** REVISED** **WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL** **REVISED**

May 21, 2018 - 7:00 P.M.

Meeting called to order
Opening Announcement
Pledge of Allegiance & Moment of Silence
Roll Call & Determination of Quorum

Proclamation - Supporting the Click It or Ticket Mobilization – Mayor Erik Simonsen

Proclamation - Joshua Kampmeier – Mayor Simonsen, Councilman Conrad

Work Session

Consent Agenda

Approval of NJ Firemen's Assoc. Membership Application – P Klingele – Erma Volunteer Fire Co.

Approval of Minutes	May 7, 2018
Res. #2018-176	Payment of Vouchers $ 202,727.53
Res. #2018-177	Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Click It or Ticket $5,500)
Res. #2018-178	Insertion pf Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Distracted Driving Crackdown $6,600)
Res. #2018-179	A Resolution Authorizing High Roller Limousine, Inc to Transfer a Limousine License
Res #2018-180	Authorization for Refund of Taxes (8 properties)
Res. #2018-181	Authorization for the Payout of Accumulated Compensatory Time (R.Hansberry $4,456.70)
Res. #2018-182	Authorization for South Jersey Power Cooperative Electric Bid (Cape May County Cooperative as lead agency)
Res. #2018-183	Certification to Local Finance Board of Receipt and Review of Audit; Sections General Comments & Recommendations
Res. #2018-184	Appointment of Marcus Karavan, Esq. as Special Counsel to the Tax Assessors Office for Tax Related and Land Use Matters as a Professional Service Contract without Public Bidding (not to exceed $10,000)
Res. #2018-185	Appointment to the Planning Board (J.Hemingway)
Ordinance #2018-09	An Ordinance Revising and Restating Chapter 400 – Land Development; Article X, Sub-section 400-81; Guarantees and Inspections; of the Code of the Township of Lower. This is the first reading of this Ordinance. The 2nd reading and public hearing has been scheduled for June 4, 2018.

Regular Agenda

Res. #2018-186	Authorizing the Payment of Vouchers – Rescue $35,000 Contribution
Res. #2018-188	A Resolution Amending Res. #2018-174; Authorizing a Shared Service Agreement between the Township of Lower and the County of Cape May for Law Enforcement Coverage at a Township Event (changing the hourly rate for Sheriff Officers to $70.)

Manager's Report

Engineer's Report

Administrative Reports
Personnel Action Report
Monthly Reports - Clerk, Construction, Dog, Fire Safety, Police, Tax Collector, Vital Statistics

Council Comments

Call to the Public

Closed Session

Res. #2018-187	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/Possible Litigation**

Adjournment

COUNCIL MEETING MINUTES – MAY 7, 2018

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

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

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

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

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

Swearing in of Lt. Donald Vanaman – Mayor Simonsen
Mayor Simonsen administered the Oath of Office to Lt. Donald Vanaman. Lt. Vanaman's daughter, Liberty, held the Bible and Captain Biersbach pinned his badge.

Work Session
LAN Associates – Aquatic Center Presentation
Manager Ridgway invited LAN Associates to present the results of the aquatic center feasibility study.
Kim Vierheilig, Vice President of LAN Assoc. gave an overview of the feasibility study.
Doug Whiteaker, Water Technologies Inc., spoke of the aquatic design and programming of the facility.
Darin Barr, Ballard King, expounded on a proposed operational plan.
Kim Vierheilig spoke briefly about the cost estimate and overall building design.
Doug Whiteaker further described a proposed floor plan.

Rich Novakowski, 9 Fernwood, questioned the number of people surveyed about the water park.
Kim Vierheilig explained that 5-6 meetings were held with key stakeholders as well as an advertised public meeting with approximately 70-80 people in attendance.

Deb Johns, Chairperson of RAB, read a statement on behalf of the RAB encouraging Mayor and Council to strongly consider supporting the proposed indoor aquatic center as a major community asset.

Manager Ridgway communicated that discussions began over seven years ago about an indoor community pool in Lower Township and stressed the need for the same.

Mr. Novakowski questioned the Township's past practice. A brief exchange took place with Mr. Simonsen.
Darrin Barr intervened to address Mr. Novakowski's concerns.
Doug Whiteaker confirmed that the Township encouraged community input.

Rosalie Gallagher validated the Township's diligence with advertisement and expressed positive interest in the proposed aquatic center.

Mike Rosenberg, Villas, inquired about handicap access and locker rooms.

Sally Yerk, Roseann Avenue, and her daughter, strongly support the proposed aquatic center.

Marion Maguire voiced her support and stressed the need for an indoor swimming facility in the Township.

Tom Cook, Executive Director of DRBA, voiced the DRBA's commitment to making the aquatic center a success.

Bill Tirrell, Beach Drive, asked about the size in square miles of Lower Township in an effort to validate and support the efforts of the Township for the proposed aquatic center.

Bill Greenfield, Villas, expressed concern about the cost and inquired about partnering with private entities and the County to offset the cost.

Frank Simonsen, Sr., shared his history in Lower Township and stressed the need for an aquatic center in our growing community.

Jean Whalen, Shunpike Road, voiced full support of the proposed aquatic center; as a retired employee of Cape May City Recreation Department.

Bob Osborn, Mickel's Run, member of RAB, vowed his support of the project and described it as a positive, much needed resource for the community.

Nels Johnson, RAB, confirmed the need for an aquatic center in Lower Township.

Mayor Simonsen thanked LAN Associates for the feasibility study.

Kim Vierheilig thanked Lower Township for their cooperation.

Consent Agenda

Approval of Minutes	April 16, 2018
Res. #2018-153	A Resolution Awarding a Professional Service Contract Without Public Bidding to Dante Guzzi Engineering Associates, LLC for Professional Services Associated with Pending Complaints in the Tax Court of New Jersey (tabled from 4/16 mtg - not to exceed $5,500.)
Res. #2018-154	Payment of Vouchers $ 1,415,930.72
Res. #2018-155	A Resolution Authorizing an Agreement Between the Township of Lower, the City of Cape May and Cape May City Elementary School District for Use of A Soccer Field at Lafayette Street Park, City of Cape May
Res. #2018-156	A Resolution Approving the Extension of the Banking Services Agreement
Res. #2018-157	A Resolution Authorizing the Acceptance of In-Person Credit Card TAX Payments
Res. #2018-158	Resolution Requesting a Cape May County Water Quality Management (WQM) Plan Amendment for "*Cabin City Motel and Vicinity*"
Res. #2018-159	Click It or Ticket 2018 Seat Belt Mobilization (5/21 – 6/3/2018 - grant application $5,500)
Res. #2018-160	Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Small Cities Housing Rehabilitation $100,000)
Res. #2018-161	Authorization for the Payout of Accumulated Compensatory Time (S.Flitcroft $7,174.10)
Res. #2018-162	Bid Acceptance and Award for Re-Bid of Roseanne Avenue Roadway and Utility Improvements ($7,026,450.)
Res. #2018-163	Authorizing Payout of Terminal Leave (D.VanMourik $6,149.48)
Res. #2018-164	Approval of Change Order #6 for additional work – Construction Phase Services – for the Roseann Avenue/Bayshore Estates Drainage and Stormwater Management Improvements Project ($140,000.)
Res. #2018-165	Approval of Change Order #1 Extension to Original Contract Period to Asphalt Paving Systems, Inc. for the Beach Drive Pedestrian Safety Improvements Project (new date June 8, 2018)
Res. #2018-166	Approval of Change Order #2 for Additional Inspection Hours to Mott MacDonald for the Beach Drive Pedestrian Safety Improvements Project ($9,504.00)
Res. #2018-167	Authorizing the Sale of Township of Lower Surplus no longer needed for Public Use on GovDeals Online Auction Website
Res. #2018-168	Authorization for Refund Of Taxes (2 properties $1,261.87)
Res. #2018-169	Resolution Consenting to the Proposed Cape May County Water Quality Management (WQM) Plan Amendment (Portsmouth Rd. & Rockport Dr)
Res. #2018-170	Renewal of 2018 Campground License (Holly Shores)
Res. #2018-171	Issuance of Ice Cream Peddling and Ice Cream Salesman License for the year 2018 (A&T Ice)
Res. #2018-172	A Resolution Approving the Acceptance of and Participation in the State of New Jersey, Department of Law and Public Safety Emergency Management Agency Assistance (EMAA) Sub-grant FY2017
Res. #2018-173	Authorization for the Payout of Accumulated Compensatory Time (M.Nuscis $5,259.40)

Res. #2018-174 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 (Escape the Cape)

Ordinance #2018-08 Amending Chapter 583 – Streets and Sidewalks – of the Code of the Township of Lower; Article 1, Subsection 583-4 Excavation, Restoration and Refilling of Roads, Streets and Alleys; Paragraph (8) Street Restoration; Adding a new Section (g) Five (5) Year Moratorium. This is the first reading of this Ordinance. The second reading and public hearing has been scheduled for May 21, 2018.

MOTION TO TABLE Ordinance #2018-08 moved by Deputy Mayor Sippel, seconded by Councilmember Conrad. On the Motion:

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

On the CONSENT AGENDA:

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

Regular Agenda

Ordinance #2018-07 Bond Ordinance Providing for Various 2018 Capital Improvements, By and In the Township of Lower, in the County of Cape May, State of New Jersey (The "Township"); Appropriating $2,250,000 Therefore and Authorizing the Issuance of $2,135,000 Bonds or Note of the Township to Finance Part of the Costs Thereof. This is the second reading and public hearing for this Ordinance. This Ordinance has been published, posted and made available to the public.

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

Res. #2018-175 Authorization for the Payout of Accumulated Compensatory Time (M.Perry $8,538.08)

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

Administrative Reports

Finance

Manager Ridgway provided Council with a prioritized list of streets needing improvements in each Ward.

Council Comments
Councilmember Conrad commented on the Vacant Property Ordinance and encouraged help from the residents. He gave an update on road repairs and MUA water and sewer updates. He also shared news about an Eagle Scout from his troop.

Councilmember Perry gave an update on the Beach Drive project and voiced disapproval to find dumping on the dunes. He gave an update on the Roseann Avenue project and encouraged Ward 2 residents to notify the Township of roads needing repair.

Councilmember Roy encouraged suggestions for road repairs in Ward 3. He informed of the upcoming beach cleanup and gave an update on the MUA's plan for sewer line extensions.

Deputy Mayor Sippel reminded about the Armed Forces Day Ceremony and thanked Manager Ridgway and LAN Associates for the presentation.

Mayor Simonsen thanked all who participated in the feasibility study and informed of the possibility of partnering with Middle Township. He spoke about the Eagle Scout projects at LCMR baseball field and gave an update on the MUA's water and sewer projects.

Call to the Public
Mike Rosenberg, Villas, addressed Council concerning roads damaged by contractors.

Adjournment
There being no further business to address, motion to adjourn moved by Councilmember Conrad, seconded by Councilmember Roy. Motion to adjourn was unanimous. Meeting adjourned at 8:22 p.m.

_____ _____
Mayor Township Clerk

Approved:

RESOLUTION #2018-176

Lower Township
Bill List By Vendor Id

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

Include Project Line Items: Yes

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

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00030 A.E. STONE INC.							
18-01122	04/23/18	ASPHALT/PUBLIC WORKS/YARD	Open	14,318.53	0.00		
00110 ANCO HOME CENTER*							
18-00663	03/13/18	SUPPLIES - APRIL 2018	Open	8.99	0.00		
18-00976	04/05/18	MONTHLY - APRIL	Open	171.27	0.00		
				180.26			
00153 ATLANTIC CITY ELECTRIC*							
18-01286	05/09/18	STREET LIGHTS APRIL 2018	Open	28,314.43	0.00		
00179 AVERY TEITLER*							
18-01234	05/02/18	LEGAL SERVICES RENDERED	Open	100.00	0.00		
00189 AUSTINS SPORTS CENTER							
18-00948	04/04/18	SPRING SOCCER SHIRTS	Open	1,935.55	0.00		
00301 BELMONT AND CRYSTAL SPRINGS*							
18-01278	05/08/18	WATER TOWNHALL MAY 2018	Open	33.99	0.00		
18-01284	05/08/18	WATER FIRE SAFETY	Open	9.96	0.00		
18-01285	05/09/18	WATER COURT MAY 2018	Open	13.22	0.00		
18-01291	05/10/18	BOTTLED WATER	Open	17.97	0.00		
18-01375	05/17/18	DPS WATER	Open	78.96	0.00		
				154.10			
00346 BERGEY'S TRUCK CENTERS*							
18-00693	03/16/18	PARTS FOR RECYCING TRUCKS	Open	71.35	0.00		
00432 MICHAEL BROGAN							
18-01297	05/10/18	CONTRACT REIMBURSEMENT	Open	246.54	0.00		
00736 CAPE PRINTING EXPRESS*							
18-00635	03/09/18	BUSINESS CARD & LETTERHEAD	Open	290.00	0.00		
00775 CAPRIONI PORTABLE TOILETS,INC*							
18-01076	04/18/18	MONTHLY SERVICES	Open	100.00	0.00		
00784 CAPE MAY STAR & WAVE							
18-01336	05/14/18	LEGAL PUBLICATION 5/9/18	Open	94.86	0.00		
01170 VERIZON WIRELESS* F/S							
18-01283	05/08/18	CELL FIRE SAFETY 3/27 4/26/18	Open	52.56	0.00		
01171 VERIZON WIRELESS - TOWNHALL							
18-01337	05/14/18	IPHONE BILL 4/29 5/28/18	Open	953.96	0.00		
01200 DELTA DENTAL PLAN OF NJ							
18-01247	05/04/18	APRIL DENTAL CLAIMS GROUP 9427	Open	12,955.70	0.00		

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01340 EAGLE POINT GUN*							
18-01163	04/27/18	AMMUNITION	Open	3,046.94	0.00		
01390 EDMUNDS & ASSOCIATES, INC.*							
18-01057	04/16/18	CREDIT CARD SWIPE DEVICE	Open	90.00	0.00		
01450 ERMA DELI*							
18-00720	03/19/18	LUNCHEON FOR CLEAN UP SHORES	Open	825.50	0.00		
01590 FORD, SCOTT & ASSOCIATES*							
18-00130	01/11/18	RES 18-03 AUDITOR DNE 40K	Open	6,000.00	0.00		
01649 GARDEN STATE HWY PRODUCTS,INC*							
18-00941	04/03/18	SIGN MATERIAL FOR BEACH DR	Open	4,327.43	0.00		
01703 HARBOR SALES COMPANY*							
18-00933	04/03/18	SUPPLIES FOR BEACH FRONT	Open	938.09	0.00		
01806 ANTHONY J HARVATT, II, ESQ							
18-00759	03/21/18	ZBA SOLICITOR SALARY	Open	625.00	0.00		
18-01253	05/07/18	RESOLUTIONS CONCERNING	Open	900.00	0.00		
				1,525.00			
02025 HUNTER JERSEY PETERBILT*							
18-00908	03/29/18	PARTS FOR TRUCKS/APRIL	Open	2,233.77	0.00		
02027 JESCO INC*							
18-01266	05/07/18	WINDSHIELD FOR LOADER & PARTS	Open	1,609.32	0.00		
02189 KNOX ASSOCIATES, INC*							
18-01134	04/24/18	KNOX BOX MODEL3261 SURFACE MNT	Open	336.00	0.00		
02200 KOHLER'S AUTO GLASS*							
18-01273	05/07/18	INSTALL WINDSHIELD	Open	210.00	0.00		
02245 DAVID LEPOR							
18-01348	05/16/18	IPHONE CASE REIMBURSEMENT	Open	53.30	0.00		
02247 LAWSON PRODUCTS, INC.*							
18-00902	03/29/18	SUPPLIES FOR DPW/APRIL	Open	699.99	0.00		
18-00903	03/29/18	SUPPLIES FOR DPW/MAY	Open	699.35	0.00		
				1,399.34			
02294 MARIE A. LOMONACO							
18-00366	02/06/18	CONTRACTUAL REIMBURSEMENT	Open	196.46	0.00		B
02411 MENEAR'S TREE SERVICE*							
18-01079	04/18/18	REMOVE TRUNK LIMBS @ PARK	Open	400.00	0.00		
02538 MARSH & MCLENNAN AGENCY, LLC*							
18-00140	01/16/18	DNE $26,664 RES 18-43 BROKER	Open	2,222.00	0.00		B

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03102 NJ POLICE TRAFFIC OFFICERS ASS							
18-01035	04/16/18	MEMBERS DUES 1/1/18-12/31/18	Open	50.00	0.00		
03160 OFFICE BASICS, INC*							
18-01130	04/24/18	OFFICE SUPPLIES	Open	85.02	0.00		
03172 OFFICE BUSINESS SYSTEMS INC*							
18-00779	03/22/18	MICROPHONE FOR COURT BENCH	Open	245.00	0.00		
03285 PARA PLUS TRANSLATIONS,INC.*							
18-01181	05/01/18	SPANISH INTERPRETER 4/24/18	Open	201.55	0.00		
03305 PEDRONI FUEL*							
18-01290	05/09/18	NO LEAD GAS	Open	282.16	0.00		
03387 POGUE INC. *							
18-01131	04/24/18	CONTROLLED SUBSTANCES/PRE EMPL	Open	133.00	0.00		
03495 ELIZABETH BYRNE							
18-00371	02/07/18	CONTRACTUAL REIMBURSEMENT-M	Open	328.08	0.00		B
03518 RIGGINS, INC.*							
18-01281	05/08/18	OFF HIGHWAY DIESEL	Open	859.50	0.00		
03764 TCTANJ							
18-00851	03/27/18	2018 SPRING CONF MAY 15-17/18	Open	395.00	0.00		
18-00986	04/06/18	SPRING CONFERENC 5/15/18-5/16/	Open	310.00	0.00		
				705.00			
03904 LOWE'S HOME CENTER INC*							
18-00695	03/16/18	SUPPLIES FOR DPW/MARCH	Open	406.17	0.00		
03914 ULINE INC*							
18-00919	03/29/18	MOVING BOXES	Open	489.60	0.00		
03985 VILLAS NAPA AUTO PARTS							
18-00892	03/29/18	RSA/SANT/RECY/DPW/APRIL	Open	3,849.13	0.00		
04261 STATE OF NEW JERSEY							
18-01184	05/01/18	1ST QTR UNEMPLOYMENT 2018	Open	25,225.03	0.00		
04266 NJ DEPT OF HEALTH&SENIOR SVCS							
18-01280	05/08/18	DOG DAMAGE APRIL 2018	Open	259.20	0.00		
04300 W B MASON CO INC*							
18-01029	04/12/18	CONFERENCE TABLE	Open	279.99	0.00		
18-01083	04/18/18	PRINTER PAPER AND TONER	Open	345.45	0.00		
				625.44			
04327 SHI INTERNATIONAL CORP*							
18-00995	04/09/18	SOPHOS LICENCE RENEWAL	Open	3,918.10	0.00		

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04445 TRICOMM SERVICES CORP*							
18-00348	02/02/18	TELEPHONE TRANSFER POLICE MOVE	Open	127.50	0.00		
05083 SJSHORE MARKETING LIMITED							
18-01016	04/10/18	POSTERS AND RACK CARDS	Open	439.33	0.00		
06028 FORESITE USA LLC*							
18-01252	05/07/18	ENDPOINTE PROTECTION AVAST 18	Open	759.25	0.00		
5053 ANTHONY GRETO							
17-00763	03/21/17	2017 EQUIP. ALLOWANCE	Open	110.02	0.00		
6054 ANDREA SHEPPARD							
18-01271	05/07/18	LACROSSE OFFICIAL	Open	120.00	0.00		
6071 UNITED UNIFORMS LIMITED LIAB*							
18-01166	04/27/18	UNIFORMS	Open	612.00	0.00		
7079 SUBURBAN PROPANE L P*							
18-01363	05/16/18	PROPANE CLEM MULLIGAN	Open	135.96	0.00		
7092 TREASURER, STATE OF NEW JERSEY							
18-01056	04/16/18	REGISTRATION FEE/BFCE	Open	191.00	0.00		
18-01183	05/01/18	LIFE HAZARD - FISHING CREEK SC	Open	191.00	0.00		
				382.00			
7119 ENGINEERING DESIGN ASSOC*							
15-01760	07/06/15	14-323 COASTAL DNE 54996.27	Open	43,875.19	0.00		
7151 ART SHEPPARD							
18-01246	05/04/18	LACROSSE OFFICIAL	Open	120.00	0.00		
7165 NICOLE PERONE							
18-01298	05/10/18	LACROSSE OFFICIAL	Open	60.00	0.00		
7168 SEAN COLLINS							
18-01296	05/10/18	LACROSSE OFFICIAL	Open	120.00	0.00		
7181 JENNIFER KELLY,PHD,LLC*							
18-01162	04/27/18	PRE-EMPLOYMENT EXAMS	Open	800.00	0.00		
7241 SKIP HOPPING							
18-01268	05/07/18	LACROSSE OFFICIAL	Open	60.00	0.00		
7280 FARO TECHNOLOGIES,INC*							
18-01005	04/10/18	FARO CRASH ZONE	Open	1,190.00	0.00		
7302 GUARDIAN TRACKING LLC*							
18-01069	04/18/18	GUARD TRACK PRO 12/1 11/30/19	Open	2,705.00	0.00		
7380 GAILE ROCKEY							
18-01267	05/07/18	LACROSSE OFFICIAL	Open	120.00	0.00		

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7508 BLANEY & KARAVAN PC*							
18-00129	01/11/18	LABOR ATTORNEY DNE $25K R 18-2	Open	1,700.00	0.00		B
7636 MOTT MACDONALD LLC*							
18-01254	05/07/18	PROFESSIONAL SERVICES DIFELICE	Open	221.60	0.00		
18-01255	05/07/18	PROFESSIONAL SERVICE DIFELICE	Open	664.80	0.00		
18-01256	05/07/18	PROFESSIONAL ENGINEERING SER	Open	68.76	0.00		
18-01257	05/07/18	PROFESSIONAL ENGINEERING SERV	Open	346.25	0.00		
18-01258	05/07/18	PROFESSIONAL ENGINEERING SERV	Open	277.00	0.00		
18-01259	05/07/18	PROFESSIONAL ENGINEERING SERV	Open	467.25	0.00		
18-01261	05/07/18	PROFESSIONAL ENGINEERING SERV	Open	459.00	0.00		
18-01262	05/07/18	PROFESSIONAL ENGINEERING SER	Open	3,129.57	0.00		
18-01327	05/14/18	PROFESSINAL EGINEERING	Open	0.55	0.00		
				5,634.78			
7637 BUCKLEY CABLE COMPANY							
18-00330	01/31/18	RETURN OF UNUSED ESCROW	Open	370.00	0.00		
7654 THOMAS & NORMA JACOB							
18-01312	05/14/18	REFUND HOMESTEAD BENEFIT	Open	103.84	0.00		
7689 GOVERNMENT FORMS AND SUPPLIES*							
18-01085	04/18/18	BUSINESS CARDS	Open	55.00	0.00		
7714 MACH JACKSON							
18-01269	05/07/18	LACROSSE OFFICIAL	Open	60.00	0.00		
7756 LAN ASSOCIATES							
18-01156	04/26/18	RES 18-146 C/O 1 AQUATIC	Open	4,518.47	0.00		B
7811 KYOCERA DOCUMENT SOLUTION AMER							
18-01287	05/09/18	COPIER CONTRACT APRIL 2018	Open	78.00	0.00		
7820 DEBLASIO & ASSOCIATES, P.C*							
17-02477	09/21/17	ENGINEERING SERVICE /RT.109	Open	70.00	0.00		B
17-03248	12/12/17	RES17-327 ENG DOUGLASS DNE 55K	Open	1,400.00	0.00		
18-01007	04/10/18	ENGINEERING ROAD RECONSTRUCT	Open	4,580.00	0.00		B
				6,050.00			
7929 AMAZON CAPITAL SERVICES, INC							
18-01125	04/23/18	LIGHT BULBS	Open	534.00	0.00		
18-01132	04/24/18	OFFICE SUPPLIES	Open	62.06	0.00		
18-01165	04/27/18	+STOCK UP OFFICE SUPPLIES	Open	307.61	0.00		
18-01198	05/01/18	35 BOLTED HOOK METAL KEY STAND	Open	87.95	0.00		
				991.62			
7938 POSTMASTER VILLAS							
18-01249	05/04/18	POSTAGE FOR MAILERS	Open	4.50	0.00		PC1
7941 THOMAS MCCARTHY J							
18-01314	05/14/18	REFUND HOMESTEAD BENEFIT	Open	133.87	0.00		

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7942 THOMAS & ELEANOR CHESTNUT							
18-01315	05/14/18	REFUND HOMESTEAD BENEFIT	Open	179.63	0.00		
7943 ERNEST A & MARCIA H PAULUS							
18-01316	05/14/18	REFUND PARTIAL QTR 5/3/18	Open	368.84	0.00		
7946 ROBERT OLIVIO							
18-01359	05/16/18	RETURN UNUSED ESCROW	Open	94.60	0.00		
7947 GEORGE HEE							
18-01366	05/16/18	REFUND BLOCK 701 LOT 5C-B	Open	1,512.48	0.00		
7948 GERALD FRANCE							
18-01275	05/07/18	REFUND OF MERC LICENSE	Open	75.00	0.00		
7949 GREGS AUTOMOTIVE							
18-01328	05/14/18	VAN REPAIR BROKE DOWN DC UNITY	Open	1,865.42	0.00		PC1
DEMUSZ JAMES AND PATRICA DEMUSZ							
18-01311	05/14/18	REFUND HOMESTEAD BENEFIT	Open	95.36	0.00		
ROMANOW FRED ROMANOWSKI							
18-01295	05/10/18	LACROSSE OFFICIAL	Open	120.00	0.00		
SEAGE SEAGEAR MARINE SUPPLY*							
18-01124	04/23/18	DRAINAGE PUMP	Open	704.98	0.00		
STARLEDG STAR LEDGER							
18-00754	03/21/18	AD ROSSEANNE AVE NTB	Open	441.14	0.00		PC1
WELLSF WELLS FARGO REAL ESTATE TAX							
18-01313	05/14/18	REFUND PARTIAL 1ST QUARTER	Open	1,856.82	0.00		

Total Purchase Orders: 109 Total P.O. Line Items: 0 Total List Amount: 201,593.57 Total Void Amount: 0.00

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

RESOLUTION #2018- 176

Title: **AUTHORIZING THE PAYMENT OF VOUCHERS**

Vendor	PO#	Description	CK #	Amount
John & Erika Sheets	18-01346	Tax Refund (duplicate pymt)	62231	$ 525.25
Bank of America	18-00999	Comcast	62233	$ 608.71
		TOTAL Manual Checks		$ 1,133.96
		TOTAL Computer Generated		$ 201,593.57
		TOTAL BILL LIST		$ 202,727.53

	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 21, 2018.

Julie A Picard, Township Clerk

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

RESOLUTION #2018-177

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 **$5,500.00** for an item of revenue in the budget of the year 2018 as follows:

Miscellaneous Revenues –
Revenue Offset with Appropriations - **Click It or Ticket**
Total with increase to be $ 5,500.00

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of $5,500.00 be and the same is hereby appropriated under the caption of:

General Appropriations –
Public & Private Programs Offset by Revenues - Click It or Ticket
State/Federal Share $ 5,500.00
Non State Share $
Total with increase to be $ 5,500.00

FURTHER RESOLVED that two certified copies of this resolution with a copy of the appropriate documentation be forwarded to the 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 21, 2018.

Julie A Picard, Township Clerk

ccrippen

From: no-reply-njsage@nj.gov
Sent: Monday, May 7, 2018 10:38 AM
To: ccrippen; lread; mastriana@lowertownshippolice.com; biersbach@lowertownshippolice.com; esimonsen; vanaman@lowertownshippolice.com
Subject: Your Application MOB-CIOT-2018-Lower Township-00185 has been approved by NJDHTS.

Congratulations, your Application MOB-CIOT-2018-Lower Township-00185 was approved by DHTS on May 07, 2018. The Project Director must login to SAGE to view the Contract Agreement within your Grant Application in order to activate your grant. Please be aware that your application may have been revised during the review process. Therefore it is very important that the Project Director, Financial Officer and the Authorizing Official review the Contract Agreement within SAGE for the final version.

Lower Township

MOB-CIOT-2018-Lower Township-00185

NARRATIVE DESCRIPTION OF PROJECT

☑ **I agree to the Terms and Conditions found below.***

Problem Statement:

The most effective device for preventing deaths and injuries in motor vehicle crashes remains the seat belt. When used consistently, seat belts save lives and reduce serious injuries. According to NHTSA, seat belt use saved nearly 14,000 lives nationally in 2015 alone. In 2015, New Jersey experienced more than 3,500 crashes where an occupant was not wearing his or her seat belt, resulting in 117 fatalities. Unbelted motorists and passengers accounted for 21 percent of the state's motor vehicle fatalities in 2015. The most recent statewide survey, undertaken in June, 2017, determined the seat belt usage rate in New Jersey to be 94.07%.
This project will provide funding to implement a targeted seat belt enforcement campaign in New Jersey as part of the nationwide "Click It or Ticket" seat belt mobilization from May 21 - June 3, 2018. On an overtime basis, police officers will conduct special enforcement patrols issuing summonses for all violations of Title 39 of the Motor Vehicle Code. The main focus of these patrols will be to stop and issue summonses to motorists, front, and rear seat passengers who are not complying with the state's seat belt laws. Officers will also enforce the child safety restraint law as appropriate.

Objectives:

To increase seat belt usage statewide by 1.5% to 95.5% through a targeted two-week seat belt enforcement campaign from May 21 - June 3, 2018.

Methodology:

REMINDER: As per directives from the National Highway Traffic Safety Administration (which provides the federal funding for this grant) Chiefs of Police are not eligible to work grant-funded overtime through this grant.****
This federally-funded grant project consists of an enforcement overtime campaign from **May 21 through June 3, 2018.** The project is designed to increase seat belt usage both in participating municipalities and statewide. The grant **($5,500)** will pay for 100 hours of overtime enforcement during the two-week mobilization period, with a maximum rate to be reimbursed of **$55 per hour.** The 100 overtime hours will be used for roving patrols and fixed checkpoints.

This is a **reimbursement grant.** Participating departments will incur all costs and then submit the necessary documentation to the Division of Highway Traffic Safety for reimbursement.

This is an **enforcement campaign.** A reasonable number of distracted driving related summonses are expected in relation to overtime hours worked.

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

RESOLUTION #2018-178

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 **$6,600.00** for an item of revenue in the budget of the year 2018 as follows:

Miscellaneous Revenues –
Revenue Offset with Appropriations - **Distracted Driving Crackdown**
Total with increase to be $ 6,600.00

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of $6,600.00 be and the same is hereby appropriated under the caption of:

General Appropriations –
Public & Private Programs Offset by Revenues - Distracted Driving Crackdown
State/Federal Share $ 6,600.00
Non State Share $
Total with increase to be $ 6,600.00

FURTHER RESOLVED that two certified copies of this resolution with a copy of the appropriate documentation be forwarded to the 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 21, 2018.

_____
Julie A Picard, Township Clerk

Lower Township

MOB-DDC-2018-Lower Township-00065

NARRATIVE DESCRIPTION OF PROJECT

☑ **I agree to the Terms and Conditions found below.***

Problem Statement:

Distracted driving is a dangerous epidemic on America's roadways. In 2015 alone, 3,477 people were killed in distracted driving crashes. An estimated 391,000 people were injured in motor vehicle crashes involving a distracted driver. In New Jersey, driver inattention remains the most significant cause of fatal and incapacitating crashes. Driver inattention was listed as a contributing circumstance in 52 percent of the state's crashes in 2015. Driver inattention was in fact listed as a contributing factor in crashes at a rate nine times higher than that of the next highest contributing factor (speed).

Distracted driving is any activity that diverts a person's attention away from the primary task of driving. All distractions endanger driver, passenger, and bystander safety. These distractions include:
Texting
Using a cell phone or smartphone
Eating and drinking
Talking to passengers
Grooming
Reading, including maps
Using a navigation system
Watching a video
Adjusting a radio, CD player, or MP3 player
But, because using a hand held cell phone while driving to make calls or send text messages requires visual, manual, and cognitive attention from the driver, they are by far the most alarming distractions.

April is National Distracted Driver Month, which is a time to remind New Jersey motorists of the state's distracted driving laws, which include a ban on hand-held cell phone use and text messaging by all drivers and a ban on all cell phone use (hand held or hands free) by novice drivers.

From April 1-21, 2018, police officers, on an overtime basis, will conduct special enforcement patrols targeting distracted drivers. The patrols will consist of roving patrols and fixed checkpoints.

During the 2017 Distracted Driving Crackdown *U Drive. U Text. U Pay.* participating police agencies in the state issued 15,292 summonses for cell phone use/texting and 7,003 for careless driving.

Objectives:

To reduce the number of motor vehicle fatalities in the state with a distracted driver contributing cause (as detailed in the FY2018 New Jersey Highway Safety Plan) through targeted distracted driving enforcement and education during the 2018 Distracted Driving Crackdown *U Drive. U Text. U Pay.*

Methodology:

REMINDER: As per directives from the National Highway Traffic Safety Administration (which provides the federal funding for this grant) Chiefs of Police are not eligible to work grant-funded overtime through this grant.****

This federally-funded grant project consists of an enforcement overtime campaign from **April 1 through April 21, 2018**. The project is designed to raise awareness about the dangers of distracted driving, to offer deterrence through visible enforcement, and to issue summonses for relevant motor vehicle violations. The grant will pay for **120** hours of overtime enforcement during the crackdown

period, with a maximum rate to be reimbursed of **$55 per hour.** The 120 overtime hours will be used for roving patrols and checkpoints.

This is a **reimbursement grant.** Participating departments will incur all costs and then submit the necessary documentation to the Division of Highway Traffic Safety for reimbursement.

This is an **enforcement campaign.** A reasonable number of distracted driving related summonses are expected in relation to overtime hours worked.

The maximum project overtime rate is **$55.00 per hour** regardless of what officer works the project hours. The officer is to receive the full dollar amount in overtime. Administrative costs or fees should be considered "in kind services" or soft matches and are not a part of this grant. **It is up to the agency to establish its pay rate for the project.** The Division encourages agencies to pay all participating officers a flat $55 per hour rate for this overtime detail, but agencies may pay their usual overtime rates, if they wish, in which case the reimbursement from the Division will be:

Officers paid $55.00 - project will reimburse at $55.00 per hour
Officers paid less than $55.00 - project will reimburse at that lower rate
Officers paid more than $55.00 - project will reimburse at $55.00 per hour with the municipality covering the remainder of the rate

Again, the maximum hourly rate to be reimbursed is $55 per hour, regardless of whether all the grant-budgeted hours are worked or not.

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

RESOLUTION #2018-179

Title: **A RESOLUTION AUTHORIZING HIGH ROLLER LIMOUSINE, INC TO TRANSFER A LIMOUSINE LICENSE**

WHEREAS, High Roller Limousine, Inc. applied for and received a limousine license for a 2005 Dodge Caravan, Vin #2D4GP44LX5R394953; and

WHEREAS, High Roller Limousine, Inc has replaced the above vehicle with a 2010 Chrysler Town & Country, Vin #2A4RR5D13AR105291 and has requested the license be transferred to the new vehicle; and

WHEREAS, High Roller Limousine has paid the required twenty five dollar ($25) transfer fee and provided the required insurance certificate showing the new vehicle.

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 license transfer is hereby approved.

	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 21, 2018.

_____

Julie A Picard, Township Clerk

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

RESOLUTION #2018-180

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.

Block	Lot	Refund To	Reason	Tax
451.01	20	James & Patricia De Musz	Homestead --Exempt	$ 95.63
95	63	Thomas & Nora Jacob	Homestead-Exempt	$ 103.84
266.03	4.02	Thomas McCarthy	Homestead- Exempt	$ 133.87
537	20	Thomas & Eleanor Chestnut	Homestead-Exempt	$ 179.63
537	20	Wells Fargo	Exempt Veteran	$1,856.82
352.02	1	Ernest & Marcia Paulus	Exempt Vet & Homestead	$ 368.84
701	5 C-B	George & Mary Ellen Hee	Taxes Paid Erroneously	$1,512.48
483	1.01	John D Sr & Erika T Sheets	Taxes paid twice	$ 525.25

	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 21, 2018.

Julie A Picard, Township Clerk

TOWNSHIP OF LOWER

2600 BAYSHORE ROAD
VILLAS, N.J. 08251
FEDERAL ID #21-6005700

PURCHASING (609) 886-2005
FAX (609) 886-5342

PURCHASE ORDER

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKING LISTS, CORRRESPONDENTCE, ETC.

No.

SHIP TO

Lower Township
2600 Bayshore Road
Villas, NJ 08251

ORDER DATE: #####
REQUISITION NO:
DATE:
STATE CONTRACT NO:
F.O.B. TERMS:

VENDOR

James & Patricia De Musz
790 Weeks Landing Road
Cape May, NJ 08204

PAYMENT RECORD	
CHECK DATE	CHECK NO.

THE CONDITIONS OF THIS ORDER ARE NOT TO BE MODIFIED BY ANY VERBAL UNDERSTANDING. ALL PRICES ARE F.O.B. DESTINATION UNLESS NOTED.

The Township of Lower, being a political subdivision of the State of New Jersey, is exempt from the New Jersey Sales and Use Taxes, pursuant to Section 9(a)(I) of the New Jersey Sales and Use Tax (P.L. 1966 c.30 and c.53)

QUANTITY/UNIT	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL COST
5/3/2018	**Refund Homestead Benefit**	**8-01-60-910-014**		**$ 95.36**
	Homeowner - Exempt			
	Block 451.01 Lot 20			
	Resolution # 2018 180			
		TOTAL COST		$ 95.36

VENDOR: THE WHITE VOUCHER COPY MUST BE SIGNED AT X AND RETURNED WITH YOUR INVOICE FOR PAYMENT

CERTIFICATION OF FUNDS AVAILABLE		PAYMENT AUTHORIZED	REQUISTION REQUEST	REQUISITION APPROVED
		The above claim was ordered and paid at a meeting of the Township Council held: DATE		
CFO	QPA	TOWNSHIP CLERK	DEPARTMENT HEAD	TOWNSHIP MANAGER

VENDOR'S CERTIFICATION AND DECLARATION

I do solemnly declare and certify under the penalties of the law that the within bill is correct in all its particulars; that the articles have been furnished or services rendered as stated therein; that no bonus has been given or received by any person or persons within the knowledge of this claimant in connection with the above claim; that the amount therein stated is justly due and owing ; and that the amount charged is a reasonable one.

James De Musz
Patricia De Musz

Homeowner

VENDOR SIGN HERE — OFFICIAL POSITION

May 8, 2018 — 149-30-9801

DATE — TAX I.D. NO OR SOCIAL SECURITY NO.

TOWNSHIP USE ONLY - CERTIFICATION

I, having knowledge of the facts, certify that the materials and supplies have been received or the services rendered; said certification being based on signed delivery slips or other reasonable procedures.

DEPARTMENT HEAD

TOWNSHIP OF LOWER

2600 BAYSHORE ROAD
VILLAS, N.J. 08251
FEDERAL ID #21-6005700

PURCHASING (609) 886-2005
FAX (609) 886-5342

PURCHASE ORDER

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKING LISTS, CORRRESPONDENTCE, ETC.

No.

SHIP TO

Lower Township
2600 Bayshore Road
Villas, NJ 08251

ORDER DATE: #####
REQUISITION NO:
DATE:
STATE CONTRACT NO:
F.O.B. TERMS:

VENDOR

Thomas & Norma J Jacob
309 E Atlantic Avenue
Villas, NJ 08251

PAYMENT RECORD	
CHECK DATE	CHECK NO.

THE CONDITIONS OF THIS ORDER ARE NOT TO BE MODIFIED BY ANY VERBAL UNDERSTANDING. ALL PRICES ARE F.O.B. DESTINATION UNLESS NOTED.

The Township of Lower, being a political subdivision of the State of New Jersey, is exempt from the New Jersey Sales and Use Taxes, pursuant to Section 9(a)(I) of the New Jersey Sales and Use Tax (P.L. 1966 c.30 and c.53)

QUANTITY/UNIT	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL COST
5/3/2018	**Refund Homestead Benefit**	**8-01-60-910-014**		**$ 103.84**
	Homeowner - Exempt			
	Block 95 Lot 63			
	Resolution # 2018-180			
		TOTAL COST		$ 103.84

VENDOR: THE WHITE VOUCHER COPY MUST BE SIGNED AT X AND RETURNED WITH YOUR INVOICE FOR PAYMENT

CERTIFICATION OF FUNDS AVAILABLE		PAYMENT AUTHORIZED	REQUISTION REQUEST	REQUISITION APPROVED
		The above claim was ordered and paid at a meeting of the Township Council held: DATE		
CFO	QPA	TOWNSHIP CLERK	DEPARTMENT HEAD	TOWNSHIP MANAGER

VENDOR'S CERTIFICATION AND DECLARATION

I do solemnly declare and certify under the penalties of the law that the within bill is correct in all its particulars; that the articles have been furnished or services rendered as stated therein; that no bonus has been given or received by any person or persons within the knowledge of this claimant in connection with the above claim; that the amount therein stated is justly due and owing ; and that the amount charged is a reasonable one.

Thomas Jacob

VENDOR SIGN HERE — OFFICIAL POSITION

5/10/18 — 192 38 1498

DATE — TAX I.D. NO OR SOCIAL SECURITY NO.

TOWNSHIP USE ONLY - CERTIFICATION

I, having knowledge of the facts, certify that the materials and supplies have been received or the services rendered; said certification being based on signed delivery slips or other reasonable procedures.

DEPARTMENT HEAD

TOWNSHIP OF LOWER
2600 BAYSHORE ROAD
VILLAS, N.J. 08251
FEDERAL ID #21-6005700

PURCHASING (609) 886-2005
FAX (609) 886-5342

PURCHASE ORDER

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKING LISTS, CORRRESPONDENTCE, ETC.

No.

SHIP TO
Lower Township
2600 Bayshore Road
Villas, NJ 08251

ORDER DATE: #####
REQUISITION NO:
DATE:
STATE CONTRACT NO:
F.O.B. TERMS:

VENDOR
Thomas Mccarthy J
105 Ellery Road
Villas, NJ 08251

PAYMENT RECORD	
CHECK DATE	CHECK NO.

THE CONDITIONS OF THIS ORDER ARE NOT TO BE MODIFIED BY ANY VERBAL UNDERSTANDING. ALL PRICES ARE F.O.B. DESTINATION UNLESS NOTED.

The Township of Lower, being a political subdivision of the State of New Jersey, is exempt from the New Jersey Sales and Use Taxes, pursuant to Section 9(a)(1) of the New Jersey Sales and Use Tax (P.L. 1966 c.30 and c.53)

QUANTITY/UNIT	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL COST
5/3/2018	**Refund Homestead Benefit**	**8-01-60-910-014**		**$ 133.87**
	Homeowner - Exempt			
	Block 266.03 Lot 4.02			
	Resolution # 2018-186			
		TOTAL COST		$ 133.87

VENDOR: THE WHITE VOUCHER COPY MUST BE SIGNED AT X AND RETURNED WITH YOUR INVOICE FOR PAYMENT

CERTIFICATION OF FUNDS AVAILABLE		PAYMENT AUTHORIZED	REQUISTION REQUEST	REQUISITION APPROVED
		The above claim was ordered and paid at a meeting of the Township Council held: DATE		
CFO	QPA	TOWNSHIP CLERK	DEPARTMENT HEAD	TOWNSHIP MANAGER

VENDOR'S CERTIFICATION AND DECLARATION

I do solemnly declare and certify under the penalties of the law that the within bill is correct in all its particulars; that the articles have been furnished or services rendered as stated therein; that no bonus has been given or received by any person or persons within the knowledge of this claimant in connection with the above claim; that the amount therein stated is justly due and owing ; and that the amount charged is a reasonable one.

Thomas J McCarty

VENDOR SIGN HERE — OFFICIAL POSITION

DATE — TAX I.D. NO OR SOCIAL SECURITY NO.

TOWNSHIP USE ONLY - CERTIFICATION

I, having knowledge of the facts, certify that the materials and supplies have been received or the services rendered; said certification being based on signed delivery slips or other reasonable procedures.

DEPARTMENT HEAD

TOWNSHIP OF LOWER
2600 BAYSHORE ROAD
VILLAS, N.J. 08251
FEDERAL ID #21-6005700

PURCHASING (609) 886-2005
FAX (609) 886-5342

PURCHASE ORDER

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKING LISTS, CORRRESPONDENTCE, ETC.

No.

SHIP TO
Lower Township
2600 Bayshore Road
Villas, NJ 08251

ORDER DATE: ######
REQUISITION NO:
DATE:
STATE CONTRACT NO:
F.O.B. TERMS:

VENDOR
Thomas & Eleanor Chestnut
9 Beverly Road
Cape May, NJ 08204

PAYMENT RECORD	
CHECK DATE	CHECK NO.

THE CONDITIONS OF THIS ORDER ARE NOT TO BE MODIFIED BY ANY VERBAL UNDERSTANDING. ALL PRICES ARE F.O.B. DESTINATION UNLESS NOTED.

The Township of Lower, being a political subdivision of the State of New Jersey, is exempt from the New Jersey Sales and Use Taxes, pursuant to Section 9(a)(i) of the New Jersey Sales and Use Tax (P.L. 1966 c.30 and c.53)

QUANTITY/UNIT	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL COST
5/3/2018	**Refund Homestead Benefit**	**8-01-60-910-014**		**$ 179.63**
	Homeowner - Exempt			
	Block 537 Lot 20			
	Resolution # 2018-180			
		TOTAL COST		$ 179.63

VENDOR: THE WHITE VOUCHER COPY MUST BE SIGNED AT X AND RETURNED WITH YOUR INVOICE FOR PAYMENT

CERTIFICATION OF FUNDS AVAILABLE		PAYMENT AUTHORIZED	REQUISTION REQUEST	REQUISITION APPROVED
		The above claim was ordered and paid at a meeting of the Township Council held: DATE		
CFO	QPA	TOWNSHIP CLERK	DEPARTMENT HEAD	TOWNSHIP MANAGER

VENDOR'S CERTIFICATION AND DECLARATION

I do solemnly declare and certify under the penalties of the law that the within bill is correct in all its particulars; that the articles have been furnished or services rendered as stated therein; that no bonus has been given or received by any person or persons within the knowledge of this claimant in connection with the above claim; that the amount therein stated is justly due and owing ; and that the amount charged is a reasonable one.

Thomas J Chestnut Eleanor J Chestnut

VENDOR SIGN HERE — OFFICIAL POSITION

DATE — TAX I.D. NO OR SOCIAL SECURITY NO.

TOWNSHIP USE ONLY - CERTIFICATION

I, having knowledge of the facts, certify that the materials and supplies have been received or the services rendered; said certification being based on signed delivery slips or other reasonable procedures.

DEPARTMENT HEAD

TOWNSHIP OF LOWER
2600 BAYSHORE ROAD
VILLAS, N.J. 08251
FEDERAL ID #21-6005700

PURCHASING (609) 886-2005
FAX (609) 886-5342

PURCHASE ORDER

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKING LISTS, CORRRESPONDENTCE, ETC.

No.

SHIP TO
Lower Township
2600 Bayshore Road
Villas, NJ 08251

ORDER DATE: #####
REQUISITION NO:
DATE:
STATE CONTRACT NO:
F.O.B. TERMS:

VENDOR
Wells Fargo
1 Home Campus
Des Moines, IA 50328

Attn: Refunds

PAYMENT RECORD	
CHECK DATE	CHECK NO.

THE CONDITIONS OF THIS ORDER ARE NOT TO BE MODIFIED BY ANY VERBAL UNDERSTANDING. ALL PRICES ARE F.O.B. DESTINATION UNLESS NOTED.

The Township of Lower, being a political subdivision of the State of New Jersey, is exempt from the New Jersey Sales and Use Taxes, pursuant to Section 9(a)(i) of the New Jersey Sales and Use Tax (P.L. 1966 c.30 and c.53)

QUANTITY/UNIT	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL COST
5/3/2018	**Refund partial 1st Quarter**	**8-01-60-910-014**		**$ 870.14**
	Refund 2nd quarter			$ 986.68
	Disabled Veteran as of 1/22/18			
	Thomas F & Eleanor Chestnut			
	B-537 L-20			
	Resolution # 2018-150			
		TOTAL COST		$ 1,856.82

VENDOR: THE WHITE VOUCHER COPY MUST BE SIGNED AT X AND RETURNED WITH YOUR INVOICE FOR PAYMENT

CERTIFICATION OF FUNDS AVAILABLE		PAYMENT AUTHORIZED	REQUISTION REQUEST	REQUISITION APPROVED
		The above claim was ordered and paid at a meeting of the Township Council held: DATE		
CFO	QPA	TOWNSHIP CLERK	DEPARTMENT HEAD	TOWNSHIP MANAGER

VENDOR'S CERTIFICATION AND DECLARATION

I do solemnly declare and certify under the penalties of the law that the within bill is correct in all its particulars; that the articles have been furnished or services rendered as stated therein; that no bonus has been given or received by any person or persons within the knowledge of this claimant in connection with the above claim; that the amount therein stated is justly due and owing ; and that the amount charged is a reasonable one.

Christina Hanley
VENDOR SIGN HERE

Loan Servicing Specialist
OFFICIAL POSITION

5/9/2018
DATE

94-1347393
TAX I.D. NO OR SOCIAL SECURITY NO.

TOWNSHIP USE ONLY - CERTIFICATION

I, having knowledge of the facts, certify that the materials and supplies have been received or the services rendered; said certification being based on signed delivery slips or other reasonable procedures.

DEPARTMENT HEAD

TOWNSHIP OF LOWER
2600 BAYSHORE ROAD
VILLAS, N.J. 08251
FEDERAL ID #21-6005700

PURCHASING (609) 886-2005
FAX (609) 886-5342

PURCHASE ORDER

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKING LISTS, CORRRESPONDENTCE, ETC.

No.

SHIP TO
Lower Township
2600 Bayshore Road
Villas, NJ 08251

ORDER DATE: #####
REQUISITION NO:
DATE:
STATE CONTRACT NO:
F.O.B. TERMS:

VENDOR
Ernest A & Marcia H Paulus
83 Wildwood Avenue
Villas, NJ 08251

PAYMENT RECORD	
CHECK DATE	CHECK NO.

THE CONDITIONS OF THIS ORDER ARE NOT TO BE MODIFIED BY ANY VERBAL UNDERSTANDING. ALL PRICES ARE F.O.B. DESTINATION UNLESS NOTED.

The Township of Lower, being a political subdivision of the State of New Jersey, is exempt from the New Jersey Sales and Use Taxes, pursuant to Section 9(a)(I) of the New Jersey Sales and Use Tax (P.L. 1966 c.30 and c.63)

QUANTITY/UNIT	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL COST
5/3/2018	**Refund partial 1st Quarter**	**8-01-60-910-014**		**$ 259.04**
	Refund Homestead Benefit			$ 109.80
	Disabled Veteran as of 2/26/18			
	Ernest A & Marcia H			
	B-352.02 L-1			
	Resolution # 2018- 180			
		TOTAL COST		$ 368.84

VENDOR: THE WHITE VOUCHER COPY MUST BE SIGNED AT X AND RETURNED WITH YOUR INVOICE FOR PAYMENT

CERTIFICATION OF FUNDS AVAILABLE		PAYMENT AUTHORIZED	REQUISTION REQUEST	REQUISITION APPROVED
		The above claim was ordered and paid at a meeting of the Township Council held; DATE		
CFO	QPA	TOWNSHIP CLERK	DEPARTMENT HEAD	TOWNSHIP MANAGER

VENDOR'S CERTIFICATION AND DECLARATION

I do solemnly declare and certify under the penalties of the law that the within bill is correct in all its particulars; that the articles have been furnished or services rendered as stated therein; that no bonus has been given or received by any person or persons within the knowledge of this claimant in connection with the above claim; that the amount therein stated is justly due and owing ; and that the amount charged is a reasonable one.

Ernest Paulus

VENDOR SIGN HERE — OFFICIAL POSITION

DATE 5/8/18 — TAX I.D. NO OR SOCIAL SECURITY NO.

TOWNSHIP USE ONLY - CERTIFICATION

I, having knowledge of the facts, certify that the materials and supplies have been received or the services rendered; said certification being based on signed delivery slips or other reasonable procedures.

DEPARTMENT HEAD

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

RESOLUTION # 2018-181

Title: **AUTHORIZATION FOR THE PAYOUT OF ACCUMULATED COMPENSATORY TIME**

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that payment to Ryan Hansberry in the amount of **$4,456.70** is authorized and chargeable to the 2018 Budget account 8-01-25-240-122.

	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 21, 2018.

_____
Julie A Picard, Township Clerk

LOWER TOWNSHIP POLICE DEPARTMENT

SPECIAL REPORT

TO: Chief William Mastriana

FROM: CPL. Ryan Hansberry

DATE: 05/04/2018

SUBJECT: Compensation time, cash out.

To whom it may concern,

I am respectfully requesting to sell back my accrued compensation time, totaling 95hrs.

Thank you in advance for your consideration in this matter.

Respectfully Submitted,

Ryan E. Hansberry
Corporal/Badge 173

95. x
45.9126 =
4,455.697000 *+

C *File*

Date		*Officer*	*Comments*
5/4/18	[illegible]		Forwarded to Chief Mastriana
5/9/18	MB		Sent to Twp for approval

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

RESOLUTION # 2018-182

Title: **AUTHORIZATION FOR SOUTH JERSEY POWER COOPERATIVE ELECTRIC BID**

WHEREAS, the Township desires to participate in the South Jersey Power Co-Operative (SJPC) 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 Margaret Vitelli, Township Qualified Purchasing Agent is hereby authorized to include Lower Township in the South Jersey Cooperative bid for retail purchase of electric.

	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 21, 2018.

Julie A Picard, Township Clerk

SJPC 2018 ELECTRIC 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

__X__ **YES, PLEASE** include my accounts in this year's SJPC Electric 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 Electric Supply Service Bid.

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

Entity and County: TOWNSHIP OF LOWER / CAPE MAY

Contact Name: Margaret Vitelli,

Contact Position: 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 Electric 2018 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 ELECTRIC ACCOUNT INFORMATION (see following page for details)

Participant	Service Address	City	State	Zip Code	Utility	POD ID Number
Lower, Township of	2600 Bayshore Road	Villas	NJ	08251	ACE	0550065898697000143616
Lower, Township of	Forrestral & Langley Road	Erma	NJ	08251	ACE	0550066108557000050631
Lower, Township of	771 Seashore Road	Cold Spring	NJ	08204	ACE	0550001604287001262396
Lower, Township of	771 Seashore Road	Erma	NJ	08204	ACE	0550001606917001326397
Lower, Township of	808 Shunpike Road	North Cape May	NJ	08204	ACE	0550001611377000976115
Lower, Township of	771 Seashore Road	Cold Spring	NJ	08204	ACE	0550001614187000615113
Lower, Township of	Various	Lower	NJ	08251	ACE	0550005160337001014618
Lower, Township of	Various	Lower	NJ	08251	ACE	0550005163897001014658
Lower, Township of	Beach Dr & Canal	North Cape May	NJ	08204	ACE	0550006749057000128944
Lower, Township of	2102 Bayshore Rd	Cold Spring	NJ	08204	ACE	0550007433307000225145
Lower, Township of	677 Route 9	Cold Spring	NJ	08204	ACE	0550007436787001687304
Lower, Township of	677 Route 9	Cold Spring	NJ	08204	ACE	0550007441227001687262
Lower, Township of	307 Champlain Road	Villas	NJ	08251	ACE	0550007444527000680405
Lower, Township of	1370 Yorktown Road	Erma	NJ	08204	ACE	0550007450957000190347
Lower, Township of	704 Winslow Avenue	North Cape May	NJ	08204	ACE	0550036250477000418422
Lower, Township of	Bayshore Road & Village Road	Villas	NJ	08251	ACE	0550061892077000941367
Lower, Township of	209 Bayshore Rd	Villas	NJ	08251	ACE	0550064141347000635904
Lower, Township of	Route 109 TS	Cold Spring	NJ	08204	ACE	0550007454917000171228
Lower, Township of	Bayshore Road ES Police Blvd	Villas	NJ	08251	ACE	0550065896387000141120
Lower, Township of	Forrestal & Langley	Erma	NJ	08204	ACE	0550066103767000087108
Lower, Township of	771 Seashore Road	Cold Spring	NJ	08204	ACE	0550066953367000644912
Lower, Township of	Bayshore Rd N/O Mianmi Avenue	Villas	NJ	08251	ACE	0550081971257000296992
Lower, Township of	2600 Bayshore Road Munc	Villas	NJ	08251	ACE	0550089614627000744285
Lower, Township of	Bates & Mowery Avenue	Villas	NJ	08251	ACE	0550089820217000744359
Lower, Township of	704 Winslow Ave	North Cape May	NJ	08204	ACE	0550089828987000746428
Lower, Township of	Millman Lane/Ohio Avenue	Villas	NJ	08251	ACE	0550092378397000676966
Lower, Township of	Carolina Avenue	Villas	NJ	08251	ACE	0550117621057001024271
Lower, Township of	Bayshore Woods	Villas	NJ	08251	ACE	0550065894557000519830
Lower, Township of	1619 Bayshore Rd	Villas	NJ	08251	ACE	0550007429777001604118
Lower, Township of	100 N Station RD	Willdwood Crest	NJ	08251	ACE	0550007426547001323889
Lower, Township of	Bayshore Rd S/O WW R	Villas	NJ	08251	ACE	0550065863377000131961
Lower, Township of	Wash Blvd	North Cape May	NJ	08204	ACE	0550080313737000989501
Lower, Township of	3913 Bayshore Rd	North Cape May	NJ	08204	ACE	0550101316587001873531
Lower, Township of	Timber Ln	Erma	NJ	08204	ACE	0550007447917000973415
Lower, Township of	Mindy Ave Park	North Cape May	NJ	08204	ACE	0550066957737000644982
Lower, Township of	Jonathan Hoffman	North Cape May	NJ	08204	ACE	0550101321287000775455
Lower, Township of	711 Seashore RD	Cold Spring	NJ	08204	ACE	0550058227827000776243

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

RESOLUTION #2018-183

Title: **CERTIFICATION TO LOCAL FINANCE BOARD OF RECEIPT AND REVIEW OF AUDIT SECTIONS GENERAL COMMENTS & RECOMMENDATIONS**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2017 has been filed by a Registered Municipal Accountant with the Township Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of new Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled:

GENERAL COMMENTS
RECOMMENDATIONS

WHEREAS, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

GENERAL COMMENTS
RECOMMENDATIONS

as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 to wit:

R.S. 52:27BB-52 - *"A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director, under the provisions of this Article, Shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars ($1,000) or imprisoned for not more than one year, or both, in addition shall forfeit his office."*

NOW, THEREFORE BE IT RESOLVED that the Township Council of the Township of Lower, County of Cape May, State of New Jersey, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

	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 21, 2018.

Julie A Picard, Township Clerk

CERTIFICAION OF THE GOVERNING BODY OF THE ANNUAL AUDIT GROUP AFFIDAVIT FORM

STATEOF NEW JERSEY
COUNTY OF CAPE MAY

We, the members of the Lower Township Council, the governing body of the Township of Lower, County of Cape May, State of New Jersey, being dully sworn according to law, upon our oath depose and say:

1. We are duly elected members of the Township Council of the Township of Lower in the County of Cape May
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year 2017
3. We certify that we have personally reviewed and are familiar with, at a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations"

Erik Simonsen, Mayor

Frank Sippel, Deputy Mayor

Thomas Conrad, Councilmember

David Perry, Councilmember

Rolland Roy, Jr., Councilmember

Sworn and subscribed before me this
21st day of May, 2018

Julie A Picard, Township Clerk

TOWNSHIP OF LOWER

2600 Bayshore Road
Villas, New Jersey 08251

Incorporated 1798

(609) 886-2005

TOWNSHIP OF LOWER
COUNTY OF CAPE MAY
CORRECTIVE ACTION PLAN: 2017 AUDIT RECOMMENDATIONS

Prior Year Audit Findings (2016)

THERE WERE NO AUDIT RECOMMENDATIONS IN 2016

TOWNSHIP OF LOWER

2600 Bayshore Road
Villas, New Jersey 08251

Incorporated 1798

(609) 886-2005

TOWNSHIP OF LOWER
COUNTY OF CAPE MAY
CORRECTIVE ACTION PLAN: 2017 AUDIT RECOMMENDATIONS

Current Year Audit Findings (2017)

THERE WERE NO AUDIT RECOMMENDATIONS IN 2017.

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

RESOLUTION #2018-184

Title: **APPOINTMENT OF MARCUS KARAVAN, ESQ AS SPECIAL COUNSEL TO THE TAX ASSESSORS OFFICE FOR TAX RELATED AND LAND USE MATTERS AS A PROFESSIONAL SERVICE CONTRACT WITHOUT PUBLIC BIDDING**

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

WHEREAS, Marcus Karavan, Esq. has provided a proposal to serve as Special Counsel to the Tax Assessor's Office for Tax Related and Land Use Matters at a rate of $125.00 per hour not to exceed $10,000 and subject to the approval of the Township Solicitor; and

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

Appropriation #:

CFO Signature: _____
Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED, by the Township of Lower, County of Cape May, State of New Jersey, that a contract without public bidding be awarded to Marcus Karavan of Blaney Karavan as Special Counsel to the Tax Assessor's Office at a fee of $125.00 per hour with a not to exceed amount of $10,000 and subject to the approval of the Township Solicitor.

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 21, 2018.

_____
Julie A Picard, Township Clerk

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

RESOLUTIUON #2018-185

Title: **APPOINTMENT TO THE PLANNING BOARD**

WHEREAS, Brian Sullivan, Class IV Member on the Planning Board has a term which will expire June, 2021 and has tenured his resignation 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 appointment be made:

NAME	TYPE	TERM EXP
James M. Hemingway	Class IV	June 30, 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 21, 2018.

Julie A Picard, Township Clerk

FOR TOWNSHIP USE ONLY
Res. # _____ Board/Comm./Auth. _____

RCVD MAY 9 '18

Term Exp. _____ Replaced _____ or Reappointed

TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

NAME James M Hemingway

CITY AND STATE Erma, N.J.

YEARS OF RESIDENCY IN TOWNSHIP 35 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

X Municipal Utilities Authority
X Planning Board
_____ Recreation Advisory Board
X 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.**

40 years Owner, Operator Gandler State Dredging & Construction, Marine Construction wet land Restoration, Beach Replenishment Channel & Marine; Underground Utilities, Water Sewer Drainage, Land Development, Site work Road Restoration, Glass Recycling

Date: 5/8/18 Signature: James M Hemingway (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

ORDINANCE #2018-09

Title: **AN ORDINANCE REVISING AND RESTATING CHAPTER 400 – LAND DEVELOPMENT; ARTICLE X, SUB-SECTION 400-81; GUARANTEES AND INSPECTIONS; OF THE CODE OF THE TOWNSHIP OF LOWER**

WHEREAS, the Township Council of the Township of Lower desires to amend and restate Article X sub-section 400-81 of Chapter 400 of the Code of the Township of Lower concerning Guarantees and Inspections of on-tract improvements in light of the adoption of New Jersey Senate Bill S3233 which modified performance and maintenance guarantee requirements under the "Municipal Land Use Law" (N.J.S.A.40:55D et seq).

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 400, Article X subsection 400-81 entitled **Guarantees and Inspections** is hereby stricken and replaced with the following:

400-81. Guarantees and Inspections

Installation Requirements; on-tract improvements

A. Before recording final subdivision plats, the approving authority shall require that the applicant shall have installed or shall have furnished performance guaranties for the installation of on-tract improvements in accordance with the Township's specifications as follows:

1. Streets.
2. Pavement.
3. Gutters.
4. Curbs.
5. Sidewalks.
6. Street lighting.
7. Street trees.
8. Surveyor's monuments, as shown on the final map and required by "the map filing law," P.L. 1960, c. 141 (C. 46:23-9.9 et seq.; repealed by Section 2 of P.L. 2011, C. 217) or N.J.S.A. 46:268-1 through N.J.S.A. 46:268-8.
9. Water mains.
10. Sanitary sewers.
11. Community septic systems.
12. Drainage structures.
13. Public improvements of open space; and
14. Any grading necessitated by the preceding improvements.

B. All such required improvements shall be certified by the Township Engineer unless the applicant shall have filed a performance guarantee sufficient in amount to cover the cost of all such improvements or uncompleted portions thereof as estimated by the Township Engineer, consistent with this Article.

Performance and Maintenance Guarantees

A. Before filing of final subdivision plats or recording of minor subdivision deeds or as a condition of final site plan approval or as a condition to the issuance of a zoning permit pursuant to subsection d. of section 52 of P.L. 1975, c. 291 (C. 40:55D-65), or as a condition of approval of a permit update under the State Uniform Construction Code for the purpose of updating the name and address of the owner of property on a construction permit, the Township shall require and shall accept in accordance with the standards set forth hereinbelow and regulations adopted pursuant to section 1 of P.L. 1999, c. 68 (C. 40:55D-53a) for the purpose of assuring the installation and maintenance of certain on-tract improvements, the furnishing of a performance guarantee, and provision for a maintenance guarantee as set forth in this Section.

1) The developer shall furnish a performance guarantee in favor of the Township in an amount not to exceed 120% of the cost of installation of only those improvements required by an approval or developer's agreement, ordinance, or regulation to be dedicated to a public entity, and that have not yet been installed, which cost shall be determined by the Township Engineer, according to the method of calculation set forth in section 15 of P.L. 1991, c. 256 (C. 40:55D-53.4), for the following improvements as shown on the approved plans or plat:

a) Streets.

b) Pavement.

c) Gutters.

d) Curbs.

e) Sidewalks.

f) Street lighting.

g) Street trees.

h) Surveyor's monuments, as shown on the final map and required by "the map filing law," P.L. 1960, c. 141 (C. 46:23-9.9 et seq.; repealed by Section 2 of P.L. 2011, C. 217) or N.J.S.A. 46:268-1 through N.J.S.A. 46:268-8.

i) Water mains.

j) Sanitary sewers.

k) Community septic systems.

l) Drainage structures.

m) Public improvements of open space; and

n) Any grading necessitated by the preceding improvements.

2) The developer shall also furnish a performance guarantee to include, within an approved phase or section of a development, privately-owned perimeter buffer landscaping, as required by the Township Code or imposed as a condition of approval. At a developer's option, a separate performance guarantee may be posted for the privately-held perimeter buffer landscaping.

3) The Township Engineer shall prepare an itemized cost estimate of the improvements covered by the performance guarantee, which itemized cost estimate shall be appended to each performance guarantee posted by the obligor.

B. The developer shall also furnish to the Township a "safety and stabilization guarantee" in favor of the Township. At the developer's option, a "safety and stabilization guarantee" may be furnished either as a separate guarantee or as a line item of the performance guarantee. A "safety and stabilization guarantee" shall be available to the Township solely for the purpose of returning property that has been disturbed to a safe and stable condition or otherwise implementing measures to protect the public from access to an unsafe or unstable condition, only in the circumstance that:

1) Site disturbance has commenced and, thereafter, all work on the development has ceased for a period of at least 60 consecutive days following such commencement for reasons other than force majeure, and

2) Work has not recommenced within 30 days following the provision of written notice by the Township to the developer of the Township's intent to claim payment under the guarantee.

3) The Township shall not provide notice of its intent to claim payment under a "safety and stabilization guarantee" until a period of at least 60 days has elapsed during which all work on the development has ceased for reasons other than force majeure. The Township shall provide written notice to the developer by certified mail or other form of delivery providing evidence of receipt.

4) The amount of a "safety and stabilization guarantee" for a development with bonded improvements in an amount not exceeding $100,000 shall be $5,000.

5) The amount of a "safety and stabilization bond guarantee" for a development with bonded improvements exceeding $100,000 shall be calculated as a percentage of the bonded improvement costs of the development or phase of development as follows:

1. $5,000 for the first $100,000 of bonded improvement costs, <u>plus</u>

2. Two and a half percent of bonded improvement costs in excess of $100,000 up to $1,000,000, <u>plus</u>

3. One percent of bonded improvement costs in excess of $1,000,000.

6) The Township shall release a separate "safety and stabilization guarantee" to a developer upon the developer's furnishing of a performance guarantee which includes a line item for safety and stabilization in the amount required under this paragraph.

7) The Township shall release a "safety and stabilization guarantee" upon the Township Engineer's determination that the development of the project site has reached a point that the improvements installed are adequate to avoid any potential threat to public safety.

C. Prior to the release of a performance guarantee required pursuant to this Section, the developer shall post with the Township a maintenance guarantee in an amount not to exceed 15% of the cost of the installation of the improvements which are being released.

1) The developer shall post with the Township, upon the inspection and issuance of final approval of the following private site improvements by the Township Engineer, a maintenance guarantee in an amount not to exceed 15% of the cost of the installation of the following-private site improvements, which cost shall be determined according to the method of calculation set forth in section 15 of P.L.1991, c.256 (C.40:55D-53.4):

a) Stormwater management basins.
b) In-flow and water quality structures within the basins; and
c) The out-flow pipes and structures of the stormwater management system, if any.

2) The term of the maintenance guarantee shall be for a period not to exceed two years and shall automatically expire at the end of the established term.

D. In the event that other governmental agencies or public utilities automatically will own the utilities to be installed or the improvements are covered by a performance or maintenance guarantee to another governmental agency, no performance or maintenance guarantee, as the case may be, shall be required by the Township for such utilities or improvements.

E. Regulations concerning performance guarantees.

1) The time allowed for installation of the bonded improvements for which the performance guarantee has been provided may be extended by the governing body by resolution. As a condition or as part of any such extension, the amount of any performance guarantee shall be increased or reduced, as the case may be, to an amount not to exceed 120% of the cost of the installation, which cost shall be determined by the Township Engineer according to the method of calculation set forth in section 15 of P.L. 1991, c. 256 (C. 40:55D-53.4) as of the time of the passage of the resolution.

2) If the required bonded improvements are not completed or corrected in accordance with the performance guarantee, the obligor and surety, if any, shall be liable thereon to the Township for the reasonable cost of the improvements not completed or corrected, and the Township may either prior to or after the receipt of the proceeds thereof complete such improvements. Such completion or correction of improvements shall be subject to the public bidding requirements of the "Local Public Contracts Law," P.L. 1971, c. 198 (C. 40A:11-1 et seq.).

3) Upon substantial completion of all required street improvements (except for the top course) and appurtenant utility improvements, and the connection of same to the public system, the obligor may request of the governing body in writing, by certified mail addressed in care of the Township Clerk, that the Township Engineer prepare, in accordance with the itemized cost estimate prepared by the Township Engineer and appended to the performance guarantee pursuant to this Section, a list of all uncompleted or unsatisfactory completed bonded improvements. If such a request is made, the obligor shall send a copy of the request to the Township Engineer. The request shall indicate which bonded improvements have been completed and which bonded improvements remain uncompleted in the judgment of the obligor. Thereupon the Township Engineer shall inspect all bonded improvements covered by obligor's request and shall file a detailed list and report, in writing, with the governing body, and shall simultaneously send a copy thereof to the obligor not later than 45 days after receipt of the obligor's request.

a) The list prepared by the Township Engineer shall state, in detail, with respect to each bonded improvement determined to be incomplete or unsatisfactory, the nature and extent of the incompleteness of each incomplete improvement or the nature and extent of, and remedy for, the unsatisfactory state of each completed bonded improvement determined to be unsatisfactory. The report prepared by the Township Engineer shall identify each bonded improvement determined to be complete and satisfactory together with a recommendation as to the amount of reduction to be made in the performance guarantee relating to the completed and satisfactory bonded improvement, in accordance with the itemized cost estimate prepared by the Township Engineer and appended to the performance guarantee pursuant to subsection a. of this section.

b) The governing body, by resolution, shall either approve the bonded improvements determined to be complete and satisfactory by the Township Engineer, or reject any or all of these bonded improvements upon the establishment in the resolution of cause for rejection, and shall approve and authorize the amount of reduction to be made in the performance guarantee relating to the improvements accepted, in accordance with the itemized cost estimate prepared by the Township Engineer and appended to the performance guarantee pursuant to this Section. This resolution shall be adopted not later than 45 days after receipt of the list and report prepared by the Township Engineer. Upon adoption of the resolution by the governing body, the obligor shall be released from all liability pursuant to its performance guarantee with respect to those approved bonded improvements, except for that portion adequately sufficient to secure completion or correction of the improvements not yet approved; provided that 30% of the amount of the total performance guarantee and "safety and stabilization guarantee" posted may be retained to ensure completion and acceptability of all improvements. The "safety and

stabilization guarantee" shall be reduced by the same percentage as the performance guarantee is being reduced at the time of each performance guarantee reduction.

c) For the purpose of releasing the obligor from liability pursuant to its performance guarantee, the amount of the performance guarantee attributable to each approved bond improvement shall be reduced by the total amount for each such improvement, in accordance with the itemized cost estimate prepared by the Township Engineer and appended to the performance guarantee pursuant to subsection a. of this section, including any contingency factor applied to the cost of installation. If the sum of the approved bonded improvements would exceed 70 percent of the total amount of the performance guarantee, then the Township may retain 30 percent of the amount of the total performance guarantee and "safety and stabilization guarantee" to ensure completion and acceptability of all bonded improvements, as provided above, except that any amount of the performance guarantee attributable to bonded improvements for which a "temporary certificate of occupancy guarantee" has been posted shall be released from the performance guarantee even if such release would reduce the amount held by the Township below 30 percent.

d) If the Township Engineer fails to send or provide the list and report as requested by the obligor pursuant to this Section within 45 days from receipt of the request, the obligor may apply to the court in a summary manner for an order compelling the Township Engineer to provide the list and report within a stated time and the cost of applying to the court, including reasonable attorney's fees, may be awarded to the prevailing party.

e) If the governing body fails to approve or reject the bonded improvements determined by the Township Engineer to be complete and satisfactory or reduce the performance guarantee for the complete and satisfactory improvements within 45 days from the receipt of the Township Engineer's list and report, the obligor may apply to the court in a summary manner for an order compelling, within a stated time, approval of the complete and satisfactory improvements and approval of a reduction in the performance guarantee for the approvable complete and satisfactory improvements in accordance with the itemized cost estimate prepared by the Township Engineer and appended to the performance guarantee pursuant to this Section; and the cost of applying to the court, including reasonable attorney's fees, may be awarded to the prevailing party.

f) In the event that the obligor has made a cash deposit with the Township or approving authority as part of the performance guarantee, then any partial reduction granted in the performance guarantee pursuant to this subsection shall be applied to the cash deposit in the same proportion as the original cash deposit bears to the full amount of the performance guarantee , provided that if the developer has furnished a "safety and stabilization guarantee," the Township may retain cash equal to the amount of the remaining "safety and stabilization guarantee."

4) If any portion of the required bonded improvements is rejected, the approving authority may require the obligor to complete or correct such improvements and, upon completion or correction, the same procedure of notification, as set forth in this Section shall be followed.

5) Nothing herein shall be construed to limit the right of the obligor to contest by legal proceedings any determination of the governing body or the Township Engineer.

F. Regulations concerning inspection fees.

1) The obligor shall reimburse the Township for reasonable inspection fees paid to the Township Engineer for the foregoing inspection of improvements; which fees shall not exceed the sum of the amounts set forth hereinbelow. The Township shall require the developer to post the inspection fees in escrow in an amount:

a) not to exceed, except for extraordinary circumstances, the greater of $500 or, except for extraordinary circumstances, the greater of $500 or 5% of the cost of bonded improvements that are subject to a performance guarantee under this Section; and

b) not to exceed 5% of the cost of private site improvements that are not subject to a performance guarantee under this Section, which cost shall be determined pursuant to section 15 of P.L. 1991, c. 256 (C. 40:55D53.4).

2) For those developments for which the inspection fees total less than $10,000, fees may, at the option of the developer, be paid in two installments. The initial amount deposited in escrow by a developer shall be 50% of the inspection fees. When the balance on deposit drops to 10% of the inspection fees because the amount deposited by the developer has been reduced by the amount paid to the Township Engineer for inspections, the developer shall deposit the remaining 50% of the inspection fees.

3) For those developments for which the inspection fees are total $10,000 or greater, fees may, at the option of the developer, be paid in four installments. The initial amount deposited in escrow by a developer shall be 25% of the inspection fees. When the balance on deposit drops to 10% of the inspection fees because the amount deposited by the developer has been reduced by the amount paid to the Township Engineer for inspection, the developer shall make additional deposits of 25% of the inspection fees.

4) If the Township determines that the amount in escrow for the payment of inspection fees, as calculated hereinabove, is insufficient to cover the cost of additional required inspections, the developer shall deposit additional funds in escrow. In such instance, the Township shall deliver to the developer a written inspection escrow deposit request, signed by the Township Engineer, which informs the developer of the need for additional inspections, details the items or undertakings that require inspection, estimates the time required for those inspections, and estimates the cost of performing those inspections.

G. In the event that final approval is by stages or sections of development pursuant to subsection a. of section 29 of P.L.1975, c.291 (C.40:55D-38}, the provisions of this Section shall be applied by stage or section.

H. To the extent that any of the improvements have been dedicated to the Township on the subdivision plat or site plan, the governing body shall be deemed, upon the release of any performance guarantee required pursuant to subsection a. of this section, to accept dedication for public use of streets or roads and any other improvements made thereon according to site plans and subdivision plats approved by the approving authority, provided that such improvements have been inspected and have received final approval by the Township Engineer.

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

First Reading: May 21, 2018

_____
David Perry, Councilmember

Adopted:

_____
Rolland Roy, Jr., Councilmember

Attest: _____
Julie A. Picard, Township Clerk

_____
Frank Sippel, Deputy Mayor

_____
Erik Simonsen, Mayor

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

RESOLUTION #2018-186

Title: **AUTHORIZING THE PAYMENT OF VOUCHERS**

Vendor	PO#	Description	CK #	Amount
Lower Twp Rescue	18-00405	Contribution due June 3		$ 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 21, 2018.

Julie A Picard, Township Clerk

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

RESOLUTION #2018-188

Title: **A RESOLUTION AMENDING RESOLUTION #2018-174; 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, Resolution #2018-174 was adopted by Lower Township Council on May 7, 2018; authorizing a Shared Service Agreement with the County of Cape May for Law Enforcement Coverage at a Township Event scheduled for June 10, 2018; and

WHEREAS, the agreement contains an incorrect hourly rate for Sheriff's Officers; and

WHEREAS, the correct hourly rate is $70.00.

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 **CORRECTED** shared services agreement, attached hereto, 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.

	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 21, 2018.

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 10, 2018

SHARED SERVICES AGREEMENT BETWEEN

TOWNSHIP OF LOWER AND
COUNTY OF CAPE MAY

THIS AGREEMENT made and entered into on the____day of_____, 2017, 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 4, 2017 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-l 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 4, 2017.

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

PERSONNEL ACTIONS

Report for Council Meeting of 05/21/2018

Department	Name	Eff. Date	Replaces	Action	Title	Budgeted Item
Public Safety	VanMourik, Deborah	5/02/ 2018		Retired	Pr.Clk Typist	Yes
Finance	Senico, Aaren	5/11/2018	VanMourik, D.	Transfer to PS	Sr. Clk Typist	Yes
Public Safety	Bonacci, Edward	5/01/2018		New Hire	Class II Officer	Yes
Public Safety	Flukey, Nicholas	5/01/2018		New Hire	Class II Officer	Yes
Public Safety	Vanaman, Donald	4/23/2018		Promotion	Lieutenant	Yes
DPW	Dowe, Francis X Jr.	5/14/2018	Magnavita, A	Interim	Laborer	Yes
Clerk	Lees, Amy	5/15/2018	Greenway, E	Interim	Clerk Typist	Yes

Date of report: 05/14/2018

c: Manager
Clerk
Payroll
Asst. Treasurer
Bulletin Board

CLERK'S REPORT-APRIL - Last month

4/1/2018 through 4/30/2018

Account	Num	Description	Memo	Category	Amount
INCOME					**25,658.00**
Uncategorized					**9,463.00**
Business Mercantile 2012016					**1,250.00**
Campgrounds & Trailers					**3,400.00**
Ice Cream License					**520.00**
Licenses & Permits					**90.00**
Liquor Licenses					**150.00**
Rental Merc					**3,750.00**
Scrapper					**10.00**
Street Openings					**1,310.00**
Taxi & Limo					**25.00**
VACANT PROPERTY REGISTRATION					**5,500.00**
Yard Sales					**190.00**
EXPENSES					**11,749.00**
Business Mercantile 2018-2019					**11,749.00**
TRANSFERS					**-37,407.00**
Council Checking					**-37,407.00**
			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: 04/01/2018 To 04/30/2018

May 08 , 2018 12:33:07PM

SUMMARY

CONSTRUCTION COSTS

Cost Of Construction:	$1,180,864.00	Cubic Footage:	239494	Cu.ft
Cost Of Alteration:	$1,165,782.50	Square Footage:	19562	Sq.ft
Cost Of Demolition:	$27,500.00			
Total Cost:	$2,374,146.50			

COUNT

Permit Issued:	142
Updates Issued:	13
All Fees Waived:	2
Municipal Fees Waived:	0

PERMIT FEES		ADMIN FEES		WAIVED FEES		TOTAL FEES	
Building:	$19,270.00	Building:	$0.00	Building:	$0.00	Building Fees:	$19,270.00
Electrical:	$13,327.00	Electrical:	$0.00	Electrical:	$226.00	Electrical Fees:	$13,101.00
Fire :	$2,850.00	Fire :	$0.00	Fire :	$0.00	Fire Fees:	$2,850.00
Plumbing:	$6,384.00	Plumbing:	$0.00	Plumbing:	$0.00	Plumbing Fees:	$6,384.00
Elevator:	$0.00	Elevator:	$0.00	Elevator:	$0.00	Elevator Fees:	$0.00
Mechanical:	$3,255.00	Mechanical:	$0.00	Mechanical:	$0.00	Mechanical Fees:	$3,255.00
				Total Waived:	*$226.00*	Technical Fees:	*$44,860.00*

DCA

	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	$885.00	$0.00	$885.00
Alteration TrainingFee:	$2,218.00	$297.00	$1,921.00
DCA Minimum Fee:	$26.00	$0.00	$26.00
Sub total Training Fee:	$3,129.00	$297.00	*$2,832.00*

Certificate of Occupancy Fee:	$2,699.00
Waived Certificate Fees:	$0.00
Sub Total Certificate Fees:	*$2,699.00*

TECHNICAL ISSUES

Building Technical:	64
Electrical Technical:	103
Fire Protection Technical:	21
Plumbing Technical:	51
Elevator Technical:	
Mechanical Technical:	33

CERTIFICATE ISSUES

Certificate of Occupancy:	13
Certificate of Approval:	31
Certificate of Continued Occupancy:	0

PERMIT FEES:	$44,860.00
DCA FEES:	$2,832.00
CERTIFICATE FEES:	$2,699.00
MIN FEES:	$0.00
NET TOTAL FEES:	*$50,391.00*
PENALTIES COLLECTED:	$0.00
CCO FEES:	$0.00
OTHER FEES:	$50.00
GRAND TOTAL FEES:	*$50,441.00*

OFFICE OF THE CONSTRUCTION OFFICIAL

Account Summation-Summary

Report Run from 04/01/2018 To 04/30/2018

May 8, 2018 12:37:26PM

ACCOUNT:		Cash Amount	Check Amount	Credit Card Amount	Total Fee
PERMIT FEES	Sub Totals:	$1,969.00	$48,472.00	$0.00	$50,441.00
LICENSE FEES	Sub Totals:	$25.00	$300.00	$0.00	$325.00
DUMSPTER	Sub Totals:	$10.00	$0.00	$0.00	$10.00
	GRAND TOTALS:	$2,004.00	$48,772.00	$0.00	$50,776.00

BOROUGH OF WEST CAPE MAY

2600 Bayshore Road

Borough of West Cape May, NJ 08251

609-886-1455

OFFICE OF CONSTRUCTION OFFICIAL

Construction Permit Activity Report

RANGE: 04/01/2018 **To** 04/30/2018

May 08 , 2018 12:39:08PM

SUMMARY

CONSTRUCTION COSTS					COUNT	
Cost Of Construction:	$68,100.00	Cubic Footage:	4224	Cu.ft	Permit Issued:	10
Cost Of Alteration:	$188,608.00	Square Footage:	352	Sq.ft	Updates Issued:	3
Cost Of Demolition:	$11,000.00				All Fees Waived:	0
Total Cost:	$267,708.00				Municipal Fees Waived:	0

PERMIT FEES		ADMIN FEES		WAIVED FEES		TOTAL FEES	
Building:	$5,392.00	Building:	$0.00	Building:	$0.00	Building Fees:	$5,392.00
Electrical:	$1,438.00	Electrical:	$0.00	Electrical:	$0.00	Electrical Fees:	$1,438.00
Fire :	$385.00	Fire :	$0.00	Fire :	$0.00	Fire Fees:	$385.00
Plumbing:	$1,039.00	Plumbing:	$0.00	Plumbing:	$0.00	Plumbing Fees:	$1,039.00
Elevator:	$0.00	Elevator:	$0.00	Elevator:	$0.00	Elevator Fees:	$0.00
Mechanical:	$225.00	Mechanical:	$0.00	Mechanical:	$0.00	Mechanical Fees:	$225.00
				Total Waived:	*$0.00*	Technical Fees:	*$8,479.00*

DCA	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	$16.00	$0.00	$16.00
Alteration TrainingFee:	$359.00	$0.00	$359.00
DCA Minimum Fee:	$0.00	$0.00	$0.00
Sub total Training Fee:	$375.00	$0.00	*$375.00*

Certificate of Occupancy Fee:	$55.00
Waived Certificate Fees:	$0.00
Sub Total Certificate Fees:	*$55.00*

TECHNICAL ISSUES

Building Technical:	8
Electrical Technical:	9
Fire Protection Technical:	3
Plumbing Technical:	3
Elevator Technical:	
Mechanical Technical:	2

CERTIFICATE ISSUES

Certificate of Occupancy:	4
Certificate of Approval:	1
Certificate of Continued Occupancy:	0

PERMIT FEES:	$8,479.00
FEES:	$375.00
CERTIFICATE FEES:	$55.00
MIN FEES:	$0.00
NET TOTAL FEES:	*$8,909.00*
PENALTIES COLLECTED:	$0.00
CCO FEES:	$0.00
OTHER FEES:	$0.00
GRAND TOTAL FEES:	*$8,909.00*

OFFICE OF THE CONSTRUCTION OFFICIAL

Account Summation-Summary

Report Run from 04/01/2018 To 04/30/2018

May 8, 2018 12:39:42PM

ACCOUNT:		Cash Amount	Check Amount	Credit Card Amount	Total Fee
PERMIT FEES	Sub Totals:	$0.00	$8,909.00	$0.00	$8,909.00
	GRAND TOTALS:	$0.00	$8,909.00	$0.00	$8,909.00

APRIL 2018 DOG REPORT

Date	#'s	Void/Dup	5	10	$5.00	$5.00	Total D	Total E		
			#S/N	Non S/N	Prior Year	Late Fee			Deposit	
4/2/2018	#827-829		3				$15.00	$0.00	$15.00	
4/3/2018	#830-835		4	2			$20.00	$20.00	$40.00	
4/4/2018	#836-840		2	3		$15.00	$10.00	$30.00	$55.00	
4/5/2018	#841-850		8	2			$40.00	$20.00	$60.00	
4/6/2018	#851-855		4	1			$20.00	$10.00	$30.00	
4/9/2018	#856-859		3	1			$15.00	$10.00	$25.00	
4/10/2018	#860-862		2	1		$5.00	$10.00	$10.00	$25.00	
4/11/2018	#863-868		4	2		$5.00	$20.00	$20.00	$45.00	
4/12/2018	#869-877		8	1		$10.00	$40.00	$10.00	$60.00	
4/13/2018	#878-887		10				$50.00	$0.00	$50.00	
4/16/2018	#888-904		9	8		$10.00	$45.00	$80.00	$135.00	
4/18/2018	#905-911		6	1		$5.00	$30.00	$10.00	$45.00	
4/19/2018	#912-916		4	1			$20.00	$10.00	$30.00	
4/20/2018	#917-926		8	2		$5.00	$40.00	$20.00	$65.00	
4/23/2018	#927-932		6			$5.00	$30.00	$0.00	$35.00	
4/24/2018	#933-938		6				$30.00	$0.00	$30.00	
4/25/2018	#939-946		6	2			$30.00	$20.00	$50.00	
4/26/2018	#947-953		6	1			$30.00	$10.00	$40.00	
4/27/2018	#354-963		10				$50.00	$0.00	$50.00	
4/30/2018	#964-972		9			$5.00	$45.00	$0.00	$50.00	
							$0.00	$0.00	$0.00	
							$0.00	$0.00	$0.00	
							$0.00	$0.00	$0.00	
							$0.00	$0.00	$0.00	
							$0.00	$0.00	$0.00	
							$0.00	$0.00	$0.00	
							$0.00	$0.00	$0.00	
							$0.00	$0.00	$0.00	
							$0.00	$0.00	$0.00	
			118	28	0	$65.00	$590.00	$280.00	$935.00	
Total Licenses collected w/fees			**146**							
	Twp. Fee	$554.80		**Pd State**	$259.20					
	State Reg.	$146.00								
	Pilot Clinic	$29.20		**Twp. Fee**	$619.80					
	Anim. Pop. Sta	$84.00								
	Anim. Pop. Tw	$56.00								
	Late Fee	$65.00		**S/N Fund**	$0.00					
	Prior Year	$0.00								
	Total Collected	**$935.00**								

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 2018, the Lower Township Bureau of Fire Safety made deposits of $49,218.88 in the Lower Township Tax office.

Sincerely,

Donna Blackley
Fire Official

cc: file
Board Members
Lauren Read
James Ridgway

Lower Township Police Department
Monthly Activity Report

2018

	April	Total:
General Complaints and Service Calls (Total Events)	3472	12169
Aggravated Assaults	2	5
Animal Control Complaints	23	58
Arson	0	0
Assaults	8	21
Assaults on Police Officers (UCR Report Return "A")	0	0
Bias Incidents	0	0
Burglaries	5	19
Community Policing Services	437	1740
Criminal Mischief Complaints	11	32
Death Investigations	4	14
Disorderly Conduct Complaints / Harassment	120	386
Domestic Violence Complaints	28	90
Emergency Medical Calls with L. T. Rescue	15	103
Fire Calls & Alarms Police Response (Total)	51	201
Local Ordinance Complaints	0	1
Motor Vehicle Accidents	39	121
Motor Vehicle Stops	473	1298
Narcotics	3	35
Property Checks	2006	7101
Residential and Commercial Alarm Calls	151	574
Robbery	1	1
Thefts	12	40
Traffic Summons Issued	149	383
Traffic Warnings Issued	2	42
Weapons Offenses	0	1
Adult Arrests (UCR Report Return "A")	41	113
Juvenile Arrests (UCR Report Return "A")	0	6
D.W.I. Arrests (UCR Report JV & Adult Arrests Combined)	8	16
Drug Possession Arrests (UCR Report JV & Adult Arrests Combined)	3	18
Investigation Reports Completed	50	197
Supplemental Investigation Reports Completed	27	81
Total Value Property Stolen (UCR Report Return "A")	$ 3,586.00	$ 41,510.00
Total Value Property Recovered (UCR Report Return "A")	$ -	$ 51,020.00

Lower Township Police Department
Monthly Activity Report

2018

		April	Total:
Man Power Loss in Hours			
	Union	0	0
	Suspended	0	24
(V)	Vacation	796	2674
(P)	Personal	108	276
(C)	Used Comp Hours	0	1195
(S)	Sick Hours	321	1258
(WC)	Injury Hours	0	389
(T)	Training Hours	0	1700
(M)	Military Training	168	790
Police Department Overtime in Hours			
(K= Patrol)	Operations Overtime	143.5	609
(CE = Patrol)	Operations Comp Time	375.75	1177.76
(K = Detective)	Investigation Division Overtime	110	305
(CE= Detective)	Investigation Division Comp Time	0	206.25
(COT)	Court Overtime	12	66
(CCE)	Court Comp Time	9	13.5
(H)	Holiday Overtime	0	392.5
(HCE)	Holiday Comp Time	0	176
Government/Grant Funding Overtime in Hours			
(CIOT)	Click It or Ticket	0	0
(COPS)	Cops n Shops	0	0
	JV Curfew	0	0
(DDEF / DSGP)	DWI Grants	60	71
	Other	0	
Private Funding Overtime in Hours			0
(OSC)	Special Detail	30.5	100.5

Prepared By: Chief William Mastriana

Chief William Mastriana

Date: 5/7/2018

2018 CASH RECEIPTS
APRIL

Township of Lower
Office of the Tax Collector

	MONTH TO DATE	YEAR TO DATE
Receipts		
Current year taxes (2018)	8,099,240.89	22,236,145.90
Prior year taxes (2017)	87,068.01	556,816.30
Prior year taxes (2016)		250.00
Previously exempt property		1,135.8
State Audit Pay Back		1,000.00
Municipal Lien		0.00
Recording		0.00
Bankruptcy		0.00
6% Penalty	684.92	2,715.35
Municipal Service Fees		44,720.00
Tax Search Fees		0.00
Interest	11,750.96	53,044.23
Lot clearing	1,075.00	2,750.00
Returned Check Fees	40.00	140.00
Duplicate Bills	180.00	485.00
Trash	**4,072.50**	18,113.25
TOTAL DEPOSITS	**8,204,112.28**	**22,917,315.83**
DEPOSITED TO COUNCIL CHECK	**7,906,351.11**	**21,723,008.78**
DEPOSITED TO WIPP ACCOUNT	**297,761.17**	**1,194,746.05**
Transferred to BOCA		**-439.00**
TOTAL DEPOSITS	8,204,112.28	21,743,872.12
NSF Reversals	2,140.15	31,816.66
WIPP NSF Reversals	**751.26**	11,133.03
TOTAL	8,201,220.87	**21,700,922.43**

Prepared by Kathy Brown

2018 APRIL
VITAL STATISTICS

Marriages,Civil Unions	13
Domestic Partners	0
Ceritified Copies	170
Certified Copies EDRS	1
Burial Permits	0
Marriages, Civil Unions State	$325.00
Domestic Partners State	$0.00
Marriages, Civil Unions Twp	$39.00
Domestic Partners Twp	$0.00
Certified Copies	$1,700.00
Certified Copies EDRS	$10.00
Burial Permits State	$0.00
Burial Permits Twp	$0.00
TOTAL	$2,074.00

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

RESOLUTION # 2018-187

Title:

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

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

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

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township council of the Township of Lower, assembled in public session on May 21, 2018 that an Executive Session closed to the public shall be held on this date at approximately_____ P.M. in the Conference Room of the Township Hall, 2600 Bayshore Road, Villas for the discussion of matters relating to the specific items designated above.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on May 21, 2018

_____
Julie A Picard, Township Clerk