

WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL
May 20, 2019 - 7:00 P.M.

Meeting called to order

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

Work Session

Proclamation - Helen Eppehimer – Councilman Conrad

Consent Agenda

Approval of Minutes - May 6, 2019
Approval of Closed Session Minutes – May 6, 2019
Res. #2019-174 Payment of Vouchers \$ 272,311.74
Res. #2019-175 Authorization for South Jersey Power Cooperative Natural Gas Supply Service Application
Res. #2019-176 Bid Acceptance and Contract Award to Supply Asphalt to the Township of Lower for 2019 and 2020 (24 Month) with an Option for 2021 (36 Month) (Seashore Asphalt)
Res. #2019-177 Authorizing Disposal of Broken Surplus (4 items)
Res. #2019-178 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Open Space – Beach Drive \$509,689.43)
Res. #2019-179 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Open Space – Foster House \$240,000)
Res. #2019-180 Approval of Change Order #1 Additional Services for Marcus Karavan Esq. (Increase of \$14,000)
Res. #2019-181 Authorizing Payment for 2019 Regional School Taxes (\$6,690,942. July through Nov)
Res. #2019-182 Authorizing Payment to Lower Township Board of Education (School Tax July through Nov \$8,920,386.50)
Res. #2019-183 Approval for Payment to the Lower Township Municipal Utilities Authority for Joint Purchase of Color Video Pipe Inspection System Upgrade to the Existing Vehicle through the Inter Local Agreement (\$101,150)
Res. #2019-184 A Resolution Approving a Professional Service Contract with Wizards Festival of Fun Inc. for the Township of Lower's July 3, 2019 Celebration (\$14,500.)
Res. #2019-185 A Resolution Authorizing Endorsement of Preliminary Preferred Alternate 3 for the Local Concept Development of the Ocean Drive (CR621) Upgrades and Bridge Improvements
Res. #2019-186 Authorization for the Payout of Accumulated Compensatory Time (D.Bohn \$3,618.85)
Res. #2019-187 A Resolution Authorizing and Approving a Shared Service Agreement Between the Township of Lower and the County of Cape May for Law Enforcement Coverage at a Township Event
Res. #2019-188 Re-Appointment to the Zoning Board of Adjustment (D.Brand)
Res. #2019-189 Authorization for Refund of Taxes (2 properties \$1,630.82)
Res. #2019-190 Resolution Designating Block 410.01, Lots 82,83,84 & 87.01 in the Township of Lower, County of Cape May, as an Area in Need of Rehabilitation
Ordinance 2019-10 – An Ordinance Establishing Chapter 387 Entitled "Hawkers and Peddlers" In Order To Regulate the Vending, Sale and Distribution of Goods Within the Township of Lower – This is the first reading of this Ordinance. The second reading and public hearing has been scheduled for June 3, 2019.

Regular Agenda

Res. #2019-191 – Payment of Voucher – L/T Rescue – (\$35,000)

Ordinance #2019-07 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 2nd reading and public hearing of this Ordinance. This Ordinance has been published, posted and made available to the public.

Ordinance #2019-08 An Ordinance Amending Chapter 67, Municipal Utilities Authority of the Code of the Township of Lower. - This is the 2nd reading and public hearing of this Ordinance. This Ordinance has been published, posted and made available to the public.

Ordinance #2019-09 Bond Ordinance Amending And Supplementing Bond Ordinance #2015-10 (Drainage and Stormwater Management Improvements and Associated Road Work to Roseann Avenue and Bayshore Estates) Finally Adopted by the Township Council on October 19, 2015, as Previously Amended and Supplemented, to Amend the Description Therein, to Increase the Appropriation Therein by \$4,100,000, to Increase the Authorization of Bonds or Notes Therein by \$3,900,000 to Finance Part of the Costs Thereof and to Cancel and Declare Null and Void Bond Ordinance #2018-18 - This is the 2nd reading and public hearing of this Ordinance. This Ordinance has been published, posted and made available to the public.

Engineer's Report

Manager's Report

Administrative Reports

Monthly – Clerk, Construction, Dog, Fire, Tax, Vital Statistics

Council Comments

Call to the Public

Adjournment

COUNCIL MEETING MINUTES – May 6, 2019

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on May 6, 2019 at 7:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

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

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

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

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

Work Session

Consent Agenda

Approval of Minutes April 15, 2019

Approval of Closed Session Minutes - April 15, 2019

Res. #2019-160 Payment of Vouchers \$2,041,504.50

Res. #2019-161 Authorization for the Payout of Accumulated Compensatory Time (K.Black \$1,198.80)

Res. #2019-162 Reappointment to the Historic Preservation Commission (P.Tell)

Res. #2019-163 Approving a Professional Service Contract with Michael Calafati Architect, LLC for the Judge Nathaniel Foster House (\$51,800)

Res. #2019-164 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Warming Center \$20,000)

Res. #2019-165 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Body Armor \$4,776.94)

Res. #2019-166 Approval of Change Order #1 to Resolution #2018-162; Award of Roseann Avenue Roadway and Utility Improvements Project (Agate Construction., Inc); Authorizing Installation of Conduit; and Extension of Six (6) Calendar Days (\$30,000)

Res. #2019-167 Bid Acceptance and Contract Award for Re-plastering and Repair of Community Swimming Pool (All State Technology Inc. \$37,000)

Res. #2019-168 Resolution Rescinding Resolution #2018-324; Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159

Res. #2019-169 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Bulletproof Vest Partnership 2018 \$5,587.50)

Res. #2019-170 Authorization for Refund of Taxes (2 properties \$1,542.08)

Res. #2019-171 2018 Capital Budget Amendment

Ordinance #2019-07 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 2nd reading and public hearing of this Ordinance has been scheduled for May 20, 2019

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Ordinance #2019-09 Bond Ordinance Amending And Supplementing Bond Ordinance #2015-10 (Drainage and Stormwater Management Improvements and Associated Road Work to Roseann Avenue and Bayshore Estates) Finally Adopted by the Township Council on October 19, 2015, as Previously Amended and Supplemented, to Amend the Description Therein, to Increase the Appropriation Therein by \$4,100,000, to Increase the Authorization of Bonds or Notes Therein by \$3,900,000 to Finance Part of the Costs Thereof and to Cancel and Declare Null and Void Bond Ordinance #2018-18

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

Regular Agenda

Res. #2019-172 Authorizing the Payment of Vouchers (D.Perry Contractual Reimb \$464.50)

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

Manager's Report

Manager Ridgway gave an update on several matters including Roseann Avenue Phase I and Phase II; Animal Control; electricity at Lincoln Blvd.; Police Dept. Class II Officers; and an increase in special events at the Millman Center thanks to Phyllis Muldoon. He also thanked Clerk Picard and staff for their work with the CFO and Bond Counsel.

Administrative Reports

Treasurer Monthly/Treasurer – 1st Quarter Report

Council Comments

Councilmember Conrad reminded of MUA hydrant flushings beginning May 12th. He acknowledged local Eagle Scouts and forewarned of traffic pattern changes on June 2nd due to Escape the Cape Triathlon.

Councilmember Perry communicated progress on Roseann Avenue and pointed out that the Township is still awaiting the Beach Access Permit from NJDEP.

Councilmember Roy- no comments

Deputy Mayor Sippel informed of the upcoming Shred Day as well as the Police Youth Camp. He also reminded that applications for the Children's Assistance Fund are available at the Rec. Dept.

Mayor Simonsen touched on several topics including the Roseann Ave. Phase III Project; highlights from Arbor Day; LCMR news; Salute to Service; and a reminder about July and August Council Meetings changed to 5:00 p.m. He also congratulated Councilmember Perry's son on his marriage, and the Eagle Scouts on their accomplishments.

Call to the Public

Closed Session

Res. #2019-173

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.
Attorney/Client Privilege

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

Council adjourned to Closed Session at 7:19 p.m.

Council returned to Open Session at 8:08

Adjournment

There being no further business to address, motion to adjourn moved by Councilmember Conrad, seconded by Councilmember Perry. Motion to adjourn was unanimous. Meeting adjourned at 8:09 p.m.

Mayor

Township Clerk

Approved:

May 17, 2019
01:50 PM

RESOLUTION #2019-174
Lower Township
Bill List By Vendor Id

Page No: 1

P.O. Type: All Include Project Line Items: Yes Open: N Paid: N Void: N
 Range: First to Last Rcvd: Y Held: Y Aprv: N
 Format: Condensed Bid: Y State: Y Other: Y Exempt: Y

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00055 LARRY AKINS	19-01366	05/08/19	CONTRACTUAL REIMBURSEMENT V	Open	165.00	0.00		
00110 ANCO HOME CENTER*	19-00742	03/13/19	SUPPLIES	Open	24.97	0.00		
	19-01218	04/29/19	MONTHLY - APRIL	Open	82.92	0.00		
					107.89			
00153 ATLANTIC CITY ELECTRIC*	19-01347	05/06/19	4/1-4/30/19 STREET LIGHTS	Open	30,388.32	0.00		
00179 AVERY TEITLER*	19-00799	03/21/19	BOARD SOLICITOR SALARY	Open	625.00	0.00		
	19-01314	05/03/19	LEGAL SERVICES RENDERED	Open	330.00	0.00		
					955.00			
00301 BELMONT AND CRYSTAL SPRINGS*	19-01340	05/06/19	TOWNHALL WATER 4/1-4/29/19	Open	54.52	0.00		
	19-01355	05/07/19	WATER - DPS	Open	131.49	0.00		
	19-01357	05/07/19	4/1-4/29/19 WATER FIRE SAFETY	Open	19.53	0.00		
	19-01427	05/15/19	BOTTLED WATER	Open	17.00	0.00		
					222.54			
00348 BENNETT BATTERIES, LLC*	19-00805	03/21/19	RDS/DPS/SPW/APRIL	Open	485.00	0.00		
00432 MICHAEL BROGAN	19-01420	05/14/19	CONTRACTUAL REIMBURSEMENT M	Open	279.73	0.00		
00651 MUNICIPAL UTIL AUTH DUMP FEES	19-01390	05/14/19	DISPOSAL FEES/APRIL	Open	72,207.86	0.00		
00741 CMC CHIEF'S OF POLICE ASSOC.	19-00294	01/23/19	ANNUAL TRAINING ASSESSMENT	Open	1,200.00	0.00		
00775 CAPRIONI PORTABLE TOILETS, INC*	19-01330	05/06/19	MONTHLY- JONATHAN HOFFMAN PK.	Open	50.00	0.00		
	19-01343	05/06/19	MONTHLY- CANAL PARK	Open	264.00	0.00		
					314.00			
00784 CAPE MAY STAR & WAVE	19-01426	05/15/19	5/8/19 LEGAL PUBLICATION	Open	220.41	0.00		
00825 COMCAST*	19-01310	05/03/19	FS INTERNET 4/28-5/27/19	Open	157.15	0.00		
	19-01425	05/15/19	INTERNET 4/9/19-5/08/19	Open	1,220.16	0.00		
					1,377.31			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01110 COLLEEN CRIPPEN	19-01430	05/15/19	5/10/19 CONFERENCE AC	Open	55.20	0.00		
01132 CUMMINS POWER SYSTEMS, LLC*	19-00537	02/20/19	REMOTE DATA CONTROLLER DPW	Open	2,802.35	0.00		
01164 DIVISION OF LOCAL GOV SERVICES	19-01215	04/29/19	Renewal Tax Collector Cert	Open	150.00	0.00		
01170 VERIZON WIRELESS* F/S	19-01356	05/07/19	CELL FIRE SAFETY 3/27-4/26/19	Open	52.60	0.00		
01171 VERIZON WIRELESS* TOWNHALL	19-01360	05/08/19	3/29-4/28/19 IPHONE BILL	Open	949.15	0.00		
01267 EDWARD DONOHUE	19-01350	05/07/19	CONTRACTUAL REIMBURSEMENT M	Open	54.00	0.00		
	19-01423	05/14/19	4/29-5/3/19 CONFERENCE PARKING	Open	50.00	0.00		
					104.00			
01389 EDDIE'S AUTO BODY*	18-02836	10/31/18	VEHICLE REPAIR	Open	1,745.66	0.00		
01492 F THOMAS HILLEGASS	19-01265	05/02/19	APRIL 8 DWI SPECIAL SESSION	Open	600.00	0.00		
01641 GALL'S INC*	19-01003	04/01/19	LOCK OUT KITS	Open	600.00	0.00		
01685 W W GRAINGER, INC.*	19-01137	04/15/19	SECURITY LATCH FOR FRONT DOOR	Open	114.49	0.00		
01806 ANTHONY J HARVATT, II, ESQ	19-01327	05/06/19	RESOLUTIONS 4/4/19	Open	450.00	0.00		
01898 HERITAGE BUSINESS SYSTEMS, INC*	18-02433	09/14/18	COPIER 40733-40744 MISSED INV	Open	453.42	0.00		
	19-01341	05/06/19	PRINTER MAINT 12/9-3/8/19	Open	1,747.40	0.00		
					2,200.82			
01973 LOGIN INC.	19-00835	03/21/19	IACP.NET / LOGIN	Open	875.00	0.00		
01974 I.A.C.P MEMBERSHIP*	19-01035	04/03/19	TRAINING 10/26/19 - 10/29/16	Open	425.00	0.00		
02025 HUNTER JERSEY PETERBILT*	19-01122	04/11/19	PARTS FOR TRUCKS/MAY	Open	235.67	0.00		
02027 JESCO INC*	19-01192	04/23/19	BACK HOE IN YARD	Open	314.72	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02134 THOMAS KEYWOOD	19-01429	05/15/19	CONTRACTUAL REIMBURSEMENT M/V	Open	942.20	0.00		
02223 LANDSMAN UNIFORMS*	19-00734	03/12/19	UNIFORMS	Open	943.15	0.00		
	19-00785	03/19/19	UNIFORMS	Open	3,401.50	0.00		
	19-00786	03/19/19	UNIFORMS	Open	3,631.00	0.00		
	19-00918	03/29/19	UNIFORMS	Open	1,358.40	0.00		
	19-00987	04/01/19	UNIFORMS	Open	183.80	0.00		
	19-01004	04/01/19	WALLET BADGES	Open	252.00	0.00		
					<u>9,769.85</u>			
02247 LAWSON PRODUCTS, INC.*	19-00857	03/22/19	SUPPLIES FOR DPW GARAGE/APRIL	Open	699.70	0.00		
02294 MARIE A. LOMONACO	19-00422	02/05/19	CONTRACTUAL REIMBURSEMENT M	Open	204.92	0.00		
02443 ALLEN MAGNAVITA	19-01352	05/07/19	CONTRACTUAL REIMBURSEMENT M	Open	210.38	0.00		
02902 J. BYRNE INSURANCE*	19-01225	04/29/19	GROUP ACCIDENT 7/19-7/20	Open	500.00	0.00		
03008 NJ DEPT OF TREASURY/FEES	19-01105	04/10/19	ATR CONTROL PERMITTING	Open	820.00	0.00		
03065 NJ MUNICIPAL COURT LAW REVIEW*	19-01189	04/23/19	2019 NJ MUNICIPAL COURT REVIEW	Open	20.00	0.00		
03305 PEDRONI FUEL*	19-01381	05/10/19	NO LEAD GAS	Open	598.61	0.00		
03350 MICHAEL PERRY	19-00957	03/29/19	2019 EQUIPMENT ALLOWANCE	Open	43.00	0.00		
03450 QUALITY PANELING & HOME CENTER*	18-02851	11/01/18	BUILDING IMPROVEMENTS	Open	2,450.00	0.00		
	18-03030	11/15/18	BUILDING IMPROVEMENTS	Open	550.00	0.00		
					<u>3,000.00</u>			
03478 RED THE UNIFORM TAILOR, INC.*	19-00553	02/20/19	UNIFORMS	Open	527.90	0.00		
	19-00735	03/12/19	UNIFORMS	Open	263.95	0.00		
					<u>791.85</u>			
03518 RIGGINS, INC.*	19-01321	05/03/19	OFF HIGHWAY DIESEL	Open	1,154.19	0.00		
	19-01389	05/14/19	Fuel	Open	590.55	0.00		
	19-01392	05/14/19	OFF HIGHWAY DIESEL	Open	174.53	0.00		
					<u>1,919.27</u>			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03608 SEAWAVE CORPORATION*	18-03345	12/21/18	HELP WANTED ADS TAX & ASSESSOR	Open	68.48	0.00		
03692 SOUTH JERSEY GAS CO*	19-01308	05/02/19	3/15-4/15/19 SJ GAS	Open	2,591.93	0.00		
03775 LISA A. SCHUBERT	19-01351	05/07/19	CONTRACTUAL REIMBURSEMENT V	Open	300.00	0.00		
03810 MUNICIPAL UTIL AUTH USAGE COST	19-01406	05/14/19	WATER 1/15-19-4/15/19	Open	1,168.87	0.00		
	19-01407	05/14/19	SEWER POLICE 1/15-4/15/19	Open	80.00	0.00		
					<u>1,248.87</u>			
03820 MUNICIPAL UTIL. AUTH ON CALL	19-01393	05/14/19	ONE CALL CONCEPTS	Open	446.45	0.00		
03844 GIACOMO TROMBETTA	19-01376	05/10/19	CONTRACTUAL REIMBURSEMENT M	Open	107.00	0.00		
03954 VAN NOTE-HARVEY ASSOCIATES*	17-02751	10/25/17	RES 2017-281 TAX MAP	Open	15,995.38	0.00		B
03971 VERIZON WIRELESS MDT POLICE	19-01324	05/03/19	VERIZON WIRELESS - MDT'S	Open	843.31	0.00		
03985 VILLAS NAPA AUTO PARTS	19-00817	03/21/19	RDS/SANT/RECY/DPW/APRIL	Open	2,654.17	0.00		
03992 VAL-U AUTO PARTS LLC*	19-00807	03/21/19	RDS/SANT/RECYLDPW/MARCH	Open	3,804.25	0.00		
04075 BARBER CONSULTING SERVICES LLC	19-01138	04/15/19	COMPUTERS AND SWITCHES/INSTALL	Open	1,413.75	0.00		
04097 CINTAS FIRST AID AND SAFETY*	19-01262	05/02/19	FIRST AID SUPPLIES	Open	145.81	0.00		
	19-01278	05/02/19	MEDICAL CABINET	Open	113.66	0.00		
					<u>259.47</u>			
04122 JIM CONROY	19-01318	05/03/19	LACROSSE OFFICIAL	Open	60.00	0.00		
04266 NJ DEPT OF HEALTH&SENIOR SVCS	19-01359	05/08/19	DOG DAMAGE APRIL 2019	Open	238.80	0.00		
04301 SEASHORE ASPHALT CORPORATION*	19-00866	03/22/19	HP PATCH/APRIL	Open	482.50	0.00		
04502 TODD LALIBERTE	19-01408	05/14/19	LACROSSE OFFICIAL	Open	30.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
5035 LONGPORT MEDIA LIMITED COMP*	19-01216	04/29/19	8/27-29/2018 BENEFIT CONCERT	Open	200.00	0.00		
5053 ANTHONY GRETO	18-00816	03/27/18	2018 EQUIP. ALLOWANCE	Open	119.99	0.00		B
5057 JEFF HURLEY	19-01332	05/06/19	LACROSSE OFFICIAL	Open	60.00	0.00		
5089 MICHAEL LUCCHESI	19-01411	05/14/19	LACROSSE OFFICIAL	Open	90.00	0.00		
6045 JIM RUDNICKI	19-01320	05/03/19	LACROSSE OFFICIAL	Open	120.00	0.00		
6053 KIM GRUCCIO	19-01415	05/14/19	LACROSSE OFFICIAL	Open	60.00	0.00		
6063 CAPE MINING & RECYCLING, LLC*	19-01238	04/30/19	WOOD CHIPS	Open	25,845.50	0.00		
6071 UNITED UNIFORMS LIMITED LIAB*	19-00551	02/20/19	UNIFORMS	Open	429.99	0.00		
6082 DENNIS COTTER	19-01409	05/14/19	LACROSSE OFFICIAL	Open	90.00	0.00		
7037 ROBERT KING	19-01317	05/03/19	LACROSSE OFFICIAL	Open	120.00	0.00		
7079 SUBURBAN PROPANE L P*	19-01331	05/06/19	PROPANE-FREEMAN DOUGLASS PARK	Open	113.96	0.00		
	19-01391	05/14/19	PROPANE - FREEMAN DOUGLASS	Open	24.58	0.00		
					<u>138.54</u>			
7092 TREASURER, STATE OF NEW JERSEY	19-01168	04/17/19	BFCE RENEWAL FEE	Open	191.00	0.00		
	19-01316	05/03/19	LIFE HAZ FISHING CREEK SCHOOL	Open	191.00	0.00		
					<u>382.00</u>			
7151 ART SHEPPARD	19-01371	05/10/19	LACROSSE OFFICIAL	Open	60.00	0.00		
7165 NICOLE PERONE	19-01325	05/03/19	LACROSSE OFFICIAL	Open	60.00	0.00		
	19-01370	05/10/19	LACROSSE OFFICIAL	Open	60.00	0.00		
					<u>120.00</u>			
7251 REIT LUBRICANTS CO*	19-01089	04/09/19	HYDRAULIC OIL AW32	Open	1,231.53	0.00		
7295 USPS HASLER #8007584	19-01363	05/08/19	5/8/19 ADD FUNDS POSTAGE	Open	25,000.00	0.00		

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7354 FLEETPRIDE INC.*								
	19-01263	05/02/19	BRAKE CHAMBER	Open	107.34	0.00		
	19-01380	05/10/19	MATERIAL/BACKHOE	Open	403.44	0.00		
					<u>510.78</u>			
7378 TONY PROCOPIO								
	19-01369	05/10/19	LACROSSE OFFICIAL	Open	120.00	0.00		
	19-01413	05/14/19	LACROSSE OFFICIAL	Open	60.00	0.00		
					<u>180.00</u>			
7381 ALAN MITCHELL*								
	19-01412	05/14/19	LACROSSE OFFICIAL	Open	60.00	0.00		
7382 ADVANCED ELECTRONIC DESIGN INC								
	19-01073	04/08/19	WATCHGUARD ANNUAL CONTRACTS	Open	7,200.00	0.00		
7460 M.A.S.E. CONCEPTS LLC*								
	19-01106	04/10/19	ANTENNA WINDOW MOUNT VHF	Open	374.70	0.00		
7475 SUZANNE M SCHEID								
	19-01365	05/08/19	CONTRACTUAL REIMBURSEMENT M	Open	71.10	0.00		
7507 STEFANKIEWICZ & BELASCO LLC								
	19-00047	01/04/19	DNE \$97,000 EXPENSES	Open	5,723.70	0.00		
7508 BLANEY & KARAVAN PC*								
	19-00048	01/04/19	LABOR ATT RES#2019-02 DNE 40K	Open	406.00	0.00		B
	19-01264	05/02/19	APRIL 8 SPECIAL DWI SESSION	Open	500.00	0.00		
					<u>906.00</u>			
7526 J HARRIS ACADEMY OF POLICE LLC								
	19-00042	01/04/19	TRAIN-SEARCH & SEIZURE4/12/19	Open	255.00	0.00		
	19-00249	01/17/19	TRAINING 4-12-19	Open	85.00	0.00		
	19-00344	01/29/19	TRAINING 4/29/19 - 5/1/19	Open	1,200.00	0.00		
					<u>1,540.00</u>			
7532 HEATHER MCNULTY*								
	19-01337	05/06/19	APRIL 2019 HIFITNESS	Open	370.00	0.00		
	19-01338	05/06/19	APRIL 2019 SPROUT SPOT	Open	200.00	0.00		
					<u>570.00</u>			
7636 MOTT MACDONALD LLC*								
	19-01328	05/06/19	PROF ENGINEERING 12/7/18	Open	5,183.55	0.00		
7689 GOVERNMENT FORMS AND SUPPLIES*								
	19-01128	04/11/19	BUSINESS CARDS EILEEN AND ED	Open	104.00	0.00		
7798 THE HON COMPANY								
	18-03147	11/29/18	BOOK SHELF	Open	327.50	0.00		
	19-00688	03/06/19	FURNITURE NJ STATE CONTRACT	Open	3,341.17	0.00		
					<u>3,668.67</u>			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7820 DEBLASIO & ASSOCIATES, P.C*	18-02168	08/08/18	ENGINEERING 2018 ROAD PROGRAM	Open	2,555.00	0.00		B
7902 BLUE360 MEDIA LLC	19-01121	04/11/19	LAW BOOKS	Open	141.18	0.00		
7904 JOFFE LUMBER & SUPPLY CO., INC	18-03337	12/21/18	DOOR BLINDS	Open	1,948.00	0.00		
7918 JAMES M. RUTALA ASSOCIATES LLC	18-00753	03/21/18	GRANT CONSULTING SERVICES	Open	350.00	0.00		
	19-00054	01/04/19	ECONMIC DEV RES 19-41 DNE 50K	Open	8,000.00	0.00		
	19-01223	04/29/19	C/O 1 GRANT CONSULT 18-115	Open	2,285.00	0.00		B
					<u>10,635.00</u>			
7929 AMAZON CAPITAL SERVICES, INC	19-01315	05/03/19	OFFICE SUPPLIES	Open	97.53	0.00		
	19-01323	05/03/19	CHAIRS	Open	1,907.05	0.00		
	19-01362	05/08/19	REPORT COVERS	Open	30.20	0.00		
					<u>2,034.78</u>			
7950 KELLY BERGMAN	19-01326	05/03/19	LACROSSE OFFICIAL	Open	60.00	0.00		
7982 DAWN BAILEY	19-01382	05/10/19	5/9/19 REIMBUREMENT MILEAGE	Open	174.92	0.00		
8089 CEUNION	19-01246	04/30/19	SEMINAR	Open	95.00	0.00		
8090 FEHRLE CONCRETE CO LLC	19-01303	05/02/19	217 MINDY SIDEWALK REPAIR	Open	257.50	0.00		
8091 SAL AVELLINO	19-01319	05/03/19	LACROSSE OFFICIAL	Open	120.00	0.00		
	19-01335	05/06/19	LACROSSE OFFICIAL	Open	30.00	0.00		
					<u>150.00</u>			
8092 MICHAEL FERRANDO	19-01333	05/06/19	LACROSSE OFFICIAL	Open	60.00	0.00		
8093 CRYSTAL L MOORE	19-01353	05/07/19	INCIDENT BROKEN CELL 4/29/19	Open	128.69	0.00		
8095 ABRI ANIMAL HOSPITAL	19-01379	05/10/19	4/8/19 VET SERVICES	Open	59.00	0.00		
8097 FAMILIES PROP LLC	19-01422	05/14/19	4/17/19 REFUND 2ND QTR B114L33	Open	904.85	0.00		
8098 RUSSELL WHEELER	19-01421	05/14/19	5/6/19 REFUND 2ND QTR B624 L11	Open	725.97	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
BLAUE BLAUER ASSOCIATES INC*								
	15-01940	07/22/15	RES#2015-214 2016 SMALL CITIES	Open	270.00	0.00		B
	19-00687	03/06/19	MULLIGAN ADA SCPF	Open	625.00	0.00		
					895.00			
BOSNA KAREN MANETTE BOSNA								
	19-01339	05/06/19	APRIL 2019 YOGA	Open	65.00	0.00		
CANCELO DON CANCELOSI								
	19-01334	05/06/19	LACROSSE OFFICIAL	Open	120.00	0.00		
HOOVER ROBERT HOOVER & SONS INC*								
	19-00357	01/30/19	SUPPLIES FOR TRUCKS/FEB.	Open	233.48	0.00		
MCMAST SANDRA MCMASTER								
	19-01414	05/14/19	LACROSSE OFFICIAL	Open	120.00	0.00		
ROMANOW FRED ROMANOWSKI								
	19-01336	05/06/19	LACROSSE OFFICIAL	Open	90.00	0.00		
	19-01410	05/14/19	LACROSSE OFFICIAL	Open	90.00	0.00		
					180.00			
WAWA WAWA, INC.								
	19-01354	05/07/19	RETURN ESCROW B 215 L 5	Open	946.46	0.00		
<hr/> Total Purchase Orders: 145 Total P.O. Line Items: 0 Total List Amount: 272,311.74 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 May 20, 2019.

Julie A Picard, Township Clerk

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

RESOLUTION #2019-175

Title: **AUTHORIZATION FOR SOUTH JERSEY POWER COOPERATIVE NATURAL GAS
SUPPLY SERVICE APPLICATION**

WHEREAS, the Township of Lower desires to participate in the Purchase agreement with the approved energy consultant, Concord Energy Services.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Qualified Purchasing Agent is hereby authorized to apply with the South Jersey Power Cooperative Natural Gas bid for up to a Thirty Six (36) Month contract on behalf of the Township of Lower for the retail purchase of natural gas.

	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 May 20, 2019.

Julie Picard, Township Clerk

2019 SJPC NATURAL GAS BID INVITATION AND RESPONSE FORM

TO: SOUTH JERSEY POWER COOPERATIVE (SJPC) EXISTING MEMBERS
FROM: ANNA MARIE WRIGHT, PURCHASING AGENT
DATE: April 15, 2019
RESPONSE DEADLINE: Tuesday, May 30, 2019

As lead agency and on behalf of the SJPC, Camden County is preparing to issue a new bid for natural gas supply service. This contract will begin December 2019 upon the expiration of our existing contract. We welcome your continued participation in the SJPC.

Participation is easy and only requires a few steps:

1. Complete the attached "Participation Response Form"
2. Complete the attached "Required Account Information" form and provide one (1) recent copy of all natural gas utility bills for each account to be included in the bid

In order to participate, the attached forms must be completed in its entirety and we must receive the documents listed above by May 30, 2019. Directions are provided on the following forms.

The SJPC has awarded a contract to Concord Energy Services, a professional consulting firm, to assist us with the bid. If you have any questions regarding this process or the information contained herein, please feel free to contact Tara Pasca, CEP at 856.427.0200 ext. 171 or via email at tpasca@concord-engineering.com.

Due to the substantial volume and load diversity of our group, the SJPC expects continued success with securing the most competitive natural gas pricing possible. We look forward to your continued participation.

GENERAL TERMS, CONDITIONS AND BID APPROACH

The SJPC will seek a retail Supplier of natural gas supply service for a contract term of service that will begin with the first meter read after November 30, 2019. The intent is to seek bid pricing for various terms up to thirty-six (36) months. By submitting the attached Participation Form, your local government entity ("LGE") acknowledges that the Lead Agency of the SJPC (Camden County) will enter into a master contract with the winning supplier(s) on behalf of the entire SJPC, including your LGE. Each individual LGE will not sign a contract directly with the winning bidder; but it is expected that your LGE will adhere to the terms and conditions of the master contract. It is also expected that you will pass a Board Resolution acknowledging the terms of the agreement (winning bidder, price, term, etc.) post bid award.

We expect the structure of the pricing request in this year's bid to include two (2) different product structures. The product structures would include: 1) Firm Fixed Price; 2) Firm Fixed Basis Upcharge Price with ability to lock in NYMEX commodity. Both product structures would be for 100% of your requirements and non-recallable. Accounts will be categorized in Bid Lots and priced according to their respective utility, rate class and consumption as appropriate.

Similar to our last bid, each participating member will support this effort via a usage based fee based on natural gas consumption. There will be no fees paid directly by any participating member as all fees will be paid by the winning Supplier.

**SJPC 2019 NATURAL GAS BID
PARTICIPATION RESPONSE FORM**

INSTRUCTIONS: COMPLETE THIS FORM AND RETURN TO CONCORD ENERGY SERVICES, EITHER BY FAX OR BY EMAIL TO THE ATTENTION OF:

CES Procurement Operations: Fax# 856-427-6529 or Email: procops@concord-engineering.com.
You will receive an email confirmation that your form has been received.

STEP 1: CHECK THE APPROPRIATE BOX BELOW

YES, PLEASE include my accounts in this year's SJPC Natural Gas Supply Service Bid. I understand that my account(s) will be awarded to the lowest responsible bidder for a service period of up to three (3) years. I authorize the SJPC's representatives to secure our utility data on our behalf.

NO, THANK YOU, we will not participate in this year's SJPC Natural Gas Supply Service Bid.

STEP 2: IF "YES", COMPLETE THE FOLLOWING (all fields required, please write legibly):

Entity and County: Township of Lower /Cape May County

Contact Name: Margaret Vitelli

Contact Position: Qualified Purchasing Agent

Contact Email Address: mvitelli@townshipoflower.org

Contact Phone: 609-886-2005 x123

Entity Billing Address: 2600 Bayshore Road Villas, NJ 08251
(for winning energy supplier)

STEP 3: SIGNATURE OF AUTHORIZED REPRESENTATIVE:

By signing the Participation Form, I understand and acknowledge that the entity I represent is hereby committed to the SJPC Natural Gas 2019 bid process and will be contractually bound to the terms of the resulting master agreement between the lead agency and the winning bidder. Subsequent to bid award, we will pass a Board Resolution to document our commitment to the process and the terms of the agreement (low bid price, supplier, contract service dates, etc.) We understand that we cannot and will not switch to an alternate energy supplier during the term of the resulting agreement.

Signature: _____

Printed Name and Position: _____

STEP 4: SUBMIT NATURAL GAS ACCOUNT INFORMATION (see following page for details)

**SJPC 2019 NATURAL GAS BID
REQUIRED ACCOUNT INFORMATION**

Entity Name and County: Township of Lower

Contact Name and Phone: 609-886-2005 x123

My Natural Gas Utility is: South Jersey Gas PSE&G

Please list all natural gas account numbers, along with each account number's corresponding facility name and service address. For PSE&G accounts, **you must list the "PSE&G POD ID number" which is a 20 digit number that begins with "PG"**. For South Jersey Gas accounts, **you must list the Service Agreement ID number (SAID) which is an 10 digit number**. SJPC is not responsible for accounts that are either inactive or stated incorrectly. If you have accounts that are located in both PSE&G and SJG territory, please identify them accordingly. Use multiple sheets if necessary. Please also forward one recent bill copy (all pages) for each account listed.

PSE&G POD ID number or SJGAS SAID number, followed by corresponding Facility Name and Service Address

1. 9264726009 -----

Fishing Creek

Facility Name

2101 Bayshore Road Villas NJ 08251

Facility Address

2. .1617340000 -----

Annex

Facility Name

2600 Bayshore Road Villas NJ 08251

Facility Address

3. 2902240000 -----

Langley/Rescue

Facility Name

1389 Langley Rd Apt B Lower Twp, NJ 08204

Facility Address

4. 4692240000 -----

Maintenance Building

Facility Name

714 Seashore Road Cape May NJ 08204

Facility Address

5. 5517340000 -----

Recreation Center

Facility Name

2600 Bayshore Road, Villas NJ 08251

Facility Address

6. 6691240000 -----

Public Safety Building

Facility Name

1389 Langley Road Lower Twp, NJ 08204

Facility Address

**SJPC 2019 NATURAL GAS BID
REQUIRED ACCOUNT INFORMATION**

PSE&G POD ID number or SJGAS SAID number, followed by corresponding Facility Name and Service Address

7. 8327340000 -----

Millman Center

Facility Name

209 Bayshore Road, Villas NJ 08251

Facility Address

8. 8613240000 -----

Public Works

Facility Name

771 B Seashore Road, Erma NJ 08204

Facility Address

9. -----

Facility Name

Facility Address

10. -----

Facility Name

Facility Address

11. -----

Facility Name

Facility Address

12. -----

Facility Name

Facility Address

13. -----

Facility Name

Facility Address

14. -----

Facility Name

Facility Address

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

RESOLUTION #2019-176

Title: **BID ACCEPTANCE AND CONTRACT AWARD TO SUPPLY ASPHALT TO THE TOWNSHIP OF LOWER FOR 2019 AND 2020 (24 MONTH) WITH AN OPTION FOR 2021(36 MONTH)**

WHEREAS, the Notice to Bidders to Supply Asphalt for the Township of Lower (24 Months) 2019 and 2020 with an option for 2021 (36 Month) was advertised on April 3, 2019 and accepted on April 30, 2019 at 11:00 a.m. prevailing time; and

WHEREAS, two (2) sealed bids were submitted and reviewed by the QPA and Gary Douglass, Public Works Director; and

WHEREAS, Seashore Asphalt Corp. was the lowest qualified bidder; complied with the specifications; supplied all required bid documents and the CFO has certified the availability of funds as evidenced by her signature below:

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 the following contract is hereby awarded with an effective date of June 1, 2019:

AWARD TO: Seashore Asphalt Inc.
AMOUNT: ITEMIZED BELOW
CONTRACT TIME: Effective June 1, 2019-May 31, 2021
36 Month Term

Item	Description	Unit Price Per Ton
1.	Hot Mix Asphalt Base Course, Mix I-2, Furnished at Plant	38.00
2.	Hot Mix Asphalt Base Course, Mix I-4, Furnished at Plant	48.00
3.	Hot Mix Asphalt Surface Course, Mix I-5, Furnished at Plant	54.50
4.	Furnish and Deliver Hot Mix Asphalt Base Course, Mix I-2	44.00
5.	Furnish and Deliver Hot Mix Asphalt Base Course, Mix I-4	54.00
6.	Furnish and Deliver Hot Mix Asphalt Surface Course, Mix I-5	60.50
TOTAL Amount of Bid Based on Items #1-6 Inclusive		\$299.00

BE IT FURTHER REOLVED, upon approval of the resolution, the fully executed Purchase Order together with the official bid documents shall serve as the Contract for the Award of the bid with an expiration date of May 31, 2021.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on May 20, 2019.

Julie A Picard, Township Clerk

BID #2019-05 20/21/22 Asphalt Bid

OPENING DATE:

4/30/2019 11:00

Vendor	Item 1	Item 2	Item 3	Item 4	Item 5	Item 6	Total
AE Stone	\$ 49.25	\$ 52.85	\$ 54.75	\$ 60.25	\$ 63.85	\$ 65.75	\$ 346.70
Seashore	\$ 38.00	\$ 48.00	\$ 54.50	\$ 44.00	\$ 54.00	\$ 60.50	\$ 299.00

Witnessed

Margaret Vitelli QPA

Dawn Bailey

Date: 4/30/2019

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

RESOLUTION #2019- 177

Title: **AUTHORIZING DISPOSAL OF BROKEN SURPLUS**

**TYPEWRITER FA# 1330
TYPEWRITER FA# 0817
GOOGLE PIXEL FA# 3793
BROKEN OFFICE CHAIR AT POLICE STATION FA# 3785**

	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 May 20, 2019.

Julie A Picard, Township Clerk

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

RESOLUTION #2019-178

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 \$509,689.43 for an item of revenue in the budget of the year 2019 as follows:

Miscellaneous Revenues –
Revenue Offset with Appropriations - **Open Space - Beach Drive**
Total with increase to be \$ 509,689.43

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$509,689.43 be and the same is hereby appropriated under the caption of:

General Appropriations –
Public & Private Programs Offset by Revenues - **Open Space - Beach Drive**
State/Federal Share \$ 509,689.43
Non State Share \$
Total with increase to be \$ 509,689.43

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on May 20, 2019.

Julie A Picard, Township Clerk

RETAIN FOR YOUR RECORD

DESCRIPTION	AMOUNT
PO: 18-00593 DESC: Park/Recreation Open Space Gra INV: PARK/RECREATION AMT: 509,689.43	509,689.43

/ENDOR Lower Township		CHECK DATE 04/09/19	CHECK AMOUNT 509,689.43
--------------------------	--	------------------------	----------------------------

REMOVE DOCUMENT ALONG THIS PERFORATION

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

RESOLUTION #2019-179

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 \$240,000.00 for an item of revenue in the budget of the year 2019 as follows:

Miscellaneous Revenues –	
Revenue Offset with Appropriations -	Open Space - Foster House
Total with increase to be	\$ 240,000.00

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$240,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations –	
Public & Private Programs Offset by Revenues -	Open Space - Foster House
State/Federal Share	\$ 240,000.00
Non State Share	\$
Total with increase to be	\$ 240,000.00

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on May 20, 2019.

Julie A Picard, Township Clerk

CAPE MAY COUNTY
PLANNING DEPARTMENT



Will Morey
Freeholder

Leslie L. Gimeno, PP, AICP,
MPA

Planning Director

Mayor Eric Simonsen
Township of Lower
2600 Bayshore Road
Villas, N.J. 08251

4 Moore Road
Cape May Court House, N.J. 08210-1601
(609) 465-1080 or Fax: 463-0347
planningbd@co.cape-may.nj.us

Established 1953

September 28th, 2018

Dear Mayor Simonsen,

Thank you for your interest in the Cape May County Open Space Program, and for the submission of your Historic Preservation project entitled, "Rehabilitation of the Judge Nathaniel Foster House."

At its meeting on September 25th, 2018, and after careful consideration, the Open Space Board has decided to recommend the project to the Board of Chosen Freeholders for funding in an amount not to exceed \$240,000. This is contingent upon the Township providing the matching funds, as detailed in your application. Other conditions of this approval are as follows:

- The Township must present the Open Space Board with an overall plan for the house and the site, with details that include anticipated schedule and cost estimate.
- The Township must include provisions for exterior lighting and a comprehensive signage package for the property.

My office is in the process of developing a draft Shared Services agreement for your consideration, which will specify terms and conditions of the funding for the project. Once both the Township and the County agree to the form and content of this document, a public hearing will be held by the Board of Chosen Freeholders, consistent with the requirements of N.J.S.A. 40:12-15.2 et seq. If no modifications to the project and/or documents are necessitated by the public hearing, the Freeholder Board can move to adopt a resolution and to execute the necessary documents as soon as 45 days after the public hearing. At that point, the funding will formally be reserved for your project.

Thank you in advance for your cooperation as we move through the necessary steps to bring the project into fruition. I look forward to working with you over the next several months, and to enjoying the wonderful recreation opportunities that your organization's project will bring to our area residents and visitors for many years to come. If you have any questions or concerns throughout the process, please feel free to contact me at (609) 465-6875.

Sincerely,

Leslie L. Gimeno, PP, AICP
Planning Director

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

RESOLUTION #2019-180

Title: APPROVAL OF CHANGE ORDER #1 ADDITIONAL SERVICES FOR MARCUS KARAVAN ESQ

WHEREAS, Marcus Karavan, Esq was awarded a professional Service Contract by Resolution #2019-10 on January 2, 2019 as Special Counsel to the Tax Assessor's Office for Tax Appeals in the amount of Not to Exceed \$10,000.00; and

WHEREAS, there now exists a need to increase the amount by \$14,000 making a total amount of the contract not to exceed \$24,000.00; and

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

Appropriation # 9-01-20-155-200

CFO Signature _____

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Change Order #1 for Marcus Karavan Esq. is hereby approved to increase the contract total to \$24,000.

	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 May 20, 2019.

Julie A. Picard, Township Clerk

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

RESOLUTION #2019-181

Title: AUTHORIZING PAYMENT FOR 2019 REGIONAL SCHOOL TAXES

WHEREAS, the amounts listed below are owed to Lower Cape May Regional for current year 2019 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 #9-01-55-910-019 and sufficient funds are available from quarterly property tax payments as certified by the Chief Financial Officer _____.

SCHOOL TAXES DUE	7/15/2019	1,338,188.40
SCHOOL TAXES DUE	8/15/2019	1,338,188.40
SCHOOL TAXES DUE	9/15/2019	1,338,188.40
SCHOOL TAXES DUE	10/15/2019	1,338,188.40
SCHOOL TAXES DUE	11/15/2019	1,338,188.40

\$ 6,690,942.00

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 Regional School Tax Payments are hereby authorized.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on May 20, 2019.

Julie A Picard, Township Clerk

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

RESOLUTION #2019-182

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 2018 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 #9-01-55-910-017 and sufficient funds are available from quarterly property tax payments as certified by the Chief Financial Officer _____.

SCHOOL TAXES DUE	7/1/2019	1,784,077.30
SCHOOL TAXES DUE	8/1/2019	1,784,077.30
SCHOOL TAXES DUE	9/1/2019	1,784,077.30
SCHOOL TAXES DUE	10/1/2019	1,784,077.30
SCHOOL TAXES DUE	11/1/2019	1,784,077.30

\$ 8,920,386.50

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 Board of Education Tax Payments are hereby authorized.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on May 20, 2019.

Julie A Picard, Township Clerk

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

RESOLUTION #2019-183

Title: APPROVAL FOR PAYMENT TO LOWER TOWNSHIP MUNICIPAL UTILITIES AUTHORITY FOR JOINT PURCHASE OF COLOR VIDEO PIPE INSPECTION SYSTEM UPGRADE TO THE EXISTING VEHICLE THROUGH THE INTER LOCAL AGREEMENT

WHEREAS, the Township of Lower and the Lower Township Municipal Authority are partners in a Shared Service Agreement (Inter Local Agreement) pursuant to N.J.S.A. 40A:65-1 which includes the purchase and maintenance of Equipment; and

WHEREAS, pursuant to the said Agreement, the equipment upgrade purchase had prior approval of both the Township Manager and the MUA Executive Director and was anticipated in both the Township Capital budget and the MUA budget; and

WHEREAS, the Lower Township MUA awarded a contract to Envirosight for Color Video Pipe Inspection System Upgrade per the attached LTMUA Resolution and has request Lower Township reimburse the LTMUA for its share of the shared purchase \$101,150 and the CFO has certified the availability of funds as evidenced by her signature below:

Appropriation: C-04-55-419-220

CFO Signature: Lauren Read, CFO

WHEREAS, Lower Township intends to install the Video Pipe Camera on Lower Township Truck vin #1FDXE45P26HB12267; 2006 Ford Van.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the payment to the Lower Township Municipal Utilities Authority in the amount of \$101,150.00 is hereby approved for the Shared Purchase of the Color Video Pipe Inspection System Upgrade.

	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 May 20, 2019.

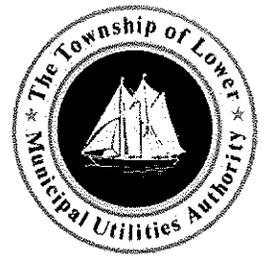
Julie A Picard, Township Clerk

Lower Township MUA

2900 Bayshore Road • Villas, New Jersey 08251

Telephone (609) 886-7146 • Fax (609) 886-4487

www.LTMUA.org



March 6, 2019

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

Re: Color Video Pipe Inspection System

Dear Gary:

As we discussed, I am forwarding you documentation on the purchase of the Video Inspection Camera System we jointly purchased.

The contract was awarded to EnviroSight of Randolph, NJ in the amount of \$202,300.00

I have attached the following documents for your records:

- Resolution 5-2017 dated January 4, 2017 awarding the contract.
- Certification of funds.
- Proposal 0000024215 from EnviroSight detailing the equipment and services provided in this contract.

Please let me know if you require any additional documentation.

Sincerely,

A handwritten signature in black ink that reads "Mike Chapman". The signature is written in a cursive style.

Mike Chapman,
Executive Director

Cc: S. Otto,

**LOWER TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
RESOLUTION NO. 5-2017**

AWARDING CONTRACT TO ENVIROSIGHT FOR COLOR VIDEO PIPE INSPECTION SYSTEM

WHEREAS, bids were received by the Lower Township Municipal Utilities Authority on December 22, 2016 in connection with a contract for purchase of a color video pipe inspection system; and

WHEREAS, one bid, that of Envirosight company was submitted; and

WHEREAS, the Authority Executive Director and the Authority Solicitor have reviewed the bid of Envirosight and are satisfied that the bidder complied with the instructions to bidders and conditions of the award; and

WHEREAS, the Authority Executive Director is satisfied that Envirosight is a qualified bidder and contractor and that the bid was reasonable as to price; and

WHEREAS, the Authority Executive Director has recommended award of the subject contract to Envirosight;

NOW, THEREFORE, BE IT RESOLVED, by the Members of the Lower Township Municipal Utility Authority, in the County of Cape May and State of New Jersey as follows:

- 1) All of the statements of the preamble are repeated and are incorporated herein by this reference thereto as though the same were set forth at length.
- 2) A contract for purchase of a color video pipe inspection system hereby is awarded to Envirosight for a cost not to exceed \$202,300.00.
- 3) On behalf of the Lower Township Municipal Utilities Authority, the Executive Director and Authority Secretary be and they hereby are authorized and directed to sign the contract that was included with the contract bidding materials and to deliver same to Envirosight for execution and return.
- 4) This award of contract is contingent upon receipt of a certification of funds from the Authority Chief Financial Officer.

RESOLUTION NO. 5-2017

	BITTING	FRISOLI	HENDERSON	O'CONNOR	SHEFTZ
MOTION	X				
SECOND					X
AYES	X	X	X	X	1
NAY					
ABSENT					
ABSTAIN					

I hereby certify that the foregoing is a true and exact copy of a resolution introduced and adopted by the Township of Lower Municipal Utilities Authority at a meeting held on January 4, 2017

Sharon Otto

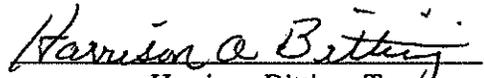
Sharon Otto, Secretary

CERTIFICATION OF AVAILABILITY OF FUNDS FOR CONTRACT

ADDITION TO RESOLUTION NO. 5-2017

I, Harrison Bitting, do hereby certify as follows:

1. I am the Treasurer and Chief Financial Officer of the Township of Lower Municipal Utilities Authority.
2. I verify that funds in the amount of \$202,300.00 are available in the following Authority Accounts for Resolution 5-2017:
 - 05-55-570-416 Sewer Capital Program


Harrison Bitting, Treasurer

Recipient:

Mike Chapman, Executive Director
Lower Township MUA
2900 Bayshore Road
Villias, NJ 08251
609.886.7146 x218
mchapman@comcast.net



SPECIALISTS IN VIDEO PIPELINE INSPECTION

Bruce Kosensky, NJ Account Manager
Envirosight
111 Canfield Ave
Unit B3
Randolph, NJ 07869
973.945.5796, fax: 973.252.1173
bkosensky@envirosight.com

Quote: 0000024215

Date: Sep 4, 2016

Submitted by: Envirosight

Part No.	Unit	Qty.	Extended
E-RX-sys-sat-combo		1	

Combo ROVVER X / ROVVER X SAT System

includes RAX-SAT150 cable reel with 150m standard cable and 30m push rod cable; RAX300 cable reel with wireless remote, mounting frame, emergency stop cable and 300m cable; DCX5000 desk-mount controller with CCU; RX140 SAT crawler with additional quick-change wheels; PTP70 pan-and-tilt camera with RX adaptor; set of 5 guide pipes; and double cable guide pulley. Also comes with ROVVER X crawler system, including RCX90 camera; RX130 crawler with backeye camera, inclinometer, sonde, and clutch; RAX300 cable reel with wireless remote and 300M of orange Gore cable. Additional accessories include emergency stop cable and mounting frame for reel, as well as pressurization kit. Quick-change wheels system (including 6 hubs, 6 small rubber wheels, 4 medium rubber wheels, 4 large rubber wheels and 2 climber wheels).

E-568-0900-00		1	
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VC200 Controls

Multi-function control panel with daylight-viewable 800x600 touchscreen display. MPEG4 video encoding, plus storage on hard disk drive or USB stick.

Recipient:

Mike Chapman, Executive Director
Lower Township MUA
2900 Bayshore Road
Villias, NJ 08251
609.886.7146 x218
mchapman@comcast.net



SPECIALISTS IN VIDEO PIPELINE INSPECTION

Bruce Kosensky, NJ Account Manager
Envirosight
111 Canfield Ave
Unit B3
Randolph, NJ 07869
973.945.5796, fax: 973.252.1173
bkosensky@envirosight.com

Quote: 0000024215

Date: Sep 4, 2016

Submitted by: Envirosight

Part No.	Unit	Qty.	Extended
E-564-0900-01		1	
Remote Lift Accessory to raise/lower the RCX90 camera on the RX130 crawler			
E-559-0900-00		1	
Rear-View Camera Option with auxiliary LED lights for RX130			
E-080-0704-00		4	
Extra-Large (XL) Quick-Change Rubber Wheel single extra-large (XL) quick-change rubber wheel; four are required for a complete set, and are recommended to be used with two small rubber wheels on the center axle			

Recipient:

Mike Chapman, Executive Director
Lower Township MUA
2900 Bayshore Road
Villias, NJ 08251
609.886.7146 x218
mchapman@comcast.net



Bruce Kosensky, NJ Account Manager
Envirosight
111 Canfield Ave
Unit B3
Randolph, NJ 07869
973.945.5796, fax: 973.252.1173
bkosensky@envirosight.com

Quote: 0000024215

Date: Sep 4, 2016

Submitted by: Envirosight

Part No.	Unit	Qty.	Extended
E-080-0711-00		4	
<i>Medium (M) Quick-Change Carbide/Grit Wheel</i> single medium (M) quick-change carbide/grit wheel; four are required for a complete set, and are recommended to be used with two climber wheels on the center axle			
E-080-0706-00		4	
<i>Medium (M) Quick-Change Grease Wheel</i> single medium (M) quick-change grease wheel; four are required for a complete set, and are recommended to be used with two climber wheels on the center axle			
SPCL		1	
E-000-0035-00 Top Manhole Roller			
SPCL		1	
E-035-0209-00 Flexible Cable Guide for Manhole Bottom			
SPCL		4	
E-Video-Monitor-Tru-Vu-194 Industrial Monitor			

Recipient:

Mike Chapman, Executive Director
Lower Township MUA
2900 Bayshore Road
Villias, NJ 08251
609.886.7146 x218
mchapman@comcast.net



SPECIALISTS IN VIDEO PIPELINE INSPECTION

Bruce Kosensky, NJ Account Manager
Envirosight
111 Canfield Ave
Unit B3
Randolph, NJ 07869
973.945.5796, fax: 973.252.1173
bkosensky@envirosight.com

Quote: 0000024215

Date: Sep 4, 2016

Submitted by: Envirosight

Part No.	Unit	Qty.	Extended
SPCL		1	

WinCan VX Expert License for Truck includes: Section/Lateral/Manhole, Basic Reporting, Report Generator, Data Viewer, 3D, All languages & Standards, Map Expert/ArcGIS, Photo Assistant, Drawing function, Meta DB, Data Transfer Tool, SQL & Oracle database option, Multiple Inspection, Grading, Software Encoding, MPEG 1/2/4 Recording, NASSCO Validator, Text Generator, Inclination, Local deformation & Crack width with laser, Work Order Management, Statistics, and GIS Queries.

SPCL		1	
------	--	---	--

Rackmount Computer

SPCL		1	
------	--	---	--

Aver Media Card

SPCL		1	
------	--	---	--

Two Day On-Site Installation and Training includes instructor's time and expenses

SPCL		1	
------	--	---	--

Enterprise ANNUAL Infinity Support Plan includes:
Unlimited Phone, Email, and Remote Internet Technical Support
Unlimited Maintenance Upgrades and Version Upgrades to WinCan VX
5 Hours per year of Web Ex Training
Same Day Support and Service

Recipient:

Mike Chapman, Executive Director
Lower Township MUA
2900 Bayshore Road
Villias, NJ 08251
609.886.7146 x218
mchapman@comcast.net



SPECIALISTS IN VIDEO PIPELINE INSPECTION

Bruce Kosensky, NJ Account Manager
Envirosight
111 Canfield Ave
Unit B3
Randolph, NJ 07869
973.945.5796, fax: 973.252.1173
bkosensky@envirosight.com

Quote: 0000024215

Date: Sep 4, 2016

Submitted by: Envirosight

Part No.	Unit	Qty.	Extended
SPCL <i>Lower Township MUA will remove all existing Aires Equipment from the LTMUA Truck</i>		1	
SPCL <i>Install RVX Crawler System along with Computer with WinCan Software into LTMUA Truck</i>		1	
SPCL <i>Delivery/Training One (1) year warranty</i>		1	

Total: US \$205,831.60

Recipient:

Mike Chapman, Executive Director
Lower Township MUA
2900 Bayshore Road
Villias, NJ 08251
609.886.7146 x218
mchapman@comcast.net



SPECIALISTS IN VIDEO PIPELINE INSPECTION

Bruce Kosensky, NJ Account Manager
Envirosight
111 Canfield Ave
Unit B3
Randolph, NJ 07869
973.945.5796, fax: 973.252.1173
bkosensky@envirosight.com

Quote: 0000024215

Date: Sep 4, 2016

Submitted by: Envirosight

Part No.

Unit

Qty.

Extended

Notes: This is a budgetary quote; pricing is subject to change without notice. To reconfirm pricing with a standard quote, please contact your the salesman or dealer shown above.

Respectfully Submitted,
Envirosight

Terms: 30 Days

FOB: Randolph, NJ

Currency: US \$

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

RESOLUTION #2019-184

Title: **A RESOLUTION APPROVING A PROFESSIONAL SERVICE CONTRACT WITH WIZARDS FESTIVAL OF FUN INC FOR THE TOWNSHIP OF LOWER'S JULY 3, 2019 CELEBRATION**

WHEREAS, the Township of Lower is given authority by 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, Al Belmont, President of Wizards Festival of Fun Inc. has provided a proposal for entertainment (provide and operate rides) for the Township of Lower's July 3rd Celebration at a fee of \$14,500; and

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

Budget Line: 8-01-30-420-254

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 attached contract, without public bidding, be awarded to Wizards Festival of Fun, Inc. for entertainment (provide and operate rides) for the Township of Lower's July 3rd Celebration at a fee of \$14,500.00.

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 May 20, 2019.

Julie A Picard, Township Clerk

Wizard's Festival of Fun Inc

125 Coles Road
Blackwood, NJ 08012
Phone (609) 206-5244
www.wizardsfestivaloffun.com
e-mail: wizardsfestivaloffun@verizon.net

April 3, 2019

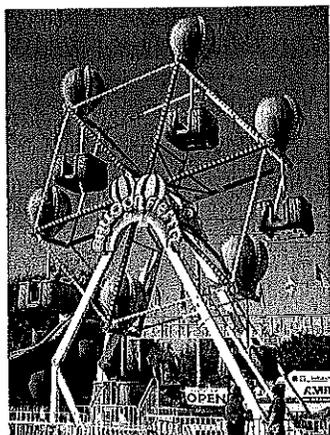
Mr. Mitchell Plenn
Director of Parks and Recreation
Township of Lower
2600 Bayshore Road
Villas, NJ 08251 (Via Fax (609) 886-7838) (Via Email: recreation@townshipoflower.org)
Dear Mr. Plenn:

Thank you for your continued interest in Wizards. As you know, we have contributed to outstanding events for more than 23 years. Our credits include Family Day Celebrations for Armstrong, Hanover Brands, and IBM - Mini-State Fairs for up to 15,000 people including main stage & children's entertainment, fun foods, games, amusement rides and tenting.

Because we own and operate our own shows, games, carnival rides and attractions, we offer real value. Our one-stop shopping approach makes event planning a lot easier.

We propose to provide the following full-size Amusement Rides for your event on Wednesday, July 3, 2019!

- ***Gondola Balloon Ferris Wheel.***



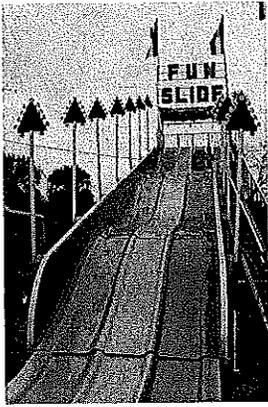
Aim high with the favorite attraction at fairs, festivals, and theme parks across the US. Our beautiful new Balloon Gondola Ferris Wheel is flashy, durable and, of course, absolutely thrilling. It's a sure winner as the 40' tall Grand Entrance to the 2019 Lower Township Independence Day Festival.

- ***Dizzy Dragons.***



Always a Family Friendly, High Dynamic, Spinning Major Ride featuring zany caricature giant Dragons that accommodate young and old alike, and really stand out on the Midway. 36' diameter

- ***Spectacular Fun Slide***



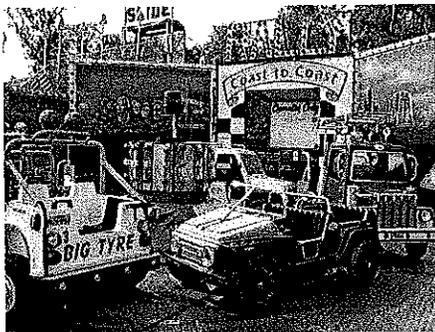
Our Spectacular Fun Giant Slide provides a towering landmark, as well as exciting family slide action for your event.

- ***"Kids Town Fire House" Interactive Playport.***



A treat for children from 3 to 12. This colorful Firehouse provides a host of interactive activities including a ball pool, cargo net climb, swinging suspension bridge and enclosed slide tube. 36' w x 16' deep

- ***Rally Coast to Coast - Kiddie Car Ride.***



A flashy, raceway themed kid ride that generates lots of repeat rides thanks to a combination of vehicles including fire trucks, beach patrol & USA jeeps, tow truck and sports car.

- ***One 65KW Three Phase, Sound-Attenuated Generators with NEC Code, UL Approved Power Distribution Systems including four eight-foot ground rods, setup, teardown & fuel.***

All of the above adds up to a memorable, fun-filled package. Our services include detailed rides, uniformed ride crew, *whisper-quiet* power generator, and all advance and day-of-event roundtrip (180 miles) transportation for both personnel and equipment trailers including fuel, tolls, travel pay, and staff travel meals. All Rides are in excellent condition, inspected daily by a NAARSO (National Association of Amusement Ride Safety Officials) Level 2 Ride Inspector and operated in compliance with all New Jersey regulations.

We will operate Wednesday, July 3, 2019 from 5 PM until 9 PM. Total cost for providing the Rides outlined above under the terms and conditions outlined above including transportation, set-up and teardown will be \$ 14,500. There will be NO CHARGE to the public to ride. Our terms are NET 10 days. We have at least 5 years of experience providing ride and entertainment packages. We can provide references upon request. We keep a NAARSO Level 2 or greater Certified Ride Maintenance Technician Mechanic on site throughout the event. With respect to our operations, we provide Commercial General Liability \$1,000,000 per incident, Aggregate \$2,000,000; Auto Liability \$1,000,000, and Statutory Workers Compensation. We

maintain additional Umbrella GL limits of \$ 2,000,000.

We will provide a General Liability Certificate of Insurance naming Lower Township as additional insured. We will also provide Lower Township a Hold Harmless Certificate applying only to our operations at your event. A nationally certified NAARSO Level 2 ride safety official will inspect all rides the day of the event. All rides will comply with all New Jersey State, Cape May County, and Township of Lower, rules and regulations and have proper permits and licenses displayed. We hold a State of New Jersey Business Registration Certificate. Our operations have always met, and exceeded, MEL JIF requirements.

Since we are committing equipment and attractions that work both indoors and outside, our terms are rain or shine. We strongly advise you to purchase rain insurance from an outside agency. Such insurance can reimburse your expenses, by paying a predetermined amount, if a predetermined amount of rain falls during a predetermined four-hour period, the day of your event whether your event is cancelled or not. Allied Insurance offers rain insurance at reasonable cost. The contact at Allied is Carol Serra, 800-237-3355. You may also want to contact Alexander Freedman, Client Services, Rain Protection Insurance at (800) 528-7975. If desired, at the present time, a July 5 Rain Date, with no teardown of equipment, is available and can be purchased as a separate event contract at additional cost.

Any additions or changes to our proposal will be provided at extra cost to you. Due to the high demand for all of the above items, we cannot give holds on services. We must continue to solicit business. No dates or services can be reserved and Wizard's cannot accept any obligation to provide any element until we have received a purchase order accompanied with an appropriate deposit. Please respond to this proposal as soon as possible. Please call if you have any questions. My number is (609) 206-5244.

Thank you for your interest. I look forward to contributing to the success of your event.

Sincerely,

Al Belmont

President/Executive Producer

Wizard's Festival of Fun Inc.

125 Coles Road

Blackwood, NJ 08012

Phone: (609) 206-5244

e-mail: wizardsfestivaloffun@verizon.net

AMB/sp

The content of this proposal includes proprietary information and remains the intellectual property of the author. Copyright 2019, Wizard's Festival of Fun Inc, Blackwood, NJ 08012

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

RESOLUTION #2019-185

Title: **A RESOLUTION AUTHORIZING ENDORSEMENT OF PRELIMINARY PREFERRED ALTERNATE 3 FOR THE LOCAL CONCEPT DEVELOPMENT OF THE OCEAN DRIVE (CR621) UPGRADES AND BRIDGE IMPROVEMENTS**

WHEREAS, The Township of Lower, in conjunction with the South Jersey Transportation and Planning Organization and New Jersey Department of Transportation are performing a local Public Concept Development (LCD) Study for Ocean Drive (County Road 621) Upgrade and Bridge Improvements; and

WHEREAS, nine (9) alternatives for improvements to the Middle Thorofare Bridge were developed including a no build option, rehabilitation of the existing bridge, replacement with a movable span and replacement with a fixed span with varying roadway alignments; and

WHEREAS, Lower Township has carefully reviewed and evaluated each alternative on the basis of their impacts to the local fishing industry and businesses as well as future costs for maintenance; and

WHEREAS, The Township of Lower supports the replacement of the Middle Thorofare Bridge, with the Preferred alternative being Alternative 3, a fixed bridge with 80 feet vertical clearance including the realignment of Ocean Drive (County Road 621) and the replacements of both the Mill Creek and Upper Thorofare Bridges with Alternate 3 being so designated in the Local Concept Development Study prepared by Michael Baker Associates dated February 2019.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Alternate 3, a fixed bridge with 80 feet vertical clearance is endorsed as the Township's preferred alternative for improvements to the Middle Thorofare Bridge.

	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 May 20, 2019.

Julie A Picard, Township Clerk

WILL MOREY
Freeholder
NANCY MAURO, P.E.
Administrator
ROBERT CHURCH, P.E.
County Engineer
KENT SCHELLINGER, P.E.
Assistant County Engineer
TIMOTHY DONOHUE
Road Department Supervisor

CAPE MAY COUNTY
DEPARTMENT OF PUBLIC WORKS
Office of the COUNTY ENGINEER

4 Moore Road
Cape May Court House, N.J. 08210-1601
(609) 465-1035 Fax: (609) 465-1418
E-mail: countyengineer@co.cape-may.nj.us
Website: www.capemaycountynj.gov
Cape May County is an Equal Opportunity Employer



RCVD MAY 9 '19

May 6, 2019

Erik Simonson, Mayor
Township of Lower
2600 Bayshore Road
Villas, NJ 08251

**Re: Ocean Drive (C.R.621) Upgrades and Bridge Improvements
Lower Township
Local Concept Development Study- Preliminary Preferred Alternative #3- Endorsement**

Honorable Mayor Simonson:

The County of Cape May, in cooperation with the South Jersey Transportation and Planning Organization, the Cape May County Bridge Commission, the New Jersey Department of Transportation and the Federal Highway Administration have been involved in a cooperative effort for the past 11 months to develop and finalize a Local Development Study for the Upgrades to Ocean Drive (C.R. 621) and replacement of the bridges between Route 109 and the Diamond Beach Section of Lower Township. Over the past months, 9 alternatives were developed and evaluated including various bridge types and roadway alignments. The purpose of developing the various alternatives was to eventually arrive at the selection of the best alternate that addressed the project objective.

Throughout the course of this development study, the project team has provided government officials, stakeholders and the general public with the opportunity to review the concepts and to provide input, both positive and negative, as the project developed. That input, along with input from the various regulatory agencies, has provided the necessary guidance to allow the selection of a Preliminary Preferred Alternative. As a result of this process, Alternative #3 has been selected as the alternate that will be advanced thru the design process. This alternative was presented at numerous Public Information Meetings and was generally well received by those in attendance. A sketch of Alternative 3 alignment is attached for your reference. Additional details concerning Alternate 3 can be found at the following web site link:

<https://capemaytwomilebridge.com/wp-content/uploads/2018/09/Ocean-Drive-LCD-Study-Alternatives-3>

It is the County's intention to advance the project into the preliminary design phase. However, before this can be done, we are asking your support with an endorsement resolution from your governing body. This endorsement is necessary in order for the County to be able to solicit Federal funding for future work on the project. A copy of the Cape May County Board of Chosen Freeholder's resolution of endorsement is included for your reference, and to provide you with a template for the preparation of your resolution. Since the Local Concept Development Study is anticipated to be completed in the beginning of June, we would respectfully request that you provide this resolution of endorsement by the end of May so that it could be included with the finalized study.

We sincerely appreciate the interest and support that you have provided thru the course of this study. We feel that the project will address a critical need toward improving County infrastructure, advancing economic development, and improving the quality of life of County residents.

Should you have any questions or need any additional information, please do not hesitate to contact me.

Very truly yours,



Robert G. Church, P.E.

County Engineer

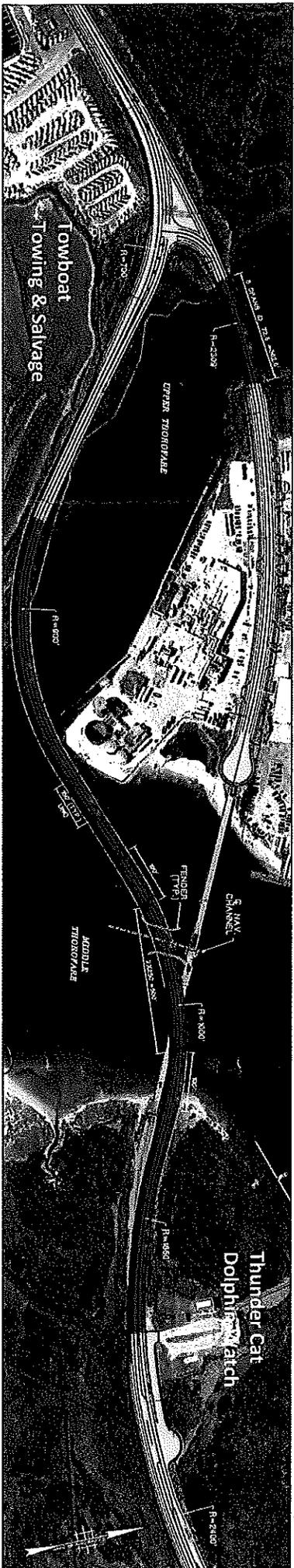
RC/rgc

Encl.

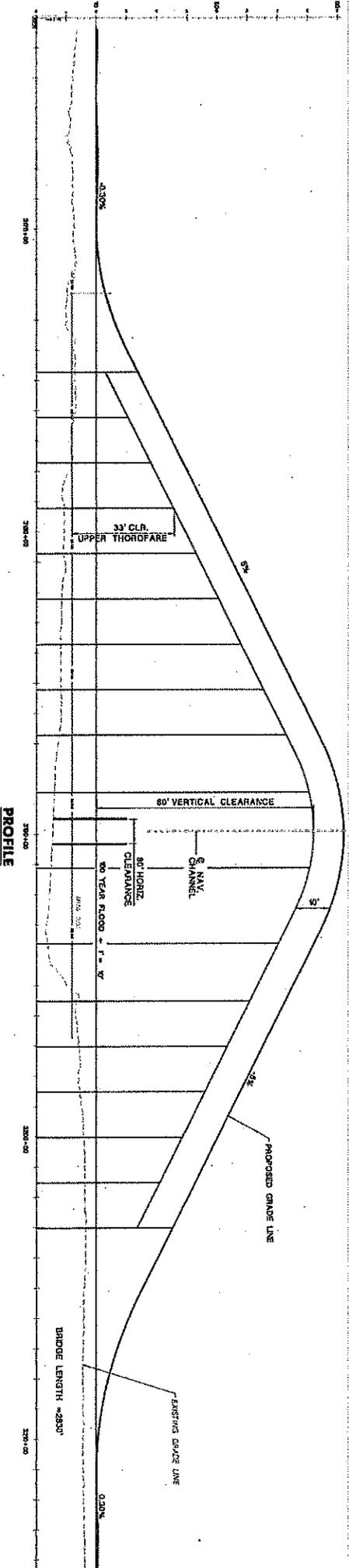
Cc. Freeholder Thornton
Freeholder Morey
Jennifer Marandino, Executive Director, SJTPO
Cape May County Bridge Commission

PRELIMINARY PREFERRED ALTERNATIVE - ALTERNATIVE 3

Fixed bridge with 80' vertical clearance.



PLAN



PROFILE

NOTES:

1. VERTICAL PROFILE SHOWN AT EXAGGERATED SCALE OF 10:1
2. DRAWING NOT TO SCALE

LEGEND

-  NEW ROADWAY
-  NEW STRUCTURE
-  EXISTING RIGHT-OF-WAY
-  PROPOSED RIGHT OF WAY
-  MEAN HIGH WATER LINE



Michael Baker

INTERNATIONAL

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

RESOLUTION # 2019-186

Title: AUTHORIZATION FOR THE PAYOUT OF ACCUMULATED COMPENSATORY TIME

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that payment to Dallas Bohn in the amount of \$3,618.85 is authorized and chargeable to the 2019 Budget account 9-01-25-240-125.

	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 May 20, 2019.

Julie A Picard, Township Clerk

LOWER TOWNSHIP POLICE DEPARTMENT

SPECIAL REPORT

TO: Chief William Mastriana
FROM: Det. Dallas Bohn Jr. #182
DATE: 05-14-2019
SUBJECT: Compensation Time Cash Out

To whom it may concern,

I am respectfully requesting to sell back my accrued compensation time, totaling 77.5 hours.

Thank you in advance for your consideration in this matter.

Respectfully Submitted,

Signature
Goes here



Dallas Bohn Jr
Detective Badge 182

0. *
46.6948 x
77.5 =
3,618.847 **

C	File	Officer	Comments
Date	5/15/19	MB	Renewed - Fwd to Township

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

RESOLUTION #2019-187

Title: **A RESOLUTION AUTHORIZING AND APPROVING A SHARED SERVICE AGREEMENT
BETWEEN THE TOWNSHIP OF LOWER AND THE COUNTY OF CAPE MAY FOR
LAW ENFORCEMENT COVERAGE AT A TOWNSHIP EVENT**

WHEREAS, the Township of Lower desires to contract with The County of Cape May in order to share Law Enforcement Coverage at a Township Event scheduled for June 2, 2019; and

WHEREAS, such agreements are authorized pursuant to N.J.S.A. 40A:65-1 et seq.; and

WHEREAS, this contract is in the best interest for the safety of the citizens of the Township of Lower.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Lower, in the County of Cape May, State of New Jersey, that the shared services agreement between the Township of Lower and the County of Cape May be and is hereby authorized and accepted and that the proper officials of the Township of Lower are authorized to execute said contract.

BE IT FURTHER RESOLVED, that the contract shall take effect upon the adoption of the appropriate resolution by the County of Cape May and the execution of the contract by the parties in accordance with N.J.S.A. 40A:65-1 et seq.

	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 May 20, 2019.

Julie A Picard, Township Clerk

SHARED SERVICES AGREEMENT BY
AND BETWEEN THE
COUNTY OF CAPE MAY
AND THE
TOWNSHIP OF LOWER

Dated

PROVISIONS FOR LAW ENFORCEMENT COVERAGE AT A TOWNSHIP EVENT SCHEDULED
FOR JUNE 2, 2019

SHARED SERVICES AGREEMENT BETWEEN
TOWNSHIP OF LOWER AND
COUNTY OF CAPE MAY

THIS AGREEMENT made and entered into on the ____ day of _____, 2019, by and between:

TOWNSHIP OF LOWER

A Municipal Corporation of the State of New Jersey with offices located at:
2600 Bayshore Road, Villas, New Jersey
Hereinafter referred to as the "Township",

and

COUNTY OF CAPE MAY

A Body Politic and Corporate of the State of New Jersey with offices located at:
William E. Sturm Jr. Administration Building
4 Moore Road
Cape May Court House, New Jersey 08210
Hereinafter referred to as the "County".

WHEREAS, DelMo Sports, Inc. is hosting the Escape the Cape Triathlon on Sunday, June 2, 2019 7am – 11am classified as a special event (herein after "event") within the Township which is advantageous to the Township by bringing visitors and residents to the event with ancillary benefits to Township businesses; and

WHEREAS, due to the number of attendees at the Escape the Cape Triathlon, in order to provide appropriate law enforcement services within the area of the event, without a concomitant in law enforcement services elsewhere in the Township of Lower, it is necessary for Lower Township to engage the services of additional law enforcement personnel during the Escape the Cape Triathlon for the safety of the participants, attendees and the traffic flow of others throughout the Township who are not participating in the event; and

WHEREAS the County has trained officers that are prepared to provide the services to assist the Township in providing law enforcement for traffic assignments, participant safety, spectator safety and any and all other Title 40 law enforcement functions: and

WHEREAS, N.J.S.A. 40A:65-I et. seq. authorizes local government units, including Townships and Counties, to enter into agreements for the exchange of services pursuant to the provisions of that statute known as the "Uniform Shared Services and Consolidation Act"; and

WHEREAS, the parties hereto intend to enter such an Agreement pursuant to the authority conferred by the "Uniform Shared Services and Consolidation Act".

NOW THEREFORE, in consideration of the promises, agreements and covenants hereinafter set forth and mutually agreed to, the County and the Township, each for itself, its successors and assigns, do mutually covenant, promise and agree as follows:

**ARTICLE I
PROVISION OF SERVICES**

SECTION 101. Funding:

(a) **County Funding.** The County will receive funding from the Township in the amount of \$70.00 per hour per County Sheriffs Officer assigned to the above event. The amount due and owing to the County will be billed via invoice to the Township by the County within 30 days services are rendered.

(b) Township Funding. Upon the receipt of the above invoice, the Township will remit payment to the County within 30 days payable to the Cape May County Treasurers Office.

SECTION 102. Authorized County and Municipal Representatives.

(a) The authorized County Representatives for all purposes of the Agreement shall be the Freeholder Director or such other representative who shall, from time to time, be designated by the Freeholder Director.

(b) The authorized Township Representative for all purposes of the Agreement shall be the Mayor or such other representative who shall, from time to time, be designated by the Mayor.

(End of Article 1)

**ARTICLE II
REPRESENTATIONS AND WARRANTIES**

SECTION 201. Representations and Warranties of the County.

The County represents and warrants to the Township as follows:

(a) General. The County is a public body corporate and politic of the State of New Jersey and has the power and authority to provide the Services to the Township and to execute and deliver this Agreement and all services necessary to give effect to this Agreement and to perform its obligations hereunder.

(b) No Conflict. The execution, delivery and performance of this Agreement (i) has been duly authorized by all requisite action of the County, (ii) to the best knowledge of an Authorized County Representative, following diligent inquiry, will not violate or conflict with any provision of law, rule or regulation, any order of any court or other agency of government and (iii) to the best knowledge of an Authorized County Representative, will not violate or result in a default under any provision of any indenture, agreement or other instrument.

(c) Litigation. Except as otherwise disclosed to Township, to the best knowledge of an Authorized County Representative, there is no action, suit or proceeding at law or in equity or by or before any Governmental Authority or other agency now pending or, threatened against or affecting the ability of the County to enter into this Agreement.

(d) Obligations of the County. When executed and delivered by the County, this Agreement will be a legal, valid and binding obligation of the County enforceable against it in accordance with its terms, except as enforcement thereof may be limited by applicable bankruptcy, moratorium or similar laws affecting creditors' rights generally.

SECTION 202. Representations and Warranties by the Township

The Township makes the following representations and warranties to the County:

(a) General. The Township (i) is a public body corporate and politic of the State of New Jersey; (ii) has full corporate power and authority to execute and deliver this Agreement and all documents necessary to give effect to this Agreement and to perform its obligations hereunder, and (iii) by proper Township action has duly authorized the execution and delivery of this Agreement.

(b) **No Conflict.** The execution, delivery and performance of this Agreement (i) has been duly authorized by all requisite action of the Township, (ii) to the best knowledge of an Authorized Representative, following diligent inquiry, will not violate or conflict with any provision of law, rule or regulation, any order of any court or other agency of government and (iii) to the best knowledge of an Authorized Representative, will not violate or result in a default under any provision of any indenture, agreement or other instrument.

(c) **Litigation.** Except as otherwise disclosed to the Township, to the best knowledge of an Authorized Township Representative, there is no action, suit or proceeding at law or in equity or by or before any Governmental Authority or other agency now pending or, threatened against or affecting the ability of the Township to enter into this Agreement or perform the Services hereunder.

(d) **Obligations of the Agency.** When executed and delivered by the Township, this Agreement will be a legal, valid and binding obligation of the Township, enforceable against it in accordance with its terms, except as enforcement thereof may be limited by applicable bankruptcy, moratorium or similar laws affecting creditors' rights generally.

(d) **Indemnification.** The Township hereby agrees to indemnify the County and to hold it harmless from and against any and all damages, claims, losses and/or liabilities of any sort (including reasonable attorney's fees) which may incur as a result of the performances of the services by the County pursuant to this agreement. The County employees will be covered by the County's workers compensation insurance.

(End of Article II)

ARTICLE III MISCELLANEOUS

SECTION 301. Governing Law. This Agreement shall be deemed to be a contract under the laws of the State of New Jersey and for all purposes, including interpretation hereof and performance hereunder, shall be governed in accordance with the laws of the State of New Jersey. Any party bringing a legal action or proceeding against any other party arising out of or relating to this Agreement may bring the legal action or proceeding in the Superior Court of New Jersey sitting in Cape May Court House, New Jersey.

SECTION 302. Consents. Any consents required by the County or Township under this Agreement (other than those delegated to the applicable Authorized County Representative or Authorized Township Representative) shall be adopted by a resolution of the respective governing bodies.

SECTION 303. Amendments. Any amendment or modification of this Agreement will only be effective upon the execution of a written instrument authorized by the members of the Township in the case of the Township and the Freeholder Director and the Board of Freeholders in the case of the County.

SECTION 304. Assignment. No party may assign or attempt to assign its respective obligations under this Agreement. Any purported assignment of rights in violation of this provision is void. In addition to voiding the purported assignment, the County shall declare the assignor in default of this Agreement and require the re-payment of all project funds within seven (7) days.

SECTION 305. Severability. If one or more of the provisions of this Agreement are determined to be contrary to law, then such provision or provisions shall be deemed severable from the remaining provisions and shall not affect the validity of the other provisions of this Agreement.

SECTION 306. Term. The duties and obligations under Sections 306 and 307 shall remain in effect for as long as the applicable statute of limitations remain in effect and the duty to defend shall extend beyond the statute of limitations to the extent any claim is made against the County at any time in the future as

it relates to the service. The agreement to provide the above defined services to the Township will be for only the date of the event June 2, 2019.

SECTION 307. Notices. All notices required under the terms of this Agreement shall be given by hand delivering such notices or by mailing such notices by certified or registered mail, return receipt requested, to the address of the parties. Notices to the County shall be sent to the Board of Freeholders Clerk and County Treasurer. Notices to the Township shall be sent to the Mayor and Clerk of the Township.

SECTION 308. Dispute Resolution. In the event of a dispute between the parties arising out of this Agreement, the contract documents or the work being performed, the parties agree that they will immediately meet and make a good faith effort to resolve such conflict.

SECTION 309. Adoption. This Agreement shall be approved by resolution of the Council of the Township and by resolution of the Cape May County Board of Chosen Freeholders. Said resolutions shall be duly adopted in accordance with the law at public meetings held in accordance with the Open Public Meetings Act. The parties have read this Agreement. It is a full statement of their understandings. It may not be changed except in writing signed by both parties.

SECTION 310. Entire Agreement. This Agreement constitutes the entire understanding of the parties.

(End of Article III)

IN WITNESS WHEREOF, the County and the Township have caused their respective seals to be hereunto affixed and attested and this Agreement to be signed by their respective, duly authorized officers and to be dated as of the day and year first written above.

COUNTY OF CAPE MAY

[SEAL]

BY: _____
FREEHOLDER DIRECTOR

ATTEST :

CLERK/Administrator

BY: _____
MAYOR ERIK SIMONSEN

[SEAL]

ATTEST:

JULIE PICARD, TOWNSHIP CLERK

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

RESOLUTION #2019-188

Title: RE-APPOINTMENT TO THE ZONING BOARD OF ADJUSTMENT

WHEREAS, David Brand's term on the Zoning Board of Adjustment will expire on June 30, 2019, and he has requested re-appointment 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 re-appointment be made:

<u>NAME</u>	<u>TYPE</u>	<u>TERM EXP</u>
David Brand	Regular Member	June 30, 2023

	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 May 20, 2019

Julie A Picard, Township Clerk

FOR TOWNSHIP USE ONLY

Res. # _____

Board/Comm./Auth. _____

Term Exp. _____

Replaced _____ or Reappointed

TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

RCVD MAY 3 '19

NAME DAVID F BRUND

CITY AND STATE LOWER TWP., N.J.

YEARS OF RESIDENCY IN TOWNSHIP 40 OCCUPATION RETIRED

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.

COUNCIL PERSH WARD 3, BOARD OF HEALTH,
PLANNING BOARD, ZONING BOARD

Date: 5/3/19 Signature: David F. Brund (VALID FOR ONE YEAR FROM DATE OF RECEIPT)

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

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

RESOLUTION #2019-189

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>
624	11	Russell Wheeler	Paid by mistake on ACH	\$ 725.97
114	334	Families Prop, LLC	Paid by ACH – Sold Property	\$ 904.85

	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 May 20, 2019.

Julie A Picard, Township Clerk

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

RESOLUTION #2019-190

Title: **RESOLUTION DESIGNATING BLOCK 410.01, LOTS 82, 83, 84 & 87.01 IN THE TOWNSHIP OF LOWER, COUNTY OF CAPE MAY AS AN AREA IN NEED OF REHABILITATION**

WHEREAS, N.J.S.A. 40A:12A-14, authorizes the governing body of any municipality, by Resolution, to determine whether, according to the criteria set forth therein, an area within the municipality is in need of rehabilitation, and that a program of rehabilitation, as defined in N.J.S.A. 40A:12A-3, may be expected to prevent further deterioration and promote overall development of the community; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-14(a), the Governing Body has referred this Resolution to the Planning Board and has received the Board's favorable recommendation to declare Block 410.01, Lots 82,83,84 & 87.01 ("the Study Area") an area in need of rehabilitation.

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

1. The Study Area meets one or more of the requirements of N.J.S.A. 40A:12-14 to be deemed an Area in Need of Rehabilitation as set-forth in a report prepared by Tiffany A. Morrissey, PP, AICP and dated February 19, 2019.
2. The Study Area meets the requirements of N.J.S.A. 40A:12A-14 to be deemed an Area in Need of Rehabilitation. Specifically, there is a pattern of underutilization of the properties in the area; and
3. A program of rehabilitation, as defined in N.J.S.A. 40A:12A-3, may be expected to prevent further deterioration and promote overall development of the community; and
4. The Township Planning Board has provided a favorable recommendation to the Township Council for designation of the Study Area as an area in need of rehabilitation; and
5. The Study Area is hereby designated as an area in need of rehabilitation according to the criteria of N.J.S.A. 40A:12A-14.

	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 May 20, 2019.

Julie A Picard, Township Clerk

Tiffany A. CuvIELlo, PP, LLC
Community Development and Planning

MEMORANDUM

TO: James Ridgeway, Township Manager

FROM: Tiffany A. Morrissey, PP, AICP

RE: Determination of Rehabilitation
Fulling Mill Road
Block 410.01, Lots 82, 83, 84 & 87.01

DATE: February 19, 2019

I have reviewed the above referenced properties to determine if they meet the criteria as an area in Need of Rehabilitation. In accordance with the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-14) an area can be determined to be in Need of Rehabilitation if any of the following are found to exist:

1. A significant portion of the structures therein are in a deteriorated or substandard condition;
2. More than half the housing stock in the delineated area is at least 50 years old;
3. There is a pattern of vacancy, abandonment or underutilization of the properties in the area;
4. There is a persistent arrearage of property tax payments on the properties in the area;
5. Environmental contamination is discouraging improvements and investment in properties in the area; or
6. A majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance.

There must also be a finding that a program of rehabilitation in the delineated area may be expected to prevent further deterioration and promote the overall development of the community.

The study area includes vacant parcels which are suited for development but have been underutilized in terms of the Local land use regulations. The proposed Rehabilitation area includes parcels along Fulling Mill Road on the border of Middle Township. The property is within an Industrial zoning district and consists of just over 53 acres. The rear of the property is impacted by wetland buffers.

The parcels are underutilized and not contributing to the overall development of the community. The existing zoning of Industrial is designed to encourage non-residential development. These parcels have not been developed and remain vacant. The vacant parcels are an underutilization of the property in a zone and area that is designed to accommodate more intense non-residential development. These parcels have remained vacant even though the surrounding area has been developed with residential and non-residential land uses.

The subject parcels have no improvement values and only land values. The developed site to the south (self-storage facility) has a comparable land value. However the improvement value of over \$2.7 million create a substantial value to the community. If the properties were developed the improvements would add substantially to the values in the area and on the properties.

Based upon this analysis the Township could find that there is a pattern of underutilization of the property and that a program of rehabilitation in the delineated area would be expected to promote the overall development of the area and the community.

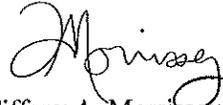
The designation of an area in Need of Rehabilitation will enable the Township to adopt a Redevelopment Plan for the properties. The Redevelopment Plan will allow the Township to offer development incentives and improved zoning alternatives. These programs will be part of a process to invite and encourage investment on the selected properties.

Based upon these findings the Township can find that there exists an underutilization of the properties and a lack of investment on the parcel, meeting the statutory criteria as an area in need of rehabilitation. The Township can also find that a program of rehabilitation would promote the development of the subject properties and therefore increase the viability of the properties and result in continued improvement to the Township as a whole.

I have prepared draft resolutions for your consideration. If desirable a more substantive report of findings would be prepared to assist the Township with this effort. The above is a cursory review of the statute and the property in question.

Please call with any questions.

Yours truly,



Tiffany A. Morrissey, PP, AICP

Cc: John Kornick, P.E.

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

ORDINANCE #2019-10

Title: **AN ORDINANCE ESTABLISHING CHAPTER 387 ENTITLED 'HAWKERS AND PEDDLERS' IN ORDER TO REGULATE THE VENDING, SALE, AND DISTRIBUTION OF GOODS WITHIN THE TOWNSHIP OF LOWER.**

WHEREAS, the Township Council of the Township of Lower has identified a need to adopt rules and regulations related to the hawking, peddling, vending, sale, and distribution of goods within the Township of Lower on its streets, avenues, ways, and sidewalks in order to limit same and to ensure public safety and to avoid/prevent unnecessary police calls pertaining to said activities;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the Chapter 387 regulating Hawking and Peddling within the Township of Lower is hereby established and enacted as follows:

Section 1. Chapter 387, **Hawkers and Peddlers**, is hereby enacted as follows:

Article I. Licensing Regulations

§ 330-1. Definitions.

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

MOTOR VEHICLE

Any vehicle used for the transporting of articles offered for sale by a vendor, which is required to be licensed and registered by the New Jersey Department of Motor Vehicles, and which is not to be used for the purpose of displaying or vending articles of merchandise.

PERSON

Any individual, but should not be construed to mean a corporation, partnership, association or any other form of business entity.

VENDING UNIT

Any pushcart, wagon or other wheeled vehicle or device which may be moved without the assistance of a motor and which is not required to be licensed and registered by the Department of Motor Vehicles used for the displaying, storing or transporting of articles offered for sale by a vendor.

VENDOR

Any person who goes from place to place or from street to street, traveling by foot, automotive vehicle or any other type of conveyance, carrying or transporting merchandise for the purpose of selling and delivering the merchandise to customers. The word "vendor" shall also include the words "peddler" and "hawker."

§387-2. License required.

No person shall hawk, peddle or vend any food products, beverages, confections, goods, wares, merchandise or commodities of any type or description within the Township of Lower except under a license issued by the Township Clerk subject to the rules and regulations as hereinafter provided.

§ 387-3. Registration/License Requirements.

- A. Any person having the type of license issued pursuant to Title 45 of the Revised Statutes of the State of New Jersey (N.J.S.A. 45:24-9 et seq.) who desires to hawk, peddle or vend within the Township of Lower shall, in advance thereof, register with said Township in the following manner:

- a. The applicant for registration shall produce a license issued to him/her by a County Clerk, pursuant to Title 45 of the Revised Statutes of New Jersey. In addition, each licensee shall sign a hold harmless agreement in favor of the Township of Lower.
 - b. He shall complete and sign a form of application for registration made available by the Township, setting forth the following information:
 - i. His/Her name and address.
 - ii. A description of the applicant.
 - iii. Places of residence of the applicant for registration for the past five years immediately preceding the date of application.
 - iv. A description of the nature of the business proposed.
 - v. A description of the vending unit to be utilized. If a motor vehicle is to be utilized in servicing the vending unit, the registration number, license plate number and name and address of the insurance carrier, insurance policy number and statement of coverages must be listed.
 - vi. Whether or not the applicant has ever had a license to conduct the business sought to be registered and whether or not he ever had a license to conduct said business denied or revoked and, if so, setting forth the details thereof.
 - vii. The date, place and nature of the conviction of the registrant of any crime.
 - viii. Two photographs showing the applicant's face, front and profile, representative of the applicant's appearance at the time of the application for registration, of a minimum size of 1 1/2 inches square, which photographs shall be affixed to the application for registration.
 - ix. Proof of insurance policy or policies as recommended by the Atlantic County Joint Insurance Fund or current Township of Lower insurance carrier, issued by an insurance company or companies licensed to do business in the State of New Jersey, protecting the registrant and the Township from all claims or damages to property and bodily injury, including death, which may arise from operations under or in connection with the vending, hawking or peddling. Such insurance shall name as an additional insured the Township of Lower and shall provide that the policy shall not terminate or be canceled prior to the expiration date without 30 days' advance written notice to the Township. The amounts of insurance required are the minimum insurance requirements of the Atlantic County Joint Insurance Fund.
 - x. A description of the nature of the business, itemizing the items to be sold, however, no vendor may sell anything under this license except hot dogs, soda, water, soft pretzels and prepackaged snacks. No other items may be sold under this license, including such items as ice cream products.
- B. Upon satisfactory completion of the registration process and upon payment of the registration fee, there shall be issued a registration certificate addressed to the applicant to conduct the business

applied for. Such certificate shall contain the signature of the issuing officer and shall show the name, address and photograph of the applicant, the type of business registered for; the kind of goods and services to be sold thereunder; the date of issue; the length of time the certificate shall be operative; and the license number and other identifying description of any vehicle used in the activity licensed. This certificate shall be worn by the vendor in clear view of the public at all times.

- C. Any certificate of health compliance issued by the Cape May County Health Department shall be conspicuously displayed on the vending unit in clear view of the public. No vending unit shall be permitted on the streets or sidewalks of the Township of Lower without such a certificate of health compliance.
- D. A registration shall be renewable each year on or before April 1 unless such registration has been revoked.
- E. Each vendor must own the vending unit which he/she operates, and no vendor may operate any more than one vending unit at any time.
- F. Registrations shall not be assignable or transferable.
- G. With the exception of Veterans and exempt retired firefighters, there shall be a registration fee of \$50 for each vendor;
- H. The Township of Lower shall be notified of any change in business address or residence of the vendor within 30 days by notice, either in writing or in person.

§ 387-4. Applicant requirements.

Each applicant must:

- A. Be a veteran, having been honorably discharged from active military or naval service of the United States for any period of time, and provide proof of a county license issued pursuant to N.J.S.A. 45:24-10.
- B. Maintain his/her principal residence in the Township of Lower and have so maintained such residence for at least 12 months prior to the application. "Principal residence" shall mean that residence at which one actually physically resides at least 50% of the time in each year. In addition, one claiming his or her principal residence in the Township of Lower must continually during the last two years preceding the issuance of his/her license have been registered to vote in the Township of Lower and used his/her Lower Township residence address on his driver's license and federal income tax return. A full-time student who qualifies for a license except that while being away at school he cannot fulfill the physical residence requirement shall nevertheless qualify as a licensee during such schooling, as long as he maintains a residence within the Township of Lower to which he intends to return and does return when school is not in session.
- C. Sign an indemnification and hold harmless agreement with the Township of Lower.
- D. Supply proof that the applicant holds the minimum insurance requirements as recommended by the Atlantic County Joint Insurance Fund or current Township of Lower insurance carrier.

§ 330-5. Number; term; nontransferability.

The number of licenses authorized hereunder shall not exceed 10. In the event that a license is not timely renewed it shall not be reissued by the Township Clerk until such time as its reissuance is authorized by a

duly adopted resolution of Township Council. Any license granted hereunder shall be valid from May 1 in the year of issuance until April 30 of the following year. All licenses issued hereunder shall be nontransferable.

§ 330-6. Issuance.

Licenses shall be issued by the Township Clerk to qualified applicants who apply during regular business hours in the Office of the Township Clerk on a first-come-first-served basis. No one person shall be entitled to more than one license.

§ 330-7. Renewals.

The holder of any license issued hereunder shall have the right to renew the same if application is made on or before June 30 in the year of renewal. In the event that no application for renewal is made, as aforesaid, there will be no automatic right of renewal of the license.

§ 330-8. Residency requirements.

Each licensee shall continue to have his/her principal residence within the Township of Lower, shall be registered to vote in Lower Township and shall continue to use his or her Lower Township residence address on his/her driver's license and federal income tax returns. A violation of this section shall constitute grounds for suspension or revocation of one's license. A suspension or revocation of the license may be appealed to the Township Manager, who will hold a hearing thereon within 14 days of the request therefor.

§ 330-9. Violations and penalties.

Any person violating any provision of this article shall, upon conviction, be punished for each offense by a fine not to exceed \$1,250 or by imprisonment for a term not to exceed 90 days, or both.

§ 330-10. License required; restrictions.

- A. License required. No person shall engage in hawking, peddling or vending within the Township of Lower unless he/she holds and has in his/her possession a valid license permitting hawking, peddling or vending, issued pursuant to and in accordance with the provisions of Title 45 of the Revised Statutes of New Jersey (N.J.S.A. 45:24-9 et seq.), and shall have registered with the Township of Lower as hereinafter provided.
- B. Restrictions.

- 1. Nothing herein contained shall be deemed or construed to permit the sale of goods or services on the public beaches or within public parks located through the Township of Lower.

§ 330-11. General regulations.

The business of hawking, peddling or vending shall be subject to the following regulations:

- A. Vending shall only be permitted in authorized locations between the hours of 10am and 4pm.
- B. All vending must take place from a vending unit which has been inspected and approved by the Cape May County Department of Health and the Lower Township Bureau of Fire and Safety. All vending units must be on wheels and mobile, and all vending units must be located in a lawful parking spot when vending.
- C. There shall be no vending within 100 feet of the grounds of any school beginning a 1/2 hour prior to the start of the school day until a 1/2 hour after dismissal at the end of the school day.
- D. There shall be no vending within 100 feet of any church, synagogue or other house of worship while same is in session.

- E. No vending unit shall be left unattended for any reason on the streets or sidewalks of the Township of Lower. The licensed vendor must be present with the vending unit during all hours when vending activity is occurring.
- F. There shall be no sale of food or beverage for immediate consumption unless the vendor has made available for the public use a litter receptacle which is available for use by his/her patrons.
- G. No vendor shall leave any location without first picking up, removing or disposing of all trash or refuse remaining from the sales made by him. He shall not sweep or deposit any accumulation of litter into any gutter or street.
- H. No vendor shall allow any items related to the operation of the vending business to be placed anywhere other than in or on the vending unit, except that each vendor may have up to a maximum of one cooler with a total capacity of up to 148 quarts, which may be placed upon the ground near the vending unit.
- I. No vendor shall set up, maintain or permit the use of any table, crate, carton or rack or other device to increase the selling or display capacity of his/her unit. There shall be no stacking of items to be sold upon any sidewalk or street. All materials and/or merchandise must be located solely on the vending unit, with the exception of a cooler.
- J. No vendor shall solicit or conduct business with persons in motor vehicles. All sales are to be conducted from the curbside of the vehicle and only to pedestrians.
- K. No person shall sell anything other than such commodities described in his/her registration.
- L. No vendor shall use any device which produces a loud or raucous noise or use or operate any loudspeaker, public-address system, radio, sound amplifier or similar device to attract the attention of the public.
- M. No hawker, peddler or vendor shall have any exclusive right to any location in the public streets, nor shall he be permitted to operate in any congested area where his/her operation might unreasonably impede the public. A license to hawk, peddle or vend, granted under this article does not authorize the display or sale of merchandise from a fixed location, which is specifically prohibited. For exceptions, see §§ 330-17 and 330-18 hereof.
- N. No vendor shall sell from a vending unit on a sidewalk where the sidewalk is less than nine feet in width, or vend within 10 feet of the outside perimeter of any entrance to any building, or vend within 20 feet of any driveway, within 20 feet of a crosswalk of any intersection, or 20 feet of any bus or jitney zone, within 25 feet of any emergency exit, within 20 feet of any loading and unloading zone, within 50 feet of the principal entrance to a hotel or motel or within 250 feet of any business establishment involved in the distribution, preparation or sale of food.
- O. No vendor shall allow his/her vending unit or any other item relating to the operation of the vending business to be placed against any building or other structure without the consent of the owner of said building or structure.
- P. No person shall hawk, peddle or vend unless he has in his/her possession a valid state license, issued pursuant to Title 45 of the Revised Statutes of the State of New Jersey, and/or his/her registration card with the Township of Lower.

- Q. A vendor may park his/her motor vehicle in close proximity to his/her vending unit and may, from time to time, supply his/her vending unit from the motor vehicle. However, no business shall be conducted from the motor vehicle. The vendor may do nothing which would restrict or interfere with the ingress or egress of the abutting property owner or tenant, or create or become a public nuisance, increase traffic congestion or delay or constitute a hazard to traffic, life or property or an obstruction to adequate access for fire, police or sanitation vehicles. No vendor shall park his/her vending unit or motor vehicle on a sidewalk, nor shall he operate his/her business in any manner which would block the sidewalk for free use by pedestrians. However, the vendor may stand on the sidewalk while vending, as long as he does not block the sidewalk from reasonable use by pedestrians.
- R. All vending units must be thoroughly covered with proper material to assure that no portion that is heated is exposed where the public is able to come in contact with it.
- S. No vendor shall use any conveyance, device or thing whatsoever which, when fully loaded with merchandise, cannot be easily moved and maintained under control by the licensee.
- T. There shall be no mixing of food and nonfood items for sale.
- U. At no time shall a vending unit be located in such a way as to not provide a continuous space of eight feet for pedestrian passage.
- V. Any vendor may be assisted by up to one unlicensed helper, who must be registered with the Township and pay a registration fee of \$50. The unlicensed helper must supply the Township with his or her photo identification for copying and shall have the photo identification on his or her person when assisting the licensed vendor. The licensed vendor, however, must remain at the vending unit at all times, except that the licensed vendor may leave for short periods of time up to 20 minutes to take care of other business, but in the event that he is to be away from the vending unit for more than 20 minutes, then the vending unit must be closed for business during his/her absence. The licensed vendor shall not leave his/her vending unit on more than two occasions during any day.
- W. No vendor may have any writing or signs of any nature on or attached to his/her vending unit, or in the vicinity of the area in which he is vending; except as follows:
- 1) A description of the items he has for sale, and the price thereof, written directly onto the vending unit; and
 - 2) Two signs attached to the vending unit, having a width of no more than 24 inches, and a length or depth of no more than 24 inches.
- X. Vendors shall not park their vending units and/or motor vehicles, overnight, in a parking space from which they intend to vend. Furthermore, no vending unit and/or motor vehicle used in connection with said vending unit shall be permitted to remain in any one parking spot for a period of more than eight (8) consecutive hours.

§ 330-12. Size of vending units.

No vending unit shall exceed four feet in width, seven feet in length and eight feet in height.

§ 330-13. Health and sanitation requirements.

Vendors of food and beverages shall comply with the inspection provisions and standards of the Cape May County Health Department. All vending units must be inspected and approved by the Cape May County

Health Department and the Lower Township Bureau of Fire and Safety. The equipment used in the vending of food and beverages shall be inspected upon application for registration and shall receive a certificate of inspection upon compliance with all applicable ordinances and state statutes. Each food and beverage vending unit shall be inspected at least once a year. In addition to any other health and sanitation requirements, the following regulations must be followed:

- A. All vending units shall be stored in an enclosed garage when not in use. The garage shall have an impervious floor and have adequate floor drains to allow for the cleaning and washing of the vending unit.
- B. The location of the food storage, food preparation and cart storage shall be subject to the applicable provisions of the New Jersey State Sanitary Code, N.J.A.C. 8:21 through 8:24.
- C. All food product storage and preparation areas shall be enclosed by partition and separated from any cart storage or non-food-preparation-related operations. In the event that the mobile cart base is the same as an individual's residence, the commercial food storage and preparation shall be separate from the residential portion of the premises.
- D. All vending units dispensing hot food shall be equipped with:
 - 1) Twin potable-water tanks consisting of a minimum capacity of eight gallons, heated electrically or otherwise and tilted toward a capped drain cock. The water inlet pipe shall be removable, flexible copper or other tubing approved by the Plumbing Subcode Official of the Township of Lower, with a nozzle for a hose connection when not being used.
 - 2) A hand-wash sink, seamless with running hot and cold water, soap and single-service towels.
 - 3) A suitable waste tank with an adequate method of gauging the contents and having a capacity at least equal to the capacity of the water supply tank shall be provided and shall be tilted toward a drain cock. All waste shall be emptied and flushed into a sanitary sewer as often as necessary, in a sanitary manner, in order to maintain sanitary conditions.
 - 4) A refrigerated box capable of maintaining a temperature of 45° F. and equipped with an indicating thermometer shall be provided for various ingredients carried, with metal racks or platforms provided to store ingredients.
 - 5) A refuse container, with cover, attached to the cart for the deposit of papers and other solid wastes by customers and operators. Said container must be readily cleanable and kept clean.
- E. Additional health regulations.
 - 1) Vending units operating after sundown shall be lighted with at least 30 footcandles of light on all working surfaces.
 - 2) Every vending unit shall be constructed of such acceptable material as to enable it to be readily cleaned, and equipment shall be installed in such a manner that the unit can be kept clean and food will not be contaminated during cooking, serving, display or storage.
 - 3) Food-contact surfaces of vending units shall be provided with a close-fitting lid to protect food products from dust, dirt and splash.
 - 4) Vending units shall be disassembled and cleaned daily or more often as deemed necessary by the health authority. All food contact surfaces of vending units shall be washed, rinsed and

sanitized in accordance with procedures of the applicable chapter of the New Jersey State Sanitary Code.

- 5) The cart-cleaning process at the vending base of operation shall be segregated from food product storage, preparation, cleaning or refuse areas.
- 6) Wastewater from any discharge shall be disposed of in a sanitary manner and shall not create a nuisance.
- 7) All perishable foods transferred from a distribution point and delivered to the vending unit must be done under refrigeration.

§ 330-14. Safety requirements.

All vending units, whether in motor vehicles or not, in or from which food is prepared or sold shall comply with the following requirements:

- A. All equipment installed in any part of the vending unit shall be secured in order to prevent movement during transit and to prevent detachment in the event of a collision or overturn.
- B. All utensils shall be stored in order to prevent their being hurled about in the event of a sudden stop, collision or overturn. A safety knife holder shall be provided to avoid the loose storage of knives.
- C. Compressors, auxiliary engines, generators, batteries, battery chargers, gas-fueled water heaters and similar equipment shall be installed so as to be accessible only from the outside of the unit.

§ 330-15. Suspension or revocation of licenses.

- A. Licenses issued under the provisions of this article may be suspended or revoked by any court of proper jurisdiction, including the Lower Township Municipal Court, for any of the following reasons:
 - 1) Fraud or material misrepresentation contained in the application.
 - 2) Fraud or material misrepresentation made in the course of carrying on the business of vending.
 - 3) Conducting a business in such a manner as to create a public nuisance or constitute a danger to the public health, safety, welfare or morals.
- B. Violation of any of the regulations of this article may result in suspension or revocation of the vendor's right to vend within the Township of Lower by action of the Township Manager. The township Manager must first notify the vendor, in writing, of his/her proposed action and serve the vendor either personally or by certified mail, return receipt requested, to the address the vendor last supplied to the Township Clerk. The notice shall give the vendor three business days to request a hearing from the Township Manager, and if he does, the hearing shall be held within seven days thereafter. Notice of suspension or revocation shall become an enforceable order of suspension or revocation in the event that a hearing is not timely requested. In the event a hearing has been held and a determination made, the determination shall constitute an enforceable order.

§ 330-16. Violations and penalties.

Any person violating any of the provisions of this ordinance shall, upon conviction in a court of proper jurisdiction, be punished by a fine not exceeding \$1,250 or by imprisonment not exceeding 90 days, or both. If a violation is immediately correctable by moving the vending unit, failure to do so upon the request of a police officer shall constitute a separate offense and may subject the vendor to arrest and the towing of his/her vending unit. Every day that a violation of this article exists shall constitute a separate offense. In the event that a police officer, in the exercise of his or her discretion, determines that a particular violation is resulting in a dangerous condition or is a violation of health regulations, the police officer may immediately terminate that vendor's right to vend until the vendor has corrected the violation.

§ 330-17. Prohibited Vending Locations.

- A. It shall be unlawful for a vendor to park his, her or its vending unit in a metered parking space and to vend therefrom.
- B. Vending is expressly prohibited on or along the streets and/or sidewalks of Beach or Shore Drive from the intersection of Lincoln Drive north.
- C. No vending shall be permitted along any intersecting street or within 250ft. west of said intersection.

§ 330-18. Special events waiver.

The Mayor, with the approval of Township Council, may waive any of the regulations contained in this article in connection with special events and shall do so by written notification to the Lower Township Police Department.

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: May 20, 2019

Adopted:

Attest: _____
Julie A Picard, Township Clerk

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

RESOLUTION #2019-191

Title:

AUTHORIZING THE PAYMENT OF VOUCHERS

<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
LOWER TOWNSHIP RESCUE SQUAD	70K CONTRIBUTION	\$35,000.00

TOTAL BILL LIST

\$35,000.00

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on May 20, 2019.

Julie A Picard, Township Clerk

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

ORDINANCE #2019-07

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 (2) Captains; up to four (4) Lieutenants; up to seven (7) Sergeants; up to forty 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

Erik Simonsen, Mayor

First Reading: May 6, 2019

Adopted:

Attest: _____
Julie A. Picard, Township Clerk

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

ORDINANCE #2019-08

Title: AN ORDINANCE AMENDING CHAPTER 67, MUNICIPAL UTILITIES AUTHORITY, OF THE CODE OF THE TOWNSHIP OF LOWER

WHEREAS, the Township Council of the Township of Lower desires to amend Chapter 67, Municipal Utilities Authority, of the Code of the Township of Lower at the request of the Lower Township Municipal Utilities Authority; and

WHEREAS, the Lower Township Municipal Utility Authority has specifically requested that the Township Council amend §67-3, Compensation, in order to increase the amount of compensation that members of the Authority are entitled to receive in connection with their service.

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 67, titled Municipal Utilities Authority § 67-3 Compensation is hereby amended to read as follows:

Members of the Township of Lower Municipal Utilities Authority may receive compensation for their services as members of the Authority, within the limitations hereby stated, that no member shall receive in excess of \$3,500 per annum.

Section 2. 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 3. This Ordinance shall become effective immediately upon final passage and publication, according to law.

Thomas Conrad, Councilmember

Dave Perry Councilmember

Roland Roy, Jr. Councilmember

Frank Sippel, Deputy Mayor

Erik Simonsen, Mayor

1st Reading: May 6, 2019

Adoption:

Attest: _____
Julie A Picard, Township Clerk

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

ORDINANCE #2019-09

BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 2015-10 (DRAINAGE AND STORMWATER MANAGEMENT IMPROVEMENTS AND ASSOCIATED ROAD WORK TO ROSEANN AVENUE AND BAYSHORE ESTATES) FINALLY ADOPTED BY THE TOWNSHIP COUNCIL ON OCTOBER 19, 2015, AS PREVIOUSLY AMENDED AND SUPPLEMENTED, TO AMEND THE DESCRIPTION THEREIN, TO INCREASE THE APPROPRIATION THEREIN BY \$4,100,000, TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES THEREIN BY \$3,900,000 TO FINANCE PART OF THE COSTS THEREOF AND TO CANCEL AND DECLARE NULL AND VOID BOND ORDINANCE NUMBER 2018-18

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 bond ordinances each finally adopted by the Township Council on April 4, 2016 and March 19, 2018 (collectively, the "Original Ordinance"), is hereby amended and supplemented to the extent and with the effect as follows:

SECTION 2. Section 3(a) of the Original Ordinance, as amended and supplemented hereby, is hereby amended to read as follows:

"**SECTION 3. (a)** The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued include, but are not limited to, all phases, through and including Phase 3, of drainage and stormwater management improvements and associated road work to Roseann Avenue and Bayshore Estates and shall also include, but not be limited to, as applicable, excavation, pipe improvements or replacements, the construction of a pump station and associated equipment, trunk line improvements and/or improvements to or replacement of stormwater pipe, milling, paving, reconstruction and boxing out and resurfacing or full depth pavement replacement, curb and sidewalk improvements, as well as roadway painting, landscaping and aesthetic improvements, seeding and installing top soil, the acquisition and the payment of the purchase price of real property, a lawful public purpose, such real property being designated as Block 494.27, Lot 9 on the Official Tax Map of the Township, and being commonly known as 4 Clearwater Drive in the Township, and all improvements and buildings thereon and any demolition and removal of same and improvements thereon (the "Property") and, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto."

SECTION 3. 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 \$4,100,000, said sum being inclusive of \$200,000 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 \$4,100,000 from \$8,950,000 and shall equal the amount of \$13,050,000, 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 \$200,000 from \$440,000 to equal \$640,000. The total appropriation including the total amount of down payment is \$13,050,000.

SECTION 4. 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 \$3,900,000 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 \$3,900,000 from \$8,510,000 and shall equal the amount of \$12,410,000.

SECTION 5. 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 6. There is no Supplemental Debt Statement required to be filed in connection with this amendatory and supplemental bond ordinance; this is due to the cancellation of Bond Ordinance Number 2018-18 set forth in Section 12 hereof and the \$3,900,000 bonds or notes authorized therein being deducted from the gross debt of the Township. Accordingly, there is no increase in gross debt of the Township by the authorization of the bonds and notes provided for in this amendatory and supplemental bond ordinance due to the deduction of the bond or notes authorized by the hereby cancelled Bond Ordinance Number 2018-18.

SECTION 7. 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 \$367,500 from \$1,590,000 and shall equal the amount of \$1,957,500, 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 8. 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 9. 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 supplemented 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 supplemented hereby. This Section 9 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 10. 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.

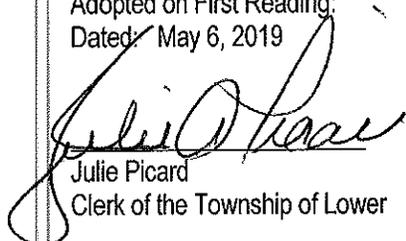
SECTION 11. The Township covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under the Original Ordinance, as amended and supplemented hereby.

SECTION 12. Bond Ordinance Number 2018-18 duly adopted by the Township Council on September 5, 2018, is hereby cancelled and declared null and void.

SECTION 13. Except as expressly amended hereby, the Original Ordinance shall remain in full force and effect.

SECTION 14. 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:
Dated: May 6, 2019



Julie Picard
Clerk of the Township of Lower

Thomas Conrad, Councilmember

David Perry, Councilmember

Roland Roy, Councilmember

Adopted on Second Reading:
Dated: May 20, 2019

Frank Sippel, Deputy Mayor

Erik Simonsen, Mayor

Julie Picard
Clerk of the Township of Lower

Clerk

Register Report - Last month

4/1/2019 through 4/30/2019

5/7/2019

Page 1

Date	Account	Description	Category	Amount
				INCOME
				16,305.00
				Business Mercantil 2019-2020
				250.00
				Ice Cream License
				270.00
				Liquor Licenses
				2,300.00
				Rental 2019-2020
				6,000.00
				Scrapper
				20.00
				Special Events
				30.00
				Street Openings
				670.00
				Vac Prop Reg
				6,500.00
				Yard Sale Permit
				265.00
				TRANSFERS
				-16,305.00
				Council Checking
				-16,305.00
				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: 04/01/2019 To 04/30/2019

May 03 , 2019 11:04:07AM

SUMMARY

CONSTRUCTION COSTS

COUNT

Cost Of Construction:	\$297,275.00	Cubic Footage:	62084 Cu.ft	Permit Issued:	123
Cost Of Alteration:	\$817,135.00	Square Footage:	3320 Sq.ft	Updates Issued:	9
Cost Of Demolition:	\$40,602.00			All Fees Waived:	2
Total Cost:	\$1,155,012.00			Municipal Fees Waived:	0

<u>PERMIT FEES</u>		<u>ADMIN FEES</u>		<u>WAIVED FEES</u>		<u>TOTAL FEES</u>	
Building:	\$14,739.00	Building:	\$0.00	Building:	\$120.00	Building Fees:	\$14,619.00
Electrical:	\$8,917.00	Electrical:	\$0.00	Electrical:	\$0.00	Electrical Fees:	\$8,917.00
Fire :	\$1,110.00	Fire :	\$0.00	Fire :	\$0.00	Fire Fees:	\$1,110.00
Plumbing:	\$4,395.00	Plumbing:	\$0.00	Plumbing:	\$0.00	Plumbing Fees:	\$4,395.00
Elevator:	\$0.00	Elevator:	\$0.00	Elevator:	\$0.00	Elevator Fees:	\$0.00
Mechanical:	\$2,310.00	Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical Fees:	\$2,310.00
				Total Waived:	\$120.00	Technical Fees:	\$31,351.00

DCA

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$230.00	\$0.00	\$230.00
Alteration Training Fee:	\$1,549.00	\$0.00	\$1,549.00
DCA Minimum Fee:	\$28.00	\$2.00	\$26.00
Sub total Training Fee:	\$1,807.00	\$2.00	\$1,805.00

TECHNICAL ISSUES

Building Technical:	56
Electrical Technical:	74
Fire Protection Technical:	11
Plumbing Technical:	42
Elevator Technical:	
Mechanical Technical:	27

CERTIFICATE ISSUES

Certificate of Occupancy:	4
Certificate of Approval:	16
Certificate of Continued Occupancy:	1

Certificate of Occupancy Fee:	\$686.00
Waived Certificate Fees:	\$0.00
Sub Total Certificate Fees:	\$686.00
PERMIT FEES:	\$31,351.00
DCA FEES:	\$1,805.00
CERTIFICATE FEES:	\$686.00
MIN FEES:	\$0.00
NET TOTAL FEES:	\$33,842.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$151.00
OTHER FEES:	\$0.00
GRAND TOTAL FEES:	\$33,993.00

OFFICE OF THE CONSTRUCTION OFFICIAL

Account Summation-Summary

Report Run from 04/01/2019 To 04/30/2019

May 3, 2019 11:04:37AM

ACCOUNT:		Cash Amount	Check Amount	Credit Card Amount	Total Fee
PERMIT FEES	Sub Totals:	\$5,587.00	\$28,255.00	\$0.00	\$33,842.00
CCO FEES	Sub Totals:	\$151.00	\$0.00	\$0.00	\$151.00
LICENSE FEES	Sub Totals:	\$0.00	\$700.00	\$0.00	\$700.00
GRAND TOTALS:		\$5,738.00	\$28,955.00	\$0.00	\$34,693.00



BUREAU OF FIRE SAFETY - TOWNSHIP OF LOWER

Lower Township Public Safety Building
1389 Langley Road
Cape May Airport
Erma, NJ 08204
Phone: (609) 889-0404
Fax: (609) 889-8876

Mailing Address:
407 Breakwater Road
Erma, NJ 08204
LTBFS@COMCAST.NET

For the month of APRIL 2019, the Lower Township Bureau of
Fire Safety made deposits of \$38,972.00 in the Lower
Township Tax office.

Sincerely,

Donna Blackley
Fire Official

cc: file

Board Members
Lauren Read
James Ridgway

**2019 CASH RECEIPTS
APRIL**

Township of Lower
Office of the Tax Collector

	MONTH TO DATE	YEAR TO DATE
Receipts		
Current year taxes (2019)	8,456,307.59	23,577,912.49
Prior year taxes (2018)	65,033.36	452,086.47
Prior year taxes (2017)	-	0.00
Previously exempt property		0.00
State Audit Pay Back	375.00	3,000.00
Municipal Lien		0.00
Recording		0.00
Bankruptcy		0.00
6% Penalty	-	1,559.87
Municipal Service Fees		53,953.49
Tax Search Fees		10.00
Interest	10,301.70	44,175.71
Lot clearing	-	1,925.00
Returned Check Fees	40.00	300.00
Duplicate Bills	130.00	365.00
Trash	475.00	12,865.25
TOTAL DEPOSITS	8,532,662.65	24,148,153.28
DEPOSITED TO COUNCIL CHECK	8,188,258.46	22,570,025.47
DEPOSITED TO WIPP ACCOUNT	344,404.19	1,578,127.81
TOTAL DEPOSITS	8,532,662.65	24,148,153.28
NSF Reversals	8,125.64	22,103.53
WIPP NSF Reversals	410.92	13,822.22
NSF Fee Reversal		0.00
TOTAL NSF	8,536.56	35,925.75
TOTAL	8,524,126.09	24,112,227.53

Prepared by Kathy Brown

**2019 APRIL
VITAL STATISTICS**

Marriages,Civil Unions	14
Domestic Partners	0
Certified Copies	262
Certified Copies EDRS	7
Burial Permits	0

Marriages, Civil Unions State	\$350.00
Domestic Partners State	\$0.00
Marriages, Civil Unions Twp	\$42.00
Domestic Partners Twp	\$0.00
Certified Copies	\$2,620.00
Certified Copies EDRS	\$70.00
Burial Permits	\$0.00

TOTAL	\$3,082.00
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