

**WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL**  
**October 5, 2020 - 7:00 P.M.**

**Meeting called to order**

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

**Work Session**

**Consent Agenda**

Approval of Minutes - September 21, 2020  
Res. #2020-255 Payment of Vouchers \$1,208,104.21  
Res. #2020-256 Certification of Lot Clearing Charges to the Tax Collector (3 properties \$2,160.)  
Res. #2020-257 Authorizing the Disposal of Township of Lower Surplus No Longer Needed for Public Use  
Res. #2020-258 Authorization for Refund of Taxes (1 property)  
Res. #2020-259 Amend Resolution #2020-01; Appointment of Municipal Solicitor for the year 2020 as a Professional Service Contract without Public Bidding (\$60,000)  
Res. #2020-260 Bid Acceptance and Award of two (2) 2021 Ford Explorer 4WD and One (1) 2021 Dodge Durango 4WD (\$86,154.00)  
Res. #2020-261 A Resolution Authorizing the Township of Lower to Loan Thirty Google Chromebook Laptop Computers to the Lower Township Elementary School District for use by Students in Response to the Impact on Educational Needs Due to the Coronavirus Pandemic  
Res. #2020-262 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (OEM Grant \$10,000)  
Res. #2020-263 Issuance of 2020 Limousine License (Cape May Limousine)  
Res. #2020-264 Award of Professional Service Contract without Public Bidding to Wizards Festival of Fun for Tricks and Treats Halloween Magic Show (\$7,500)  
Res. #2020-265 A Resolution Requesting Release of Performance Guarantee for Scott Peter / Shore Real Estate Developers; Block 712, Lots 1, 2 & 30. Escrow #Z17-11-02  
Res. #2020-266 A Resolution Requesting Release of Performance Guarantee for Marie Mihalczik-Mascaro – Baba Bakery; Block 673, Lot 12, Escrow #P08-03-09  
Ordinance #2020-16; An Ordinance of the Township of Lower Amending Chapter 157, Alcoholic Beverages, Subsection 157-6(D) (1), of the Code of the Township of Lower. This is the first reading of this Ordinance. The second reading and public hearing has been scheduled for October 19, 2020.

**Regular Agenda**

**Manager's Report**

**Administrative Reports**

Affidavit of Mailing, Advertising & Posting of Notice of Tax Sale

**Council Comments**

**Call to the Public**

**Adjournment**

**This Meeting will be open to the public with a room capacity of 25 persons according to Governor Murphy's Executive Orders. Anyone wishing to participate in this meeting is urged to do so by dialing 1-408-650-3123. Access Code: 863-313-461#.**

## COUNCIL MEETING MINUTES – September 21, 2020

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on September 21, 2020 at 7:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

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

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

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

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

### Work Session

#### Consent Agenda

Approval of Minutes September 9, 2020

Res. #2020-248 Payment of Vouchers \$162,199.97

Res. #2020-249 Authorization for the Payout of Accumulated Compensatory Time (B.McEwing \$3,035.91)

Res. #2020-250 Annual Renewal of Liquor Licenses for the Year 2020-2021

Res. #2020-251 Amend Resolution #2020-26; Appointment of Municipal Engineer for the year 2020 as a Professional Service Contract without Public Bidding (\$50,000)

Res. #2020-252 Authorization for the Refund of Taxes (4 properties, \$3,425.11)

Res. #2020-253 Approving a Professional Service Contract with Mott MacDonald for Professional Engineering, Landscape Architect, Surveying & Environmental Services for the Rotary Community Park Improvements Project (\$78,950)

Res. #2020-254 Bid Acceptance and Contract Award of 2019 Road Program Resurfacing States Avenue (South State \$240,879.30)

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

### Regular Agenda

#### Manager's Report

Manager Ridgway shared news about the State Economic Development Authority providing consulting services to businesses in the Opportunity Zones. He gave an update on his meeting with Granicus regarding short-term rentals. He informed of an additional traffic indicator being purchased for speed control, and computers being purchased to assist the LT Elementary Schools. He also gave an update on Public Works leaf and branch schedule and applauded the seasonal pool employees for a great summer.

#### Engineer's Report – Shawn Carr

Shawn Carr gave an update on the current engineering projects being handled by Mott MacDonald, including: Roseann Avenue, Clubhouse Drive, Mulligan Field, Jonathan Hoffman Park, and Rec. Center HVAC upgrades. Mayor Sippel inquired about Mulligan Field in relation to Open Space funding. Manager Ridgway explained. Mr. Carr expanded on the subject.

Mayor Sippel asked about the existing HVAC at the Rec. Center. Manager Ridgway responded. Shawn Carr asked Council for further direction with Mulligan Field. Manager Ridgway gave direction.

Deputy Mayor Perry inquired about the DEP taking over the NJ Conservation Foundation properties on the bayfront. A brief discussion ensued about the location of the properties.  
Manager Ridgway asked Mr. Carr to explain the circumstance with the pavilion at Douglass Park.  
Mr. Carr explained the issue with the property line and CAFRA requirements.

**Administrative Reports**

Monthly - Finance

**Council Comments**

Mayor Sippel informed about COVID testing at Villas CVS. He commented on the protocols at LCMR Schools and their upcoming sports programs, and he updated on Township youth programs as well. He shared news for Veterans and announced the Veteran's Day Parade scheduled for Nov. 7<sup>th</sup> at 11 a.m.

Deputy Mayor Perry applauded Public Works for their clean-up efforts and stated his determination to get County roads paved.

Councilmember Conrad encouraged everyone to fill out their Census. He spoke of the Township's stability and thanked Township employees for their hard work.

Councilmember Coombs thanked all Township employees and voiced favor with the news about computers.

Councilmember Roy commented on the success of the food drive and thanked all participants for their donations. He also thanked Eileen Kreis for organizing the 9-11 flag ceremony.

Mayor Sippel recognized the Greater Cape May Elks for their large donations to the food banks.

**Call to the Public**

Jim Sanford, E. Raleigh Ave, addressed Council for an update on an agreement with WWC for EMS in Diamond Beach. Manager Ridgway communicated the Township's efforts on the matter.

Mr. Sanford reiterated his concern about emergency response time to Diamond Beach.

Mayor Sippel assured that Council is aware of his concern and is working on a solution.

Mr. Sanford thanked Council for their time.

Unknown Caller, Diamond Beach, thanked Council for the Summer Concert Series, the Food Drive, and the Mayor's weekly updates. He also voiced concern about response time to emergencies in Diamond Beach. Mayor Sippel acknowledged his concerns and assured the Township is working on a solution.

**Adjournment**

There being no further business to address, motion to adjourn moved by Councilmember Conrad, seconded by Councilmember Roy. Motion to adjourn was unanimous. Meeting adjourned at 7:35 p.m.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Township Clerk

Approved:



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01239 DIANA L DeNOTE	20-02214	09/22/20	CONTRACTUAL REIMBURSEMENT M/V	Open	263.47	0.00		
01265 BRIAN DONAHUE	20-02215	09/22/20	CONTRACTUAL REIMBURSEMENT M	Open	962.10	0.00		
01480 E-Z PASS	20-02238	09/25/20	8/29/2 REPLENISH DPW	Open	100.00	0.00		PC1
01530 FIRE DISTRICT #1	20-00291	01/27/20	2020 FIRE DISTRICT #1 TAXES	Open	140,675.00	0.00		B
01540 FIRE DISTRICT #2	20-00292	01/27/20	2020 FIRE DISTRICT #2 TAXES	Open	303,480.00	0.00		B
01550 FIRE DISTRICT #3	20-00293	01/27/20	2020 FIRE DISTRICT #3 TAXES	Open	205,616.50	0.00		B
02248 LAWMEN SUPPLY*	20-01712	07/17/20	BALLISTIC VEST OUTER CARRIERS	Open	470.00	0.00		
02292 DONALD LOMBARDO	20-02273	09/29/20	CONTRACTUAL REIMBURSEMENT M	Open	1,344.54	0.00		
02358 LCMR SCHOOL DISTRICT	20-02243	09/25/20	SHARED SERVICE AGREEMENT/FOOTB	Open	3,000.00	0.00		
02402 MGL PRINTING SOLUTIONS	20-01732	07/21/20	TAX BILLS & ENVELOPES	Open	1,233.50	0.00		
02461 JOHN MAHER	20-02257	09/25/20	CONTRACTUAL REIMBURSEMENT M	Open	2,644.31	0.00		
02538 MARSH & MCLENNAN AGENCY, LLC*	20-00625	03/05/20	DNE\$25K INSURANCE BROKER 20-62	Open	2,083.33	0.00		B
02541 ROBERT D. MARTIN, JR	20-02199	09/21/20	CONTRACTUAL REIMBURSEMENT M	Open	84.14	0.00		
02607 MICHAEL MAJANE	19-00949	03/29/19	2019 EQUIPMENT ALLOWANCE	Open	150.00	0.00		
03026 NJ STATE HEALTH BENEFITS	20-02267	09/28/20	OCTOBER ACTIVE NJSHBP	Open	183,510.37	0.00		
	20-02268	09/28/20	OCTOBER RETIREE NJSHBP	Open	68,967.81	0.00		
					<u>252,478.18</u>			
03072 NJ STATE LEAGUE OF MUNICIPALITI*	20-02103	09/10/20	2020 LEAGUE CONFERENCE	Open	770.00	0.00		
	20-02198	09/18/20	ETHICS- 10/02/2020 KATHY BROWN	Open	75.00	0.00		
	20-02207	09/22/20	ETHICS M VITELLI 10-2 WEBINAR	Open	75.00	0.00		
					<u>920.00</u>			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03293 BLAINE PAYNTER	20-02227	09/23/20	CONTRACTUAL REIMBURSEMENT M	Open	370.00	0.00		
03448 REMINGTON,VERNICK & WALBERG*	20-00908	04/08/20	STAR/CAROLINE /GREENWOOD AVENU	Open	3,450.00	0.00		B
03611 SERVICE TIRE TRUCK CENTERS*	20-01478	06/18/20	TIRES/RDS/SANT/RECY/DPW/AUG	Open	7,036.54	0.00		
03692 SOUTH JERSEY GAS CO*	20-02294	09/30/20	8/17-9/17/20 NATURAL GAS	Open	547.03	0.00		
03904 LOWE'S HOME CENTER INC*	20-00988	04/22/20	SUPPLIES/MAY	Open	139.05	0.00		
03915 TURF EQUIPMENT & SUPPLY CO*	20-00993	04/22/20	SUPPLIES FOR MOWERS/JUNE	Open	767.86	0.00		
03960 VECTOR SECURITY*	20-01669	07/14/20	lock for office door	Open	116.20	0.00		
03969 VERIZON	20-02240	09/25/20	9/13-10/12/20 LANDLINES	Open	266.24	0.00		
04080 WINNER FORD*	20-02171	09/15/20	EXPEDITION 2020 MAX WHITE	Open	42,695.00	0.00		
04085 CHRISTOPHER WINTER (EMPLOYEE)	20-02261	09/28/20	CONTRACTUAL REIMBURSEMENT M	Open	161.00	0.00		
04097 CINTAS FIRST AID AND SAFETY*	20-02178	09/18/20	RE-STOCK RECREATION DEPT.	Open	51.93	0.00		
	20-02195	09/18/20	CINTAS MEDICINE CABINET SERVIC	Open	30.62	0.00		
					82.55			
04510 LEADER PRINTERS*	20-01815	08/04/20	PRINT FORMS	Open	2,620.84	0.00		
6059 USABLE LIFE	20-02270	09/28/20	OCTOBER LIFE INSURANCE	Open	635.80	0.00		
7098 SHORE VETERINARIAN ANIMAL *	20-00159	01/10/20	RES 2020-16 DNE \$56K ANIMAL CO	Open	4,666.67	0.00		B
7196 LAUREN HUGGINS SUIT*	20-00158	01/10/20	RES 2020-09 PUBLIC INFORMATION	Open	1,075.00	0.00		B
7199 STAPLES CREDIT PLAN-INSTORE PU	20-02063	09/03/20	OFFICE SUPPLIES	Open	99.35	0.00		
	20-02076	09/09/20	FILE CABINET FOR DETECTIVES	Open	369.99	0.00		
					469.34			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7251 REIT LUBRICANTS CO*	20-02087	09/09/20	HYDRAULIC OIL	Open	1,162.85	0.00		
7478 WINDSTREAM COMMUNICATION INC*	20-02287	09/30/20	AUG 29 CORRECTED INVOICE	Open	531.76	0.00		
7507 STEFANKIEWICZ & BELASCO LLC	20-00154	01/10/20	RES # 2020-01 DNE \$34K	Open	2,833.33	0.00		
7508 BLANEY & KARAVAN PC*	20-00157	01/10/20	RES2020-05 MONTHLY DNE \$40K	Open	3,333.33	0.00		B
7555 LORCO PETROLEUM SERVICES*	20-02167	09/15/20	USED OIL	Open	120.00	0.00		
7576 ROBERT THOMPSON JR.	20-02106	09/14/20	CONTRACTUAL REIMBURSEMENT M	Open	312.00	0.00		
7618 MEGONIGAL ELECTRIC LLC*	20-02177	09/18/20	DOUGLASS FIELD & REC. GYM	Open	985.00	0.00		
7632 PYROTECNOCO INC	20-02073	09/09/20	RETURN UNUSED ESCROW 2020	Open	1,280.62	0.00		
7636 MOTT MACDONALD LLC*	19-00667	03/05/19	UPDATE STORMWATER PLAN	Open	630.00	0.00		
	19-01269	05/02/19	ROSEANN AVE PHASE 3 RES 19-157	Open	1,624.00	0.00		B
	20-01969	08/24/20	PB ENG. VOUCHERS	Open	5,373.22	0.00		
	20-01992	08/25/20	C/O #1 J HOFF PARK RES20-230	Open	3,015.00	0.00		B
	20-02190	09/18/20	PLANNING BD. ENG. VOUCHERS	Open	2,197.50	0.00		
					12,839.72			
7929 AMAZON CAPITAL SERVICES, INC	20-02047	09/03/20	TEMPERATURE SENSOR FOR BACKHOE	Open	41.98	0.00		
	20-02138	09/15/20	AIR PURIFIER FILTERS & SANITIZ	Open	763.22	0.00		
	20-02153	09/15/20	OFFICE SUPPLIES	Open	211.25	0.00		
	20-02154	09/15/20	SIGN LETTERS	Open	269.97	0.00		
	20-02170	09/15/20	SUPPLIES	Open	803.59	0.00		
	20-02216	09/23/20	CHROMEBOOKS 38	Open	12,064.10	0.00		
	20-02219	09/23/20	ELECTRONIC WHISTLES	Open	158.32	0.00		
					14,312.43			
8158 OMEGA HIGH IMPACT SOLUTIONS	20-02197	09/18/20	COIN DISPLAY	Open	505.20	0.00		
8387 DAWNELLE RAYNE	20-02159	09/15/20	SOCCER REIMBURSEMENT	Open	20.00	0.00		
8388 JOHN R & ROCHELLE T FERULLO	20-02179	09/18/20	BLOCK 728 LOT 22	Open	1,907.04	0.00		
8389 ROBERT MCGEEHAN	20-02186	09/18/20	B-349.10 L-4.01	Open	250.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
8390 RUBEN NUNEZ MARTINEZ	20-02204	09/22/20	REIMBURSEMENT- SOCCER	Open	15.00	0.00		
8391 MELISSA NONEMAKER	20-02205	09/22/20	REIMBURSEMENT- CHEER	Open	15.00	0.00		
8392 WILLIAM MATTHEWS	20-02206	09/22/20	REIMBURSEMENT-FOOTBALL	Open	10.00	0.00		
8393 PRI MANAGEMENT GROUP INC	20-02217	09/23/20	TRAINING 09/22/20	Open	250.00	0.00		
8395 DEBORAH JOHNSON SHEILA ORLICH	20-02246	09/25/20	BLOCK 512.03 L-2870	Open	2,867.96	0.00		
8672 LOGMEIN INC.	20-02295	09/30/20	GO TO MEETING 2020	Open	152.00	0.00		PC1
EMAGAN ED MAGAN	20-02220	09/23/20	SUMMER BASKETBALL REFEREE	Open	600.00	0.00		
G-ERM ERMA DELI	20-01856	08/07/20	FOOD FOR BANDS FOR CONCERTS	Open	260.00	0.00		
G-MUA LTMUA	20-02245	09/25/20	2020 Tax Sale MUA Charges	Open	45,755.17	0.00		
SEAGE SEAGEAR MARINE SUPPLY*	20-01486	06/18/20	SUPPLIES/JULY	Open	115.00	0.00		
<hr/> <b>Total Purchase Orders: 87 Total P.O. Line Items: 0 Total List Amount: 1,205,711.22 Total Void Amount: 0.00</b> <hr/>								

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

RESOLUTION #2020-255

Title: AUTHORIZING THE PAYMENT OF VOUCHERS

<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
WAWA Inc	Safety Incentive Program	\$ 2,392.99
	Total Manual List	\$ 2,392.99
	Total Computer Generated	\$1,205,711.22
	<b>TOTAL BILL LIST</b>	<b><u>\$1,208,104.21</u></b>

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on October 5, 2020.

\_\_\_\_\_  
Julie A Picard, Township Clerk

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

**RESOLUTION #2020-256**

Title: **CERTIFICATION OF LOT CLEARING CHARGES TO THE TAX COLLECTOR**

**WHEREAS**, Ordinance #99-10 establishes the minimum regulations governing the conditions and maintenance of all property, buildings and structures within the Township of Lower, which is also known as the Property Maintenance Code; and

**WHEREAS**, according to Section 302, Exterior Property Areas of the Property Maintenance Code, all premises and exterior property shall be maintained in a clean, safe and sanitary condition; and

**WHEREAS**, the properties listed below contained conditions which violated Section 302 of the Property Maintenance Code; and

**WHEREAS**, the Township of Lower has abated the conditions pursuant to the requirements of the Property Maintenance Code and desires to place a lien on the properties listed below:

Block	Lot	Name	Property Location	Amount	Admin Fee	Lien Amount
578	6	Dampman, Harold & Linda	105 Deland Avenue	350.00	500.00	850.00
349.08	18	Ogborn, Loretta	271 Arbor Road	185.00	500.00	685.00
417	3.0 3	Dehardt, Michelle & Grace, Patrick	209 Breakwater Road	125.00	500.00	625.00
				<b>TOTAL</b>		<b>\$2,160.00</b>

**WHEREAS**, the Code Enforcement Officer of the Township of Lower has certified the costs incurred to abate such conditions to the Township Council, which has examined the certification and has found it to be correct.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the costs and fees set forth above, incurred by the Township of Lower to abate the unlawful conditions on the properties listed above are charged as a lien against such properties, to be added to and become part of the taxes next to be assessed and levied upon such properties, to bear interest at the same rate as taxes, and to be collected and enforced in the same manner as taxes.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on October 5, 2020.

Julie A Picard, Township Clerk





**Township of Lower  
Code Enforcement  
2600 Bayshore Road  
Villas NJ 08251  
(609)-886-2624**

*NO  
Chase  
6-10-20*

**NOTICE OF VIOLATION AND ORDER TO CORRECT  
IDENTIFICATION**

Reference Number: 10015902	Notice Date: 05/18/2020	Comply Date: 05/29/2020
Name: DAMPMAN, HAROLD & LINDA Address: 2825 RHAWN STREET PHILA, PA 19152	Block: 578 Site Address: 105 DELAND AVENUE LOWER TOWNSHIP	Lot : 6 Qual :
Phone:		

PLEASE TAKE NOTICE that as a result of an inspection of the above refernced property conducted by this agency, a violation of Lower Township codes has been found to exist. You are hereby ordered to correct the violations below within the comply date. Your failure to comply with this Notice of Violation and Order to Correct shall result in the issuance of a summons in the Lower Township Municipal Court and subject you to fines in the possible amount of \$300.00 for each day the violation exist. Further, your failure to correct the violation may also result in the Township of Lower correcting the violation and imposing the cost of such correction as a lien against your property. If you correct this violation by the compliance date and the violation occurs again within 60 days, you will be issued a summons without another notice of violation as a continuing violation of the Lower Township Property Maintenance Code, which will subject you to additional fines of up to \$500.00 per day for a second offense and up to \$1,000.00 per day for a third offense for each day that the violation continues. Further, it may also result in the Township of Lower correcting the violation and imposing the cost of such correction as a lien against your property.

THIS IS THE ONLY NOTICE YOU WILL RECEIVE. IF YOU HAVE ANY QUESTIONS PLEASE CONTACT CODE ENFORCEMENT AT 609-886-2624. Thank you for your cooperation

**VIOLATION LISTINGS**

Violation No.	Violation Date	Corrected Date	Violation Description
302.4	05/18/2020		High grass & weeds on property need to be cut
302.1	05/18/2020		PM-302.1 Sanitation: All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

Sincerely,

*Walter Fiore*

Walter Fiore, Code Enforcement

Date

5-18-20





**Township of Lower**  
**Code Enforcement**  
**2600 Bayshore Road**  
**Villas NJ 08251**  
**(609)-886-2624**

2014-1820-0002-2063-3168

**NOTICE OF VIOLATION AND ORDER TO CORRECT  
IDENTIFICATION**

Reference Number: 10015993	Notice Date: 06/22/2020	Comply Date: 07/02/2020
Name: OGBORN, LORETTA C Address: 3809 BAYSHORE RD NORTH CAPE MAY, NJ 08204	Block: 349.08 Site Address: 271 ARBOR ROAD LOWER TOWNSHIP	Lot : 18 Qual :
Phone:		

PLEASE TAKE NOTICE that as a result of an inspection of the above referred property conducted by this agency, a violation of Lower Township codes has been found to exist. You are hereby ordered to correct the violations below within the comply date. Your failure to comply with this Notice of Violation and Order to Correct shall result in the issuance of a summons in the Lower Township Municipal Court and subject you to fines in the possible amount of \$300.00 for each day the violation exist. Further, your failure to correct the violation may also result in the Township of Lower correcting the violation and imposing the cost of such correction as a lien against your property. If you correct this violation by the compliance date and the violation occurs again within 60 days, you will be issued a summons without another notice of violation as a continuing violation of the Lower Township Property Maintenance Code, which will subject you to additional fines of up to \$500.00 per day for a second offense and up to \$1,000.00 per day for a third offense for each day that the violation continues. Further, it may also result in the Township of Lower correcting the violation and imposing the cost of such correction as a lien against your property.

THIS IS THE ONLY NOTICE YOU WILL RECEIVE. IF YOU HAVE ANY QUESTIONS PLEASE CONTACT CODE ENFORCEMENT AT 609-886-2624. Thank you for your cooperation

**VIOLATION LISTINGS**

Violation No.	Violation Date	Corrected Date	Violation Description
302.4	06/22/2020		High grass & weeds on property need to be cut

Sincerely,

  
William Kelleher (609)886-2624 Ext. 180

Date 6/22/20

UNITED STATES POSTAL SERVICE  
FIRST CLASS PERMIT NO. 1000 NEW YORK, NY 10108  
PLACE STICKER TOP OF ENVELOPE OR FRONT OF MAIL PIECE

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

OGBORN, LORETTA C  
3809 BAYSHORE RD  
NORTH CAPE MAY, NJ 08204



9590 9402 3922 8060 8649 92

2. Article Number (Transfer from service label)

7014 1820 0002 2063 3168

PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery
- International Mail Restricted Delivery (\$500)

Domestic Return Receipt



**Township of Lower**

**Code Enforcement # 7005 0390 0001 8836 8811**

**2600 Bayshore Road**

**Villas NJ 08251**

**(609)-886-2624**

**NOTICE OF VIOLATION AND ORDER TO CORRECT  
IDENTIFICATION**

Reference Number: 10015998	Notice Date: 06/23/2020	Comply Date: 07/03/2020
Name: DENHARDT, MICHELLE & GRACE , PATRICK	Block: 417	Lot : 3.03 Qual :
Address: 209 BREAKWATER RD CAPE MAY, NJ 08204	Site Address: 209 BREAKWATER ROAD LOWER TOWNSHIP	
Phone:		

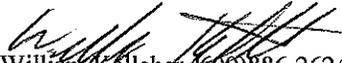
PLEASE TAKE NOTICE that as a result of an inspection of the above referenced property conducted by this agency, a violation of Lower Township codes has been found to exist. You are hereby ordered to correct the violations below within the comply date. Your failure to comply with this Notice of Violation and Order to Correct shall result in the issuance of a summons in the Lower Township Municipal Court and subject you to fines in the possible amount of \$300.00 for each day the violation exist. Further, your failure to correct the violation may also result in the Township of Lower correcting the violation and imposing the cost of such correction as a lien against your property. If you correct this violation by the compliance date and the violation occurs again within 60 days, you will be issued a summons without another notice of violation as a continuing violation of the Lower Township Property Maintenance Code, which will subject you to additional fines of up to \$500.00 per day for a second offense and up to \$1,000.00 per day for a third offense for each day that the violation continues. Further, it may also result in the Township of Lower correcting the violation and imposing the cost of such correction as a lien against your property.

THIS IS THE ONLY NOTICE YOU WILL RECEIVE. IF YOU HAVE ANY QUESTIONS PLEASE CONTACT CODE ENFORCEMENT AT 609-886-2624. Thank you for your cooperation

**VIOLATION LISTINGS**

Violation No.	Violation Date	Corrected Date	Violation Description
Violation Comments.			
302.4	06/23/2020		High grass & weeds on property need to be cut

Sincerely,

  
William Kelleher (609)886-2624 Ext. 180

Date 6/23/20



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

RESOLUTION #2020-257

Title: AUTHORIZING THE DISPOSAL OF TOWNSHIP OF LOWER SURPLUS NO LONGER NEEDED FOR PUBLIC USE

WHEREAS, the Township of Lower has determined that the property described below is no longer needed for public use

<u>ITEM</u>	<u>FIXED ASSET #</u>	<u>DEPARTMENT</u>
COMPUTER MONITOR	#2587	POLICE

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the Township of Lower is hereby authorized to dispose of said item.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on October 5, 2020.

Julie A Picard, Township Clerk

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

RESOLUTION #2020-258

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>
512.03	2870	D.Johnson & S Orlich 4100 Shore Drive	H/O Paid – Mortgage Resp	\$ 2,867.96

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on October 5, 2020.

Julie A Picard, Township Clerk

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

RESOLUTON #2020-259

Title: **AMEND RESOLUTION #2020-01; APPOINTMENT OF MUNICIPAL SOLICITOR FOR THE YEAR 2020 AS A PROFESSIONAL SERVICE CONTRACT WITHOUT PUBLIC BIDDING**

**WHEREAS**, Resolution #2020-01 was adopted by Township Council at a meeting held January 6, 2020 to appoint Stefankiewicz & Belasco the Municipal Solicitor for the Calendar Year 2020 at a price of Not To Exceed \$150,000; and

**WHEREAS**, an emergency has arisen with respect to Legal Expenses associated with the Township Solicitor, Township Labor Counsel, Township Tax Counsel, Township Conflict Counsel and other engaged outside counsel which, due to the 2020 coronavirus pandemic, are higher than average and no adequate provision was made in the 2020 budget for said purpose; and

**WHEREAS**, a Resolution approving an emergency appropriation was adopted by Council on September 9, 2020 approving an additional \$60,000 for Legal Expenses; and

**WHEREAS**, the CFO has determined sufficient funds will be available in the budget as follows:

Appropriation: 01-20-155-200

CFO Signature: \_\_\_\_\_  
Lauren Read, CFO

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the aforementioned amendment to Resolution #2020-01 in the amount of \$60,000 is hereby approved, increasing the budget line for Legal Expenses to \$210,000..

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on October 5, 2020.

\_\_\_\_\_  
Julie A Picard, Township Clerk

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

**RESOLUTION #2020-260**

Title: **BID ACCEPTANCE AND AWARD OF TWO (2) 2021 FORD EXPLORER 4 WD AND ONE (1) 2021 DODGE DURANGO 4WD**

**WHEREAS**, the Notice to Bidders for Various SUV 4WD vehicles was advertised on September 02, 2020 and accepted on September 15, 2020 at 11:00 a.m. prevailing time; and

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

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

Appropriation:	Rec	Ord#20-12 C-04-55-428-650	\$28,310.00
	PD	0-01-25-240-255	\$28,922.00
	Fire	0-01-25-265-299	\$28,922.00

Signature: \_\_\_\_\_  
Lauren Read, CFO

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

**AWARD TO: Hertrich Fleet Services Inc.**  
 One (1) 2021 Ford Explorer 4WD Police Department (Black) \$ 28,922.00  
 One (1) 2021 Ford Explorer 4WD Fire Safety (Black) \$ 28,922.00  
 One (1) 2021 Dodge Durango 4WD Recreation (Black) \$ 28,310.00

**TOTAL: \$ 86,154.00**

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on October 5, 2020.

\_\_\_\_\_  
Julie A Picard, Township Clerk

BID PROPOSAL FORM

Bid #2020-04 Various SUV 4 Wheel Drive Vehicles

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

1. 2020 or newer Ford Explorer 4WD Base Model or equivalent:

a. Purchase 1 (One) or Price: 28922.00
b. Purchase 2 (two) Price: 57844.00
Color: (Choose from STD avail. Colors)
Year: 2021 (ordered unit(s))
Delivery time: 90 to 120 days ARO

If multiple vehicles available please identify:
Exceptions: 3.3L V6, 10sp Auto, 117"wb, Hatch Glass Fuel, Foglamps N/A, Super engine Cooling N/A Chev. inw

2. 2020 or newer Ford Tahoe 4WD Base Model or equivalent:

Price: 37001.00
Color: Black
Year: 2021
Delivery Time: 150 days ARO

If multiple vehicles available please identify:
Exceptions: Tahoe SSV 4WD Model, 10sp Auto, 18" Aluminum Wheels STD, 3rd row seat NOT avail.

3. 2020 or newer Dodge Durango 4WD Base Model or equivalent:

a. Purchase 1 (One) or Price: 28310.00
b. Purchase 2 (two) Price: 56620.00
Color (Choose from STD avail. Colors)
Year: 2021
Delivery Time: 90 to 120 Days ARO

If multiple vehicles available please identify:
Exceptions: Rear Hatch glass does not flip up sep. from liftgate

Heckrich Fleet Services Inc. 510981749
Company Name Federal I.D. # or Social Security #

1427 Bay Rd Milford DE 19963
Address

[Signature] Michael Wright
Signature of Authorized Agent Type or Print Name

Car Sales Mgr
Title:

800-698-9825 9/15/20
Telephone Number Date

302 839-0555 mwright@heckrichfleet.com
Fax Number E-mail address

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

RESOLUTION #2020-261

Title: A RESOLUTION AUTHORIZING THE TOWNSHIP OF LOWER TO LOAN THIRTY GOOGLE CHROMEBOOK LAPTOP COMPUTERS TO THE LOWER TOWNSHIP ELEMENTARY SCHOOL DISTRICT FOR USE BY STUDENTS IN RESPONSE TO THE IMPACT ON EDUCATIONAL NEEDS DUE TO THE CORONAVIRUS PANDEMIC

WHEREAS, pursuant to Resolution #2018-264, the Township of Lower and the Lower Township Elementary School District executed a Shared Service Agreement which allows for the sharing of equipment between both parties based upon availability and need; and

WHEREAS, on March 9, 2020, in accordance with New Jersey Executive Order 103 (Murphy 2020), Governor Philip Murphy declared a State of Emergency and a Public Health Emergency throughout the State of New Jersey in response to the emergence of the Coronavirus Pandemic, and which remains in effect to date; and

WHEREAS, the response to the Coronavirus Pandemic has had a substantial impact on the operation of local schools within the Township of Lower necessitating the implementation of social distancing protocols, the utilization of facemasks by students, teachers, and administrative personnel, and the use of remote learning in an effort to stop the spread of the Coronavirus while also allowing schools to resume operation in a safe and appropriate manner; and

WHEREAS, due to national shortage and a lack of necessary equipment to facilitate remote learning, the Lower Township Elementary School District has identified a need to provide Google Chromebook Laptop Computers to Lower Township students, and the Township of Lower is in possession of thirty (30) Google Chromebook Laptop Computers which the Township Council of the Township of Lower have a desire to loan to the District through the end of the 2020/2021 school year; and

WHEREAS, attached hereto as Exhibit A is a list of the serial numbers and Lower Township Fixed Asset numbers associated with the aforementioned thirty (30) Google Chromebook Laptop Computers which the Township of Lower intends to loan to the Lower Township Elementary School District.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the list of thirty (30) Google Chromebook Laptop Computers attached hereto as Exhibit A is hereby approved to be loaned to the Lower Township Elementary School District through the end of the 2020/2021 school year at which time same will be returned to the Township of Lower.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on October 5, 2020.

Julie A Picard, Township Clerk

TOWNSHIP OF LOWER CHROMEBOOK FIXED ASSET LISTING		
FIXED ASSET #	LAPTOP MAKE & MODEL	SERIAL #
4643	HP CHROMEBOOK 11" -V069CL	8CG0343176
4644	HP CHROMEBOOK 11" -V069CL	8CG034315L
4645	HP CHROMEBOOK 11" -V069CL	8CG0342N5M
4646	HP CHROMEBOOK 11" -V069CL	8CG0343153
4647	HP CHROMEBOOK 11" -V069CL	8CG034316D
4648	HP CHROMEBOOK 14" DB0023DX	5CD0346CFF
4649	HP CHROMEBOOK 14" DB0023DX	5CD03469Y1
4650	HP CHROMEBOOK 14" DB0023DX	5CD0338QHJ
4651	HP CHROMEBOOK 14" DB0023DX	5CD0346B9Z
4652	HP CHROMEBOOK 14" DB0023DX	5CD03469CZ
4653	HP CHROMEBOOK 14" DB0023DX	5CD0194GPD
4654	HP CHROMEBOOK 14" DB0023DX	5CD0194MRF
4655	HP CHROMEBOOK 14" DB0020NR	5CD0359623
4656	HP CHROMEBOOK 14" DB0020NR	5CD035973Q
4657	HP CHROMEBOOK 14" DB0020NR	5CD035970G
4658	HP CHROMEBOOK 14" DB0020NR	5CD03594CY
4659	HP CHROMEBOOK 14" DB0020NR	5CD035DQXH
4660	HP CHROMEBOOK 14" DB0020NR	5CD035DQN8
4661	HP CHROMEBOOK 14" DB0020NR	5CD035DQX6
4662	HP CHROMEBOOK 14" DB0020NR	5CD0353BLW
4663	HP CHROMEBOOK 14" DB0020NR	5CD035948D
4664	HP CHROMEBOOK 14" DB0020NR	5CD035948F
4665	HP CHROMEBOOK 14" DB0020NR	5CD035DR4J
4666	HP CHROMEBOOK 14" DB0020NR	5CD035DR7G
4667	HP CHROMEBOOK 14" DB0020NR	5CD035DQWK
4668	HP CHROMEBOOK 14" DB0020NR	5CD0359528
4669	HP CHROMEBOOK 14" DB0020NR	5CD035DR7X
4670	HP CHROMEBOOK 14" DB0020NR	5CD03593RD
4671	HP CHROMEBOOK 14" DB0020NR	5CD035KT8F
4672	HP CHROMEBOOK 14" DB0020NR	5CD03594R3

DATE OF TRANSFER \_\_\_\_\_ SIGNATURE \_\_\_\_\_

DATE RETURNED \_\_\_\_\_ SIGNATURE \_\_\_\_\_

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

RESOLUTION #2020-262

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 \$10,000 for an item of revenue in the budget of the year 2020 as follows:

Miscellaneous Revenues –	
Revenue Offset with Appropriations -	<b>Emergency Management Performance Grant</b>
Total with increase to be	<b>\$ 10,000.00</b>

**SECTION 2.**

BE IT FURTHER RESOLVED that a like sum of \$10,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations –	
Public & Private Programs Offset by Revenues -	<b>Emergency Management Performance Grant</b>
State/Federal Share	\$ 10,000.00
Non State Share	\$
Total with increase to be	<b>\$ 10,000.00</b>

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	RECUSE	ABSTAIN	ABSENT
CONRAD							
COOMBS							
ROY							
PERRY							
SIPPEL							

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on October 5, 2020.

Julie A Picard, Township Clerk

**STATE OF NEW JERSEY**  
 Department of the Treasury  
 New Jersey Comprehensive Financial System  
 PO BOX 221  
 Trenton, NJ 08625-0221

### Check Summary

<b>Vendor Name:</b>	LOWER TWP TREASURER
<b>Vendor Code:</b>	XXXXX5700(99)
<b>Payment Type:</b>	ACH
<b>Check Number:</b>	1009240286
<b>Payment Date:</b>	Thursday, September 24, 2020
<b>Check Total:</b>	\$10,000.00

#### Payment Line(s)

Line	Agency	Payee Reference	Payment Amount
01	LAW AND PUBLIC SAFETY	EMAA2019PWEMPG-EMAA 19	\$10,000.00
<b>Total Check Amount ==&gt;</b>			<b>\$10,000.00</b>

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

RESOLUTION #2020-263

Title: ISSUANCE OF 2020 LIMOUSINE LICENSE

WHEREAS, an application has been submitted by Cape May Limousine pursuant to Ord. #2000-4 for Taxi, Limo and Operator Licenses; and

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

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

Cape May Limousine

License Type                      Description  
Limo                                      2019 Mercedes Benz/Sprinter - Vin#WDAPF4CDOKP189331

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on October 5, 2020.

\_\_\_\_\_  
Julie A Picard, Township Clerk

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

RESOLUTION #2020-264

Title: **AWARD OF PROFESSIONAL SERVICE CONTRACT WITHOUT PUBLIC BIDDING TO WIZARDS FESTIVAL OF FUN FOR TRICKS AND TREATS HALLOWEEN MAGIC SHOW**

WHEREAS, the Township of Lower is given authority by N.J.S.A 40A:11-5(k) 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, the amount of said contract shall be in accordance with the services set forth on Exhibit A, which will be paid upon the completion of event; and

WHEREAS, the event and payment is as follows:

**TRICKS AND TREATS HALLOWEEN MAGIC SHOW \$ 7,500.00**

Date: Saturday, October 24, 2020

Time: Two shows ending at 6:00

WHEREAS the CFO has determined sufficient funds are available in the budget line items:

Appropriations: 01-30-420-258

CFO Signature: \_\_\_\_\_  
Lauren Read, CFO

WHEREAS, Wizards Festival of Fun has completed and submitted a Business Entity Disclosure Certification which certifies that Wizards Festival of Fun has not made any reportable contributions to a political or candidate committee in the Township of Lower in the previous one year, and that the contract will prohibit Wizards Festival of Fun from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lower, County of Cape May, State of New Jersey hereby approves the attached proposal with Wizards Festival of Fun for the services herein described and that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution and that a notice of Award of Professional Contract for the above shall be published in the Township's Official paper.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on October 5, 2020.

\_\_\_\_\_  
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: [abelmont@wizardsfestivaloffun.com](mailto:abelmont@wizardsfestivaloffun.com)

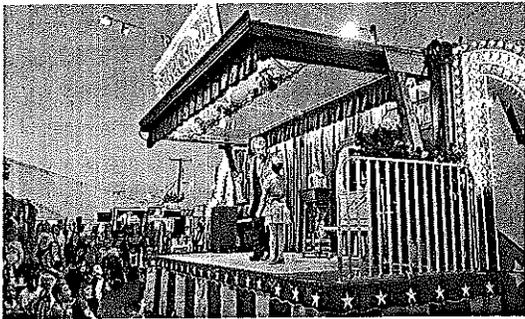
October 2, 2020

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

Thanks for your interest in our proposal for your **Lower Township "Tricks & Treats" Halloween Festival**. Our credentials include more than twenty-years experience in creating exciting Special Events for government and corporate clients. **Count Belmont's Cool Ghoul Monster Magic Revue** will provide your residents and their families a memorable, enjoyable event for young and old alike with high perceived value. **We propose to provide the following on Saturday, Oct. 24, 2020:**

### **Two Magic Shows Ending by 6:00 pm :**

#### ***The Belmont Open-Air Theater of Magic.***



Two Magic shows presented on our own Spectacular Showmobile Stage ending by 6:00 pm. Recently featured in a prime-time feature on NBC News 10 Philadelphia, kids and adults love Belmont's show presented in its own Open-Air Theater of Magic. This Ensemble Presentation features Magic & Spectacular Illusions. Belmont's Halloween show has been featured at both HersheyPark and Six Flags Great Adventure.

The above adds up to a memorable, fun-filled socially distanced event compliant with CDC guidelines. Total cost as outlined above will be \$ 7,500. I look forward to hearing from you soon. Thanks again for your consideration.

Sincerely,

***Al Belmont***

President/Executive Producer  
Wizard's Festival of Fun Inc.  
125 Coles Road  
Blackwood, NJ 08012  
E-mail: [abelmont@wizardsfestivaloffun.com](mailto:abelmont@wizardsfestivaloffun.com)

AMB/sp

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

RESOLUTION #2020-265

Title: A RESOLUTION REQUESTING RELEASE OF PERFORMANCE GUARANTEE FOR SCOTT PETER / SHORE REAL ESTATE DEVELOPERS; BLOCK 712, LOTS 1,2 & 30, ESCROW #Z17-11-02

WHEREAS, Scott Peter posted a Performance Guarantee with the Township of Lower, in the amount of \$18,839.40; and

WHEREAS, the Township Engineer has recommended the improvements having a total value of \$18,839.40 have been properly installed and are presently acceptable; and

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

WHEREAS, fifteen percent (15%) of the original Performance Guarantee [Maintenance Guarantee items] equals \$2,354.93.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Performance Guarantee be and hereby is released leaving a balance of \$2,354.93 on account as Maintenance Guarantee.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on October 5, 2020.

Julie A Picard, Township Clerk

MEMORANDUM

TO: Mayor Frank Sippel &  
Council members

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

DATE: October 1, 2020

RE: Scott Peter  
9800 Pacific Avenue  
Diamond Beach, NJ 08260  
Block 712, Lots 1, 2 & 30  
Resolution # 2020-265

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

Pursuant to the above referenced Subsection 400-81E, Resolution # 2020-265 is required to release the Performance Guarantee held in trust by the Township of Lower for Shore Real Estate Developers, Block 712, Lots 1, 2 & 30. The required final inspection report, certifying completion, compliance and condition of the work, has been received from the Township Engineer, Mott MacDonald.

The Township Engineer recommends release of the retained \$18,839.40.

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

Subsection 400-81F(3) of the Land Development Ordinance of the Township of Lower requires that a Maintenance Guarantee, in an amount equal to not more than fifteen percent (15%) of the original estimate of the cost of improvements, shall be filed by the owner. Therefore, \$2,354.93, which is fifteen percent, shall be retained as the Maintenance Guarantee.

cc: financial file



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

Via E-mail

**Your Reference**  
Z17-11-02

**9800 Pacific Avenue Block 712, Lots 1, 2 and 30 Site Plan  
Township of Lower, Cape May County, New Jersey**

**Our Reference**  
507100071-020

October 1, 2020

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

Dear Mr. Galestok:

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

The applicant, Scott Peter, has submitted a request for release/reduction of the performance guarantee. Mott MacDonald has conducted multiple inspections at the site during the project. The inspections were based on a review of the drawings entitled "Major Site Plan Block 712, Lots 1, 2 & 30 Township of Lower Cape May County, New Jersey" prepared by Vincent C. Orlando, PE, last revised February 15, 2018.

The inspections revealed, that to the best of our knowledge, the improvements have been installed in accordance with the approved plans and comply with the Land Development Ordinance of the Township of Lower. Mott MacDonald recommends the performance guarantee be released and a two-year maintenance guarantee in the amount of \$2,354.93 be posted in accordance with the attached "Performance Guarantee and Engineering Observation Escrow Estimate" dated February 16, 2018.

Should you have any questions regarding the above information or should you require additional information, please do not hesitate to contact our office.



Very truly yours,

Mott MacDonald, LLC

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

Shawn A. Carr, PE, CME  
Associate  
T 609.465.9377 F 609.465.5270  
[Shawn.carr@mottmac.com](mailto:Shawn.carr@mottmac.com)

SAC

cc: Lisa Schubert, Board Secretary (via email)  
Scott Macpherson, PE, CME (via email)



211 Bayberry Drive, Suite 1A  
 Cape May Court House, NJ 08210  
 Telephone: 609-465-9377  
 Fax: 609-465-5270

**PERFORMANCE GUARANTEE AND ENGINEERING  
 OBSERVATION ESCROW ESTIMATE**

Township of Lower Zoning Board  
 Estimate Date: February 16, 2018

Project Title: Block 712, Lots 1, 2 and 30 Major Site Plan	
Tax Map Id.: Block 712, Lots 1, 2 and 30	Zoning District: GB-1, General Business
Street Address: 9800 Pacific Avenue	
Owner: Crest Savings & Loan Association	
Applicant: Scott Peter	

Estimate Based on the following plans: "Major Site Plan Block 712, Lots 1, 2 & 30 Township of Lower Cape May County, New Jersey" Sheets 1-5, prepared by Vincent C. Orlando, PE, last revised February 15, 2018	
Land Surveyor: Harold E. Noon, Jr., PLS, PP	Firm: GeoSurv, LLC
Original Date: 11/17/17	Revision Date:
Design Engineer: Vincent C. Orlando	Firm: Engineering Design Associates, P.A.
Original Date: 11/3/17	Revision Date: 2/15/18

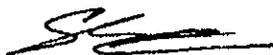
PERFORMANCE GUARANTEE ITEMS					
ITEM	DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	TOTAL
1	Concrete Driveway	466	SF	\$12.00	\$5,592.00
2	Concrete Sidewalk	382	SF	\$10.00	\$3,820.00
3	Concrete Curb	48	LF	\$30.00	\$1,440.00
4	Concrete Depressed Curb	54	LF	\$30.00	\$1,620.00
5	ADA Ramp w/ Detectable Warning Surface	1	LS	\$400.00	\$400.00
6	2" Asphalt Surface Course	15	SY	\$10.00	\$150.00
7	3" Asphalt Base Course	15	SY	\$14.50	\$217.50
8	6" Dense Graded Aggregate	15	SY	\$9.00	\$135.00
9	Evergreen Tree	11	EA	\$175.00	\$1,925.00
10	Shrub	10	EA	\$40.00	\$400.00
NON-PERFORMANCE GUARANTEE ITEMS					
ITEM	DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	TOTAL
11	Concrete Driveway	960	SF	\$10.00	\$9,600.00
12	Evergreen Tree	1	EA	\$175.00	\$175.00
13	Shrub	35	EA	\$40.00	\$1,400.00
14	Deciduous Tree	4	EA	\$40.00	\$160.00
15	Groundcover	57	EA	\$12.00	\$684.00
16	Concrete Patios & Walkways	704	SF	\$10.00	\$7,040.00
17	6' High Privacy Fence	160	LF	\$55.00	\$8,800.00
18	4' High Privacy Fence	20	LF	\$50.00	\$1,000.00
19	6" Diameter PVC Pipe	145	LF	\$40.00	\$5,800.00
20	18"x24" Stone Trench w/ 6" Diameter HDPE Perforated Pipe	175	LF	\$75.00	\$13,125.00
21	15" Yard Inlet	3	EA	\$150.00	\$450.00

MAINTENANCE GUARANTEE ITEMS					
ITEM	DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	TOTAL
1	Concrete Driveway	466	SF	\$12.00	\$5,592.00
2	Concrete Sidewalk	382	SF	\$10.00	\$3,820.00
3	Concrete Curb	48	LF	\$30.00	\$1,440.00
4	Concrete Depressed Curb	54	LF	\$30.00	\$1,620.00
5	ADA Ramp w/ Detectable Warning Surface	1	LS	\$400.00	\$400.00
6	2" Asphalt Surface Course	15	SY	\$10.00	\$150.00
7	3" Asphalt Base Course	15	SY	\$14.50	\$217.50
8	6" Dense Graded Aggregate	15	SY	\$9.00	\$135.00
9	Evergreen Tree	11	EA	\$175.00	\$1,925.00
10	Shrub	10	EA	\$40.00	\$400.00
ESTIMATED IMPROVEMENT TOTAL (PERFORMANCE GUARANTEE ITEMS)					\$15,699.50
ESTIMATED IMPROVEMENT TOTAL (PERFORMANCE & NON-PERFORMANCE GUARANTEE ITEMS)					\$63,933.50
ESTIMATED IMPROVEMENT TOTAL (MAINTENANCE GUARANTEE ITEMS)					-
<b>PERFORMANCE GUARANTEE TO BE SUBMITTED</b> <i>(N.J.S.A. 40:55D-53.a.1 - 120% of estimated improvement total -- Performance Guarantee Items)</i>					<b>\$18,839.40</b>
<b>MAINTENANCE GUARANTEE ESTIMATE</b> <i>(15% of Performance Guarantee Items plus cost of private stormwater management facilities)</i>					<b>\$2,354.93</b>
<b>30% OF TOTAL PERFORMANCE GUARANTEE</b> <i>(N.J.S.A. 40:55D-53.e.1 - The applicant may request periodic bond reductions for improvements installed, however the Township may retain 30% of the amount of the total performance guarantee to ensure completion and acceptability of all improvements)</i>					<b>\$5,651.82</b>
<b>INSPECTION ESCROW TO BE SUBMITTED - 5% OF THE ESTIMATED IMPROVEMENT TOTAL (PERFORMANCE &amp; NON-PERFORMANCE GUARANTEE ITEMS)</b> <i>(N.J.S.A. 40:55D-53.h - The initial deposit for inspection by the Township Engineer shall be the greater of \$500 or 5% of the cost of improvements)</i>					<b>\$3,196.68</b>

NOTES:

1. Unit prices used to prepare this estimate are considered valid for the six (6) month period following the date of preparation.
2. This estimate is to be used for bonding purposes only and does not in any way indicate or warrant the actual construction costs that may be incurred by the Developer.
3. Items contained in this estimate pertain to site improvements only and correlate to the items shown on the final site plan submitted by the Developer.
4. The Municipal Engineer's office must be notified (at the above address) at least 48 hours in advance of installation of all the above improvements in order to schedule observations in accordance with the Municipality's Land Use Ordinance and Design Standards.

Prepared By:



Shawn A. Carr, PE, CME  
Board Engineer  
Mott MacDonald

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

**RESOLUTION #2020-266**

**Title: A RESOLUTION REQUESTING RELEASE OF PERFORMANCE GUARANTEE FOR MARIE MIHALCIK-MASCARO – BABA BAKERY; BLOCK 673, LOT 12, ESCROW #P08-03-09**

**WHEREAS**, Marie Mihalcik-Mascaro posted a Performance Guarantee with the Township of Lower, in the amount of \$11,262.00; and

**WHEREAS**, the Township Engineer has recommended the improvements having a total value of \$11,262.00 have been properly installed and are presently acceptable.

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

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on October 5, 2020.

\_\_\_\_\_  
Julie A Picard, Township Clerk

MEMORANDUM

TO: Mayor Frank Sippel &  
Council members

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

DATE: October 1, 2020

RE: Marie Milhalcik-Mascaro  
Baba Bakery  
3840 Bayshore Road  
North Cape May, NJ 08204  
Block 673, Lot 12  
Resolution # 2020-266

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

Pursuant to the above referenced Subsection 400-81E, Resolution # 2020-266 is required to release the Performance Guarantee held in trust by the Township of Lower for Marie Milhalcik-Mascaro minor site, Block 673, Lot 12. The required final inspection report, certifying completion, compliance and condition of the work, has been received from the Township Engineer, Mott MacDonald.

The Township Engineer recommends **release** of the retained \$11,262.00.

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

cc: financial file



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

Via E-mail & 1<sup>st</sup> Class Mail

Your Reference  
Twp. No P08-03-09

Our Reference  
MM No. 507100071-046

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

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

**Marie Mihalcik-Mascaro Minor Site Plan  
3840 Bayshore Road – Block 673, Lot 12  
Township of Lower, Cape May County**

September 16, 2020

Dear Mr. Galestok:

Per the applicant's request for a performance guarantee reduction, Mott MacDonald conducted a site inspection at the above-referenced site. The inspection was based on a review of the drawings entitled "Minor Site Plan of Baba's Bakery, Block 673-Lot 12 (Tax Map Nos.), Lower Township, Cape May County, N.J." Sheets 1-2, prepared by Lewis H. Conley, Jr., P.L.S., dated December 31, 2007 and revised June 12, 2008, and "Drainage Plan for Baba's Bakery, Block 673-Lot 12 (Tax Map Nos.), Lower Township, Cape May County, N.J." Sheet 2.1, prepared by Bruce S. Graham, P.E., dated June 29, 2010 and revised September 21, 2010.

The inspections revealed that, to the best of our knowledge and belief, [REDACTED]  
[REDACTED]  
[REDACTED] with the Land Development Ordinance of the Township of Lower. Mott MacDonald recommends that the performance bond for the project be [REDACTED]  
[REDACTED]

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

Very truly yours,

Mott MacDonald, LLC

Scott J. Macpherson, PE, CME  
Engineer IV  
T 609.465.9377 F 609.465.5270  
Scott.Macpherson@mottmac.com

SJM

cc: Lisa Schubert, Planning Board Secretary (via email)  
Shawn A. Carr, PE, CME (via email)

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

ORDINANCE #2020-16

Title: AN ORDINANCE OF THE TOWNSHIP OF LOWER AMENDING CHAPTER 157, ALCOHOLIC BEVERAGES, SUBSECTION 157-6(D)(1), OF THE CODE OF THE TOWNSHIP OF LOWER.

WHEREAS, Chapter 157, Alcoholic Beverages, of the Code of the Township of Lower sets forth and memorializes regulations and restrictions associated with the consumption and licensing of Alcoholic Beverages within the Township of Lower; and

WHEREAS, section 157-6(D)(1) of the Code of the Township of Lower sets forth the required annual fees and the maximum number of licenses for the sale or distribution of alcoholic beverages in the Township of Lower based upon their respective classes; and

WHEREAS, pursuant to the provisions of the New Jersey Alcohol Beverage Control Act, N.J.S.A. 33:1-1 et seq., a municipality is permitted to establish the maximum number of Club Liquor Licenses by Ordinance; and

WHEREAS, in accordance with the provisions of section 157-6(D)(1), which was last amended in 2001 via Ordinance #2001-6, of the Code of the Township of Lower a maximum of 5 Club Liquor Licenses are permitted within the Township of Lower whereas a total of 8 Club Liquor Licenses are currently in existence; and

WHEREAS, in effort to remedy the discrepancy between the current maximum number of Club Liquor Licenses permitted within the Township of Lower in relation to the current number of actual Club Liquor Licenses in existence, the Township Council of the Township of Lower has elected to increase the maximum number of Club Liquor Licenses within the Township of Lower to 10.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that Chapter 157, Alcoholic Beverages, of the Code of the Township of Lower, shall be amended as follows:

**Section 1.** Chapter 157 Alcoholic Beverages, Subsections 157-6(D)(1) of the Code of the Township of Lower is hereby repealed and replaced as follows:

D. License fees; maximum number.

(1) The annual fees and maximum number of licenses for the sale or distribution of alcoholic beverages in the Township of Lower shall be as follows:

Class of License	Annual Fee	Number of Licenses
Plenary retail consumption	\$2,000.00	18
Plenary retail distribution	\$1,000.00	3
Club license	\$150.00	10

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

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

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

\_\_\_\_\_  
Thomas Conrad, Councilmember

\_\_\_\_\_  
Kevin Coombs, Councilmember

\_\_\_\_\_  
Roland Roy, Jr., Councilmember

\_\_\_\_\_  
Dave Perry, Deputy Mayor

\_\_\_\_\_  
Frank Sippel, Mayor

First Reading:

Adopted:

Attest: \_\_\_\_\_  
Julie A Picard, Township Clerk

AFFIDAVIT OF MAILING, ADVERTISING AND POSTING OF NOTICE

September 23, 2020

I Kathy Brown, hereby certify that I advertised delinquent properties in connection with a Tax Sale to be held on September 22, 2020 in the Star and Wave issues of August 26, 2020, September 2, 2020, September 9, 2020 and September 16, 2020. A copy of the Tax Sale Advertisement was mailed to the homeowners on August 26, 2020.

I further certify that tax sale notices were mailed on August 4, 2020 and August 13, 2020.

I further certify that on August 26, 2020, I posted notices in the following locations:

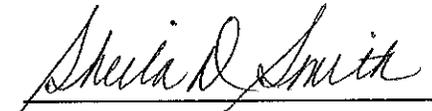
Lower Township Municipal Building Notice Board  
Lower Township Municipal Court  
Lower Township MUA  
United States Post Office, Villas  
United States Post Office, North Cape May



Kathy Brown  
Tax Collector

STATE OF NEW JERSEY  
COUNTY OF CAPE MAY

BE IT REMEMBERED, on this 23rd day of September 2020 before me a Notary Public of New Jersey, personally appeared Kathy Brown, Collector of Taxes of the taxing district of the Township of Lower in the County of Cape May, who I am satisfied, is the individual described herein and who executed the above affidavit.



Sheila D Smith

