

WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL
March 19, 2018 - 7:00 P.M.

Meeting called to order

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

Work Session

2018 Budget Hearing - Manager Jim Ridgway, CFO Lauren Read, Auditor Leon Costello
Res. #2018-112 Adoption of 2018 Budget

Consent Agenda

Approval of Minutes March 5, 2018 & March 9, 2018
Approval of Closed Session Minutes March 5, 2018
Res. #2018-113 Payment of Vouchers \$ 978,220.80
Res. #2018-114 Approval of Holy Spirit Lutheran Church's Request to Conduct a Church Bazaar (6/9/18)
Res. #2018-115 A Resolution Awarding A Professional Service Contract Without Public Bidding to Rutala Associates Consulting Services for Grants Consulting Services (\$140.00 per hour not to exceed \$10,000)
Res. #2018-116 Issuance of Ice Cream Peddling and Ice Cream License for the year 2018 (Jim's Mr. Softee)
Res. #2018-117 Authorization for Refund of Taxes (3 properties \$4,476.51)
Res. #2018-118 Approval of Change Order #1 for Additional Work (Beach Drive Pavement Extension) for the Beach Drive Pedestrian Safety Improvement Project (Mott MacDonald \$4,250)
Res. #2018-119 Capital Budget Amendment
Res. #2018-120 A Resolution Requesting Reduction of a Performance Guarantee for South Jersey Marina, Block 824.02; Lot 19 Escrow #P16-12-03 (\$16,989.)
Res. #2018-121 Amending Resolution #2018-64; Correcting Appropriation Line to be Charged for Services (Landscaping)
Res. #2018-122 Amending Resolution #2018-65; Correcting Appropriation Line to be Charged for Services (Fertilization) +
Res. #2018-123 Authorization for the Payout of Accumulated Compensatory Time (R.Fessler \$3,682.19)
Res. #2018-124 Resolution for Self-Examination of Budget
Ordinance #2018-06 An Ordinance Amending Ordinance #2013-01; Police Department, of the Code of the Township of Lower – 1975, As Amended, Amending Article 1, Subsection 90-1 – This is the first reading of this Ordinance. The second reading and public hearing of this Ordinance has been scheduled for Monday, April 9, 2018

Regular Agenda

Ordinance #2018-03 – An Ordinance Revising and Restating Article 1 of Chapter 178, Beaches of the Code of the Township of Lower. This is the second reading and public hearing for this Ordinance. This ordinance has been published, posted and made available to the public.

Ordinance #2018-04 – Amending Article IV Subsection 475-14 of Chapter 475; Parks and Recreation Areas of the Code of the Township of Lower – to Amend The Fee Schedule This is the second reading and public hearing for this Ordinance. This ordinance has been published, posted and made available to the public

Ordinance #2018-05 – Bond Ordinance Amending and Supplementing Bond Ordinance #2015-10 Finally Adopted by the Township Council on October 19, 2015 as Previously Amended and Supplemented, to Increase the Appropriation Therein by \$4,200,000 and to Increase the Authorization of Bonds or Notes Therein by \$3,990,000 to Finance Part of the Additional Costs Thereof. This is the second reading and public hearing for this Ordinance. This ordinance has been published, posted and made available to the public

Manager's Report

Engineer's Report

Administrative Reports

Monthly Report – Clerk, Construction, Dog, Police, Tax, Treasurer, Vital Statistics
Personnel Action Report

Council Comments

Call to the Public

Closed Session

Res. #2018-125 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. **Possible Professional Service; Attorney/Client Privilege**

Adjournment

COUNCIL MEETING MINUTES – March 5, 2018

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on March 5, 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

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

Work Session

Proclamation - Victoria McCann – Mayor Simonsen & Councilman Roy

In Mayor Simonsen's absence, Deputy Mayor Sippel invited Victoria McCann to come forward to receive a Proclamation of Congratulations on behalf of Mayor Simonsen and Council.

Councilmember Roy read the Proclamation congratulating Victoria on her well-deserved accomplishments.

Consent Agenda

Approval of Minutes - February 21, 2018

Approval of Closed Session Minutes February 21, 2018

Res. #2018-96 Payment of Vouchers \$ 706,076.12

Res. #2018-97 Authorization for the Payout of Accumulated Compensatory Time (K.Lewis \$14,962.59)

Res. #2018-98 Authorization to Cancel Uncashed Checks (5 cks total \$119.51)

Res. #2018-99 Authorization for the Payout of Accumulated Compensatory Time (J.Chew \$6,981.28)

Res. #2018-100 Authorizing the Payout of Terminal Leave (S.Jackson \$46,588.23)

Res. #2018-101 Authorization for Refund of Taxes (4 properties \$6,755.26)

Res. #2018-102 Amending Resolution #2017-210; Payout of Terminal Leave (W.Mastriana \$2,649.47)

Res. #2018-103 A Resolution Authorizing the Sixth Annual Escape the Cape Triathlon Scheduled for June 9th and 10th, 2018

Res. #2018-104 A Resolution Requesting Release of Performance Guarantee for Paul Merrick Subdivision; Block 806, Lot 3, Escrow #P15-09-02 (\$30,167.)

Res. #2018-105 Authorization for the Payout of Accumulated Compensatory Time (J.McNulty \$5,429.80)

Res. #2018-106 Approval for Roadside Solicitation by Erma Volunteer Fire Company (yearly request/approval)

Res. #2018-107 Authorization to Amend Various Resolution Regarding the Numerical Order of the Approved Charge Orders for the Roseann Avenue/Bayshore Estates Drainage and Stormwater Management Improvements Project Awarded to Mott MacDonald (correcting Change Order numbers)

Ordinance #2018-03 – An Ordinance Revising and Restating Article 1 of Chapter 178, Beaches of the Code of the Township of Lower. This is the first reading of Ordinance #2018-03. The second reading and public hearing of this Ordinance has been scheduled for March 19, 2018.

Ordinance #2018-04 – Amending Article IV Subsection 475-14 of Chapter 475; Parks and Recreation Areas of the Code of the Township of Lower – to Amend The Fee Schedule – This is the first reading of Ordinance #2018-04. The second reading and public hearing of this Ordinance has been scheduled for March 19, 2018.

Ordinance #2018-05 – Bond Ordinance Amending and Supplementing Bond Ordinance #2015-10 Finally Adopted by the Township Council on October 19, 2015 as Previously Amended and Supplemented, to Increase the Appropriation Therein by \$4,200,000 and to Increase the Authorization of Bonds or Notes Therein by \$3,990,000 to Finance Part of the Additional Costs Thereof. This is the first reading of Ordinance #2018-05. The second reading and public hearing of this Ordinance has been scheduled for March 19, 2018.

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

Regular Agenda

Res. #2018-108 A Resolution Awarding A Professional Service Contract Without Public Bidding to Testa, Heck, Testa & White as Defense Attorney for a Lower Township Appointee in Accordance with Chapter 25 of the Code of the Township of Lower

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

Manager's Report

Manager Ridgway gave an update on the status of the Beach Maintenance Permit and he informed of measures being taken to increase building security at Township Hall.

Administrative Reports

Treasurer's Report - December

Council Comments

Councilman Conrad commented on several topics including: Escape the Cape Triathlon; NJ state government leaders; FEMA CRS program update; and road repairs on Alabama, Georgia, Main Street, and Bayshore Road.

Councilman Perry shared his experience with Mrs. Bryant's 5th grade class. He talked about the recent storms and the effects on Beach Drive, urging residents to be patient during construction. He also pointed out the bond ordinance to address flooding issues on Roseann Avenue.

Councilman Roy thanked everyone who participated in the cleanup at Union Bethel Cemetery. He also recognized and thanked Public Works, Police, Fire, and EMS for a great job with storm cleanup.

Deputy Mayor Sippel informed of the collaborative efforts with Cape Assist to provide a Court Advocate. He read a statement from Mayor Simonsen announcing the Mayor's attendance at the LCMR Boys Basketball Championship game against Haddonfield for the South Jersey Group 2 Championship Title.

Manager Ridgway commented on the Championship Basketball Game and wished LCMR the best of luck.

Call to the Public

Dan Anderson, Townbank Road, reminded Veterans about free beach tags in Cape May with proof of service.

Bill Greenfield, Villas, inquired about the total amount bonded for the Roseann Avenue Project. Manager Ridgway and Councilmember Perry explained. Mr. Greenfield asked about projects originating from the Rec. Advisory Board (RAB) and voiced concern about the RAB minutes not being posted. Eileen Kreis explained.

Closed Session

Res. #2018-109

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. **Coastal Resiliency / Personnel Issue**

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

Council adjourned to Closed Session at 7:35 pm

Council returned to open session at 8:06 pm

Adjournment

There being no further business to address, motion to adjourn moved by Councilmember Conrad, seconded by Councilmember Roy. Motion to adjourn was unanimous. Meeting adjourned at 8:06 p.m.

Mayor

Township Clerk

Approved:

SPECIAL COUNCIL MEETING MINUTES – March 9, 2018

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on March 9, 2018 at 9:00 a.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, Robert Belasco, Township Solicitor, and Karen Fournier, Deputy Township Clerk

Regular Agenda

Resolution #2018-110 Resolution Authorizing An Application to Army Corps of Engineers for Beneficial Use of Dredge Materials Project (\$65,541,000.00)

Councilmember Conrad pointed out the importance of the project.

Mayor Simonsen reiterated the importance of the project.

Councilmember Perry informed that the project will possibly relieve everyone from the "v" zone according to the new FEMA flood maps.

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

Resolution #2018-111 Award of an Extraordinary Unspecified Service Contract Without Public Bidding to Stewart Farrell of the Richard Stockton College of New Jersey Coastal Research Center – USACE Pilot Program Grant Application (Not to exceed \$6,000)

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

Call to the Public

No public comments

Adjournment

There being no further business to address, motion to adjourn moved by Deputy Mayor Sippel, seconded by Councilmember Conrad. Motion to adjourn was unanimous. Meeting adjourned at 9:03 a.m.

Mayor

Township Clerk

Approved:

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00807 CDW-GOVERNMENT INC*								
	18-00473	02/21/18	CAMERA STORAGE DET.	Open	<u>76.89</u>	0.00		
					312.69			
00825 COMCAST*								
	18-00639	03/09/18	MONTHLY INTERNET SERVICE:DPW	Open	207.10	0.00		
01170 VERIZON WIRELESS* F/S								
	18-00601	03/06/18	CELL SERVICE FIRE SAFETY	Open	52.63	0.00		
01171 VERIZON WIRELESS - TOWNHALL								
	18-00596	03/05/18	CELL PHONE BILL-1/24/17-2/23	Open	487.87	0.00		
	18-00619	03/07/18	I-PHONE BILL 12/29/17-1/28/18	Open	<u>949.69</u>	0.00		
					1,437.56			
01200 DELTA DENTAL PLAN OF NJ								
	18-00650	03/12/18	2018 FEBRUARY CLAIMS	Open	10,095.85	0.00		
01310 JLP INTL INC*								
	17-00696	03/21/17	EQUIPMENT REPAIRS-WEIGHT ROOM	Open	238.00	0.00		
01372 GARY PLAYFORD								
	18-00680	03/14/18	AS PER 15-91 10/17-01/16/18	Open	1,370.60	0.00		
01401 EMBLEM ENTERPRISES, INC.*								
	18-00328	01/31/18	DEPARTMENT PATCH	Open	334.11	0.00		
01530 FIRE DISTRICT #1								
	18-00642	03/12/18	2018 FIRE DISTRCT #1 TAXES	Open	119,390.79	0.00		
01540 FIRE DISTRICT #2								
	18-00641	03/12/18	2018 FIRE DISTRICT #2 TAXES	Open	395,800.00	0.00		
01550 FIRE DISTRICT #3								
	18-00626	03/08/18	2018 FIRE DISTRICT #3 TAXES	Open	161,689.55	0.00		
01643 WILLIAM GALESTOK								
	18-00572	03/01/18	CONTRACTUAL REIMBURSEMENT-V	Open	110.00	0.00		
01649 GARDEN STATE HWY PRODUCTS, INC*								
	18-00401	02/08/18	U-CHANNEL POST	Open	1,925.00	0.00		
01690 GRANTURK EQUIPMENT CO*								
	17-03383	12/29/17	LEAF TRUCK PARTS	Open	3,408.52	0.00		
01751 GRINDER WEAR PARTS, INC								
	18-00285	01/25/18	PARTS FOR TUB GRINDER	Open	2,206.49	0.00		
01806 ANTHONY J HARVATT, II, ESQ								
	18-00586	03/05/18	RESOLUTIONS	Open	900.00	0.00		
01873 HOME DEPOT*								
	18-00340	02/02/18	SUPPLIES FOR DPW	Open	188.82	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02025 HUNTER JERSEY PETERBILT*								
	18-00115	01/11/18	PARTS FOR TRUCKS/JAN	Open	1,534.52	0.00		
	18-00218	01/22/18	PARTS FOR TRUCKS/FEB.	Open	958.42	0.00		
					<u>2,492.94</u>			
02027 JESCO INC*								
	18-00387	02/08/18	WINDOW GLASS/ LOADER	Open	332.00	0.00		
02108 KEEN COMPRESSED GAS CO*								
	18-00104	01/11/18	BOTTLED GAS FOR GARAGE/DPW/JAN	Open	321.44	0.00		
02136 TED KINGSTON INC*								
	17-00960	04/10/17	2017 RADIO MAINT. DPS	Open	534.00	0.00		
02140 KINDLE FORD LINC/MERC., INC.*								
	18-00217	01/22/18	PARTS FOR POLICE VEHICLES/FEB.	Open	841.56	0.00		
02538 MARSH & MCLENNAN AGENCY, LLC*								
	18-00140	01/16/18	DNE \$26,664 RES 18-43 BROKER	Open	2,222.00	0.00		B
02902 J. BYRNE INSURANCE*								
	18-00546	02/27/18	POLICY NO 71532411 SURITY BOND	Open	100.00	0.00		
02948 NATW*								
	18-00523	02/26/18	2018 MEMBERSHIP WILLIAM BARCAS	Open	35.00	0.00		
03008 NJ DEPT OF TREASURY/FEES								
	18-00389	02/08/18	DECAL/CONTAINERS/DPW	Open	110.00	0.00		
03104 NORTHEAST IND.&MARINE SUPPLY*								
	18-00220	01/22/18	PARTS/RDS/SANT/RECY/FEB.	Open	1,185.01	0.00		
03280 PARAMOUNT SANITARY SUPPLY*								
	18-00472	02/21/18	BUILDING SUPPLIES	Open	69.36	0.00		
03293 BLAINE PAYNTER								
	18-00571	03/01/18	CONTRACTUAL REIMBURSEMENT-M	Open	30.00	0.00		
03427 POLAR BEAR*								
	18-00023	01/09/18	REPAIRS TO HEATER UNIT	Open	950.30	0.00		
03435 PUBLIC ENGINES INC*								
	18-00393	02/08/18	CRIME REPORTS PLUS	Open	1,500.00	0.00		
03518 RIGGINS, INC.*								
	18-00655	03/13/18	OFF HIGHWAY DIESEL	Open	651.51	0.00		
03611 SERVICE TIRE TRUCK CENTERS*								
	18-00109	01/11/18	TIRES/RDS/SANT/RECY/DPW/JAN	Open	3,040.92	0.00		
03810 MUNICIPAL UTIL AUTH USAGE COST								
	18-00678	03/13/18	SEWER PERIOD 2 2018:DUE 4/1/18	Open	1,000.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03904	LOWE'S HOME CENTER INC*							
	18-00215	01/22/18	SUPPLIES FOR DPW/FEB.	Open	355.33	0.00		
03954	VAN NOTE-HARVEY ASSOCIATES*							
	17-02751	10/25/17	RES 2017-281 TAX MAP	Open	18,119.50	0.00		B
03971	VERIZON WIRELESS MDT POLICE							
	18-00574	03/02/18	VERIZON - MDT	Open	843.37	0.00		
03992	VAL-U AUTO PARTS LLC*							
	18-00227	01/22/18	RDS/SANT/RECY/DPW/FEB.	Open	2,020.92	0.00		
04075	BARBER CONSULTING SERVICES LLC							
	17-01813	06/28/17	SET UP NEW PC PD (UP TO 16)	Open	6,337.50	0.00		
04083	JIM WOLFORD							
	18-00669	03/13/18	REGISTRATION REIMBURSEMENT	Open	25.00	0.00		
04085	CHRISTOPHER WINTER (EMPLOYEE)							
	18-00573	03/01/18	CONTRACTUAL REIMBURSEMENT-M	Open	160.00	0.00		
04097	CINTAS FIRST AID AND SAFETY*							
	18-00625	03/08/18	FIRST AID SUPPLIES TOWNHALL	Open	641.67	0.00		
	18-00632	03/09/18	FIRST AID SUPPLIES	Open	<u>115.64</u>	0.00		
					757.31			
04261	STATE OF NEW JERSEY							
	18-00479	02/21/18	4TH QTR 2017 UNEMPLOYMENT	Open	11,565.93	0.00		
04266	NJ DEPT OF HEALTH&SENIOR SVCS							
	18-00576	03/02/18	DOG LICENSES FEES FEB 2018	Open	306.60	0.00		
04300	W B MASON CO INC*							
	18-00430	02/13/18	MAG71200 ABRACADABRA PAPER	Open	59.98	0.00		
	18-00470	02/21/18	OFFICE SUPPLIES	Open	<u>1,188.20</u>	0.00		
					1,248.18			
04301	SEASHORE ASPHALT CORPORATION*							
	18-00117	01/11/18	ASPHALT/PATCH/RDS/JAN	Open	1,008.75	0.00		
5025	BRIAN MOORE							
	18-00671	03/13/18	REIMBURSEMENT-COACH	Open	70.00	0.00		
6037	PETER G DALY							
	18-00667	03/13/18	REGISTRATION REIMBURSEMENT	Open	25.00	0.00		
6075	PARKER MCCAY P.A. *							
	17-01016	04/13/17	SPEC COUNCIL FEMA LITIGATION	Open	1,035.00	0.00		B
7118	ABSECON SOCIAL & ATHLETIC CLUB							
	18-00503	02/22/18	ABSECON MARSH MADNESS BBALL T	Open	160.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7183 BEYER FLEET, LLC*	17-03374	12/29/17	18 DODGE DURANGO TAX ASSESSOR	Open	26,088.00	0.00		
7251 REIT LUBRICANTS CO*	18-00382	02/08/18	5W-20 SYNTHETIC MOTOR OIL	Open	3,000.00	0.00		
7354 FLEETPRIDE INC.*	18-00223	01/22/18	RDS/SANT/RECY/DPW/FEB.	Open	44.18	0.00		
7362 NEOPOST USA INC.	18-00547	02/27/18	INK CART -	Open	157.00	0.00		
7457 SERVPRO OF CAPE MAY COUNTY*	18-00502	02/21/18	HEPA CLEANING OF FOSTER HOUSE	Open	4,384.00	0.00		
7478 WINDSTREAM COMMUNICATION INC*	18-00624	03/08/18	PHONE SERVICES	Open	3,470.27	0.00		
7508 BLANEY & KARAVAN PC*	18-00129	01/11/18	LABOR ATTORNEY DNE \$25K R 18-2	Open	862.50	0.00		B
7520 BLACKOUT TINTING*	18-00551	02/27/18	WINDOW TINTING	Open	80.00	0.00		
7532 HEATHER MCNULTY*	18-00605	03/06/18	FEBRUARY PAYMENT- HI-FITNESS	Open	260.00	0.00		
7564 JOSEPH RAVITZ*	18-00569	03/01/18	TAX COURT APPRAISAL	Open	700.00	0.00		
7636 MOTT MACDONALD LLC*	18-00587	03/05/18	PROFESSIONAL ENGINEERING	Open	574.85	0.00		
	18-00588	03/05/18	PROFESSIONAL ENGINEERING	Open	401.65	0.00		
	18-00589	03/05/18	PROFESSIONAL ENGINEERING	Open	373.95	0.00		
	18-00590	03/05/18	PROFESSIONAL ENGINEERING	Open	83.10	0.00		
	18-00591	03/05/18	PROFESSIONAL ENGINEERING	Open	286.90	0.00		
	18-00592	03/05/18	PROFESSIONAL ENGINEERING	Open	1,192.40	0.00		
	18-00593	03/05/18	PROFESSIONAL ENGINEERING	Open	193.90	0.00		
	18-00594	03/05/18	PROFESSIONAL ENGINEERING	Open	235.45	0.00		
	18-00595	03/05/18	PROFESSIONAL ENGINEERING	Open	440.25	0.00		
					<u>3,782.45</u>			
7656 DANIEL HARRIS	18-00668	03/13/18	REGISTRATION REIMBURSEMENT	Open	30.00	0.00		
7696 UPPER TOWNSHIP WRESTLING ASSOC	18-00580	03/02/18	WRESTLING OFFICIALS	Open	180.00	0.00		
7719 ROBERT WILLMAN	18-00582	03/02/18	WRESTLING OFFICIAL	Open	100.00	0.00		
7724 NJDEP-BUREAU NONPOINT POLLUSN	18-00070	01/10/18	BEACH DR PEDESTRIAN IMPROVEMEN	Open	650.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7728 SOUTH JERSEY ENERGY	18-00659	03/13/18	GAS BILL	Open	2,123.25	0.00		
7735 JOHN HARRIS	18-00581	03/02/18	WRESTLING OFFICIAL	Open	100.00	0.00		
7739 CHRISTOPHER KERVRAN	18-00674	03/13/18	REIMBURSEMENT-COACH	Open	56.44	0.00		
7752 STEPHEN DEHORSEY	18-00666	03/13/18	REGISTRATION REIMBURSEMENT	Open	30.00	0.00		
7811 KYOCERA DOCUMENT SOLUTION AMER	18-00637	03/09/18	COPIER CONTRACT FEBRUARY 2018	Open	78.00	0.00		
7820 DEBLASIO & ASSOCIATES, P.C*	17-03248	12/12/17	ENGINEERING SERVICES-DOUGLASS	Open	3,546.00	0.00		
7843 C.S. PRODUCTS INC	17-02968	11/09/17	11 ROLL OFF CONTAINERS	Open	14,065.50	0.00		B
7903 ROBERT PRINCE	18-00579	03/02/18	WRESTLING OFFICIAL	Open	80.00	0.00		
7905 PAUL MERRICK	18-00634	03/09/18	RELEASE OF PERFORMANCE BOND	Open	30,167.00	0.00		
7910 KELLI WEEKS-SCHIFFBAUER	18-00676	03/13/18	REIMBURSEMENT-COACH	Open	36.41	0.00		
7911 JOSH GOMERSALL	18-00675	03/13/18	REIMBURSEMENT -COACH	Open	41.41	0.00		
7912 JOSE ROSARIO	18-00673	03/13/18	REIMBURSEMENT-COACH	Open	66.41	0.00		
7913 RYAN BAILEY SR.	18-00672	03/13/18	REIMBURSEMENT- COACH	Open	56.44	0.00		
ALPHACAR ALPHA CARD SYSTEMS*	18-00436	02/15/18	RIBBON & ID CARDS	Open	205.65	0.00		
BASILE FRANK BASILE	18-00677	03/13/18	BASKETBALL REF AND ASSIGNER	Open	140.00	0.00		
BERB BERNADETTE ERB	18-00670	03/13/18	REIMBURSEMENT PAYMENT	Open	25.00	0.00		
BLAUE BLAUER ASSOCIATES INC*	15-01940	07/22/15	RES#2015-214 2016 SMALL CITIES	Open	500.00	0.00		B
BOSNA KAREN MANETTE BOSNA	18-00604	03/06/18	FEBRUARY 2018 PAYMENT-YOGA	Open	140.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
FBINA	FBINAA		NJ CHAPTER*					
	18-00440	02/15/18	ANNUAL DUES	Open	50.00	0.00		
SJMAR			SOUTH JERSEY MARINA					
	18-00681	03/14/18	2018-120 PERF BOND	Open	16,989.00	0.00		
TRANSACT			TRANSACTION CONFERENCE					
	18-00391	02/08/18	CONFERENCE	Open	110.00	0.00		
Total Purchase Orders:		116	Total P.O. Line Items:	0	Total List Amount:	978,220.80	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 March 19, 2018.

Julie A Picard, Township Clerk

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

RESOLUTION #2018-114

Title: **APPROVAL OF HOLY SPIRIT LUTHERAN CHURCH'S REQUEST
TO CONDUCT A CHURCH BAZAAR**

WHEREAS, Section 359-13 of the Code of Lower Township prohibits outdoor flea markets within the confines of Lower Township except as provided for in Section 359.13b; and

WHEREAS, Section 359-13 of the General Ordinances of the Township of Lower permits non-profit, charitable, civic and religious organizations to conduct four (4) outdoor flea markets per year within the confines of the Township if approved by the Township Council; and

WHEREAS, the Township Council has reviewed the request of the Holy Spirit Lutheran Church, 1220 Bayshore Road, Villas, to conduct a Church Bazaar on June 9, 2018 on their property; and

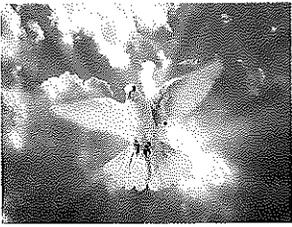
WHEREAS, the Township Council has determined the applicant meets the ordinance requirements of a non-profit, charitable, civic and/or religious organization.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that approval is hereby granted.

	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 March 19, 2018.

Julie A Picard, Township Clerk



HOLY SPIRIT Lutheran Church

www.holyspiritvillas.com

1220 Bayshore Rd. Villas, NJ 08251
Ph: 609-886-2414
Email: HolySpiritLutheran@comcast.net

3/5/2018

I, FRAN GREEN, AM APPLYING FOR A PERMIT FOR OUR ANNUAL CHURCH BAZAAR ON JUNE 9, 2018 @ 9AM TILL 2PM.

WE ARE A RELIGIOUS NON-PROFIT ORGANIZATION, HOLY SPIRIT LUTHERAN CHURCH 1220 BAYSHORE ROAD, AND WE ASK THAT THE PERMIT FEE BE WAIVED.

THANK YOU,
PLEASE ADVISE,
FRAN GREEN
886 2414

HOLY SPIRIT LUTHERAN CHURCH
1220 BAYSHORE ROAD
VILLAS, N.J. 08251

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

RESOLUTION #2018-115

Title: **A RESOLUTION AWARDING A PROFESSIONAL SERVICE CONTRACT WITHOUT PUBLIC BIDDING TO RUTALA ASSOCIATES CONSULTING SERVICES FOR GRANTS CONSULTING SERVICES**

WHEREAS, the Township of Lower has a need to acquire a Grants Consultant and desires to authorize this appointment using a non-fair and open contract pursuant to the provisions of N.J.S.A. 40A:11-1 *et seq.* to enter into contracts for "Professional Services" without competitive bidding, when the need arises, so long as the award of such contract is made public by a Resolution of the Governing Body and satisfies the requirements of the New Jersey Pay-to-Play law; and

WHEREAS, Rutala Associates has provided a proposal to provide said services to the Township of Lower at a rate of \$140.00 per hour not to exceed \$10,000.00; and

WHEREAS, the Lower Township Council desires to approve the proposal and the CFO has determined sufficient funds will be available in the current budget as follows:

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

CFO Signature: _____
Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that a contract without public bidding be awarded to Rutala Associates to provide the above stated services at a fee of \$140.00 per hour with a not to exceed amount of \$ 10,000.00.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 19, 2018.

Julie A Picard, Township Clerk

James M. Rutala Associates, LLC

March 12, 2018

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

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

Dear Mr. Ridgway:

Rutala Associates is pleased to be provided with the opportunity to submit this proposal for Grants Consultant Services to assist the Township of Lower. Rutala Associates is a multi-disciplined firm, representing public, private and nonprofit clients in securing federal, state and regional resources for a wide range of grant procurement and management, energy, community and economic development projects.

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

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

Cost Proposal

The Township will receive Grant Opportunity Summaries as grants become available, only when the Township Officials contact Rutala Associates and authorize a grant application will the Township be billed. Most grant applications can be completed in the range of \$2,000 to \$5,000.

Once retained, Rutala Associates will meet with Township Officials to review a list of potential grants/programs and determine which grants/programs the Township would like to pursue.

The Township will be billed monthly which will be directly related to the hours spent on the project at the following billing rate:

Project Manager (State Licensed PP/AICP)	\$140 per hour
Principal Planners (State Licensed PP)	\$125 per hour
Senior Planner (State Licensed PP)	\$115 per hour
Project Manager/Planner	\$80 per hour
CADD Operator/Technician	\$75 per hour

*These rates include all clerical and related expenses.

To commence this contract, the Township will provide a \$2,500 retainer. The retainer will be billed against for the first grant that is authorized. This initial contract is not to exceed the amount of \$10,000 which can be adjusted based on the extent of work required.

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

Thank you for this opportunity and we look forward to working with the Township of Lower. We are of course, available at your convenience to discuss this proposal and address any of your questions.

Respectfully submitted,

Rutala Associates, LLC



James M. Rutala, PP, AICP, MBA

Accepted by the Township of Lower:

Signature

Printed Name

Date

The above signed represents that they have read and understand the attached general terms and have the authority to enter into this agreement of behalf of the client named above.

General Terms

This Agreement (the "Agreement") between Rutala Associates and Client consists of the proposal (attached and incorporated by reference) and these General Terms. The Agreement entails the entire agreement and understanding between the parties hereto with respect to the subject services and shall not be varied in its terms by any previous communications, negotiations and agreements, whether written or oral, between the parties with respect to such subject matter, and no addition to or modification or waiver of any provision of this Agreement shall be binding on either party unless made in writing and executed by Rutala Associates and a duly authorized agent of the Client.

Article 1 Client's Responsibilities

- A. Client agrees to provide Rutala Associates with all information, surveys, reports, and professional recommendations and any other related items requested by Rutala Associates in order to provide its professional services. Rutala Associates may rely on the accuracy and completeness of these items.
- B. Client will obtain and pay for all necessary permits from authorities with jurisdiction over the Project.

C. Client agrees to provide the items described in the Scope of Work and to render decisions in a timely manner so as not to delay the orderly and sequential progress of Rutala Associates' services.

Article 2 Estimated Schedule and Project Budget

A. Rutala Associates shall render its services as expeditiously as is consistent with professional skill and care. During the course of the Project, anticipated and unanticipated events may impact any Project schedule.

B. Services performed under this Agreement shall be conducted in a manner consistent with the level of care and skill ordinarily exercised by professional planners under similar conditions. No other representation whatsoever, express or implied, and no warranty or guarantee whatsoever is included or intended in this Agreement, or as to any report, opinion, document or otherwise.

C. Client agrees to promptly notify Rutala Associates if Client's schedule or budget changes. Client acknowledges that significant changes to the Project or construction schedule or budget or to the Project's scope may require Additional Services of Rutala Associates.

Article 3 Compensation and Payments

Rutala Associates shall bill Client for Basic and Additional Services and Reimbursable Expenses once a month. All payments are due Rutala Associates upon receipt of invoice. An amount equal to 1.5% per month will be charged on all amounts due more than 30 days after the date of invoice.

Article 4 Termination

A. Either Client or Rutala Associates may terminate this Agreement upon seven days written notice.

B. If terminated, Client agrees to pay Rutala Associates for all Basic and Additional Services rendered and Reimbursable Expenses incurred up to the date of termination.

C. Upon not less than seven days' written notice, Rutala Associates may suspend the performance of its services if Client fails to pay Rutala Associates in full for services rendered or expenses incurred. Rutala Associates shall have no liability because of such suspension of services or termination due to Client's nonpayment.

Article 5 Dispute Resolution

Client and Rutala Associates agree to mediate claims or disputes arising out of or relating to this Agreement before initiating litigation. The mediation shall be conducted by a mediation service acceptable to the parties. A party shall make a demand for mediation within a reasonable time after a claim or dispute arises, and the parties agree to mediate in good faith. In no event shall any demand for mediation be made after such claim or dispute would be barred by applicable law. Mediation fees shall be shared equally and each party shall be responsible for their legal fees associated with the mediation.

In the event that the claim or dispute cannot be resolved through mediation and there are legal proceedings, Rutala Associates, if it prevails, shall be entitled to, in addition to any award or judgment, reasonable legal fees and expenses associated with the legal proceedings.

Article 6 Use and Ownership of Rutala Associates' Documents

Upon the parties signing this Agreement, Rutala Associates grants Client a nonexclusive license to use Rutala Associates' documents as described in this Agreement, provided Client performs in accordance with the terms of this Agreement. No other license is implied or granted under this Agreement. All instruments of professional service prepared by Rutala Associates, including but not limited to, drawings and specifications, are the property of Rutala Associates. These documents shall not be reused on other projects without Rutala Associates' written permission. Rutala Associates retains all rights, including copyrights, in its documents. Client or others cannot use Rutala Associates' documents to complete this Project with others unless Rutala Associates is found to have materially breached this Agreement.

Article 7 Non-Disclosure Agreement

The technical and pricing information contained in any proposal submitted by Rutala Associates as to this project, or in this Agreement or any addendum thereto, is to be considered confidential and proprietary, and shall not be released, disclosed, or otherwise made available to any third party without the express written consent of Rutala Associates.

Article 8 Miscellaneous Provisions

A. This Agreement is governed by the laws of the State of New Jersey and the parties agree that any legal proceedings shall be venued in the Superior Court of New Jersey, Law Division, Atlantic County.

B This Agreement is the entire and integrated agreement between Client and Rutala Associates and supersedes all prior negotiations, statements or agreements, either written or oral. The parties may amend this Agreement only by a written instrument signed by both Client and Rutala Associates.

C. In the event that any term or provision of this Agreement is found to be unenforceable or invalid for any reason, the remainder of this Agreement shall continue in full force and effect, and the parties agree that any unenforceable or invalid term or provision shall be amended to the minimum extent required to make such term or provision enforceable and valid.

D. Neither Client nor Rutala Associates shall assign this Agreement without the written consent of the other.

E. Irrespective of any other term in this Agreement, Rutala Associates shall not control or be responsible for construction means, methods, techniques, schedules, sequences or procedures; or for construction safety or any other related programs; or for another parties' errors or omissions or for another parties' failure to complete their work or services in accordance with Rutala Associates' documents.

F. Client agrees to indemnify, defend and hold Rutala Associates harmless from and against any and all claims, liabilities, suits, demands, losses, costs and expenses, including, but not limited to, reasonable attorneys' fees and all legal expenses and fees incurred through appeal, and all interest thereon, accruing or resulting to any and all persons, firms or any other legal entities on account of any damages or losses to property or persons, including injuries or death, or economic losses, arising out of the Project and/or this Agreement, except that the Rutala Associates shall not be entitled to be indemnified to the extent such damages or losses are found by a court or forum of competent jurisdiction to be caused by Rutala Associates' negligent errors or omissions.

G. Client and Rutala Associates waive consequential damages for any claims, disputes or other matters in question arising out of or relating to this Agreement. Rutala Associates' waiver of consequential damages, however, is contingent upon the Client requiring contractor and its subcontractors to waive all consequential damages against Rutala Associates for claims, disputes or other matters in question arising out of or relating to the Project.

H. Nothing in this Agreement shall create a contractual relationship for the benefit of any third party.

Rutala Associates Offers the Following Services

Planning

- Municipal Land Use Planning
- Zoning & Land Use Administration
- Environmental Assessment & Permitting
- Affordable Housing Plans
- Community Planning
- Master Planning
- Strategic Planning

Energy

- Evaluation of alternative energy and energy efficiency options
- Assistance in solar technology and ESCO Procurements
- Provision of economic assessments
- Preparation of NJBPU rebate and grant applications
- Assistance in marketing SRECs and purchasing deregulated energy

Economic Development

- Site Analysis and Suitability Studies
- Redevelopment Plans
- Land Acquisition

Grants & Management

- Grant Writing & Administration
- Shared Services Studies
- Municipal Recruiting
- Privatization
- Private/Public Partnerships

Rutala Associates has successfully prepared applications for many grants including:

American Recovery and Reinvestment Act (ARRA) Block Grant
American Recovery and Reinvestment Act of 2009 (ARRA) USDOE Grant
Atlantic County Open Space Funds
Bank of America Charitable Foundation
Bloomberg Philanthropies
Caesar's Foundation
Cape May County Open Space Program
Casino Reinvestment Development Authority (CRDA) Funding
Clean Air - Cool Planet
EPA/DOE Re-Powering America Land Initiative
FEMA Assistance to Firefighter Grant
FEMA Flood Mitigation Assistance Grant
FEMA Pre Disaster Mitigation Grant
FEMA Hazard Mitigation Grant Program
FEMA Public Works Projects
FEMA Essential Services Grant
FEMA Staffing for Adequate Fire & Emergency Response Grant
FHWA Congestion Mitigation & Air Quality (CMAQ) Grant
Fox Chase Bank Charitable Foundation
Frank H. Stewart Foundation
MJDCA Recreation Opportunities of Individuals with Disabilities Grant
National Fish and Wildlife Foundation
New Jersey Blue Acres Program
New Jersey Clean Cities Coalition
New Jersey Environmental Infrastructure Trust
New Jersey Clean Vessel Program
New Jersey Green Acres Program
NJBPU Direct Install Program
NJBPU Local Government Energy Audit
NJBPU Microgrid Grant
NJDCA CDBG Disaster Relief Grant
NJDEP Beach Replenishment Program
NJDEP Coastal Protection Grant Program
NJDEP Harbor Clean Up Funding
NJDEP Hazardous Discharge Site Remediation Fund
NJDEP Pays to Plug In Electric Vehicle Charging Station Program
NJDEP Volkswagen Settlement Electric Vehicle Charging Station Program
NJDEP Recreational Trails Program
NJDLPS Summer Expansion Program
NJDOE Clean Cities Program
NJDOT Bicycle & Pedestrian Studies

NJDOT National Boating Infrastructure Grant
NJDOT Municipal Aid Grant
NJDOT Safe Routes to School Grant
NJDOT Safe Streets to Transit Grant
NJDOT Bikeway Grant
NJDOT Discretionary Grant
NJDOT Transportation Alternatives Grant
NJEDA Business Incentive Program
NJEDA Business Lease Program
NJ Historic Trust – Sandy Relief Grant for Historic Properties
NOAH Marine Debris Removal Grant
OceanFirst Foundation Grant
State Farm Foundation Grant
Sustainable Jersey Walmart Grant
TD Charitable Foundation - Housing for Everyone
United States Soccer Foundation
USACE Continuing Authorities Program
USACE/NJDEP Beach Replenishment Program
USEDA Disaster Recovery Grant
USEDA Economic Development Grant
USEPA Brownfields Assessment Grant
USEPA Brownfields Cleanup Grant
US Fish & Wildlife Service Coastal Program
USDOT Tiger Grants
Walmart Foundation
Wells Fargo Foundation

Qualifications – Rutala Associates

1. QUALIFICATIONS LIST AND PROOF OF EXPERTISE AND EXPERIENCE

As demonstrated below in the list of projects that have been performed, Rutala Associates has demonstrated ability to successfully provide services in all the phases of project financing and development. One of the primary concerns of these projects has been the need to keep the costs of our services to the client to a minimum. We believe that the record shows success in this endeavor.

General Experience

Rutala Associates, LLC has provided the following consulting services:

FEMA Community Rating System – successfully assisted numerous municipalities to gain higher flood insurance discounts for their property owners through compliance with the Community Rating System guidelines.

Storm Resiliency Reports – prepared Post Sandy Storm Resiliency Reports to document the impacts of Superstorm Sandy and to recommend master plan, management, capital improvement and associated changes to make communities more resistant from future natural disasters.

Andrew “Flags” Philp Field in Chelsea Heights Completed



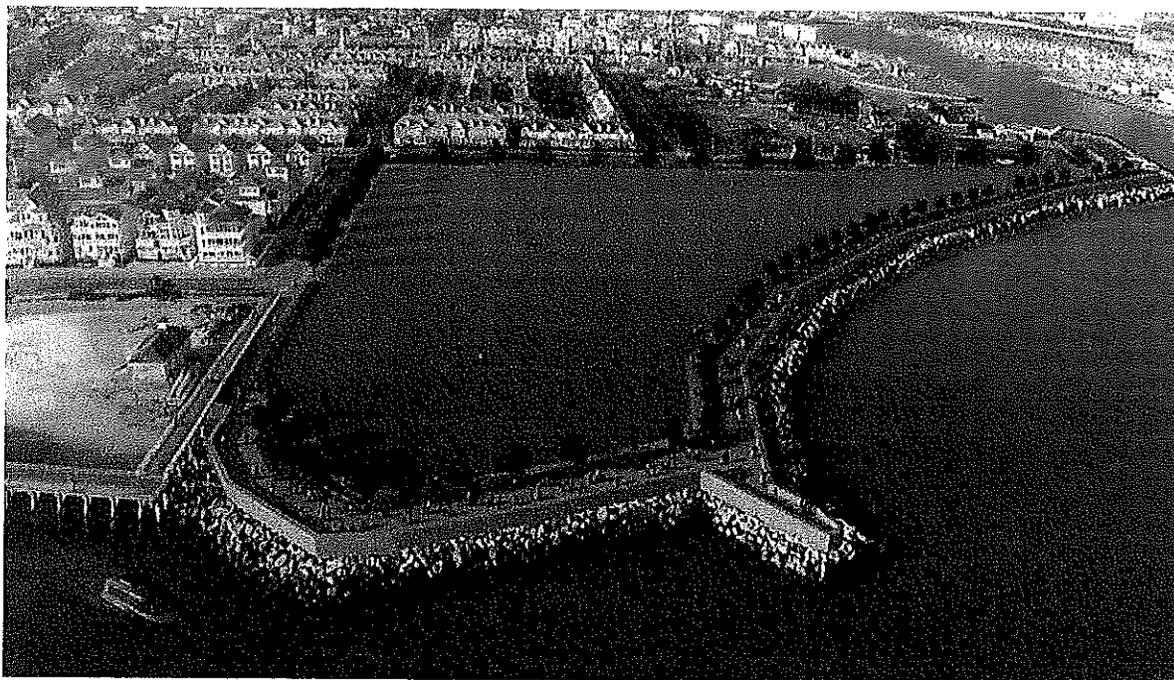
Recreation and Open Space – secured grant funding for recreation and open space through the Stewart Trust, US Soccer Foundation, Baseball Tomorrow, Blue Acres, Green Acres, County Open Space Funding and the NJDEP Recreational Trails Program.

Transportation Improvements – procured NJDOT Pedestrian & Bikeway Plan assistance, Bikeway Grants, Safe Routes to School Grants, Transportation Enhancement Grants and Roadway Improvement grants for municipalities.

Brownfields Assessments and Cleanups – secured USEPA grants for site assessment, cleanup and redevelopment.

Storm Mitigation – procured funding from the US Economic Development Administration, US Army Corps of Engineers, New Jersey Department of Environmental Protection, New Jersey Environmental Infrastructure Trust, New Jersey Economic Development Authority, New Jersey Department of Community Affairs and New Jersey Department of Transportation for Storm Mitigation Projects.

Caspian Pointe Bulkhead to be Under Construction in 2018

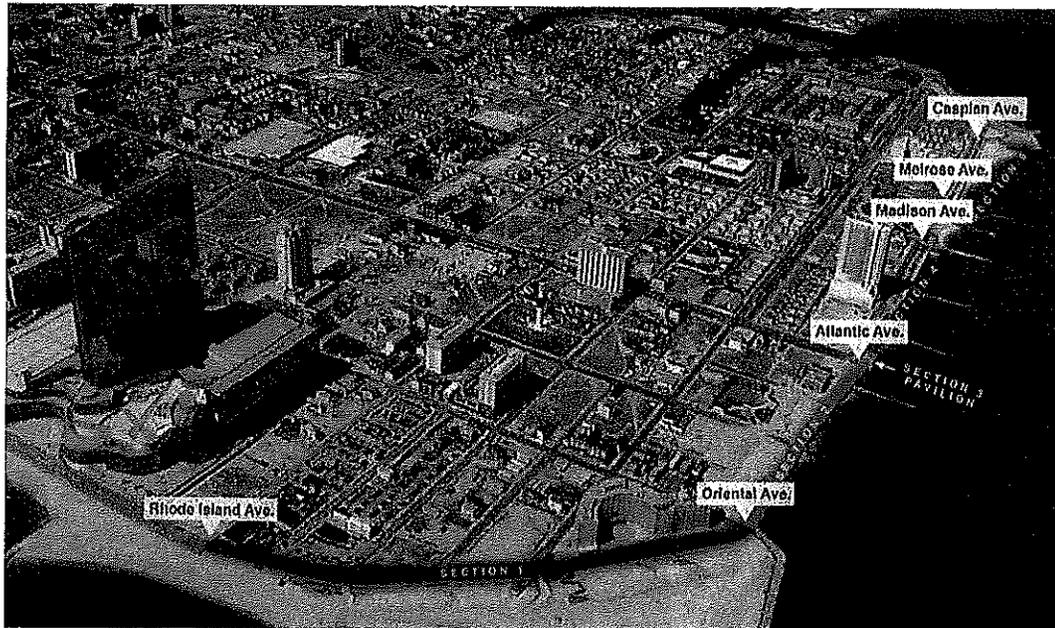


Master Planning - completed Master Plans for Somers Point, Pleasantville, Ventnor and Egg Harbor Township that were designed to successfully allow these municipalities to attract significant grant funds.

Sustainable Jersey – led the effort to achieve Sustainable Jersey Certification at the Silver level and the 2011, 2012 and 2014 Champion Award for Cape May City.

Economic Development – prepared strategies for economic development in Linwood, Pleasantville and Burlington using a variety of tools including redevelopment, NJEDA incentives, federal and state grants and local initiatives.

**Atlantic City Boardwalk Project
(\$40 million grant funded project)**



Energy Efficiency – assisted in the review of third party energy providers, attracting over \$1M in funding for Energy Audits, efficiency improvements and other energy services.

Marina Development – pursued NJDOT Boating Infrastructure Grant funding for marina enhancement and development for private and public sector clients.

Housing Construction – pursued private non-profit funding for a planned affordable housing development.

Beach Replenishment and Coastal Protection – coordinated efforts with the Army Corps of Engineers, NJDEP, Casino Reinvestment Development Authority and Revel Entertainment to secure funding and implement beach nourishment, bulkhead, and seawall projects.

Rutala Associates expertise that is directly applicable to this Grants Consultant appointment includes:

- Experienced in working with the Army Corp of Engineers and the NJDEP to secure millions in funding to complete coastal projects.
- Worked with a team of professionals to prepare the Superstorm Sandy Storm Damage Mitigation Report for Atlantic City to highlight needed grant funds to assure that Atlantic City is prepared for future storms.
- Negotiated interlocal agreements with federal, State, regional and County governments to fund various community projects.

- Attracted funding from the New Jersey Board of Public Utilities, the New Jersey Clean Communities Program and the South Jersey Transportation Planning Organization to procure grants and loans for various alternative energy projects including rebates for the purchase of alternative fuel vehicles.
- Successfully completed many Green Acres, Blue Acres, Stewart Trust and County Open Space applications to preserve open space and to construct parks and recreational facilities.
- Negotiated with the New Jersey Department of Transportation to secure funding for road improvements, transit related developments, bikeways, waterfront enhancements and pedestrian upgrades.
- Secured and managed Neighborhood Preservation Grants to improve targeted neighborhoods.
- Oversaw the administration of Community Development Block Grants and targeted these funds to leverage priority projects.
- Involved in attracting Staffing for Adequate Fire & Emergency Response Grants, Assistance of Firefighters Grants, Fire Education Grants, and Pedestrian Safety Enforcement Grants.
- Attracted shared services funding from the New Jersey Department of Community Affairs.

2. PRIMARY CONTACT PERSON

James M. Rutala, PP, ACIP, MBA, CFM
 Rutala Associates, LLC
 717 River Drive
 Linwood, New Jersey 08221
 609.743.0354

3. ALTERNATIVE CONTACT PERSON

Lee Solow, PP, AICP

4. RESUMES AND ORGANIZATIONAL CHART

Rutala Associates operates with all professional, editors and support staff reporting directly to the Principal, James M. Rutala. In this way, the client has one point of contact.

5. PRINCIPAL PLACE OF BUSINESS

Rutala Associates, LLC
 717 River Drive
 Linwood, NJ 08221
 609,743.0354

6. INSURANCE

Proof of insurance in compliance with City requirement will be provided upon request.

7. COSTS AND FEE SCHEDULES

The 2018 Fee Schedule is provided below. The City will be billed monthly which will be directly related to the hours spent on the project at the following billing rate:

Project Manager (State Licensed PP/AICP)	\$140 per hour
Principal Planners (State Licensed PP/AICP)	\$125 per hour
Senior Planner (State Licensed PP)	\$115 per hour
Senior Environmental Scientist	\$115 per hour
Project Manager/Engineering	\$105 per hour
Design Technician/Senior Planner	\$80 per hour
CADD Operator/Technician	\$75 per hour
Planning Aid/Application Processor	\$65 per hour

*These rates include all clerical and related expenses.

All invoices are due within 30 days. This office reserves the right to stop work for non-payment of services completed.

Rutala Associates is acting in a consulting capacity and any opinions, advice, forecasts and analyses provided are based on professional judgment and do not constitute a guarantee.

8. DESCRIPTION OF BUSINESS ORGANIZATION

Rutala Associates is a Limited Liability Corporation that was established in 2006. James M. Rutala is the Principal of Rutala Associates.

Rutala Associates provides planning, energy, economic development and management services to private and public clients. Among the projects completed by Rutala Associates for public clients include:

- Storm Mitigation Planning and Funding
- Real Estate Project Feasibility
- Redevelopment Planning
- Economic Development Strategies
- Master Plan Preparations
- Fair Share Housing Plans
- Open Space and Recreation Plans
- Sustainable Jersey Certification
- Local Government Energy Audit Funding
- Safe Routes to School Funding
- School Travel Plans
- Planning Ordinances
- Complete Streets Initiatives
- Bike and Pedestrian Planning Assistance & Funding
- Solar Landfill Installations
- Wind Turbine Funding and Implementation
- Energy Efficiency Plans and Upgrades
- Solar Power Purchase Agreements

Compressed Natural Gas Fueling Station Siting and Procurement
Beach Replenishment
Flood Control Funding
EPA Brownfields Funding
Park Development Planning and Funding
Green Acres Funding and Diversions
Alternative Fuel Vehicle Planning & Implementation
Downtown Revitalization Plans
Affordable Housing Planning and Funding
Green Building Ordinances
Environmental Resource Inventories
Land preservation management plans and funding
NJDOT Local Aid funding

9. REFERENCES

Mayor Jesse Tweedle
City of Pleasantville
18 North First Street
Pleasantville, NJ 08232
609.484.3600

Mayor Philip Guenther
City of Brigantine
1417 West Brigantine Avenue
Brigantine, NJ 08203
609.625.5456

Mayor Beth Holtzman
City of Ventnor
6201 Atlantic Avenue
Ventnor, NJ 08406
609.823.7904

Mayor Michael Becker
City of Margate
9001 Winchester Avenue
Margate, NJ 08402
609.822.2285

Sal Perillo, Esq., Esq.
Nehmad Perillo & Davis
4030 Ocean Heights Avenue
Egg Harbor Township, NJ 08234
609.927.1177

08/09/10

Taxpayer Identification# 204-947-489/000

Dear Business Representative:

Congratulations! You are now registered with the New Jersey Division of Revenue.

Use the Taxpayer Identification Number listed above on all correspondence with the Divisions of Revenue and Taxation, as well as with the Department of Labor (if the business is subject to unemployment withholdings). Your tax returns and payments will be filed under this number, and you will be able to access information about your account by referencing it.

Additionally, please note that State law requires all contractors and subcontractors with Public agencies to provide proof of their registration with the Division of Revenue. The law also amended Section 92 of the Casino Control Act, which deals with the casino service industry.

We have attached a Proof of Registration Certificate for your use. To comply with the law, if you are currently under contract or entering into a contract with a State agency, you must provide a copy of the certificate to the contracting agency.

If you have any questions or require more information, feel free to call our Registration Hotline at (609)292-9292.

I wish you continued success in your business endeavors.

Sincerely,



James J. Fruscione
Director
New Jersey Division of Revenue

STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE		DEPARTMENT OF TREASURY/ DIVISION OF REVENUE PO BOX 252 TRENTON, N J 08646-0252
TAXPAYER NAME: JAMES M. RUTALA ASSOCIATES LLC	TRADE NAME:	
ADDRESS: 717 RIVER DRIVE LINWOOD NJ 08221	SEQUENCE NUMBER: 1240963	
EFFECTIVE DATE: 03/06/06	ISSUANCE DATE: 08/09/10	
		 Director New Jersey Division of Revenue

FORM-BRC

(04-08) 1220511-00V

This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.

EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)
N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the applicable employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302

The contractor and its subcontractors shall furnish such reports or other documents to the Div. of Contract Compliance & EEO as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Div. of Contract Compliance & EEO for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

Firm Name: RUTALA ASSOCIATES

Name of Agent: JIM RUTALA

Title: PRINCIPAL

Date: 3/13/18

LOWER TOWNSHIP
2600 BAYSHORE ROAD
VILLAS, NJ 08251
(609) 886-2005

AFFIDAVIT OF PAY-TO-PLAY COMPLIANCE

The Undersigned, being duly sworn, of full age according to law, upon my oath, depose and say:

1. I am a duly authorized representative of (the "Business Entity"), which for the purposes of this Affidavit includes all entities of which the Business Entity owns, directly or indirectly, a more than 50% equity interest.

2. The Business Entity is seeking the award of a Professional Services Contract or Unspecifiable Services Contract pursuant to the exceptions from public bidding under Sections 5(1) of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.

3. In accordance with Lower Township Ordinance No. 2004-10 (the "Pay-to-Play Ordinance"), I am making this Affidavit under penalties of perjury to represent to the Township of Lower that neither I nor the Business Entity have made any political contributions in violation of Section 95-2 of the Pay-to-Play Ordinance.

4. Also in accordance with the Pay-to-Play Ordinance, I am disclosing that the following represents all of the contributions that were made by the Business Entity and, to the best of my knowledge, all principals owning 10% more of the Business Entity's equity, their respective spouses, and all of the Business Entity's employees and officers and their respective spouses, to all New Jersey State and County political party committees commencing on the later of the effective date of the Pay-to-Play Ordinance (October 4, 2004) or twelve (12) months from date of this Affidavit and ending on the date of this Affidavit:

Date	Name of Organization	Amount

4. I represent and acknowledge that I have received, read and fully understand the Pay-to-Play Ordinance and that my violation of the Pay-to-Play Ordinance will disqualify me and the Business Entity from receiving any additional contract from the Township of Lower for a period of four (4) years and, in the event any statements made in this Affidavit are willfully false, that I and the Business Entity would be subject to criminal prosecution for perjury.

James H. Ladd

Sworn and Subscribed to before me
this 14 day of March, 2018

Mary F. Cole
Notary Public

(ARM00008056.DOC v.1)

MARY F. COLE
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 7/22/2018

BUSINESS ENTITY DISCLOSURE CERTIFICATION

FOR NON-FAIR AND OPEN CONTRACTS
Required Pursuant To N.J.S.A. 19:44A-20.8
TOWNSHIP OF LOWER

Part I B Contractor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that the business entity by the name RUTALA ASSOCIATES has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding January 3, 2008 to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the Township of Lower, defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

Erik Simonsen	
Frank Sippel	Any present or future candidate committee or
Thomas Conrad	joint candidate committee or local political party
David Perry	committee formed for the election of members of
Rolland Roy	the Lower Township governing body.

Part II B Ownership Disclosure Certification

I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

- Partnership Corporation Sole Proprietorship Subchapter S Corporation
 Limited Partnership Limited Liability Corporation Limited Liability Partnership

Name of Stock or Shareholder	Home Address
<u>JIM RUTALA</u>	<u>717 RIVER DRIVE, LINWOOD, NJ 08221</u>

Part 3 B Signature and Attestation:

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: RUTALA ASSOCIATES

Signed: James M. Rutala Title: PRINCIPAL

Print Name: JAMES M. RUTALA Date: 3/13/18

Subscribed and sworn before me this 14 day of March, 2018.

My Commission expires:

MARY F COLE
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 7/22/2018
(Affiant) (Corporate Seal)

STATEMENT OF OWNERSHIP DISCLOSURE

N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

This statement shall be completed, certified to, and included with all bid and proposal submissions. Failure to submit the required information is cause for automatic rejection of the bid or proposal.

Name of Organization: RUTALA ASSOCIATES

Organization Address: 717 RIVER DRIVE, LINWOOD, NJ 08221

Part I Check the box that represents the type of business organization:

- Sole Proprietorship (skip Parts II and III, execute certification in Part IV)
 Non-Profit Corporation (skip Parts II and III, execute certification in Part IV)
 For-Profit Corporation (any type) Limited Liability Company (LLC)
 Partnership Limited Partnership Limited Liability Partnership (LLP)
 Other (be specific): _____

Part II

- The list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. (COMPLETE THE LIST BELOW IN THIS SECTION)

OR

- No one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. (SKIP TO PART IV)

(Please attach additional sheets if more space is needed):

Name of Individual or Business Entity	Home Address (for Individuals) or Business Address
JIM RUTALA	717 RIVER DRIVE, LINWOOD, NJ

Part III DISCLOSURE OF 10% OR GREATER OWNERSHIP IN THE STOCKHOLDERS, PARTNERS OR LLC MEMBERS LISTED IN PART II

If a bidder has a direct or indirect parent entity which is publicly traded, and any person holds a 10 percent or greater beneficial interest in the publicly traded parent entity as of the last annual federal Security and Exchange Commission (SEC) or foreign equivalent filing, ownership disclosure can be met by providing links to the website(s) containing the last annual filing(s) with the federal Securities and Exchange Commission (or foreign equivalent) that contain the name and address of each person holding a 10% or greater beneficial interest in the publicly traded parent entity, along with the relevant page numbers of the filing(s) that contain the information on each such person. **Attach additional sheets if more space is needed.**

Website (URL) containing the last annual SEC (or foreign equivalent) filing	Page #'s

Please list the names and addresses of each stockholder, partner or member owning a 10 percent or greater interest in any corresponding corporation, partnership and/or limited liability company (LLC) listed in Part II other than for any publicly traded parent entities referenced above. The disclosure shall be continued until names and addresses of every noncorporate stockholder, and individual partner, and member exceeding the 10 percent ownership criteria established pursuant to N.J.S.A. 52:26-24.2 has been listed. **Attach additional sheets if more space is needed.**

Stockholder/Partner/Member and Corresponding Entity Listed in Part II	Home Address (for Individuals) or Business Address

Part IV Certification

I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge that I am authorized to execute this certification on behalf of the bidder/proposer; that the *Township of Lower* is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with *Township of Lower* to notify the Township of Lower in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the, permitting the *Township of Lower* to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print):	<i>JAMES M. LUTCH</i>	Title:	<i>PRINCIPAL</i>
Signature:	<i>James M. Lutch</i>	Date:	<i>3/13/18</i>

Chapter 95. PROFESSIONAL SERVICE CONTRACTS. REGULATION OF

[HISTORY: Adopted by the Township Council of the Township of Lower 10-4-2004 by Ord. No. 2004-10. Amendments noted where applicable.]

§ 95-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BUSINESS ENTITY SEEKING A PUBLIC CONTRACT -- An individual, including the individual's spouse, if any, and any child living at home, person, firm, corporation, professional corporation, partnership, organization or association. The definition of a business entity includes all principals who own 10% or more of the equity in the corporation or business trust, partners, and officers in aggregate employed by the entity as well as any subsidiaries directly controlled by the business entity.

PROFESSIONAL BUSINESS ENTITY -- A business entity as defined in this section which provides services by individuals who are required to be professionally licensed under the laws or regulations of this State or which provides "extraordinary unspecifiable services" pursuant to N.J.S.A. 40A:11-5(1)(a)(ii).

§ 95-2. Prohibition of awarding public contract to certain contributors.

A. Any other provision of law to the contrary notwithstanding, the Township of Lower or any of its purchasing agents or agencies or those of its independent authorities, boards or commissions, as the case may be, shall not enter into an agreement or otherwise contract to procure services from any professional business entity if that entity has solicited or made any contribution of money or pledge of a contribution, including in-kind contributions, to a campaign committee of any candidate for or holder of the office of Mayor or Council of the Township of Lower or to any Township of Lower political party committee in excess of the thresholds specified in Subsection C of this section within one calendar year immediately preceding the date of the contract or agreement.

B. No professional business entity which enters into negotiations for or agrees to any contract or agreement with the Township of Lower or any department or agency thereof or of its independent authorities, boards or commissions for the provision of professional services shall knowingly solicit or make any contribution of money or pledge of a contribution including in-kind contributions in excess of the thresholds specified in Subsection C of this section to a campaign committee of any candidate for or holder of the office of Mayor or Council of the Township of Lower or to any Township of Lower political party committee between the time of first communications between that business entity and the Township of Lower regarding a specific professional services agreement and the later of the termination of negotiations or the completion of the contract or agreement.

C. Notwithstanding Subsections A and B above, any individual who is a professional business entity may annually contribute a maximum of \$250 each for any purpose to any candidate for or holder of the offices of Mayor or Council of the Township of Lower, or \$500 to any Township of Lower political party committee, without violating this § 95-2; provided, however, that no group of individuals meeting the definition of a professional business entity may, in the aggregate, contribute annually for any purpose in excess of \$2,500 to all Township of Lower candidates for or holders of the offices of Mayor or Council and all Township of Lower political party committees combined without violating § 95-2.

§ 95-3. Contributions made prior to the effective date.

No contribution of money or any other thing of value, including in-kind contributions, made by a professional business entity to any candidate for or holder of the office of Mayor or Council of the Township of Lower or Township of Lower political party committee shall be deemed a

violation of this chapter, nor shall an agreement for services be disqualified thereby, if that contribution or agreement was made by the professional business entity prior to the effective date of this chapter.

§ 95-4. Contribution statement required by professional business entity.

A. Prior to awarding any contract or agreement to procure services with any professional business entity, the Township or any of its purchasing agents or agencies or independent authorities, boards or commissions, as the case may be, shall receive a sworn statement from the professional business entity made under penalty of perjury that the professional business entity has not made a contribution in violation of § 95-2.

B. Prior to awarding any contract or agreement to procure services with any professional business entity, the Township or any of its purchasing agents or agencies or independent authorities, boards or commissions, as the case may be, shall also receive a sworn statement from the professional business entity made under penalty of perjury disclosing all contributions made by the professional business entity during the immediately preceding 12 months to any New Jersey state and/or county political party committees which contributions, when added to any contributions made to any Township of Lower political party committees during the same time period, exceed the sum of \$500.

C. The professional business entity shall have a continuing duty to report any violations of this Chapter that may occur and to report any additional contributions to New Jersey state and/or county political party committees above the amounts set forth in Subsection B of this section during the negotiation or duration of a contract.

D. The sworn statement required under this section shall be made prior to entry into the contract or agreement with the Township and shall be in addition to any other certifications that may be required by any other provision of law.

§ 95-5. Penalty.

A. All Township of Lower professional service agreements shall provide that it shall be a breach of the terms of the government contract for a professional business entity to violate § 95-2 or to knowingly conceal or misrepresent contributions given or received or to make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution.

B. Any professional business entity who knowingly fails to reveal a contribution made in violation of § 95-2 or who knowingly makes or solicits contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution shall be disqualified from eligibility for future Township contracts for a period of four calendar years from the date of the violation.

C. Nothing herein shall be deemed to apply to contributions made to any county or state campaign committee, candidate or officeholder, or to any county or state political party committee, however, such contributions are subject to the disclosure provision that may apply as set out in § 95-4C.

§ 95-6. Procedures to ensure compliance with regulation.

A. Neither the Chief Financial Officer nor his or her designee shall issue a certification of availability of funds without first receiving a certification from the Township Manager that the disclosures required by this chapter have occurred and that such disclosures do not violate the contribution limits set forth herein.

B. No contract or agreement for professional services shall be signed and delivered to any professional business entity without full compliance with this chapter.

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

RESOLUTION #2018-116

Title: ISSUANCE OF ICE CREAM PEDDLING AND ICE CREAM SALESMAN LICENSE FOR THE YEAR 2018

WHEREAS, James Brown t/a Jim's Mr. Softee of Cape May County, LLC has submitted an application for an Ice Cream Peddling and Ice Cream Salesman License for the year 2018; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Clerk be authorized to issue the following license for the year 2018, after inspection of the vehicle with the Police Department:

Ice Cream Peddling Salesman License

James Brown

Ice Cream Peddling Business License

2011 W4Z Workhorse Vin #5B4KFD2D0B3444064

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 19, 2018.

Julie A Picard, Township Clerk

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

RESOLUTION #2018-117

Title: **AUTHORIZATION FOR REFUND OF TAXES**

WHEREAS, the Township Tax Collector has certified an overpayment due to the reasons listed below;
and

WHEREAS, a refund is due.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the CFO/Treasurer be, and the same is authorized and directed to refund the overpayments according to the Tax Collector's certification on file with the CFO/Treasurer.

<u>Block</u>	<u>Lot</u>	<u>Refund To</u>	<u>Reason</u>	<u>Tax</u>
349.13	28	Lereta	Paid twice	\$503.44
747.02	22	Mister X, LLC	Appeal – County Board	\$2,165.29
747.02	23	The Welchman, LLC	Appeal – County Board	\$1,807.78

	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 March 19, 2018.

Julie A Picard, Township Clerk

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

RESOLUTION # 2018-118

Title: APPROVAL OF CHANGE ORDER #1 FOR ADDITIONAL WORK (BEACH DRIVE PAVEMENT EXTENSION) FOR THE BEACH DRIVE PEDESTRIAN SAFETY IMPROVEMENT PROJECT

WHEREAS, Mott MacDonald was awarded a professional service contract in the amount of Not To Exceed \$175,420.00 on April 3, 2017 by Resolution #2017-121 to provide Engineering Services for the Beach Drive Pedestrian Safety Improvement Project; and

WHEREAS, Mott MacDonald has provided a quote in the amount of \$4,250.00 to perform additional engineering services for the Beach Drive Pavement Extension – Contract M-12 including additional surveying, engineering and plan preparation; and

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

Appropriation: _____

Signature: _____
Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that Change Order #1 attached hereto in the amount of \$4,250.00 for Mott MacDonald is hereby approved and the contract total is now increased to \$179,670.00

	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 March 19, 2018.

Julie A Picard, Township Clerk

jpocard

From: gdouglass
Sent: Friday, March 16, 2018 11:00 AM
To: jpocard
Subject: Fwd: Beach Drive Pavement Extension - Contract M-12

Sent from my iPhone

Begin forwarded message:

From: "Sray, Mark R" <Mark.Sray@mottmac.com>
Date: March 15, 2018 at 11:14:39 AM EDT
To: gdouglass <gdouglass@townshipoflower.org>
Subject: Beach Drive Pavement Extension - Contract M-12

Gary,

As discussed, the Township is requesting the Contractor, Asphalt Paving Systems, Inc., to extend the northernmost project limits to include the pavement reconstruction of Shore Drive from the current project limit of 73+96, through the Pinewood Avenue intersection, to the Shore Drive terminus (approximately 465 linear feet). Work included will be the reconstruction of the 24-foot wide roadway, paving and additional striping only.

As the Contractor intends to begin roadway reconstruction at the north end of the project beginning the week of March 26th, Mott MacDonald needs to perform the additional surveying, engineering and plan preparation required next week so that the Contractor has the design information to layout the work in this area.

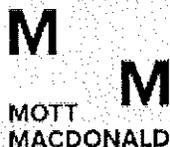
Mott MacDonald is proposing to perform the additional work required for the lump sum amount of \$4,250. Please let me know if you have any questions or require additional information.

Thanks,

Mark

Mark R. Sray, PE, CME
Principal Project Manager

T +1 (609) 465 9377 F +1 (609) 465 5270
mark.sray@mottmac.com



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

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
RESOLUTION #2018-119**

CAPITAL BUDGET AMENDMENT

WHEREAS, the local capital budget for the year 2018 was adopted on the 19th day of March, 2018, and

WHEREAS, it is desired to amend said adopted capital budget section,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower that the following amendments to the adopted capital budget section be made:

RECORDED VOTE	AYES	NAYS	ABSTAIN	ABSENT
Erik Simonsen				
Frank Sippel				
Roland Roy				
Thomas Conrad				ABSENT
David Perry				

**FROM
CAPITAL BUDGET (Current Year Action)
2018**

Planned Funding Services for
Current Year 2018

Project	Estimated Total Cost	Amounts Reserved in Prior Years	Capital Improvement Fund	Capital Surplus	Grants and Other Funds	Debt Authorized	To Be Funded in Future Years
Equipment	4,883,000.00		72,500.00			1,377,500.00	3,433,000.00
Recreation Facilities	15,685,000.00		730,500.00			13,879,500.00	1,075,000.00
Police Equipment	263,000.00		400.00			7,600.00	255,000.00
Municipal Buildings	270,000.00		13,500.00			256,500.00	0.00
Vehicles	2,052,000.00		6,350.00			120,650.00	1,925,000.00
Road Program	2,000,000.00		0.00			0.00	2,000,000.00
Total All Projects	25,153,000.00	0.00	823,250.00	0.00	0.00	15,641,750.00	8,688,000.00

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
RESOLUTION #2018-119

CAPITAL BUDGET AMENDMENT

6 YEAR CAPITAL PROGRAM 2018 - 2022
Anticipated Project Schedule and Funding Requirement

Project	Estimated Total Costs	2018	2019	2020	2021	2022	2023
		Equipment	4,883,000.00	1,450,000.00	511,200.00	1,784,200.00	237,200.00
Recreation Facilities	15,685,000.00	14,610,000.00	400,000.00	75,000.00	200,000.00	200,000.00	200,000.00
Police Equipment	263,000.00	8,000.00	55,000.00	55,000.00	55,000.00	55,000.00	35,000.00
Municipal Buildings	270,000.00	270,000.00					
Vehicles	2,052,000.00	127,000.00	85,000.00	1,585,000.00	85,000.00	85,000.00	85,000.00
Road Program	2,000,000.00			1,800,000.00		200,000.00	
Total All Projects	25,153,000.00	16,465,000.00	1,051,200.00	5,299,200.00	577,200.00	1,153,200.00	607,200.00

6 YEAR CAPITAL PROGRAM 2018 - 2022
Summary of Anticipated Funding Sources and Amounts

Project	Estimated Total Costs	Capital Improvement Fund	Capital Surplus	Grants and Other Funds	General Debt Authorized
		Equipment	4,883,000.00	244,150.00	
Recreation Facilities	15,685,000.00	784,250.00			14,900,750.00
Police Equipment	263,000.00	13,150.00			249,850.00
Municipal Buildings	270,000.00	13,500.00			256,500.00
Vehicles	2,052,000.00	102,600.00			1,949,400.00
Road Program	2,000,000.00	100,000.00			1,900,000.00
Total All Projects	25,153,000.00	1,257,650.00	0.00	0.00	23,895,350.00

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
 RESOLUTION #2018-119

CAPITAL BUDGET AMENDMENT
 TO
 CAPITAL BUDGET (Current Year Action)
 2018

Planned Funding Services for
 Current Year 2018

Project	Estimated Total Cost	Amounts Reserved in Prior Years	Capital Improvement Fund	Capital Surplus	Grants and Other Funds	Debt Authorized	To Be Funded in Future Years
Equipment	4,883,000.00		72,500.00			1,377,500.00	3,433,000.00
Recreation Facilities	15,685,000.00		730,500.00			13,879,500.00	1,075,000.00
Police Equipment	263,000.00		400.00			7,600.00	255,000.00
Municipal Buildings	270,000.00		13,500.00			256,500.00	0.00
Vehicles	2,052,000.00		6,350.00			120,650.00	1,925,000.00
Road Program	6,200,000.00		210,000.00			3,990,000.00	2,000,000.00
Total All Projects	29,353,000.00	0.00	1,033,250.00	0.00	0.00	19,631,750.00	8,688,000.00

6 YEAR CAPITAL PROGRAM 2018 - 2022
 Anticipated Project Schedule and Funding Requirement

Project	Estimated Total Costs	Anticipated Project Schedule and Funding Requirement				
		2018	2019	2020	2021	2022
Equipment	4,883,000.00	1,450,000.00	511,200.00	1,784,200.00	237,200.00	613,200.00
Recreation Facilities	15,685,000.00	14,610,000.00	400,000.00	75,000.00	200,000.00	200,000.00
Police Equipment	263,000.00	8,000.00	55,000.00	55,000.00	55,000.00	55,000.00
Municipal Buildings	270,000.00	270,000.00	85,000.00	1,585,000.00	85,000.00	85,000.00
Vehicles	2,052,000.00	127,000.00	85,000.00	1,800,000.00	85,000.00	200,000.00
Road Program	6,200,000.00	4,200,000.00		1,800,000.00		200,000.00
Total All Projects	29,353,000.00	20,665,000.00	1,051,200.00	5,299,200.00	577,200.00	1,153,200.00

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
RESOLUTION #2018-119

CAPITAL BUDGET AMENDMENT

6 YEAR CAPITAL PROGRAM 2018 - 2022
Summary of Anticipated Funding Sources and Amounts

Project	Estimated	Capital		General	
	Total Costs	Improvement Fund	Capital Surplus	Grants and Other Funds	Debt Authorized
Equipment	4,883,000.00	244,150.00			4,638,850.00
Recreation Facilities	15,685,000.00	784,250.00			14,900,750.00
Police Equipment	263,000.00	13,150.00			249,850.00
Municipal Buildings	270,000.00	13,500.00			256,500.00
Vehicles	2,052,000.00	102,600.00			1,949,400.00
Road Program	6,200,000.00	310,000.00			5,890,000.00
Total All Projects	29,353,000.00	1,467,650.00	0.00	0.00	27,885,350.00

BE IT FURTHER RESOLVED that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

It is hereby certified that this is a true copy of a resolution amending the capital budget section adopted by the governing body on the 19th day of March, 2018.

Certified by me:

_____ Date _____ Township Clerk _____
Trenton, New Jersey
Approved _____ 2018 _____
Director of Local Government Services

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

RESOLUTION #2018-120

Title: **A RESOLUTION REQUESTING REDUCTION OF PERFORMANCE GUARANTEE FOR SOUTH JERSEY MARINA, BLOCK 824.02; LOT19; ESCROW #P16-12-03**

WHEREAS, South Jersey Marina posted a Performance Guarantee with the Township of Lower in the amount of \$24,270.00 for the project referenced above; and

WHEREAS, the Township Engineer has recommended that the Performance Bond be reduced to \$7,281.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, the governing body thereof, that the Performance Guarantee of \$24,270.00 be and hereby is reduced by the sum of \$16,989.00 leaving a remaining balance of \$7,281.00.

BE IT FURTHER RESOLVED that the Township Treasurer be granted permission to issue a check in the amount of \$16,989.00 plus any accrued interest in payment of the reduced Performance 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 March 19, 2018.

Julie A Picard, Township Clerk

MEMORANDUM

TO: Township Council

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

DATE: March 14, 2018

RE: South Jersey Marina
1231 Route 109
Cape May, NJ 08204
Block 824.02, Lot 19
Resolution #2018-120

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 #2018-120 is required to reduce the Performance Guarantee held in trust by the Township of Lower for minor site plan for South Jersey Marina, Block 824.02, Lot 19.

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 the reduction of the retained \$24,270.00.

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.

Township of Lower policy requires that a Maintenance Guarantee shall be posted upon complete release of a Performance Guarantee.

cc: financial file



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

Via E-mail

Your Reference
Twp. No. P16-12-03

**South Jersey Marina Block 824.02, Lot 19
Township of Lower, Cape May County**

Our Reference
MM No. 366717CM23

March 14, 2018

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

Dear Mr. Galestok:

Per the Developer's request for a performance guarantee reduction, Mott MacDonald conducted multiple inspections and reviewed the completed work at the above referenced site. We find that the following work remains to be completed:

- Installation of wheel stops
- Installation of trash enclosure
- Installation of signs
- Parking space striping

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

Based upon the unit costs contained in the Performance Guarantee and Engineering Observation Escrow Estimate prepared by Mott MacDonald dated March 8, 2017, the applicant has completed more than 70% of the work. However, the Township may retain 30% of the amount of the total performance guarantee to ensure completion of all improvements. In summary, we offer the following:

Performance Guarantee Estimate	\$24,270.00
30% of Total Performance Guarantee	\$7,281.00

We recommend the amount of the performance guarantee be reduced to **\$7,281.00.**

Upon completion of the outstanding items, the Developer shall contact the Township Planning Office to request that a follow-up performance guarantee release inspection be performed by the engineer.

Should you have any questions or require additional information, please feel free to contact our office.



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
Shawn.carr@mottmac.com

SAC

cc: Lisa Schubert, Planning Board Secretary (via e-mail)
Mark R. Sray, PE, CME (via e-mail)

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

RESOLUTION # 2018-121

Title: **AMENDING RESOLUTION #2018-64; CORRECTING APPROPRIATION LINE TO BE CHARGED FOR SERVICES**

WHEREAS, Resolution #2018-64 adopted on February 5, 2018 awarded a bid to Bayshore Landscaping for Landscaping services throughout the Township; and

WHEREAS, the Resolution identified the wrong appropriation line to be charged; and

WHEREAS, listed below is the correct appropriation line to be charged and the CFO's certification of the availability of funds as evidenced by her signature:

Appropriation: 8-01-28-370-281

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 above correction be made and all charges for services be encumbered and charged to the corrected appropriation line.

	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 March 19, 2018.

Julie A Picard, Township Clerk

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

RESOLUTION # 2018-122

Title: **AMENDING RESOLUTION #2018-65; CORRECTING APPROPRIATION LINE TO BE CHARGED FOR SERVICES**

WHEREAS, Resolution #2018-65 adopted on February 5, 2018 awarded a bid to Bayshore Landscaping for Fertilization Services throughout the Township; and

WHEREAS, the Resolution identified the wrong appropriation line to be charged; and

WHEREAS, listed below is the correct appropriation line to be charged and the CFO's certification of the availability of funds as evidenced by her signature:

Appropriation: 8-01-28-370-298

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 above correction be made and all charges for services be encumbered and charged to the corrected appropriation line.

	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 March 19, 2018.

Julie A Picard, Township Clerk

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

RESOLUTION # 2018-123

Title: AUTHORIZATION FOR THE PAYOUT OF ACCUMULATED COMPENSATORY TIME

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that payment to Robert Fessler in the amount of \$3,682.19 is authorized and chargeable to the 2018 Budget account 8-01-25-240-121.

	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 March 19, 2018.

Julie A Picard, Township Clerk

LOWER TOWNSHIP POLICE DEPARTMENT

SPECIAL REPORT

TO: Chief William Mastriana
FROM: Ptlm. Robert Fessler
DATE: 03-14-2018
SUBJECT: Compensation time, cash out.

To whom it may concern,

I am respectfully requesting to sell back my accrued compensation time, totaling 80 hrs.
Thank you in advance for your consideration in this matter.

Respectfully Submitted,

Signature
Goes here →



ROBERT FESSLER
Patrolman Badge 176

C File
Date

Date	Officer	Comments
3/14/2018	Chief [Signature]	forward to payroll for processing

3682.19

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

RESOLUTION #2018-124

Title: RESOLUTION FOR SELF-EXAMINATION OF BUDGET

WHEREAS, N.J.S.A. 40A: 4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, N.J.A.C. 5:30-7.2 through 7.5 the Township of Lower has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2018 budget year.

NOW THEREFORE, BE IT RESOLVED, by the governing body of the Township of Lower, County of Cape May, State of New Jersey that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officers certification, the governing body has found the budget has met the following requirements:

- 1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
a. Payment of interest and debt redemption charges
b. Deferred charges and statutory expenditures
c. Cash deficit of preceding year
d. Reserve for uncollected taxes
e. Other reserves and non-disbursement items
f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A: 4-45.2 and appropriations for exceptions to limits on appropriations found at 40A: 4-45.3 et seq. are fully met (Complies with the "CAP" law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
a. All estimates of revenue are reasonable, accurate, and correctly stated,
b. Items of appropriation are properly set forth
c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A: 4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the Director of the Division of Local Government Services upon adoption.

Table with 7 columns: MOTION, SECOND, AYE, NAY, ABSTAIN, ABSENT and 5 rows: CONRAD, PERRY, ROY, SIPPEL, SIMONSEN

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 19, 2018.

Julie A Picard, Township Clerk

Township of Lower, County of Cape May, State of New Jersey

ORDINANCE #2018-06

AN ORDINANCE AMENDING ORDINANCE #2013-01; POLICE DEPARTMENT, OF THE CODE OF THE TOWNSHIP OF LOWER – 1975, AS AMENDED
AMENDING ARTICLE I, SUBSECTION 90-1

WHEREAS, the Township of Lower has established a Police Department pursuant to N.J.S.A 40A:14-118, known as Chapter 90, Articles I through III of the Code of the Township of Lower – 1975 as amended.

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Township of Lower, County of Cape May, State of New Jersey that the following changes to Chapter 90 be made as follows:

Section 1. Subsection 90-1 shall be replaced with the following:

Article I. Establishment; Organization

§ 90-1. Creation; composition.

There is hereby created a Police Department for the Township of Lower, County of Cape May, State of New Jersey, the head of which shall be the Chief of Police, and which may consist of up to two Captains; up to three Lieutenants; up to seven Sergeants; up to 40 full-time Patrolmen; and such number of civilian employees as the Township may designate.

Section 2. If any portion of this ordinance is determined to be invalid by a Court of competent jurisdiction, that determination shall have no effect upon the remainder of this Ordinance, which shall remain valid and operable.

Section 3. All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, are hereby repealed.

Section 4. This Ordinance shall take effect 20 days after final passage and publication as provided by law.

Thomas Conrad, Councilmember

David Perry, Councilmember

Rolland Roy, Jr., Councilmember

Frank Sippel, Deputy Mayor

First Reading: March 19, 2018

Erik Simonsen, Mayor

Adopted:

Attest: _____
Julie A. Picard, Township Clerk

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

ORDINANCE #2018-03

Title: **ORDINANCE REVISING AND RESTATING ARTICLE 1 OF CHAPTER 178, BEACHES OF THE CODE OF THE TOWNSHIP OF LOWER**

WHEREAS, the Township Council of the Township of Lower desires to amend and restate Article 1 of Chapter 178 of the Code of the Township of Lower concerning Beach Regulations.

NOW, THEREFORE, BE IT ORDAINED that the Township Council of the Township of Lower, County of Cape May, State of New Jersey hereby determines and declares as follows:

Section 1. Chapter 178, Article 1 titled BEACH REGULATIONS is hereby stricken and replaced with the following:

Chapter 178: Beaches
Article I: Beach Regulations

§ 178-1: Findings; applicability; access rights through Public Trust Doctrine.

- A. The Township controls for the use of the general public the beach and approaches thereto and the bathing area adjacent to the beach for the enjoyment, recreation, pleasure, safety, health, peace and quiet of all persons seeking the privilege of such facilities; and it is deemed advisable and expedient for the preservation of order and public health and safety, and for the best interests of those persons seeking such privileges and facilities, to ordain rules and regulations for the government, supervision, use and policing of the beaches, bathing areas in the ocean, bay and canal adjacent thereto, and the approaches thereto.
- B. This chapter shall apply to all beaches, dunes, beach access and supporting facilities under the jurisdiction of the Township, unless expressly exempted.
- C. The public's right of access to tidal waters for fishing, commerce and navigation embodied in the "Public Trust Doctrine" have long been recognized by New Jersey's Courts. A series of court decisions beginning in the 1970s extended those rights to include recreation, access to municipally controlled beaches and, in some settings, to privately owned beaches. Public access rights have historically been enforced through litigation, through New Jersey Department of Environmental Protection (NJDEP) permitting actions or through conditions on state aid for shore protection.

§ 178-2: Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BEACHES

Includes beaches, dunes, designated public access paths and structures, outfalls, restroom(s), parking or other public facilities or parts or appurtenances whatsoever, whether real or personal property of the Township at the following areas:

- A. All that area from the Township line in the Villas Section southward to the north border of the Borough of Cape May Point.
- B. From the east border of the Borough of Cape May Point to the west border of the City of Cape May.
- C. From the south border of the Borough of Wildwood Crest to the Cape May Inlet.
- D. The beaches on both sides of the Cape May Canal from the Delaware Bay to Cold Spring Harbor together with the bathing areas adjacent thereto.

DUNE

A wind- or wave-deposited formation of vegetated or drifting windblown sand, generally parallel to and landward between the inland limit to the beach and the foot of the most inland dune slope, including primary, secondary and

tertiary dunes where they exist. Formations of sand immediately adjacent to beaches that are stabilized by retaining structures, such as snow fences, planted and natural vegetation and other measures are considered to be natural dunes, regardless of the degree of modification of the dune by wind or wave action or disturbance by development. A dune shall not include loose windblown sand found in a street or on a part of a structure as a result of wind or storm activity.

DUNE AREA

That area between the seaward edge of the dune and the landward edge of the dune.

IN-SEASON

Use of the beaches beginning on the last Friday prior to Memorial Day weekend through to and including the first Monday following Labor Day weekend of any given year.

Natural Vegetation

Includes the terms "native vegetation" or "indigenous vegetation." Specifically, it shall include such plants as beach grass (*Ammophila breviligulata*), dusty miller (*Artemisia stelleriana*), sea rocket (*Cakile edentula*), seaside goldenrod (*Solidago sempervirens*), bayberry (*Myrica pensylvanica*), beach pea (*Lathyrus japonicus*), salt spray rose (*Rosa rugosa*) or seaside spurge (*Euphorbia polygonifolia*) and any other species of vegetation recognized by the New Jersey Department of Environmental Protection, which normally grow or may be planted on the slopes of dunes or behind them, no distinction being made as to how such plants are introduced into their location.

OFF-SEASON

Use of the beaches beginning on the first Tuesday following Labor Day weekend through to and including the last Thursday prior to Memorial Day weekend of any given year.

§ 178-3: Rules and regulations.

It shall be unlawful and an offensive course of conduct to violate or participate in the violation of any rule or regulation hereinafter set forth, which rules and regulations are hereby adopted for and shall apply to the government, supervision, policing and use of the aforesaid areas. The following activities are hereby prohibited:

- A. To engage in the playing of any game which endangers the health and safety of others, including but not limited to the use of surfboards from the center line of Rochester Avenue north to the dividing line between the Township of Lower and the Borough of Wildwood Crest, on the Atlantic Ocean.
- B. To transport or place any rubbish, refuse, garbage or other material that pollutes or interferes with the use and enjoyment of the beach. Such items shall be deposited in receptacles so provided. Where receptacles are not provided, all waste will be carried away from the beach by the person(s) responsible for its presence and such waste shall be properly disposed of elsewhere.
- C. To dress, undress or change clothing for bathing or other purpose in any passenger automobile, bus, truck or vehicle of any kind regardless of whether the doing thereof is in public view or can be seen by any other person or persons.
- D. To possess either in opened or unopened containers and/or to consume alcoholic beverages within the areas defined as the beach and approaches thereof. Nor shall any person be under the influence of intoxicating liquor or drugs.
- E. To revel, disport, or behave in a noisy or boisterous manner, emitting loud cries and other noises, or playing of loud music so as to inconvenience others, or otherwise disrupt and disturb the public peace and dignity within the areas defined as the beach or approaches thereto.
- F. To act in a loud, indecent, obscene, or offensive manner within the defined areas.

- G. Mark, deface, disfigure, injure, tamper with or displace or remove any tables, benches, public access structures, outfalls, restroom or other public facilities or parts or appurtenances whatsoever, whether real or personal property of the Township.
- H. To introduce, place or plant any plants, shrubs, trees, bushes and/ or vegetation, with the exception of natural vegetation, on the dune or within the dune area. Any proposed natural vegetation shall be planted under the supervision of the Lower Township Superintendent of Parks and Recreation as set forth within the current New Jersey Department of Environmental Protection CAFRA permit, in accordance with the guidelines and standards promulgated by the New Jersey Department of Environmental Protection.
- I. Dig, damage, trample or remove any dune vegetation from the beach or dune. Nor dig or remove sand from any dune with exception of authority of the Township.
- J. To trespass upon any dunes, except as paths are designated and marked for public use.

§ 178-4: Violations and penalties.

Anyone found to have violated any of the provisions of this article shall be a guilty of a disorderly person's offense and, upon conviction thereof by any court authorized by law to hear and determine the matter, be subject to a fine in any sum not exceeding \$1,000, and in default of payment of said fine be imprisoned in the county jail for a term not exceeding 30 days; and any repetition of any act herein prohibited shall be deemed a separate and distinct offense

In addition to the above penalties, the Lower Township Police Department, the Construction Official, the Code Enforcement Officer or any other duly authorized officers or employees are hereby empowered to pursue such legal and equitable relief as may be necessary to abate any violation or enforce any condition of this article

Section 2. If any portion of this ordinance is determined to be invalid by a Court of competent jurisdiction, that determination shall have no effect upon the remainder of this Ordinance, which shall remain valid and operable.

Section 3. All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, are hereby repealed.

Section 4. This Ordinance shall take effect 20 days after final passage and publication as provided by law.

Thomas Conrad, Councilmember

David Perry, Councilmember

Rolland Roy, Jr., Councilmember

Frank Sippel, Deputy Mayor

Erik Simonsen, Mayor

First Reading: March 5, 2018

Adopted:

Attest: _____
Julie A. Picard, Township Clerk

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

ORDINANCE #2018-04

Title: **AMENDING ARTICLE IV SUBSECTION 475-14 OF CHAPTER 475, PARKS AND RECREATION AREAS, OF THE CODE OF THE TOWNSHIP OF LOWER - TO AMEND THE FEE SCHEDULE**

WHEREAS, Chapter 475 Parks and Recreation Areas of the Township of Lower governs the general provisions regarding general Rules and Regulations of all recreational parks and facilities of the Township of Lower; and

WHEREAS, The fee schedule for all Township recreation programs is set within this Ordinance; and

WHEREAS, the aforementioned schedule needs to be amended.

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

Section 1. Subsection 475-14 entitled Recreation Fee Schedule shall be amended to reflect the following change:

475-14. RECREATION FEE SCHEDULE

<u>Type</u>	<u>Fee</u>
Educational Classes	\$40.00 per person per program

All other fees currently listed remain the same

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

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

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

Thomas Conrad, Councilmember

David Perry, Councilmember

Roland Roy, Jr., Councilmember

Frank Sippel, Deputy Mayor

Erik Simonsen, Mayor

First Reading: March 5, 2018

Adopted:

Attest: _____
Julie A Picard, Township Clerk

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

ORDINANCE NUMBER 2018-05

BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 2015-10 FINALLY ADOPTED BY THE TOWNSHIP COUNCIL ON OCTOBER 19, 2015, AS PREVIOUSLY AMENDED AND SUPPLEMENTED, TO INCREASE THE APPROPRIATION THEREIN BY \$4,200,000 AND TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES THEREIN BY \$3,990,000 TO FINANCE PART OF THE ADDITIONAL COSTS THEREOF

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

SECTION 1. The bond ordinance of the Township of Lower, in the County of Cape May, State of New Jersey (the "Township"), heretofore finally adopted by the Township Council on October 19, 2015, number 2015-10, entitled: "BOND ORDINANCE PROVIDING FOR DRAINAGE AND STORMWATER MANAGEMENT IMPROVEMENTS AND ASSOCIATED ROAD WORK TO ROSEANN AVENUE AND BAYSHORE ESTATES, BY AND IN THE TOWNSHIP OF LOWER, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$4,750,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,520,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF", as previously amended and supplemented by a bond ordinance finally adopted by the Township Council on April 4, 2016 (collectively, the "Original Ordinance"), is hereby amended and supplemented to the extent and with the effect as follows:

SECTION 2. For the improvements or purposes described in Section 3(a) of the Original Ordinance, as amended and supplemented hereby, there is hereby appropriated the additional sum of \$4,200,000, said sum being inclusive of \$210,000 as the amount of an additional down payment as required by the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.*, as amended and supplemented (the "Local Bond Law"), now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes. Therefore, the total appropriation contained in the Original Ordinance, as amended and supplemented hereby, shall be increased by \$4,200,000 from \$4,750,000 and shall equal the amount of \$8,950,000, said sum being inclusive of all appropriations heretofore made in the Original Ordinance, as amended and supplemented hereby, including the total amount of down payment increased by \$210,000 from \$230,000 to equal \$440,000. The total appropriation including the total amount of down payment is \$8,950,000.

SECTION 3. In order to finance the additional cost of the improvements or purposes set forth in Section 3(a) of the Original Ordinance, as amended and supplemented hereby, not covered by the additional down payment, additional negotiable bonds or notes of the Township in the amount of \$3,990,000 are hereby authorized to be issued by the Township for such improvements or purposes in Section 3(a) of the Original Ordinance, as amended and supplemented, such that the total authorization of negotiable bonds or notes to be issued by the Township for the improvements or purposes stated in Section 3(a) of the Original Ordinance, as amended and supplemented hereby, shall be increased by \$3,990,000 from \$4,520,000 and shall equal the amount of \$8,510,000.

SECTION 4. The Capital Budget of the Township is hereby amended, as necessary, to conform with the provisions of this amendatory and supplemental bond ordinance and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs (the "Director of the Division of Local Government Services"), will be on file in the office of the Clerk and will be available for public inspection.

SECTION 5. The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this amendatory and supplemental bond ordinance by \$3,990,000 and the said obligations authorized herein will be within all debt limitations prescribed by law.

SECTION 6. For the improvements or purposes set forth in the Original Ordinance, as amended and supplemented hereby, the items of expense listed in and permitted under N.J.S.A. 40A:2-20, shall be increased by \$840,000 from \$750,000 and shall equal the amount of \$1,590,000, such total amount being included in the estimated cost indicated herein for the improvements or purposes set forth in the Original Ordinance, as amended and supplemented hereby.

SECTION 7. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by the Original Ordinance, as amended and supplemented hereby. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 8. The Township hereby declares the intent of the Township to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of the Original Ordinance, as amended and supplement hereby, and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of the Original Ordinance, as amended and supplement hereby. This Section 8 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

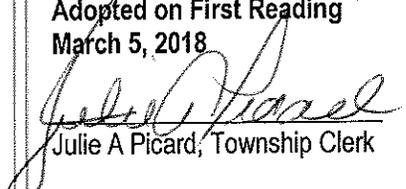
SECTION 9. The Township Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Township Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 10. The Township covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under the Original Ordinance, as amended and supplemented hereby.

SECTION 11. Except as expressly amended hereby, the Original Ordinance shall remain in full force and effect.

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

Adopted on First Reading
March 5, 2018


Julie A Picard, Township Clerk

Adopted on Second Reading
March 19, 2018

Julie A Picard, Township Clerk

Thomas Conrad, Councilman

David Perry, Councilman

Roland Roy, Jr., Councilman

Frank Sippel, Deputy Mayor

Erik Simonsen, Mayor

Register Report- Clerk February 2018 - Last month

2/1/2018 through 2/28/2018

3/2/2018

Page 1

Account	Description	Memo	Category	Amount
INCOME				22,966.00
Uncategorized				135.00
Campgrounds & Trailers				8,846.00
Ice Cream License				270.00
Rental Merc 2014-2015				300.00
Rental Merc 2017-2018				300.00
Scrapper				20.00
Street Openings				590.00
Towing				500.00
VACANT PROPERTY REGISTRATION				12,000.00
Yard Sales				5.00
EXPENSES				75.00
Business Mercantile 2018-2019				75.00
TRANSFERS				-23,041.00
Council Checking				-23,041.00
			OVERALL TOTAL	0.00

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

OFFICE OF CONSTRUCTION OFFICIAL

Construction Permit Activity Report

RANGE: 02/01/2018 To 02/28/2018

March 12, 2018 9:49:14AM

SUMMARY

CONSTRUCTION COSTS

COUNT

Cost Of Construction:	\$273,263.00	Cubic Footage:	54738 Cu.ft	Permit Issued:	110
Cost Of Alteration:	\$1,686,790.00	Square Footage:	5536 Sq.ft	Updates Issued:	13
Cost Of Demolition:	\$3,600.00			All Fees Waived:	1
Total Cost:	\$1,963,653.00			Municipal Fees Waived:	0

<u>PERMIT FEES</u>		<u>ADMIN FEES</u>		<u>WAIVED FEES</u>		<u>TOTAL FEES</u>	
Building:	\$9,579.00	Building:	\$0.00	Building:	\$0.00	Building Fees:	\$9,579.00
Electrical:	\$13,937.00	Electrical:	\$0.00	Electrical:	\$1,298.00	Electrical Fees:	\$12,639.00
Fire :	\$2,035.00	Fire :	\$0.00	Fire :	\$70.00	Fire Fees:	\$1,965.00
Plumbing:	\$3,667.00	Plumbing:	\$0.00	Plumbing:	\$45.00	Plumbing Fees:	\$3,622.00
Elevator:	\$0.00	Elevator:	\$0.00	Elevator:	\$0.00	Elevator Fees:	\$0.00
Mechanical:	\$1,020.00	Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical Fees:	\$1,020.00
				Total Waived:	\$1,413.00	Technical Fees:	\$28,825.00

DCA

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$203.00	\$0.00	\$203.00
Alteration Training Fee:	\$3,198.00	\$874.00	\$2,324.00
DCA Minimum Fee:	\$11.00	\$0.00	\$11.00
Sub total Training Fee:	\$3,412.00	\$874.00	\$2,538.00

TECHNICAL ISSUES

Building Technical:	70
Electrical Technical:	76
Fire Protection Technical:	15
Plumbing Technical:	31
Elevator Technical:	
Mechanical Technical:	12

Certificate of Occupancy Fee:	\$1,038.00
Waived Certificate Fees:	\$0.00
Sub Total Certificate Fees:	\$1,038.00

CERTIFICATE ISSUES

Certificate of Occupancy:	8
Certificate of Approval:	40
Certificate of Continued Occupancy:	0

PERMIT FEES:	\$28,825.00
DCA FEES:	\$2,538.00
CERTIFICATE FEES:	\$1,038.00
MIN FEES:	\$0.00
NET TOTAL FEES:	\$32,401.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$0.00
OTHER FEES:	\$0.00
GRAND TOTAL FEES:	\$32,401.00

OFFICE OF THE CONSTRUCTION OFFICIAL

Account Summation-Summary

Report Run from 02/01/2018 To 02/28/2018

March 12, 2018 9:50:12AM

ACCOUNT:		Cash Amount	Check Amount	Credit Card Amount	Total Fee
PERMIT FEES	Sub Totals:	\$1,481.00	\$30,920.00	\$0.00	\$32,401.00
LICENSE FEES	Sub Totals:	\$0.00	\$650.00	\$0.00	\$650.00
GRAND TOTALS:		\$1,481.00	\$31,570.00	\$0.00	\$33,051.00

Construction Permit Activity Report

SUMMARY

CONSTRUCTION COSTS

COUNT

Cost Of Construction:	\$229,600.00	Cubic Footage:	62214 Cu.ft	Permit Issued:	12
Cost Of Alteration:	\$217,687.00	Square Footage:	6509 Sq.ft	Updates Issued:	0
Cost Of Demolition:	\$0.00			All Fees Waived:	0
Total Cost:	\$447,287.00			Municipal Fees Waived:	0

<u>PERMIT FEES</u>		<u>ADMIN FEES</u>		<u>WAIVED FEES</u>		<u>TOTAL FEES</u>	
Building:	\$8,000.00	Building:	\$0.00	Building:	\$0.00	Building Fees:	\$8,000.00
Electrical:	\$2,004.00	Electrical:	\$0.00	Electrical:	\$0.00	Electrical Fees:	\$2,004.00
Fire :	\$1,500.00	Fire :	\$0.00	Fire :	\$0.00	Fire Fees:	\$1,500.00
Plumbing:	\$2,762.00	Plumbing:	\$0.00	Plumbing:	\$0.00	Plumbing Fees:	\$2,762.00
Elevator:	\$0.00	Elevator:	\$0.00	Elevator:	\$0.00	Elevator Fees:	\$0.00
Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical Fees:	\$0.00
				Total Waived:	\$0.00	Technical Fees:	\$14,266.00

DCA

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$231.00	\$0.00	\$231.00
Alteration Training Fee:	\$417.00	\$0.00	\$417.00
DCA Minimum Fee:	\$1.00	\$0.00	\$1.00
Sub total Training Fee:	\$649.00	\$0.00	\$649.00

TECHNICAL ISSUES

Building Technical:	8
Electrical Technical:	9
Fire Protection Technical:	6
Plumbing Technical:	7
Elevator Technical:	
Mechanical Technical:	

Certificate of Occupancy Fee:	\$1,360.00
Waived Certificate Fees:	\$0.00
Sub Total Certificate Fees:	\$1,360.00

CERTIFICATE ISSUES

Certificate of Occupancy:	0
Certificate of Approval:	0
Certificate of Continued Occupancy:	0

PERMIT FEES:	\$14,266.00
FEES:	\$649.00
CERTIFICATE FEES:	\$1,360.00
MIN FEES:	\$0.00
NET TOTAL FEES:	\$16,275.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$0.00
OTHER FEES:	\$0.00
GRAND TOTAL FEES:	\$16,275.00

OFFICE OF THE CONSTRUCTION OFFICIAL

Account Summation-Summary

Report Run from 02/01/2018 To 02/28/2018

March 12, 2018 9:51:54AM

ACCOUNT:		Cash Amount	Check Amount	Credit Card Amount	Total Fee
PERMIT FEES	Sub Totals:	\$241.00	\$16,034.00	\$0.00	\$16,275.00
	GRAND TOTALS:	\$241.00	\$16,034.00	\$0.00	\$16,275.00



Lower Township Police Department Monthly Activity Report

2018

	January	Total:
General Complaints and Service Calls (Total Events)	2927	2927
Aggravated Assaults	0	0
Animal Control Complaints	11	11
Arson	0	0
Assaults	5	5
Assaults on Police Officers (UCR Report Return "A")	0	0
Bias Incidents	0	0
Burglaries	9	9
Community Policing Services	405	405
Criminal Mischief Complaints	6	6
Death Investigations	3	3
Disorderly Conduct Complaints / Harassment	85	85
Domestic Violence Complaints	22	22
Emergency Medical Calls with L. T. Rescue	27	27
Fire Calls & Alarms Police Response (Total)	69	69
Local Ordinance Complaints	1	1
Motor Vehicle Accidents	30	30
Motor Vehicle Stops	236	236
Narcotics	18	18
Property Checks	1708	1708
Residential and Commercial Alarm Calls	160	160
Robbery	0	0
Thefts	8	8
Traffic Summons Issued	81	81
Traffic Warnings Issued	1	1
Weapons Offenses	0	0
Adult Arrests (UCR Report Return "A")	29	29
Juvenile Arrests (UCR Report Return "A")	2	2
D.W.I. Arrests (UCR Report JV & Adult Arrests Combined)	3	3
Drug Possession Arrests (UCR Report JV & Adult Arrests Combined)	9	9
Investigation Reports Completed	50	50
Supplemental Investigation Reports Completed	29	29
Total Value Property Stolen (UCR Report Return "A")	\$ 7,792.00	\$ 7,792.00
Total Value Property Recovered (UCR Report Return "A")	\$ 585.00	\$ 585.00



Lower Township Police Department Monthly Activity Report

2018

	January	Total:
Man Power Loss in Hours		
Union	0	0
Suspended	24	24
(V) style="text-align: right;">Vacation	673	673
(P) style="text-align: right;">Personal	16	16
(C) style="text-align: right;">Used Comp Hours	600	600
(S) style="text-align: right;">Sick Hours	346	346
(WC) style="text-align: right;">Injury Hours	53	53
(T) style="text-align: right;">Training Hours	464	464
(M) style="text-align: right;">Military Training	415	415
Police Department Overtime in Hours		0
(K= Patrol) style="text-align: right;">Operations Overtime	130.5	130.5
(CE = Patrol) style="text-align: right;">Operations Comp Time	279.75	279.75
(K = Detective) style="text-align: right;">Investigation Division Overtime	95.5	95.5
(CE= Detective) style="text-align: right;">Investigation Division Comp Time	57	57
(COT) style="text-align: right;">Court Overtime	23	23
(CCE) style="text-align: right;">Court Comp Time	0	0
(H) style="text-align: right;">Holiday Overtime	169.5	169.5
(HCE) style="text-align: right;">Holiday Comp Time	56.5	56.5
Government/Grant Funding Overtime in Hours		0
(CIOT) style="text-align: right;">Click It or Ticket	0	0
(COPS) style="text-align: right;">Cops n Shops	0	0
JV Curfew	0	0
(DDEF / DSGP) style="text-align: right;">DWI Grants	0	0
Other	0	0
Private Funding Overtime in Hours		0
(OSC) style="text-align: right;">Special Detail	32	32

Prepared By:

Chief William Mastriana

Chief William Mastriana

Date: 3/1/2018

**2018 CASH RECEIPTS
FEBRUARY**

Township of Lower
Office of the Tax Collector

	MONTH TO DATE	YEAR TO DATE
Receipts		
Current year taxes (2018)	5,533,084.66	13,214,156.98
Prior year taxes (2017)	82,644.07	287,184.82
Previously exempt property		1135.80
State Audit Pay Back		1,000.00
Municipal Lien		0.00
Recording		0.00
Bankruptcy		868.03
6% Penalty		12,660.00
Municipal Service Fees	2,580.00	0.00
Tax Search Fees		17,367.21
Interest	6,923.46	0.00
Lot clearing		20.00
Returned Check Fees		275.00
Duplicate Bills	35.00	5,092.00
Trash	2,883.00	
TOTAL DEPOSITS	5,628,150.19	13,539,759.84
DEPOSITED TO COUNCIL CHECK	5,256,600.23	12,892,269.18
DEPOSITED TO WIPP ACCOUNT	371,549.96	647,490.66
TOTAL DEPOSITS	5,628,150.19	13,539,759.84
NSF Reversals	2,880.65	25,710.79
WIPP NSF Reversals	8,716.38	9,329.07
TOTAL	5,616,553.16	13,504,719.98

Prepared by Kathy Brown

CASH RECONCILIATION JANUARY 31, 2018

	Cash		Less Checks Outstanding	Cash Book Balance
	*On Hand	On Deposit		
Current	491,209.54	14,958,583.49	68,164.07	15,381,628.96
Trust - Assessment				
Trust - Dog License	155.00	12,962.37	4,184.77	8,932.60
Trust - Other	525.00	2,855,076.49	40,932.09	2,814,669.40
Capital - General	0.00	7,007,350.36	0.00	7,007,350.36
Water - Operating				0.00
Water - Capital				0.00
Assessment Utility Trust				0.00
Public Assistance**				0.00
Garbage District				0.00
Grant Fund				0.00
Total	491,889.54	24,833,972.71	113,280.93	25,212,581.32

*Include Deposits In Transit (and change funds)

**Be sure to include a Public Assistance Account reconciliation and trial balance if the municipality maintains such a bank account.

REQUIRED CERTIFICATION

I hereby certify that all amounts shown in the "Cash on Deposit" column on Sheet 9 and 9(a) have been verified with the applicable bank statements, certificates, agreements or passbooks at December 31, 2018

I also certify that all amounts, if any, shown for Investments in Savings and Loan Association on any trial balance have been verified with the applicable passbook at December 31, 2018

All "Certificates of Deposits," "Repurchase Agreements," and other investments must be reported as cash and included in this certification.

(THIS MUST BE SIGNED BY THE REGISTERED MUNICIPAL ACCOUNTANT (STATUTORY AUDITOR) OR CHIEF FINANCIAL OFFICER) depending on who prepared this Annual Financial Statement as certified to on Sheet 1 or 1(a).

Signature:

Lauren Reed

Title: CFO, Township of Lower

	<u>Total</u>	<u>Jan</u>
BEG. BAL. JAN. 1, 2018	12,051,931.00	12,051,931.00
RECEIPTS:		
Per Revenue Status	8,182,142.22	8,182,142.22
less: post cash surplus	0.00	
Interest due from Capital	(1,783.94)	(1,783.94)
Interest due from Escrow	(127.50)	(127.50)
	8,180,230.78	8,180,230.78
Grants Received:		
Recycling Tonnage \$ Recd	0.00	
FEMA	75,000.00	75,000.00
Coastal Resiliency \$ Recd	7,262.50	7,262.50
JIF \$ Recd	1,225.77	1,225.77
83,488.27		
TOTAL RECEIPTS:	8,263,719.05	8,263,719.05
DISBURSEMENTS:		
2017 Reserves	367,125.19	367,125.19
2018 Current	4,538,948.79	4,538,948.79
2018 Capital	160,350.19	160,350.19
Appropriation Refunds:	(60,280.17)	(60,280.17)
TOTAL DISBURSEMENTS	5,006,144.00	5,006,144.00
END. BAL. DEC. 31, 2018	15,309,506.05	15,309,506.05
Total Appropriation Refunds	(60,280.17)	(60,280.17)

Bank Balance	
Checking	14,665,185.44
Online Payment Acct	221,875.14
Total Bank Balance	14,887,060.58
ADD: Deposits in Transit	490,609.54
LESS: Outstanding Checks	(68,164.07)
Adjusted Bank Balance	15,309,506.05
	0.00

Monthly Interest Received-Current Fund	4,967.86	4,967.86
Interest Rate		0.30%

**2017 FEBRUARY
VITAL STATISTICS**

Marriages,Civil Unions	3
Domestic Partners	0
Certified Copies	184
Certified Copies EDRS	0
Burial Permits	0
Marriages, Civil Unions State	\$75.00
Domestic Partners State	\$0.00
Marriages, Civil Unions Twp	\$9.00
Domestic Partners Twp	\$0.00
Certified Copies	\$1,840.00
Certified Copies EDRS	\$0.00
Burial Permits State	\$0.00
Burial Permits Twp	\$0.00
TOTAL	\$1,924.00

PERSONNEL ACTIONS

Report for Council Meeting of 03/19/2018

<u>Department</u>	<u>Name</u>	<u>Eff. Date</u>	<u>Replaces</u>	<u>Action</u>	<u>Title</u>	<u>Budgeted Item</u>
Public Works	Barger, George	01/31/2018		Retired	Mechanic	Yes
Public Works	Eich, Joshua	02/05/2018		New Hire	Temp Laborer	Yes
Assessor	Crowther, William	03/15/2018		Resigned	Assessing Aide	Yes
Public Safety	Greene, Patrick	02/28/2108		Retired	Police LT	Yes
Public Safety	Shough, Thomas	01/22/2018		New Hire	Police Officer	Yes
Finance	Jackson, Susan	02/28/2018		Retired	Tax Collector	Yes
Finance	Brown, Kathleen	02/22/2018	Jackson, Susan	Promotion	Tax Collector	Yes
Finance	Brewer, Maria	03/05/2018	Brown, Kathleen	Promotion	Asst. Tax Collector	Yes

Date of report: 03/16/2018

c: Manager
Clerk
Payroll
Asst. Treasurer
Bulletin Board

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

RESOLUTION # 2018-125

Title:

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

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

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

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township council of the Township of Lower, assembled in public session on March 19, 2018 that an Executive Session closed to the public shall be held on this date at approximately _____ P.M. in the Conference Room of the Township Hall, 2600 Bayshore Road, Villas for the discussion of matters relating to the specific items designated above.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on March 19, 2018.

Julie A Picard, Township Clerk