

WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL

May 18, 2020 - 5:00 P.M.

Meeting called to order

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

Work Session

Consent Agenda

- Approval of Minutes – May 4, 2020
Res. #2020-145 Payment of Vouchers \$ 810,627.84
Res. #2020-146 A Resolution Supporting an Open Space/Historic Preservation Grant Application for the Naval Air Station Wildwood Aviation Museum
Res. #2020-147 A Resolution Supporting a Grant Application to the New Jersey Historic Trust for the Naval Air Station Wildwood Aviation Museum
Res. #2020-148 Authorizing Payment to Lower Township Board of Education (School Tax July thru Nov)
Res. #2020-149 Authorizing Payment for 2020 Regional School Taxes (July thru Nov)
Res. #2020-150 Authorizing the Payout of Terminal Leave (S.Lonergan \$17,865.36)
Res. #2020-151 Renewal of 2020 Campground License (Cape Island Campground)
Res. #2020-152 Reappointment to the Zoning Board of Adjustment (M.Kennedy)
Res. #2020-153 Reappointment to the Zoning Board of Adjustment (J.Hanson)
Res. #2020-154 Reappointment to the Zoning Board of Adjustment (R.Sweeten)
Res. #2020-155 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Small Cities \$400,000)
Res. #2020-156 Bulletproof Vests Partnership Program Application
Res. #2020-157 Approval of Change Order #2 to Mount Construction Company for Roseann Avenue Roadway and Utility Improvements – Phase 3 (\$7,937.08)
Res. #2020-158 A Resolution Requesting Release of Performance Guarantee for Chewies, LLC, Castaway Cove Restaurant, 301 Bayshore Road; Block 18, Lot 27.01 Escrow #P17-01-03

Regular Agenda

Ordinance #2020-11- An Ordinance Amending Chapter 166, Article XII, Wildlife Feeding, of the Code of the Township of Lower, to Prohibit the Feeding of Wildlife on Private Property Within the Township of Lower - This is the second reading and Public Hearing for this Ordinance. This Ordinance has been posted, published and made available to the public.

Manager's Report

Administrative Reports

Monthly Reports – Clerk, Construction, Tax, Vital Statistics

Council Comments

Call to the Public

Adjournment

The Lower Township Council Meeting scheduled for May18, 2020 at 5:00 p.m. will be closed to the public due to Executive Order #104. Anyone wishing to participate in the meeting can do so by dialing 1-312-757-3121. Access Code: 602-411-533#.

COUNCIL MEETING MINUTES – May 4, 2020

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on May 4, 2020 at 7:00 p.m. via video conference from 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 via video conference or roll call taken by the Clerk:

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

Also present: James Ridgway, Township Manager via video conference, David Stefankiewicz, Township Solicitor via video conference and Karen Fournier, Deputy Township Clerk was physically present.

Work Session

Consent Agenda

Approval of Minutes - April 20, 2020

Res. #2020-138 Payment of Vouchers \$ 405,031.14

Res. #2020-139 Approval of Change Order #3 to Charles Marandino LLC for the Schellengers Landing Safety Improvements and Identification Program for Additional Work Including: Additional Concrete Driveway, Demolition of An Existing Storm Inlet, and Code Compliant Railing (\$18,565.20)

Res. #2020-140 A Resolution Authorizing the Issuance of Refunds and/or Deferments of Youth Sport Recreation Fees Received in Connection with the Township of Lower Recreation Department's Spring Youth Sports Programs

Res. #2020-141 Authorization for South Jersey Power Cooperative Electric Bid

Res. #2020-142 Authorizing Pay Out of Terminal Leave (G.Finnegan \$35,120.17)

Res. #2020-143 Approving a Professional Service Contract with DeBlasio & Associates to Prepare and Submit an Application for the FY2021 NJDOT State Aid Program (\$2,000)

Res. #2020-144 A Resolution Authorizing an Extension of the Grace Period for the Payment of 2020 Second Quarter Property Tax

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

Regular Agenda

Manager's Report

Manager Ridgway gave Council an update on several matters including: Capital Road Improvements, Public Works Leaf and Branch Schedule, Capital Budget, and Contract Negotiations.

Administrative Reports

Clerk, Dog, Treasurer – Quarterly & Monthly

Council Comments

Councilmember Conrad thanked residents for their continued cooperation. He also sent farewell wishes to Miranda Fisher as she leaves for the Air Force.

Councilmember Coombs informed about the upcoming food drive.

Councilmember Roy applauded DPW for their work along the Bayfront as well as the leaf and branch schedule. He also complimented the progress at Schellenger's Landing.

Deputy Mayor Perry encouraged support with the upcoming food drive.

Mayor Sippel thanked residents for their compliance with social distancing rules, and thanked Deputy Mayor Perry and Councilmember Coombs for organizing the upcoming food drive.

Call to the Public

Adjournment

There being no further business to address, motion to adjourn moved by Councilmember Coombs, seconded by Councilmember Roy. Motion to adjourn was unanimous. Meeting adjourned at 7:12 p.m.

Mayor

Township Clerk

Approved:

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01958 INTERCON TRUCK EQUIPMENT INC*	20-00976	04/22/20	BEA-815-BH3.58	Open	310.00	0.00		
02247 LAWSON PRODUCTS, INC.*	20-00812	03/27/20	SUPPLIES FOR DPW GARAGE	Open	699.24	0.00		
02248 LAWMEN SUPPLY*	20-01087	04/28/20	VEST OUTER CARRIER BALANCE	Open	1,280.00	0.00		
02810 MOUNT CONSTRUCTION CO*	19-02035	07/16/19	ROSEANN PHASE 3 DNE \$2464865.0	Open	292,741.00	0.00		
03026 NJ STATE HEALTH BENEFITS	20-01127	05/06/20	MAY 2020 ATIVE MED INS	Open	182,332.88	0.00		
	20-01128	05/06/20	MAY 2020 HEALTH RETIREES	Open	67,255.08	0.00		
					249,587.96			
03280 PARAMOUNT SANITARY SUPPLY*	20-00777	03/20/20	HAND SANITIZER GALLONS	Open	150.00	0.00		
03293 BLAINE PAYNTER	20-01166	05/13/20	CONTRACTUAL REIMBURSEMENT M	Open	44.49	0.00		
03305 PEDRONI FUEL*	20-01095	04/28/20	NO LEAD GAS	Open	59.46	0.00		
03518 RIGGINS, INC.*	20-01096	04/28/20	OFF HIGHWAY DIESEL	Open	382.09	0.00		
03544 PORTER LEE CORP*	20-01103	04/29/20	BEAST RIBBON BALANCE	Open	120.25	0.00		
03810 MUNICIPAL UTIL AUTH USAGE COST	20-01168	05/13/20	WATER 1/15/20-4/15/20	Open	1,168.87	0.00		
	20-01169	05/13/20	SEWER PD 1/15/20-4/15/20	Open	80.00	0.00		
					1,248.87			
03902 DONALD VANAMAN JR	20-01125	05/06/20	CONTRACTUAL REIMBURSEMENT V	Open	265.00	0.00		
03914 ULINE INC*	20-00888	04/07/20	DOGI POT BAGS AND LINERS	Open	562.87	0.00		
03958 DEBORAH VAN MOURIK	20-01165	05/13/20	CONTRACTUAL REIMBURSEMENT M	Open	242.67	0.00		
04097 CINTAS FIRST AID AND SAFETY*	20-01120	05/05/20	MEDICAL CABINET REFILL	Open	20.63	0.00		
04261 STATE OF NEW JERSEY	20-01141	05/08/20	1ST QTR UNEMPLOYMENT	Open	25,584.88	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04300 W.B MASON CO INC*	20-00895	04/08/20	4/1/20 PAPER & SUPPLIES	Open	186.86	0.00		
04327 SHI INTERNATIONAL CORP*	20-01123	05/05/20	ANNUAL RMS MAINTENANCE	Open	6,900.00	0.00		
2023 ATLANTIC TACTICAL INC*	20-00648	03/06/20	PATROL EQUIPMENT	Open	179.40	0.00		B
6059 USABLE LIFE	20-01130	05/06/20	MAY2020 LIFE INSURANCE	Open	619.30	0.00		
7301 TREASURER, STATE OF NJ	20-01178	05/14/20	ELEVATOR-FISHING CREEK SCHOOL	Open	182.00	0.00		
7302 GUARDIAN TRACKING LLC*	20-01086	04/28/20	EMPLOYEE TRACK SYS 12/20-11/21	Open	3,246.00	0.00		
7475 SUZANNE M SCHEID	20-01126	05/06/20	CONTRACTUAL REIMBURSEMENT M	Open	36.58	0.00		
7478 WINDSTREAM COMMUNICATION INC*	20-01171	05/13/20	4/29/20 PHONE SERVICE	Open	2,315.12	0.00		
7507 STEFANKIEWICZ & BELASCO LLC	20-00221	01/17/20	DNE \$116K EXPENSES	Open	30,037.22	0.00		
7508 BLANEY & KARAVAN PC*	20-00155	01/10/20	RES# 2020-02 LABOR DNE \$40k	Open	1,008.00	0.00		B
	20-00156	01/10/20	RES#2020-04 TAX APPEAL	Open	4,975.00	0.00		B
					5,983.00			
7636 MOTT MACDONALD LLC*	19-01269	05/02/19	ROSEANN AVE PHASE 3 RES 19-157	Open	402.00	0.00		B
	19-01699	06/07/19	C/O 2 RES 19-205 ROSEANN IMPR	Open	27,855.91	0.00		B
	19-02261	08/12/19	REC BATHROOM CONSDTRUCTION PHA	Open	5,849.25	0.00		B
	19-02964	11/06/19	SERVICES FOR JONATHAN HOFFMANS	Open	3,590.00	0.00		B
	20-00566	03/02/20	MULLIGAN CO#1 DESIGN PHS 20-92	Open	35,070.00	0.00		
					72,767.16			
7743 SQUARE 1 DISIGN LLC*	20-01143	05/08/20	SITE LOCK SECURITY	Open	198.00	0.00		
7820 DEBLASTIO & ASSOCIATES, P.C.*	19-02342	08/21/19	2019 ROAD PROGRAM	Open	29,000.00	0.00		B
	20-00762	03/18/20	2019 ROAD PROGRAM CHANGE #2	Open	7,000.00	0.00		B
					36,000.00			
7929 AMAZON CAPITAL SERVICES, INC	20-00624	03/05/20	SUPPLIES	Open	160.22	0.00		
	20-00682	03/10/20	FS MICROSOFT PRO KEYBOARDS	Open	239.97	0.00		
	20-00836	03/27/20	THERMOMETERS COVID-19	Open	0.00	0.00		
	20-01000	04/22/20	NUTS AND BOLTS	Open	60.49	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7929	AMAZON CAPITAL SERVICES, INC Continued							
	20-01097	04/28/20	REGULATOR FOR SIGN SHOP	Open	139.99	0.00		
					600.67			
7994	IDEMIA IDENTITY & SECURITY USA							
	20-01088	04/28/20	LIVE SCAN FINGER 8/20-8/2021	Open	3,930.57	0.00		
8035	LANGUAGE LINE SERVICES INC							
	20-00938	04/15/20	PHONE INTERPRETATION MAR 2020	Open	10.23	0.00		
8119	WHOOSTER INC							
	20-01089	04/28/20	WHOOSTER LE SMS 7/20-7/23/2021	Open	238.00	0.00		
8268	SALLY INMON							
	20-00913	04/08/20	REFUND REGISTRATION	Open	125.00	0.00		
8269	DR BERNARD BEUTE							
	20-00914	04/08/20	REFUND REGISTRATION	Open	125.00	0.00		
8270	MICHAEL & SUZAN YOCK							
	20-00944	04/16/20	REFUND REGISTRATION 4/8/20	Open	125.00	0.00		
8272	GLOBAL INTERACTIVE SOLUTIONS							
	20-01115	05/05/20	COURT PRO ZOOM ACCOUNT	Open	236.94	0.00		
8660	FIRE FIGHTERS EQUIP CO INC.*							
	20-01113	05/01/20	3 PLY MASKS 30 CARTON 50 EACH	Open	1,687.50	0.00		
8668	TRACY GOOLSBY							
	20-01163	05/12/20	REIMBURSEMENT-LACROSSE	Open	25.00	0.00		
8669	CINNAMON KELLY							
	20-01162	05/12/20	LACROSSE REFUND	Open	15.00	0.00		
ABBA	ABBA MEDICAL SUPPLY*							
	20-00911	04/08/20	6 CASES (24)	Open	720.00	0.00		
CARROT	CARROT-TOP INDUSTRIES, INC*							
	20-00959	04/21/20	FLAGS FOR TOWNSHIP BUILDINGS	Open	743.90	0.00		
G-UNITED	UNITED UNIFORMS OF NEW JERSEY							
	20-00951	04/16/20	KN95 2000/1000 DISP MASK	Open	5,100.00	0.00		
LINDS	KURT LINDSAY							
	20-01136	05/08/20	REIMBURSEMENT-LACROSSE	Open	15.00	0.00		
SALINSKY	NICOLE SALINSKY							
	20-01132	05/08/20	LACROSSE REFUND	Open	15.00	0.00		

Total Purchase Orders: 74 Total P.O. Line Items: 0 Total List Amount: 809,427.84 Total Void Amount: 0.00

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

RESOLUTION #2020- 145

Title: **AUTHORIZING THE PAYMENT OF VOUCHERS**

<u>Vendor</u> AGUSTIN ESTRELLA	<u>Description</u> MASK FOR COVID	<u>Amount</u> \$1200.00
-----------------------------------	--------------------------------------	----------------------------

TOTAL Manual Checks \$1200.00

TOTAL Computer Generated \$809,427.84

TOTAL BILL LIST \$810,627.84

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
COOMBS						

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 MAY 18, 2020.

Julie A Picard, Township Clerk

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

RESOLUTION #2020-146

Title: **A RESOLUTION SUPPORTING AN OPEN SPACE/HISTORIC PRESERVATION GRANT APPLICATION FOR THE NAVAL AIR STATION WILDWOOD AVIATION MUSEUM**

WHEREAS, the Naval Air Station Wildwood Aviation Museum, listed on the State of New Jersey and National Registers of Historic Places, has applied for an Open Space/Historic Preservation grant for Hangar #1 through Cape May County; and

WHEREAS, the proposed project includes the replacement of the north side "main hanger roof" as part of the larger phased effort to preserve the hangar; and

WHEREAS, a requirement of the grant application is to provide a Resolution of Support from the governing body in which the applicant is located; and

WHEREAS, Lower Township Council is proud to have the Naval Air Station Wildwood Aviation Museum located within the Township of Lower.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Lower Township is pleased to support this grant application and the continued Preservation of Historic Hangar #1.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on May 18, 2020.

Julie A Picard, Township Clerk

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

RESOLUTION #2020-147

Title: **A RESOLUTION SUPPORTING A GRANT APPLICATION TO THE NEW JERSEY HISTORIC TRUST FOR THE NAVAL AIR STATION WILDWOOD AVIATION MUSEUM**

WHEREAS, the Naval Air Station Wildwood Aviation Museum has applied for a New Jersey Historic Trust Grant for Hangar #1; and

WHEREAS, the proposed project includes the replacement of the north side "main hangar roof" as part of the larger phased effort to preserve the hangar; and

WHEREAS, a requirement of the grant application is to provide a Resolution of Support from the governing body in which the applicant is located; and

WHEREAS, Lower Township Council is proud to have the Naval Air Station Wildwood Aviation Museum located within the Township of Lower.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Lower Township is pleased to support this grant application and the continued Preservation of Historic Hangar #1.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on May 18, 2020.

Julie A Picard, Township Clerk

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

RESOLUTION #2020-148

Title: **AUTHORIZING PAYMENT TO LOWER TOWNSHIP BOARD OF EDUCATION**

WHEREAS, the amounts listed below are owed to Lower Township Board of Education for current year 2020 taxes on the dates noted and it is necessary to receive authorization for the payment of bills which affect the budget, and

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

WHEREAS, tax payments made to Lower Township Board of Education are charged to a non-budget appropriation #0-01-55-910-017 and sufficient funds are available from quarterly property tax payments as certified by the Chief Financial Officer _____.

SCHOOL TAXES DUE	7/1/2020	\$ 1,821,674.00
SCHOOL TAXES DUE	8/1/2020	\$ 1,821,674.00
SCHOOL TAXES DUE	9/1/2020	\$ 1,821,674.00
SCHOOL TAXES DUE	10/1/2020	\$ 1,821,674.00
SCHOOL TAXES DUE	11/1/2020	\$ 1,821,674.00
		\$ 9,108,370.00

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

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on May 18, 2020.

Julie A Picard, Township Clerk

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

RESOLUTION #2020-149

Title: **AUTHORIZING PAYMENT FOR 2020 REGIONAL SCHOOL TAXES**

WHEREAS, the amounts listed below are owed to Lower Cape May Regional for current year 2020 taxes on the dates noted and it is necessary to receive authorization for the payment of bills which affect the budget, and

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

WHEREAS, tax payments made to Lower Cape May Regional are charged to a non-budget appropriation #0-01-55-910-019 and sufficient funds are available from quarterly property tax payments as certified by the Chief Financial Officer _____.

SCHOOL TAXES DUE	7/15/2020	\$ 1,425,287.70
SCHOOL TAXES DUE	8/15/2020	\$ 1,425,287.70
SCHOOL TAXES DUE	9/15/2020	\$ 1,425,287.70
SCHOOL TAXES DUE	10/15/2020	\$ 1,425,287.70
SCHOOL TAXES DUE	11/15/2020	\$ 1,425,287.70

\$ 7,126,438.50

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 payments are hereby authorized.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on May 18, 2020.

Julie A Picard, Township Clerk

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

RESOLUTION #2020-150

Title: AUTHORIZING THE PAYOUT OF TERMINAL LEAVE

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that a payment due to Stephen Lonergan in the amount of \$ 17,865.36 is authorized and chargeable to the Reserve for Accumulated Absences.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
COOMBS						
ROY						
PERRY						
SIPPEL						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on May 18, 2020.

Julie A Picard, Township Clerk

Lonergan, Stephen

TOWNSHIP OF LOWER
RETIREMENT PAYOUT ANALYSIS
DATE:

EMPLOYEE: Lonergan, Stephen
DATE OF RESIGNATION: 5/1/2020
DATE OF PAYMENT: _____
RESOLUTION #: _____

Annual Salary:	\$69,028.58
Hourly Rate:	\$33.1868
Longevity	\$0.00

TERMINAL LEAVE:			
	Hours	Rate	Total
Comp	0.00	33.19	0.00
Personal	10.46	33.19	347.19
Sick	413.48	33.19	13,722.11
Vacation	114.38	33.19	3,796.06
Terminal Leave Payout			\$17,865.36

	(A)	(B)	(C)	(B * C) (D)	(E)	A + D - E (F)	
	Carryover	Annual	17/52 weeks	Prorated Time Due	Time Used	Hours to be paid	
Comp				0.00		0.00	
Personal	0.00	32.00	0.33	10.46	0.00	10.46	contract max
Sick	390.25	120.00	0.33	39.23	16.00	413.48	960 hours
Vacation	122.00	200.00	0.33	65.38	73.00	114.38	
Holidays							
Total	512.25	352.00	0.98	115.08	89.00	538.33	

Accrual and time used are current 5/6/2020

Employee Signature: _____

Date: _____

Treasurer's Signature: _____

Date: _____

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

RESOLUTION #2020-151

Title: RENEWAL OF 2020 CAMPGROUND LICENSE

WHEREAS, Cape Island Campground has applied for renewal of their Campground License; and

WHEREAS, the applicant has paid the required license fee.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Campground Licenses for the following is hereby renewed for the period of April 1, 2020 through March 31, 2021 subject to all real estate taxes being current.

Robert Lepor

Cape Island Campground

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on May 18, 2020.

Julie A Picard, Township Clerk

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

RESOLUTIUN #2020-152

Title: REAPPOINTMENT TO THE ZONING BOARD OF ADJUSTMENT

WHEREAS, Michael Kennedy, Regular Member on the Zoning Board of Adjustment, has a term which will expire, June, 2020 and has requested reappointment to the Board; and

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

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

<u>NAME</u>	<u>TYPE</u>	<u>TERM EXP</u>
Michael Kennedy	Regular Member	June, 2024

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on May 18, 2020.

Julie A Picard, Township Clerk

FOR TOWNSHIP USE ONLY

Res. # _____

Board/Comm./Auth. _____

Term Exp. _____

Replaced _____ or Reappointed

TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

NAME Michael Kennedy

CITY AND STATE N.C.M., NJ

YEARS OF RESIDENCY IN TOWNSHIP 48 OCCUPATION CAPE MAY COUNTY

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

- Cable Television Advisory Board
- Environmental Commission
- Historic Preservation Commission
- Citizen Advisory Board

- Municipal Utilities Authority
- Planning Board
- Recreation Advisory Board
- Zoning Board of Adjustment

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

would like to be reappointed to the Lower Zoning Board of Adjustment

Thanks Mike

Date: 3/14/20

Signature: [Signature]

(VALID FOR ONE YEAR FROM DATE OF RECEIPT)

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

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

RESOLUTION #2020-153

Title: REAPPOINTMENT TO THE ZONING BOARD OF ADJUSTMENT

WHEREAS, James Hanson, Regular Member on the Zoning Board of Adjustment, has a term which will expire, June, 2020 and has requested reappointment to the Board; and

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

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

<u>NAME</u>	<u>TYPE</u>	<u>TERM EXP</u>
James Hanson	Regular Member	June, 2024

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on May 18, 2020.

Julie A Picard, Township Clerk

FOR TOWNSHIP USE ONLY

Res. # _____

Board/Comm./Auth. _____

Term Exp. _____

Replaced _____ or Reappointed

**TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM**

NAME James Hanson

CITY AND STATE Lower Twp, New Jersey

YEARS OF RESIDENCY IN TOWNSHIP 38+/- OCCUPATION Self Employed

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

- Cable Television Advisory Board
- Environmental Commission
- Historic Preservation Commission
- Citizen Advisory Board

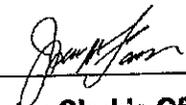
- Municipal Utilities Authority
- Planning Board
- Recreation Advisory Board
- Zoning Board of Adjustment

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

Please accept this application for re-appointment to the Lower Township Zoning Board of Adjustment. I have proudly served on this Board from 1994 to 2000; and from 2004 to present. I have also served as Chairman from 1998 to 2000 and from 2005 to present.

I feel that I am worthy and well qualified to continue serving at Council's pleasure.

Date: 5/4/2020

Signature: 

(VALID FOR ONE YEAR FROM DATE OF RECEIPT)

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

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

RESOLUTIUN #2020-154

Title: REAPPOINTMENT TO THE ZONING BOARD OF ADJUSTMENT

WHEREAS, Robert Sweeten, Regular Member on the Zoning Board of Adjustment, has a term which will expire, June, 2020 and has requested reappointment to the Board; and

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

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

<u>NAME</u>	<u>TYPE</u>	<u>TERM EXP</u>
Robert Sweeten	Regular Member	June, 2024

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on May 18, 2020.

Julie A Picard, Township Clerk

FOR TOWNSHIP USE ONLY

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

Term Exp. _____ Replaced _____ or Reappointed _____

**TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM**

NAME Robert J. Sweeten

CITY AND STATE Erma, NJ 08204

YEARS OF RESIDENCY IN TOWNSHIP 19 OCCUPATION Life Insurance Broker

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

- Cable Television Advisory Board
- Environmental Commission
- Historic Preservation Commission
- Citizen Advisory Board

- Municipal Utilities Authority
- Planning Board
- Recreation Advisory Board
- Zoning Board of Adjustment

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

I have served on the Lower Township ZBA since 2003 and wish to be reappointed. During my tenure on the ZBA I have had a great attendance record and carefully consider all applications presented. I have completed training as required by the state for ZBA members.

Date: 5/4/2010 Signature: Robert J. Sweeten

(VALID FOR ONE YEAR FROM DATE OF RECEIPT)

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

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

RESOLUTION #2020-155

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

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

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

SECTION 1.

NOW, THEREFORE BE IT RESOLVED that the Township of Lower, County of Cape May, hereby requests the Director of the Division of Local Government Services to approve the increase of \$400,000.00 for an item of revenue in the budget of the year 2020 as follows:

Miscellaneous Revenues –	
Revenue Offset with Appropriations -	Small Cities Public Facilities
Total with increase to be	\$ 400,000.00

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$400,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations –	
Public & Private Programs Offset by Revenues -	Small Cities Public Facilities
State/Federal Share	\$ 400,000.00
Non State Share	\$
Total with increase to be	\$ 400,000.00

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
COOMBS						
ROY						
PERRY						
SIPPEL						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on May 18, 2020

Julie A Picard, Township Clerk

AGREEMENT DATA SHEET

(X) GRANT () LOAN

PROJECT INFORMATION

FUNDING PROGRAM NAME:
PROJECT TITLE:
SERVICE AREA(S):

Small Cities CDBG 2020
**ADA Compliance Improvements at Rotary Community Park
Township of Lower**

RECIPIENT INFORMATION

AGENCY NAME:
ADDRESS:

Township of Lower
2600 Bayshore Road
Villas, New Jersey 08251-1397

CHIEF FINANCIAL OFFICER:
VENDOR ID #
TELEPHONE NUMBER:
CHARITIES REGISTRATION #:
(Nonprofit Agencies Only)
DUNS:

Ms. Lauren Read
216005700-99
(609) 886-2005
EX0000000

004227872

STATE INFORMATION

DEPARTMENT:
DIVISION:
ADDRESS:

NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS
Division of Housing and Community Resources
101 South Broad Street, 5th Floor
PO Box 806
Trenton, NJ 08625-0806

CONTACT PERSON:
TELEPHONE NUMBER:

Bruce Benton
(609) 633-6277

FEDERAL INFORMATION

FEDERAL AWARD AGENCY NAME:
CFDA NAME:
Entitlement Grants In Hawaii

Department of Housing and Urban Development
Community Development Block Grants/State's program and Non-

FUNDING AMOUNT AND SOURCE OF FUNDS

	<u>ACCOUNT NUMBER</u>	<u>AMOUNT</u>	<u>CFDA #</u>
1 (Federal Funds)	2020-100-022-8020-078-F292-19SC-6120	\$400,000.00	14.228
Federal Award #: B-19-DC-34-0001	Total Amount Federal Award: \$6,842,709.00	Federal Award Date: 8/27/2019	
SUBTOTAL		\$400,000.00	
OTHER FUNDS		\$118,892.50	
TOTAL		\$518,892.50	

GRANT/LOAN AWARD PERIOD

GRANT/LOAN AWARD PERIOD:
LENGTH OF AWARD PERIOD:
LIQUIDATION OF OBLIGATIONS MUST BE MADE BY:

January 01, 2020 THROUGH: December 31, 2021
2 Years
March 31, 2022

PURPOSE OF GRANT/LOAN

This award will provide funding to remove architectural barriers that hinder access by disabled persons at Rotary Community Park in Lower Township.

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

RESOLUTION #2020-156

Title: **BULLETPROOF VESTS PARTNERSHIP PROGRAM APPLICATION**

WHEREAS, the Township of Lower desires to apply for and obtain a grant from the United State Department of Justice under the Bulletproof Vests Partnership Program being administered by the Department; and

WHEREAS, In order to obtain such a grant, it is necessary that the Township of Lower submit an application to and enter into an agreement with the United States Department of Justice with regard to any such grant which may be offered to the Township of Lower.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Township of Lower shall submit an application for such a grant in accordance with all pertinent terms, conditions and requirements which shall be established for such an application, and further, shall accept, and agree to comply with and fulfill, each of the understandings and assurances contained in said application.

BE IT FURTHER RESOLVED, that the Township of Lower does hereby authorize the application for such a grant; and, upon receipt of the grant agreement from the United States Department of Justice, does further authorize the execution of the grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of said agreement between the Township of Lower and the United States Department of Justice.

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

Frank Sippel, Mayor

William Mastriana, Chief of Police

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
COOMBS						
ROY						
PERRY						
SIPPEL						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on May 18, 2020

Julie A Picard, Township Clerk

SUBMIT APPLICATION



Application Profile



Application



NIJ Approved Vests



Submit Application

You have successfully submitted your application for funding for BVP approval.

The approval process may take several weeks from the application closing date. A confirmation email has been sent to mastriana@lowertownshippolice.com. An email approval advisory will also be sent to mastriana@lowertownshippolice.com when the program approvals are completed. Additionally, you may check the status of your application by selecting option , 'Application History', in the Jurisdiction's Handbook. Thank you for your continued patience.

For your reference, the summary data for your Application for Funding is listed below.

SUCCESSFUL SUBMISSION

Jurisdiction: LOWER TOWNSHIP

Application Id: 20021781

Status/Submission Date: Sent for BVP Approval : 05/12/20

APPLICATION FOR FUNDING

Quantity	Extended Cost	Tax, S&H	Total Cost
14	\$14,126.00	\$0.00	\$14,126.00
Maximum Allowable Funding from BVP:			\$7,063.00

* Important: You can click on the 'Print Screen' button below to keep a copy for your records.

PRINT SCREEN

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

RESOLUTION #2020-157

Title: APPROVAL OF CHANGE ORDER #2 TO MOUNT CONSTRUCTION COMPANY FOR ROSEANN AVENUE ROADWAY AND UTILITY IMPROVEMENTS PHASE 3

WHEREAS, Mount Construction was awarded on June 10, 2019 by Resolution #2019-210 the Roseann Avenue Roadway and Utility Improvements Phase 3 in the amount of \$2,464,865.00, and Change Order #1 was awarded on April 6, 2020 by Resolution #2020-126 in the amount of \$48,039.05; and

WHEREAS, Mount Construction has provided a proposal for additional costs incurred by the Contractor to modify and extend the irrigation system and to install a driveway apron at the Service Road entrance resulting in a net increase of \$7,937.08; and

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

Appropriation: Ord # 18-05 C-04-55-421-100

Signature: _____
Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Change Order #2 attached hereto in the net increase amount of \$7,937.08 bringing the total contract amount to \$2,520,841.13 is hereby approved.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on May 18, 2020.

Julie A Picard, Township Clerk



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

Via email at gdouglass@townshipoflower.org

Your Reference
Roseann Avenue Roadway
and Utility Improvements,
Phase 3, Contract M-13

Our Reference
398225

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

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

Change Order No. 2
Roseann Avenue Roadway and Utility Improvements, Phase 3
Contract M-13
Township of Lower, Cape May County

May 8, 2020

Dear Mr. Douglass:

As previously discussed, we are submitting a change order from Mount Construction Co., Inc. for additional costs and time extension for two (2) separate additional work efforts (CO-2.1 thru CO-2.2) that were required to address changed/unforeseen conditions that were above and beyond the scope of contract work. We have reviewed Change Order No. 2, discussed with the contractor and the Township, and authorized the contractor to proceed, as the changes were necessary to complete the project work.

This change order includes the following additional work items:

- CO-2.1: Additional costs incurred by the Contractor to modify and extend the irrigation system at No. 102 Roseann due to the changes in the concrete sidewalk located in the right-of-way. Work commenced on 3/20/20.
- CO-2.2: Additional costs incurred by the Contractor to install an 8" reinforced concrete driveway apron at the Service Road entrance off of Roseann Avenue. Work commenced on 3/11/20.

This change order (Change Order No. 2) results in a net increase to the Contract Price of \$7,937.08.

Upon execution of this change order the revised Contract Price will be \$2,520,841.13, The revised Contract Period (per Change Order No. 1) remains unchanged at three hundred twenty-one (321) calendar days and the revised Contract Completion Date (per Change Order No. 1) remains unchanged at May 8, 2020.

Once signatures have been obtained please return two (2) copies of Change Order No. 2 to our office.



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

Very truly yours,

Mott MacDonald, LLC

A handwritten signature in black ink, appearing to read 'Mark R. Sray', written in a cursive style.

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

Encl.

cc: Jim Ridgway, Manager (via email)
Julie Picard, RMC, Municipal Clerk (via email)
Margaret Vitelli, RPPS, QPA, Purchasing Agent (via email)
Colleen Crippen, Coordinator of Federal & State Aid (via email)
Bob Mainberger, PE, Mott MacDonald (via email)
Tim Clarke, Mott MacDonald (via email)
Mike Mazzarella, VP, Mount Construction Co., Inc. (via email)
Shawn Carr, PE, CME, Mott MacDonald (via email)

PWM398225\Construction\Change Order\No. 2M-13-gd0508.20 Change Order No. 2.docx

CONTRACT CHANGE ORDER

CHANGE ORDER NO.: 2	DATE: May 7, 2020
<u>Project Description</u> Roseann Avenue Roadway and Utility Improvements, Phase 3 Contract No. M-13 Township of Lower, Cape May County	

REASON FOR CHANGE ORDER: See Below.

Item No.	Description	Quantity	Unit Price	Additions	Deductions
CO-2.1	Additional costs to modify and extend irrigation system for House No. 102 due to modifications to concrete sidewalk located in the right-of-way. Work commenced on 3/20/20. See attached.	1	Lump Sum	\$2,272.02	
CO-2.2	Additional costs to install an 8" thick reinforced concrete driveway apron at the Service Road entrance off of Roseann Avenue. Work commenced on 3/11/20. See attached.	1	Lump Sum	\$5,665.06	
Sub-Total:				\$7,937.08	
Total Change Order No. 2 Value:				\$7,937.08	

The undersigned certifies that execution of this change order and receipt of indicated payments fully satisfies all claims for additional work and contract delays associated with same, and no further claims related to the work associated with this change order will be forthcoming in the future.

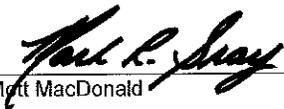
ACCEPTED:

Michael Mazzarella

Digitally signed by Michael Mazzarella
 DN: cn=Michael Mazzarella, o=Mount Construction Company, ou=Vice President of Business Development,
 email=mazzarella@mountconstruction.com, c=US
 Date: 2020.05.11 13:55:22 -0400

Mount Construction Co., Inc. _____ Date

APPROVAL RECOMMENDED:

 _____
 Mott MacDonald Date 5/7/20

 _____
 Mott MacDonald Date 5/7/20

APPROVED:

_____ Date
 Township of Lower

ORIGINAL CONTRACT BID PRICE:

\$2,464,865.00

ORIGINAL CONTRACT PERIOD:

180 Calendar Days

ORIGINAL CONTRACT COMPLETION DATE:

December 19, 2019

CHANGE ORDER:

NO. 1: +141 Calendar Days & \$48,039.05

NO. 2: \$7,937.08

REVISED CONTRACT PRICE AND
 COMPLETION DATE INCLUDING CHANGE
 ORDER NOS. 1 & 2

\$2,520,841.13

REVISED CONTRACT PERIOD:

321 Calendar Days

REVISED CONTRACT COMPLETION DATE:

May 8, 2020

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

RESOLUTION #2020-158

Title: A RESOLUTION REQUESTING RELEASE OF PERFORMANCE GUARANTEE FOR CHEWIES, LLC
CASTAWAY COVE RESTAURANT, 301 BAYSHORE ROAD; BLOCK 18, LOT 27.01 ESCROW #P17-01-03

WHEREAS, Chewies, LLC posted a Performance Guarantee with the Township of Lower, in the amount of \$6,024.00; and

WHEREAS, the Township Engineer has recommended the improvements having a total value of \$6,024.00 have been properly installed and are presently acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Performance Guarantee be and hereby is released.

BE IT FURTHER RESOLVED that the Township Treasurer is granted permission to issue a check in the amount of \$6,024.00 for payment of the above released Guarantee.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on May 18, 2020.

Julie A Picard, Township Clerk

MEMORANDUM

TO: Mayor Frank Sippel &
Council members

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

DATE: May 14, 2020

RE: Chewies, LLC
Castaway Cove Restaurant
301 Bayshore Road
Block 18, Lot 27.01
Resolution # 2020-158

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 # 2020-158 is required to release the Performance Guarantee held in trust by the Township of Lower for Castaway Cove Restaurant, Block 18, Lot 27.01. The required final inspection report, certifying completion, compliance and condition of the work, has been received from the Township Engineer.

The Township Engineer recommends release of the retained \$6,024.00.

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.

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. P17-01-03

Our Reference
393631PB04

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

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

301 Bayshore Road Site Plan
Township of Lower, Cape May County

May 5, 2020

Dear Mr. Galestok:

Per the Developer's request for a performance guarantee release, Mott MacDonald conducted multiple inspections at the above-referenced site. The inspections were based on a review of the drawings entitled "Amended Site Plan, Block 18, Lots 27.01, 28.01, 29.01, & 30-32, Lower Township, Cape May County, New Jersey" Sheets 1-7, prepared by Joseph H. Maffei, PE, last revised March 12, 2018.

The inspections revealed that, to the best of our knowledge and belief, the site improvements have been installed in accordance with the above-referenced documents and comply with the Land Development Ordinance of the Township of Lower. Mott MacDonald recommends that the performance bond for the project be released. [REDACTED]

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

Very truly yours,

Mott MacDonald, LLC

Scott J. Macpherson, PE, CME
Engineer IV
T +1 (609) 465 9377 F +1 (609) 465 5270
scott.macpherson@mottmac.com

cc: Lisa Schubert, Planning Board Secretary (via e-mail)
Shawn A. Carr, PE, CME, Mott MacDonald

ORDINANCE #2020-11

Title: **AN ORDINANCE AMENDING CHAPTER 166, ARTICLE XII, WILDLIFE FEEDING, OF THE CODE OF THE TOWNSHIP OF LOWER, TO PROHIBIT THE FEEDING OF WILDLIFE ON PRIVATE PROPERTY WITHIN THE TOWNSHIP OF LOWER**

WHEREAS, pursuant to N.J.S.A. 40:48-2, a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, Chapter 166, Article XII, Wildlife Feeding, of the Code of the Township of Lower, currently regulates and prohibits the feeding of unconfined wildlife in any public park or on any other property owned or operated by the Township of Lower, in an effort to protect public health, safety and welfare; and

WHEREAS, the Township of Lower recognizes that the feeding of unconfined wildlife is in many situations detrimental to the wildlife itself, and can create a nuisance for property owners and residents alike, negatively impacting the health, safety, and general welfare of the public; and

WHEREAS, the Township Council of the Township of Lower desires to amend Chapter 166, Article VII of the Township Code in order to prohibit the feeding of unconfined wildlife on private property in order to further protect the health, safety, and general welfare of the public.

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. Chapter 166, Article VII, Wildlife Feeding, is hereby repealed and replaced with:

166-13 Purpose

The purpose of this article is to prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by Township of Lower, and on all private property located within the Township of Lower, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

166-14 Definitions

For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this article clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

FEED

To give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.

PERSON

Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

WILDLIFE

All animals that are neither human nor domesticated, including but not limited to coyotes, feral cats, deer, raccoons, opossums, skunks, and carnivorous scavenger birds such as turkey vultures and black buzzards.

166-15 Prohibited Conduct

No person shall feed, in any public park or on any other property owned or operated by the Township of Lower, or on any private property located within the Township of Lower, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers, or feral cats as part of an approved trap-neuter-release program).

Nothing contained herein shall prohibit persons from feeding birds, with the exception of carnivorous scavenger birds such as turkey vultures and black buzzards, on their private property using bird feeders filled with bird seed.

166-16 Enforcement

A. This article shall be enforced by the Lower Township Police Department and/or any other municipal officials authorized by law to enforce the Ordinances of the Township of Lower.

B. Any person found to be in violation of the provisions of this Article shall be ordered to immediately cease and desist the feeding of wildlife.

166-17 Violations and Penalties.

Any person(s) who is found to be in violation of the provisions of this article shall be subject to a maximum penalty, upon conviction, of a fine not exceeding \$1,000 or imprisonment for a period not exceeding 90 days, or both (N.J.S.A. 40:49 5).

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

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

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

Thomas Conrad, Councilmember

Kevin Coombs, Councilmember

Roland Roy, Jr., Councilmember

David Perry, Deputy Mayor

Frank Sippel, Mayor

First Reading: April 20, 2020

Adopted:

Attest: _____
Julie A Picard, Township Clerk

Clerk Report April 2020

Register Report - Last month

4/1/2020 through 4/30/2020

5/6/2020

Page 1

Account	Description	Memo	Category	Amount
INCOME				9,159.50
Business Mercantile 2020-2021				5,534.50
Miscellaneous				230.00
Rental Merc 2020-2021				75.00
Street Openings				320.00
Vac Prop Reg				3,000.00
TRANSFERS				-9,159.50
Council Checking				-9,159.50
			OVERALL TOTAL	0.00

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

OFFICE OF CONSTRUCTION OFFICIAL

Construction Permit Activity Report

RANGE: 04/01/2020 To 04/30/2020

May 06, 2020 12:18:50PM

SUMMARY

CONSTRUCTION COSTS

COUNT

Cost Of Construction:	\$561,400.00	Cubic Footage:	117351 Cu.ft	Permit Issued:	44
Cost Of Alteration:	\$481,791.00	Square Footage:	9383 Sq.ft	Updates Issued:	3
Cost Of Demolition:	\$0.00			All Fees Waived:	2
Total Cost:	\$1,043,191.00			Municipal Fees Waived:	0

PERMIT FEES

ADMIN FEES

WAIVED FEES

TOTAL FEES

Building:	\$9,353.00	Building:	\$0.00	Building:	\$0.00	Building Fees:	\$9,353.00
Electrical:	\$4,203.00	Electrical:	\$0.00	Electrical:	\$128.00	Electrical Fees:	\$4,075.00
Fire :	\$1,660.00	Fire :	\$0.00	Fire :	\$130.00	Fire Fees:	\$1,530.00
Plumbing:	\$3,324.00	Plumbing:	\$0.00	Plumbing:	\$45.00	Plumbing Fees:	\$3,279.00
Elevator:	\$0.00	Elevator:	\$0.00	Elevator:	\$0.00	Elevator Fees:	\$0.00
Mechanical:	\$1,815.00	Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical Fees:	\$1,815.00
				* Total Waived:	\$303.00	Technical Fees:	\$20,052.00

DCA

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$435.00	\$0.00	\$435.00
Alteration Training Fee:	\$917.00	\$378.00	\$539.00
DCA Minimum Fee:	\$6.00	\$1.00	\$5.00
Sub total Training Fee:	\$1,358.00	\$379.00	\$979.00

TECHNICAL ISSUES

Building Technical:	25
Electrical Technical:	36
Fire Protection Technical:	10
Plumbing Technical:	13
Elevator Technical:	
Mechanical Technical:	22

Certificate of Occupancy Fee:	\$1,390.00
Waived Certificate Fees:	\$0.00
Sub Total Certificate Fees:	\$1,390.00

CERTIFICATE ISSUES

Certificate of Occupancy:	10
Certificate of Approval:	7
Certificate of Continued Occupancy:	0

PERMIT FEES:	\$20,052.00
DCA FEES:	\$979.00
CERTIFICATE FEES:	\$1,390.00
MIN FEES:	\$0.00
NET TOTAL FEES:	\$22,421.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$0.00
OTHER FEES:	\$150.00
GRAND TOTAL FEES:	\$22,571.00

* By State law (see N.J.S. 52:27D-126c): \$303.00

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

OFFICE OF THE CONSTRUCTION OFFICIAL

Account Summation-Summary

Report Run from 04/01/2020 To 04/30/2020

May 6, 2020 12:19:21PM

ACCOUNT:		Cash Amount	Check Amount	Credit Card Amount	Total Fee
PERMIT FEES	Sub Totals:	\$242.00	\$22,329.00	\$0.00	\$22,571.00
LICENSE FEES	Sub Totals:	\$0.00	\$300.00	\$0.00	\$300.00
GRAND TOTALS:		\$242.00	\$22,629.00	\$0.00	\$22,871.00

**2020 CASH RECEIPTS
APRIL**

Township of Lower
Office of the Tax Collector

	MONTH TO DATE	YEAR TO DATE
Receipts		
Current year taxes (2020)	4,499,560.97	10865655.15
Prior year taxes (2019)	24,941.67	368,101.13
Prior year taxes (2018)	-	3,000.74
Prior year taxes (2017)	-	1,527.00
Previously exempt property	-	0.00
State Audit Pay Back	-	500.00
Municipal Lien	-	6,896.85
Recording	-	0.00
Bankruptcy	-	0.00
6% Penalty	-	1,550.72
Municipal Service Fees	18,960.00	31,830.00
Tax Search Fees	-	20.00
Interest	6,388.87	30,690.23
Lot clearing	-	2,485.00
Returned Check Fees	-	40.00
Duplicate Bills	20.00	125.00
Trash	1,479.00	9,168.50
TOTAL DEPOSITS	4,551,350.51	20,728,627.33
DEPOSITED TO COUNCIL CHECK	4,093,853.36	9,686,653.92
DEPOSITED TO WIPP ACCOUNT	457,497.15	1,698,046.29
TOTAL DEPOSITS	4,551,350.51	11,384,700.21
NSF Reversals	465.82	53,272.73
WIPP NSF Reversals	-	178,839.83
NSF Fee Reversal	-	0.00
TOTAL NSF	465.82	232,112.56
TOTAL	4,550,884.69	11,152,587.65

Prepared by Kathy Brown

APRIL 2020
VITAL STATISTICS

Marriages,Civil Unions	0
Domestic Partners	0
Ceritified Copies	229
Certified Copies EDRS	0
Burial Permits	0

Marriages, Civil Unions State	\$0.00
Domestic Partners State	\$0.00
Marriages, Civil Unions Twp	\$0.00
Domestic Partners Twp	\$0.00
Certified Copies	\$2,290.00
Certified Copies EDRS	\$0.00
Burial Permits	\$0.00

TOTAL	\$2,290.00
--------------	-------------------