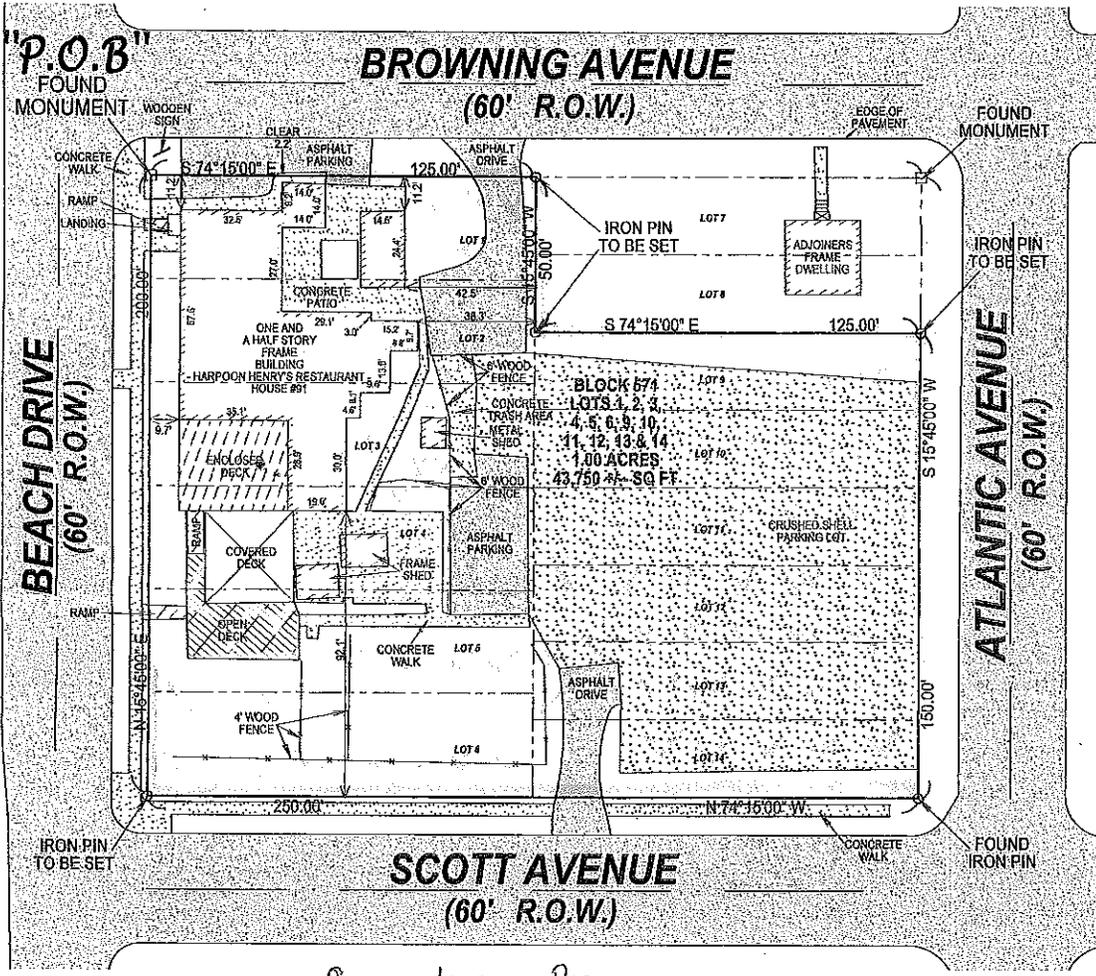
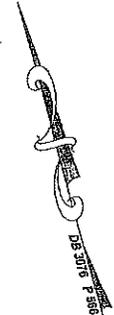
I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 5, 2018.

Julie A Picard, Township Clerk

LEGEND

These standard symbols and abbreviations can be found hereon.

- | | | | | | | | |
|---|--------------------------|---|---------------------|------|----------------------------|------|----------------------------------|
| ⊕ | Bench Mark | ⊙ | Well | (R) | Radial | OA | Overall |
| ⊕ | Mail Box | ⊙ | Septic Tank lid | (NR) | Non-Radial | FIRM | Flood Insurance Rate Map |
| ⊕ | Water Meter | ⊙ | Gas Valve | (D) | Deed Measurement | BFE | Base Flood Elevation |
| ⊕ | Irrigation Control Valve | ⊙ | Gas line Marker | (F) | Field Measurement | NGVD | National Geodetic Vertical Datum |
| ⊕ | Storm Sewer Manhole | ⊙ | Electric Meter Pole | PLS | Professional Land Surveyor | NAVD | North American Vertical Datum |
| ⊕ | Sanitary Sewer Manhole | ⊙ | Wood Power Pole | AVC | Air Conditioner | | Existing Spot Elevation |
| ⊕ | Clean out | ⊙ | Wood Light Pole | PG | Page | | Holly Tree |
| ⊕ | Phone-comm Box | ⊙ | Concrete Power Pole | FB | Field Book | | Pine Tree |
| ⊕ | Metal Sign Post | ⊙ | Guy Wire Anchor | DB | Deed Book | | Spruce Tree |
| ⊕ | Electric Service Box | ⊙ | Metal Light Pole | WT | Witness Corner | | Unknown Tree |
| ⊕ | Phone Riser | ⊙ | Fire Hydrant | POL | Point on-line | XX* | (Tree Diameter, Typical) |
| ⊕ | Broadband Riser | ⊙ | Water Valve | CB | Chord Bearing | | |
| ⊕ | Electric Hand-hole | ⊙ | Concrete | CH | Chord Distance | | |
| | | ⊙ | Asphalt | A | Arc Distance | | |
| | | | | D | Delta | | |
| | | | | L | Line | | |
| | | | | C | Curve | | |



— CURRENT LICENSED PREMISES
 — PROPOSED EXPANSION OF ADJACENT GROUNDS

SURVEYOR'S REPORT

1. TAX MAP REFERENCE:
 LOT(S) 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 13 & 14 BLOCK (S) 571 (TAX MAP NUMBERS) SHEET NO. 6.03
 MUNICIPALITY: TOWNSHIP OF LOWER, CAPE MAY COUNTY, NEW JERSEY

2. BEARING BASIS:
 Bearings shown hereon are based on deed book 3078, page 556

3. UTILITIES:
 No attempt was made to locate the underground utilities which may exist on this property. Prior to any excavation, contractors shall be responsible to determine their exact location, the least of which shall be by contacting Garden State Underground Plant Location services at 1-800-272-1000.

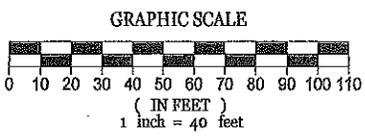
4. Title Commitment:
 This Survey has been prepared without the benefit of a Title Search and is subject to Easements, Validity of Chain of Title, e.c.t. that a subsequent search may disclose.

5. Hazardous Substances:
 We are not experts in the detection and identification of potentially hazardous substances, nor does this survey purport to reveal the presence of such substances.

6. WETLANDS:
 No Freshwater Wetlands, Rights or Interests of the United States of America or the State of New Jersey over lands now or formerly flowed by Tide Waters but no longer visible or physically evident or lands containing or affected by any animal, marine or botanical species regulated, protected by or under the jurisdiction of any Federal, State or Local Agency have been located or delineated as a part of this Survey.

7. PLAN PURPOSE:
 Please be aware that this plan is not intended to be used for any other purpose other than title transfer. The plan does comply with N.J.S.A. 13:40-5.1 Land Surveyors Preparation of Land Surveys. However property line offsets and building dimensions are not of the quality that may be required for architectural or engineering design purposes.

8. Flood Zone Determination:
 The property is located in a flood zone "C" as per the current FEMA FIRM map, panel #3401530006C, being initially identified on 07/14/1974 and last revised on 07/15/1992.



COPYRIGHT © Geosurv NJ, LLC 2011. All Rights Reserved
 SURVEYOR DECLARATION

I, DECLARE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF, THAT THE MAP OR PLANS IS THE RESULT OF A FIELD SURVEY MADE ON 08/19/16, BY MYSELF OR UNDER MY DIRECT SUPERVISION, IN ACCORDANCE WITH THE RULES AND REGULATIONS PROMULGATED BY THE STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS. THE INFORMATION SHOWN HEREON CORRECTLY REPRESENTS THE CONDITIONS, AS OF THE DATE OF THE FIELD SURVEY, EXCEPT SUCH IMPROVEMENTS AND/OR EASEMENTS BELOW THE SURFACE AND NOT VISIBLE. THIS DECLARATION IS GIVEN SOLELY TO THE ABOVE MENTIONED PARTIES.
 CAUTION: IF THIS DOCUMENT DOES NOT CONTAIN A RAISED IMPRESSION SEAL OF THE PROFESSIONAL, WITH AN INK SIGNATURE, IT IS NOT AN AUTHORIZED DOCUMENT AND MAY HAVE BEEN ALTERED.

HAROLDE NOON, JR. PROFESSIONAL LAND SURVEYOR NEW JERSEY LICENSE NO. 24950401400 PROFESSIONAL PLANNER NEW JERSEY LICENSE NO. 331100424000 GEOSURV NEW JERSEY, LLC PROFESSIONAL LAND SURVEYORS & PLANNERS CERTIFICATE OF AUTHORIZATION #250A2819350	DATE: 08/19/16	MAP OF BOUNDARY SURVEY		DATE: 08/19/16	FB: SEE	PG: FILE	FIELD NO. WG/BC/HN
	SITUUS ADDRESS: 91 BEACH DRIVE CAPE MAY, NEW JERSEY 08204	PROJECT NO. ST 9L571 L1-14 LT	LOT 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 13 & 14	BLOCK 571	COUNTY CAPE MAY, CITY OF CAPE MAY	CHECK HN	
PREPARED FOR: MAYPOINT HOLDINGS, LLC.	REVISION		DATE				
SELLER TAKE BACK, AND/OR ITS SUCCESSORS AND ASSIGNS AS THEIR INTEREST MAY APPEAR	1. REVISED LOT NUMBERS AS PER TAX ASSESSOR'S REQUEST			09/15/16			
SHORE TITLE AGENCY, INC.	2.						
	3.						

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

ORDINANCE #2018-01

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-15.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of Lower in the County of Cape May finds it advisable and necessary to increase its CY 2018 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township of Lower hereby determines that a 3.5% increase in the budget for said year, amounting to \$770,183.68 in excess of the increase in final appropriations otherwise permitted by the Local Government Cape Law is advisable and necessary; and,

WHEREAS, the Township Council hereby determines that any amount authorized hereinabove that is not appropriated, as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Lower, in the County of Cape May, a majority of the full authorized membership of this governing body affirmatively concurring, that in the CY 2018 budget year, the final appropriation of the Township of Lower shall, in accordance with this ordinance and N.J.S.A. 40A: 4-15.14, be increased by 3.5% amounting to \$770,183.68, and the CY 2018 municipal budget for the Township of Lower be approved and adopted in accordance with this ordinance.

BE IT FURTHER ORDAINED, that any amount authorized hereinafter that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Thomas Conrad, Councilmember

David Perry, Councilmember

Rolland Roy, Councilmember

Frank Sippel, Deputy Mayor

Erik Simonsen, Mayor

Introduced: January 3, 2018

Adopted: _____

Attest: _____
Julie A Picard, Township Clerk

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

ORDINANCE # 2018-02

AN ORDINANCE OF THE TOWNSHIP OF LOWER AMENDING ORDINANCE #2011-03;
AMENDING CHAPTER 340, FIRE PREVENTION, OF THE CODE OF THE TOWNSHIP OF LOWER

BE IT ORDAINED by the Township Council of the Township of Lower, in the County of Cape May, and the State of New Jersey that Ordinance #2011-03 and Chapter 340 of the Code of the Township of Lower, entitled Fire Prevention, shall be amended as follows:

SECTION 1. *Section 340-13 (B) Uses, (9) through (16) shall be replaced with:*

Total Gross Floor Area Including Basement (square feet)	Fees
0 to 1,000	\$110.00
1,001 to 2,000	\$120.00
2,001 to 3,000	\$130.00
3,001 to 4,000	\$140.00
4,001 to 5,000	\$145.00
5,001 to 6,000	\$155.00
6,001 to 7,000	\$160.00
7,001 to 7,500	\$180.00
7,501 to 8,000	\$215.00
8,001 to 9,000	\$240.00
9,001 to 9,500	\$265.00
9,501 to 10,500	\$300.00
10,501 to 11,500	\$330.00
11,501 to 12,000	\$340.00

For each additional 1,000 square feet or more, the registration fee is an additional \$30.00.

10. Eating and drinking establishments/assembly uses with less than 50 occupants, the fee shall be one hundred fifteen (\$115.00) dollars.
11. Hotels and motels with 100 rooms or less and not defined as life hazard uses, the fee shall be one hundred seventy-five (\$175.00) dollars.

12. Buildings for the purpose of amusement, entertainment, recreation, strip malls, shopping centers, and health spas, which are not defined as a life hazard use, the fee shall be one hundred eighty-five (\$185.00) dollars.
13. The fee for multi-dwelling units with three (3) dwelling units or more shall be eighty (\$80.00) dollars, and twenty-three (\$23.00) dollars for each additional dwelling unit.
14. For the sale of properties, the fee shall be one hundred twenty-five (\$125.00) dollars. This one hundred twenty-five dollar fee shall include only the sale of property inspection applications received in the Fire Bureau office more than 10 working days from the settlement date. All sale of property inspection applications received in the Fire Bureau office with less than 10 working days to settlement, the fee shall be two hundred fifty (\$250.00) dollars. For rental properties, the fee shall be one hundred twenty-five (\$125.00) dollars per unit. This one hundred twenty-five (\$125.00) dollar fee shall include only the rental of property inspection applications received in the Fire Bureau office more than 10 working days from the occupancy date. All rental property inspection applications received in the Fire Bureau office with less than 10 working days to occupancy, the fee shall be two hundred fifty (\$250.00) dollars. This shall also include campground and mobile home park rental units such as, but not limited to, houses, cabins and trailers that are used for dwelling purposes. R-3 uses shall be inspected upon sale of property, and rental properties on change of tenant for yearly rentals, and prior to June 1 for seasonal rentals. The seasonal rental period shall be from June 1 through September 30 of any given year. There shall be a penalty of not less than \$250.00 and not more than \$1,200.00 for any rental property not registered and inspected as required by this ordinance. The Bureau of Fire Safety shall, upon the sale of property and occupancy of a rental property including one and two-family dwelling, conduct a fire inspection prior to settlement and/or occupancy for the purpose of:
 - (a) Establishing that the occupancy has not been changed unless the structure has been upgraded to the new use as required under the New Jersey Administrative Code 5:23-2.6(b), change of use group.
 - (b) Ensuring that the property is in compliance with the New Jersey Uniform Fire Code N.J.A.C. 5:70-4.19 and other Fire Safety requirements.
 - (c) Ensuring that the required fire extinguisher is properly located within the property and is maintained as per National Fire Protection Association standard #10.
 - (d) Ensuring that any heat-producing device is inspected and certified safe by a professional prior to the Fire Bureau inspection.
 - (e) Ensuring that hood protection is being provided under combustible cabinets that are installed directly over cooking appliances.
15. Whenever it becomes necessary for the Bureau of Fire Safety to perform a re-inspection of a sale property or rental property for the same violation two (2) or more times, there shall be an additional re-inspection fee of sixty (\$60.00) dollars per re-inspection, commencing with the third re-inspection and each subsequent re-inspection thereafter.
16. All uses listed in the aforementioned schedule shall be inspected annually for compliance with the provisions of this Ordinance and the New Jersey Uniform Fire C, unless otherwise noted above.

SECTION 2. *Section 340-14; Fire Safety Permit Fees* is hereby amended to read as follows:

Type 1 Permit	\$ 70.00
Type 2 Permit	\$ 185.00
Type 3 Permit	\$ 355.00
Type 4 Permit	\$ 525.00

SECTION 3. *Repeal:* All other ordinances or sections of ordinances in conflict or inconsistent with this ordinance are hereby repealed to the extent of such conflict or inconsistency.

SECTION 4. *Severability:* In the event any section, paragraph, sentence, clause or phrase of this ordinance shall be declared unconstitutional or invalid for any reason, the remaining portions of the 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 5. *Effective date:* This ordinance shall become effective immediately upon final passage and publication, according to law.

Thomas Conrad, Councilmember

David Perry, Councilmember

Roland Roy, Councilmember

First Reading: Jan 17, 2018

Adoption:

Frank Sippel, Deputy Mayor

Attest:

Julie Picard, Township Clerk

Erik Simonsen, Mayor



BUREAU OF FIRE SAFETY - TOWNSHIP OF LOWER

Lower Township Recreation Center
2600 Bayshore Road
Villas, NJ 08251
Phone: (609) 889-0404
Fax: (609) 889-8876

Mailing Address:
2600 Bayshore Road
Villas, NJ 08251

THE BUREAU OF FIRE SAFETY

IN THE TOWNSHIP OF LOWER, COUNTY OF CAPE MAY

Resolution # 17-03

Amending Ordinance #2011-03: "AN ORDINANCE AMENDING CHAPTER 340, FIRE PREVENTION, OF THE CODE OF THE TOWNSHIP OF LOWER

WHEREAS, pursuant to Ordinance No. 2010-07, the Township of Lower has set forth a system of enforcing the New Jersey Uniform Fire Safety Code within the Township of Lower through the Bureau of Fire Protection of Lower Township Fire Districts 1, 2 and 3; and

WHEREAS, the fee schedule has been previously determined and set in Ordinance #2011-03; and

WHEREAS, the Commissioners of Lower Township Fire Districts 1, 2 and 3 are desirous of making changes to the fee schedule.

NOW THEREFORE, BE IT RESOLVED by the Bureau of Fire Safety in the Township of Lower, County of Cape May, to amend Ordinance #2011-03 as per the schedule below:

Fees	Square Footage, Total Gross Floor Area Including Basement
\$110.00	0 to 1,000
\$120.00	1,001 to 2,000
\$130.00	2,001 to 3,000
\$140.00	3,001 to 4,000
\$145.00	4,001 to 5,000
\$155.00	5,001 to 6,000
\$160.00	6,001 to 7,000
\$180.00	7,001 to 7,500
\$215.00	7,501 to 8,000
\$240.00	8,001 to 9,000
\$265.00	9,001 to 9,500
\$300.00	9,501 to 10,500
\$330.00	10,501 to 11,500
\$340.00	11,501 to 12,000

For each additional 1,000 square feet or more, the registration fee is an additional \$30.00.

10. Eating and drinking establishments/assembly uses with less than 50 occupants, the fee shall be one hundred fifteen (\$115.00) dollars.
11. Hotels and motels with 100 rooms or less and not defined as life hazard uses, the fee shall be one hundred seventy-five (\$175.00) dollars.
12. Buildings for the purpose of amusement, entertainment, recreation, strip malls, shopping centers, and health spas, which are not defined as a life hazard use, the fee shall be one hundred eight-five (\$185.00) dollars.
13. The fee for multi-dwelling units with three (3) dwelling units or more shall be eighty (\$80.00) dollars for the first unit, and twenty-three (\$23.00) dollars for each additional dwelling unit.
14. For the sale of properties, the fee shall be one hundred twenty-five (\$125.00) dollars. This \$125.00 fee shall include only the sale of property inspection applications received

in the Fire Bureau office more than 10 working days from the settlement date. All sale of property inspection applications received in the Fire Bureau office with less than 10 working days to settlement, the fee shall be two hundred fifty (~~\$250.00~~) dollars. For rental properties, the fee shall be one hundred fifteen (~~\$115.00~~) dollars per unit. This one hundred fifteen (~~\$115.00~~) dollar fee shall include only the rental of property inspection applications received in the Fire Bureau office more than 10 working days from the occupancy date. All rental property inspection applications received in the Fire Bureau office with less than 10 working days to occupancy, the fee shall be two hundred fifty (\$250.00) dollars. This shall also include campground and mobile home park rental units such as, but not limited to, houses, cabins and trailers that are used for dwelling purposes. R-3 uses shall be inspected upon sale of property, and rental properties on change of tenant for yearly rentals, and prior to June 1 for seasonal rentals. The seasonal rental period shall be from June 1 through September 30 of any given year. There shall be a penalty of not less than \$250.00 and not more than \$1,200.00 for any rental property not registered and inspected as required by this ordinance. The Bureau of Fire Safety shall, upon the sale of property and occupancy of a rental property including one and two-family dwellings, conduct a fire inspection prior to settlement and/or occupancy for the purpose of:

- (a) Establishing that the occupancy has not been changed unless the structure has been upgraded to the new use as required under the New Jersey Administrative Code 5:23-2.6(b), change of use group.
 - (b) Ensuring that the property is in compliance with the New Jersey Uniform Fire Code N.J.A.C. 5:70-4.19 and other Fire Safety requirements.
 - (c) Ensuring that the required fire extinguisher is properly located within the property and is maintained as per National Fire Protection Association standard #10.
 - (d) Ensuring that any heat-producing device is inspected and certified safe by a professional prior to the Fire Bureau inspection.
 - (e) Ensuring that hood protection is being provided under combustible cabinets that are installed directly over cooking appliances.
15. Whenever it becomes necessary for the Bureau of Fire Safety to perform a reinspection of a sale property or rental property for the same violation two (2) or more times, there shall be an additional reinspection fee of sixty (\$60.00) dollars per reinspection, commencing with the third reinspection and each subsequent reinspection thereafter.
16. All uses as listed in the aforementioned schedule shall be inspected annually for compliance with the provisions of this ordinance and the New Jersey Uniform fire code, unless otherwise noted above.

SECTION 340-14 of the Revised General Ordinances is hereby amended to read as follows:

Permits. Fire Safety permit fees shall be as follows:

- Type 1 Permit -- \$ 70.00
- Type 2 Permit -- \$185.00
- Type 3 Permit -- \$355.00
- Type 4 Permit -- \$525.00

SECTION III. Repeal. All other ordinances or sections of ordinances in conflict or inconsistent with this ordinance are hereby repealed to the extent of such conflict or inconsistency.

SECTION IV. Severability. In the event any section, paragraph, sentence, clause or phrase of this ordinance shall be declared unconstitutional or invalid for any reason, the remaining portions of the 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 V. Effective date. This ordinance shall become effective immediately upon final passage and publication, according to law.

CERTIFICATION

I, Susan D. Bailey, secretary of the Bureau of Fire Safety, in the Township of Lower, in the County of Cape May, hereby certify that the foregoing resolution was duly adopted by the Bureau of Fire Safety at a meeting held on December 20, 2017.



Secretary

This resolution was introduced by Commissioner Harron and it was seconded by Commissioner Robertson

RECORD OF VOTE:

HARRON:	<u> X </u>	YES;	___	NO;	___	NOT VOTING;	___	ABSENT.
CONLEY:	<u> X </u>	YES;	___	NO;	___	NOT VOTING;	___	ABSENT.
ROBERTSON:	<u> X </u>	YES;	___	NO;	___	NOT VOTING;	___	ABSENT.