

**Meeting called to order**

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

**Work Session**

**Consent Agenda**

- Approval of Minutes November 19, 2018
- Res. #2018-358 Payment of Vouchers \$ 608,745.63
- Res. #2018-359 Resolution Consenting to the Proposed Cape May County Water Quality Management (WQM) Plan Amendment (115 Breakwater)
- Res. #2018-360 Re-Appointment of Jennifer Dowe as Community Rating System Coordinator (\$10,000)
- Res. #2018-361 Approving a Professional Service Contract with Engineering Design Associates, PA, for Village Road Emergency Vehicle Beach Access Repair (not to exceed \$21,000)
- Res. #2018-362 A Resolution Authorizing a Memorandum of Agreement Between the Township of Lower and the County of Cape May to Develop An Economic Development Plan for the Cape May County Airport and the Surrounding Opportunity Zone
- Res. #2018-363 Authorizing Competitive Contracting for Microfilm and Electronic Records Data Management System for All Departments in the Township of Lower
- Res. #2018-364 Cops in Shops Summer Shore Initiative 2019 (authorizing application)
- Res. #2018-365 A Resolution Approving a Shared Service Agreement Between the Township of Lower and Lower Cape May Regional School District – School Resource Officer (Teitelman; 3 yr agreement)
- Res. #2018-366 Authorizing the Sale of Township of Lower Surplus No Longer Needed for Public Use on GOVDEALS Online Auction Website (Chair/printer/typewriter)
- Res. #2018-367 Resolution Authorizing an Application to the New Jersey Clean Energy Program to Conduct a Local Government Energy Audit (LGEA) Municipal Energy Audit of the Township of Lower - Various Buildings
- Ordinance 2018-20 - Salary and Benefit Ordinance for the Township of Lower – This is the first reading of this Ordinance. The second reading and public hearing has been scheduled for December 17, 2018

**Regular Agenda**

- Res. #2018-368 Approval of an Alcoholic Beverage Control License Person-to-Person Transfer – License #0505- 33-015-009, From Marie Nicole, Inc to HC Farm, LLC – This transfer has been published and no objections have been filed
- Res. #2018-369 A Resolution Authorizing an Amendment to the Salary Ordinance
- Res. #2018-370 Authorization for the Payment of College Credits (23 employees/\$20,810.)
- Res. #2018-371 Authorization for 2018 Incentive Award for Insurance Waiver (23 employees/\$57,500)
- Res. #2018-372 Authorization for the Payout of Accumulated Vacation Time (W.Mastriana \$5,791.61)

**Manager's Report**

**Council Comments**

**Call to the Public**

**Closed Session**

- Res. #2018-373 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 – Prof Svc**

**Adjournment**

**COUNCIL MEETING MINUTES – November 19, 2018**

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on November 19, 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, Robert Belasco, Township Solicitor and Karen Fournier, Deputy Township Clerk

**Work Session**

Lauren Read, CFO, gave a brief report on the RFP results for banking services and recommended the Township switch to OceanFirst . She also explained the positive pay option which reduces the occurrence of check fraud.

**Consent Agenda**

Approval of Minutes – November 5, 2018

- Res. #2018-348 Payment of Vouchers \$ 170,569.08
- Res. #2018-349 Renewal of Junk Yard License for Cape May Used Auto Parts for the Year 2019
- Res. #2018-350 A Resolution Requesting Release of Demolition Bond for Block 639, Lot 12, 500 Atlantic Ave
- Res #2018-351 Authorization for Refund of Taxes (5 properties)
- Res. #2018-352 Transfer of 2018 Appropriations (\$63,000)
- Res. #2018-353 Appointment to the Historic Preservation Commission (G.Donaghy)
- Res. #2018-354 A Resolution of the Township of Lower Canceling Certain Taxes per Agreement and Resolution #2013-271 (DRBA)
- Res. #2018-355 A Resolution Awarding a Competitive Contract to OceanFirst Bank for Banking Services for the Township of Lower (1/1/2019 through 12/31/2021)
- Res. #2018-356 Appointment to the Recreation Advisory Board (K.Jackson)

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

**Regular Agenda**

- Res. #2018-357 Approval of an Alcoholic Beverage Control License Person-to-Person Transfer – License #0505-33-015-009, From Marie Nicole, Inc to HC Farm, LLC

MOTION TO TABLE Res. #2018-357 made by Councilmember Conrad, seconded by Deputy Mayor Sippel.

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

**Manager's Report**

Manager Ridgway reported on the Rabbit Run Water and Sewer Project, the Schellenger's Landing Project, and consideration for grant funding for the Aquatic Center and Mulligan Field.

Mayor Simonsen informed that the Small Cities Grant checklist for Roseann Avenue is in good standing.

**Engineer's Report**

Manager Ridgway gave a report on the current engineering projects in the Township including: Roseann Avenue Roadway and Utility Improvements, Roseann Avenue Phase 3, Beach Access Improvements, and Recreation Center Restrooms Upgrade.

**Administrative Reports**

Monthly Reports - Clerk, Construction, Dog, Fire, Police, Vital Statistics

**Council Comments**

Councilmember Conrad, in the spirit of Thanksgiving, shared his gratitude and wished everyone a safe and happy Thanksgiving.

Councilmember Perry congratulated Mark Sray on his award for the Beach Drive Project. He gave a brief report on the Roseann Avenue Project and wished everyone a safe and happy Thanksgiving.

Councilmember Roy echoed the comments of gratitude; he reminded about leaf and branch pickup, and wished everyone a safe and happy Thanksgiving.

Deputy Mayor Sippel thanked all those previously mentioned and thanked everyone for their support and participation in the Veterans' Parade.

Mayor Simonsen congratulated Councilmembers on their re-election and Deputy Mayor Sippel for a successful Veterans' Parade. He announced upcoming events including LCMR Anchor Bowl, Tree Lighting Ceremony, Hospitality Night, and Christmas Parade. He also wished everyone a happy Thanksgiving and reminded to help the less fortunate.

Manager Ridgway announced the Turkey Trot.

Councilmember Conrad thanked members of all Lower Township boards and commissions for their commitment and volunteerism.

**Call to the Public** – no comments

**Adjournment**

There being no further business to address, motion to adjourn moved by Councilmember Conrad, seconded by Councilmember Roy. Motion to adjourn was unanimous. Meeting adjourned at 7:20 p.m.

\_\_\_\_\_  
Mayor

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

Approved:



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01690 GRANTURK EQUIPMENT CO*	18-01514	06/05/18	TUB GRINDER/MUA	Open	651.95	0.00		
01785 ROBERT HARTMAN SR	18-03090	11/26/18	CONTRACTUAL REIMB M DEC 2018	Open	396.00	0.00		
01898 HERITAGE BUSINESS SYSTEMS, INC*	18-03119	11/27/18	4TH QTR FB 10/1/18-12/31/18	Open	103.50	0.00		
	18-03122	11/27/18	ID#40373 AUG AND SEPT 2018	Open	72.00	0.00		
					175.50			
02025 HUNTER JERSEY PETERBILT*	18-01524	06/05/18	PARTS FOR TRUCKS/AUG	Open	253.61	0.00		
02136 TED KINGSTON INC*	18-00154	01/18/18	2018 RADIO MAINT - MARCH	Open	265.00	0.00		
02248 LAWREN SUPPLY*	18-02658	10/10/18	BALLISTIC VESTS	Open	1,606.00	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		
02541 ROBERT D. MARTIN, JR	18-03096	11/27/18	CONTRACTUAL REIMBURSEMENT M	Open	47.99	0.00		
02725 THOMAS MILLS	18-03091	11/26/18	INSPECTION DP P#20181190	Open	28.03	0.00		
03008 NJ DEPT OF TREASURY/FEES	18-02878	11/13/18	FRMN DOUG STORMWATER DISCHARGE	Open	450.00	0.00		
03026 NJ STATE HEALTH BENEFITS	18-03086	11/20/18	DEC 2018 ACTIVE ID 024700	Open	185,830.54	0.00		
	18-03087	11/20/18	DEC 2018 HEALTH ID 024700	Open	102,625.06	0.00		
					288,455.60			
03086 NJ STATE ASSN CHIEFS OF POL*	18-01117	04/23/18	TRAINING-NOV 7,8,14 &15, 2018	Open	1,500.00	0.00		
	18-01672	06/08/18	TRAINING - 10/23/18	Open	630.00	0.00		
	18-02020	07/24/18	TRAINING 11/6/18	Open	596.00	0.00		
	18-02021	07/24/18	TRAINING NOV 12-16, 2018	Open	990.00	0.00		
					3,716.00			
03104 NORTHEAST IND.&MARINE SUPPLY*	18-02094	07/31/18	PARTS/RDS/SANT/RECY/AUG	Open	714.95	0.00		
03280 PARAMOUNT SANITARY SUPPLY*	18-03036	11/16/18	TRASH BAGS FOR TOWNSHIP	Open	270.80	0.00		
03305 PEDRONI FUEL*	18-03116	11/27/18	NO LEAD GAS	Open	268.96	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03377 JULIE PICARD	18-03134	11/28/18	REIMBURSEMENT - TRAINING	Open	50.68	0.00		
03518 RIGGINS, INC.*	18-03054	11/19/18	OFF HIGHWAY DIESEL	Open	367.31	0.00		
	18-03115	11/27/18	OFF HIGHWAY DIESEL	Open	419.81	0.00		
					787.12			
03637 SHOPPE	18-02839	10/31/18	AD FOR VETS DAY PARADE 11/1	Open	330.00	0.00		
03799 LINDA THOMAS	18-03057	11/19/18	REIMBUSEMENT/TOLLS	Open	29.50	0.00		
03810 MUNICIPAL UTIL AUTH USAGE COST	18-03044	11/16/18	SEWER 3RD QTR 7/15/18-10/15/18	Open	80.00	0.00		
	18-03045	11/16/18	SEWER 7/15/18- 10/15/18	Open	1,984.08	0.00		
					2,064.08			
03820 MUNICIPAL UTIL. AUTH ON CALL	18-03117	11/27/18	REIMBURSE HALF OF TOTAL BILL	Open	481.87	0.00		
03904 LOWE'S HOME CENTER INC*	18-02830	10/31/18	SUPPLIES/NOV. 82131310308551	Open	140.27	0.00		
03969 VERIZON	18-03061	11/19/18	10/13-11/12/18 LANDLINES	Open	244.72	0.00		
03992 VAL-U AUTO PARTS LLC*	18-02098	07/31/18	RDS/SANT/RECY/DPW/SEPT.	Open	1,905.99	0.00		
04075 BARBER CONSULTING SERVICES LLC	18-03041	11/16/18	BCS ADBLOCKER SERVICE 1YR	Open	585.00	0.00		
04097 CINTAS FIRST AID AND SAFETY*	18-03070	11/20/18	REFILL FIRST AID BOX	Open	16.18	0.00		
04111 RYAN DEVINE	18-03126	11/28/18	FALL SOCCER OFFICIAL	Open	90.00	0.00		
04301 SEASHORE ASPHALT CORPORATION*	18-02629	10/09/18	HP PATCH	Open	482.27	0.00		
5032 NORTH WILDWOOD \$ CREST SHIRT*	18-03043	11/16/18	SPORT TEK PINNIES B/W	Open	199.00	0.00		
5065 JAMES MCNULTY	17-00771	03/21/17	2017 EQUIP. ALLOWANCE	Open	150.00	0.00		
6059 USABLE LIFE	18-03068	11/19/18	DEC 2018 GR# 50018426-0001	Open	588.83	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
6071 UNITED UNIFORMS LIMITED LIAB*	18-02502	09/21/18	UNIFORMS	Open	255.00	0.00		
7098 SHORE VETERINARIAN ANIMAL *	18-00139	01/16/18	ANIMAL CNTRL DNE \$54K RES18-20	Open	4,500.00	0.00		
7196 LAUREN HUGGINS SUIT*	18-00085	01/10/18	RES 18-09 DNE \$10,400	Open	866.63	0.00		
7199 STAPLES CREDIT PLAN-INSTORE PU	18-02672	10/12/18		Open	332.87	0.00		
	18-02805	10/30/18	OFFICE SUPPLIES	Open	45.96	0.00		
					378.83			
7225 FARM-RITE, INC*	18-02800	10/29/18	TRACTOR /COUNTY	Open	2,370.00	0.00		
7251 REIT LUBRICANTS CO*	18-02796	10/29/18	HYDRAULIC OIL/DPW	Open	1,253.25	0.00		
7269 TOM DUNLEVY'S LANDSCAPE LLC*	18-02671	10/12/18	Lot Clearing 111 Fire Lane	Open	350.00	0.00		
7296 MELISSA O'DONNELL	18-03047	11/16/18	REIMBURSEMENT-SOCCER	Open	35.00	0.00		
7303 BILL FISHMAN	18-03128	11/28/18	FALL SOCCER OFFICIAL	Open	120.00	0.00		
7333 JOSEPH WAREHAM	18-03049	11/16/18	REIMBURSEMENT-COACH	Open	41.41	0.00		
7354 FLEETPRIDE INC *	18-03052	11/19/18	PARTS/VEHICLES	Open	387.97	0.00		
	18-03132	11/28/18	BRAKE SHOE KIT	Open	903.81	0.00		
					1,291.78			
7364 JOHN MONTGOMERY	18-03048	11/16/18	REIMBURSEMENT- BASKETBALL	Open	25.00	0.00		
7507 STEFANKIEWICZ & BELASCO LLC	18-00127	01/11/18	RES 2018-01 DNE \$125,000	Open	11,903.79	0.00		
7508 BLANEY & KARAVAN PC*	18-00131	01/11/18	RES# 18-05 PROSECUT DNE 37,500	Open	3,125.00	0.00		
7516 KLEINFELDER, INC	18-02665	10/10/18	RETURN OF UNUSED ESCROW	Open	285.00	0.00		
7520 BLACKOUT TINTING*	18-01354	05/16/18	WINDOW TINTING	Open	325.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
<b>7527 L.E.A.D.</b>								
	18-02776	10/25/18	TRAINING NOVEMBER 14-20, 2018	Open	350.00	0.00		
<b>7534 ADAM HEGARTY</b>								
	17-00766	03/21/17	2017 EQUIP. ALLOWANCE	Open	23.00	0.00		
	18-00819	03/27/18	2018 EQUIP. ALLOWANCE	Open	150.00	0.00		
					173.00			
<b>7618 MEGONIGAL ELECTRIC LLC*</b>								
	18-02817	10/30/18	EMERGENCY WORK- DOUGLASS FIELD	Open	255.00	0.00		
	18-03019	11/15/18	SERVICE CALL- BENNETTS FIELD	Open	800.00	0.00		
					1,055.00			
<b>7689 GOVERNMENT FORMS AND SUPPLIES*</b>								
	18-02858	11/08/18	2019 YARD SALE PERMITS (500)	Open	148.23	0.00		
	18-03027	11/15/18	BUSINESS CARDS DAWN/GEORGIA	Open	80.00	0.00		
					228.23			
<b>7712 KATELYN KELLY</b>								
	18-03125	11/28/18	FALL SOCCER OFFICIAL	Open	60.00	0.00		
<b>7811 KYOCERA DOCUMENT SOLUTION AMER</b>								
	18-02536	09/26/18	POOLED SERVICES 21230/21231	Open	156.00	0.00		
	18-03123	11/27/18	8/24/17-9/30/18 OVERAGE	Open	1,161.97	0.00		
					1,317.97			
<b>7820 DEBLASIO &amp; ASSOCIATES, P.C.*</b>								
	18-01007	04/10/18	ENGINEERING ROAD RECONSTRUCT	Open	2,657.50	0.00		
	18-01963	07/18/18	C/O 1 NJDOT RECONSTRUCTION	Open	13,626.25	0.00		B
					16,283.75			
<b>7918 JAMES M. RUTALA ASSOCIATES LLC</b>								
	18-00753	03/21/18	GRANT CONSULTING SERVICES	Open	1,715.00	0.00		B
<b>7929 AMAZON CAPITAL SERVICES, INC</b>								
	18-02744	10/19/18	DOOR CLOSERS & FLUSH VALVES	Open	773.61	0.00		
	18-02876	11/09/18	COLOR HP M477fNW	Open	319.99	0.00		
	18-03010	11/13/18	SAFCO VERTICAL TOP SORTER	Open	39.82	0.00		
	18-03040	11/16/18	OFFICE SUPPLIES	Open	92.93	0.00		
	18-03088	11/20/18	OFFICE SUPPLIES	Open	40.17	0.00		
	18-03089	11/21/18	OFFICE SUPPLIES	Open	9.99	0.00		
					1,276.51			
<b>7959 ALL PRO TEAM SPORTS</b>								
	18-02728	10/18/18	TRAVEL BASKETBALL UNIFORMS	Open	1,680.00	0.00		
<b>7995 CLARK DEGROFF</b>								
	18-03062	11/19/18	RETURN UNUSED ESCROW	Open	4,577.75	0.00		
<b>CARROT CARROT-TOP INDUSTRIES, INC*</b>								
	18-02822	10/30/18	FLAGS FOR TOWNSHIP BUILDINGS	Open	703.34	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
DOUGHE MARK DOUGHERTY	18-03129	11/28/18	FALL SOCCER OFFICIAL	Open	270.00	0.00		
FBINA FBINAA NJ CHAPTER*	18-02203	08/13/18	FBI TRAINING OCT 1-2, 2018	Open	700.00	0.00		
FOUR BRUCE FOURNIER	18-03130	11/28/18	REIMBURSE SUPPLIES VET 11/10	Open	51.15	0.00		
FOURNIER KAREN FOURNIER	18-03133	11/28/18	REIMBURSEMENT TRAINIG	Open	182.04	0.00		
PRINCE STEPHEN PRINCE	18-03127	11/28/18	FALL SOCCER OFFICIAL	Open	570.00	0.00		
Total Purchase Orders:		100	Total P.O. Line Items:	0	Total List Amount:	608,745.63	Total Void Amount:	0.00

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 3, 2018.

Julie A Picard, Township Clerk

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

RESOLUTION #2018-359

Title: RESOLUTION CONSENTING TO THE PROPOSED CAPE MAY COUNTY WATER QUALITY MANAGEMENT (WQM) PLAN AMENDMENT

WHEREAS, the Lower Township Council desires to provide for the orderly development of wastewater facilities within Lower Township; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, conform with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure through the WQMP rules at N.J.A.C. 7:15-3.5 as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment publicly noticed in the New Jersey Register on November 5, 2018 for the Cape May County Water Quality Plan has been prepared by John W Kornick.

NOW, THEREFORE, BE IT RESOLVED on this 3<sup>rd</sup> day of December, 2018, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that:

1. The Lower Township Council hereby consents to the CMC WQM amendment, publicly noticed on November 5, 2018, prepared by John W Kornick for the purpose of its incorporation into the applicable WQM plan.
2. This consent shall be submitted to the NJDEP pursuant to N.J.A.C. 7:15-3.5(g)6.

	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 December 3, 2018.

Julie A Picard, Township Clerk



*Rec'd 11/21/2018*

November 19, 2018  
VIA Certified Mail & Return Receipt

Township of Lower, Clerk  
2600 Bayshore Road  
Villas, NJ 08251

Attn: Ms. Julie Picard, Clerk

**RE: 115 Breakwater, LLC (f.k.a. Cape Reality Advisors)  
Proposed Amendment to the Cape May Water Quality Management Plan (WQMP)  
Block 495.01: Lot # 13.01 (8.59 Acres)  
Township of Lower, Cape May County  
K2 Project Number S18-005**

Dear Ms. Picard:

On behalf of 115 Breakwater, LLC, please allow this as notice that the property owner has submitted application for a site specific map amendment to include portions of Block 495.01, Lot 13.01. As noted, this property was subject of a Treatment Works Approval issued on March 22, 2013 and recently received an extension dated October 4, 2017 (TWA Approval No. 17-0349). The New Jersey Department of Environmental Protection (Department) and Cape May County WQMP Planning Agency removed the property from the Sewer Service Area, therefore, an application for a site specific amendment to the Cape May County WQM Plan is required. The WQMP rules at N.J.A.C. 7:15-3.5(g)6 require an amendment applicant to request a written statement of consent from all identified governmental entities, sewerage agencies, and BPU related sewer and water utilities that may be affected by, or otherwise have a substantial interest in, approval of the amendment proposal. Accordingly, the purpose of this letter is to request a written statement of consent from your Agency in support of the above-referenced proposed WQMP amendment, also attached to this letter. A statement of consent by a governmental unit shall be in the form of a resolution by that unit's governing body and is due within 60 days of your receipt of this letter. A "model" resolution is enclosed with this letter to provide an example of the language the Department considers sufficient to express a position regarding a proposed amendment.

Should the governing body determine that it does not support the amendment proposal, it may submit a resolution to that effect, which shall specify, in writing, all reasons for objection to the amendment proposal. A copy of the resolution should be sent to me as well as to the New Jersey Department of Environmental Protection, Office of Water Resources Management Coordination, P.O. Box 420, Mail Code 401-02A, 401 East State Street, 3rd Floor, Trenton, New Jersey 08625-0420.

*JKorwick@K2ce.com*



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November 19, 2018  
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Please be advised that if you do not submit the requested resolution, the DEP retains the option to adopt the proposed amendment without your resolution for consideration. Therefore, it is in your best interest to submit a resolution defining your position so that the Department may fully consider the impacts to all affected and substantially interested entities in its decision regarding adoption of the amendment proposal.

Should you have any comments or questions regarding the enclosed, or should you require additional information, please contact our office at (856) 310-5205.

Sincerely,

**K2 Consulting Engineers, Inc.**

John W. Kornick, PE  
President

11/21/2018  
Spoke to John Kornick  
He said published date  
was Nov. 5, 2018 in  
the New Jersey Register.  
J

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

RESOLUTION #2018-360

Title: RE-APPOINTMENT OF JENNIFER DOWE AS COMMUNITY RATING SYSTEM COORDINATOR

**WHEREAS**, Jennifer Dowe has been serving as the Community Rating System Coordinator since November, 2015; and

**WHEREAS**, Lower Township has been participating in the Community Rating System program and has been approved and is currently at level 7; and

**WHEREAS**, in order to participate in the NFIP-CRS premium reduction program, the community must designate a Community Rating System coordinator who represents the community; and

**WHEREAS**, the CFO has determined sufficient funds for payment of this position are available in the current budget as follows:

Appropriation # Assessor Salary & Wages

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that Tax Assessor Jennifer Dowe is hereby appointed the Community Rating System Coordinator for the Township of Lower for the term of January 1, 2018 thru December 31, 2019 at a salary of \$10,000 per year, retroactive to January 1, 2018.

	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 December 3, 2018.

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

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

RESOLUTION #2018-361

Title: APPROVING A PROFESSIONAL SERVICE CONTRACT WITH ENGINEERING DESIGN ASSOCIATES, PA FOR VILLAGE ROAD EMERGENCY VEHICLE BEACH ACCESS REPAIR

WHEREAS, the Township of Lower is given authority by N.J.S.A. 40A:11-1 et seq. to enter into contracts for "Professional Services" without competitive bidding, when the need arises, so long as the award of such contract is made public by a Resolution of the Governing Body and satisfies the requirements of the New Jersey Pay-to-Play law; and

WHEREAS, Engineering Design Associates, P.A. has provided a proposal for professional engineering services for the Village Road Emergency Vehicle Beach Access Repair in an amount of \$18,500 plus reimbursable expenses for a Not To Exceed Total of \$21,000.00 ; and

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

Appropriation:

Signature: Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that a Professional Service Contract without public bidding is awarded as follows:

- 1. The Project Proposal between Engineering Design Associates, P.A., in the form attached hereto as EXHIBIT A, for an amount of \$18,500.00 plus reimbursable expenses for a Not to Exceed Total of \$ 21,000.00 is hereby approved.

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

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 3, 2018.

Julie A Picard, Township Clerk



November 29, 2018

*Via E-mail (manager@townshipoflower.org) & Regular Mail*

Township of Lower  
2600 Bayshore Road  
Villas, NJ 08251

ATTN: Jim Ridgeway, Township Manager

**Re: Village Road Emergency Vehicle Beach Access Repair  
Lower Township, Cape May County, NJ  
Proposal # 18-167**

Dear Mr. Ridgeway:

Thank you for the opportunity to work with Lower Township to help solve an on-going problem with erosion at the bay end of Village Road. It is anticipated that the Township Public Works Department will construct the repairs. As such, Engineering Design Associates (EDA) is pleased to offer the following proposal:

<u>SCOPE OF SERVICES</u>	<u>ESTIMATED FEE(S)</u>
<b>I.</b> Prepare and submit a New Jersey Department of Environmental Protection (NJDEP) Emergency Permit Application package to reconstruct and stabilize the Emergency Vehicle Beach Access at the end of Village Road.	<b>\$ 1,500.00</b>
<b>II.</b> Prepare a survey of current conditions of the area and coordinate with the National Fish and Wildlife Federation (NFWF) Shoreline Restoration Plans prepared by EDA.	<b>\$ 2,000.00</b>
<b>III.</b> Preparation of design plans for the Emergency Vehicle Beach Access.	<b>\$ 6,500.00</b>
<b>IV.</b> Preparation of a NJDEP CAFRA Application package after completion of the Emergency repair of the beach access in item I above.	<b>\$ 2,500.00</b>
<b>V.</b> Provide construction management and inspections of the repair work.	<b>\$ 3,000.00</b>

**SCOPE OF SERVICES**

**ESTIMATED FEE(S)**

<b>VI.</b> Preparation of a NJDEP Waterfront Development General Permit for the placement of concrete block wave attenuators within the Delaware Bay in the vicinity of Village Road.	<b>\$ 1,500.00</b>
<b>VII.</b> Preparation of design plans for the concrete block wave attenuators.	<b>\$ 1,500.00</b>
<b>TOTAL TO PERFORM ABOVE SERVICES</b>	<b>\$18,500.00 + expenses</b>

**NOTE: THESE FEES DO NOT INCLUDE REIMBURSABLE EXPENSES SUCH AS PRINTING COSTS NOR POSTAGE CHARGES FOR CERTIFIED MAILINGS. REIMBURSABLE EXPENSES SHALL NOT EXCEED \$2,500.00. IT IS ANTICIPATED THAT APPLICATION FEES TO OUTSIDE AGENCIES SHALL BE APPROXIMATELY \$3,000.00 AND BE PAID DIRECTLY BY THE TOWNSHIP.**

**FEE**

The not to exceed cost for the above items is **\$18,500.00 + expenses** for the Engineering Services and Surveying Services. These amounts are Engineering Design Associates' best estimate of professional fees required to complete the project as defined. Except as provided for in the General Conditions below, the project scope will not be altered without written notice.

You will be billed monthly, which will be directly related to the hours spent on the project multiplied by our current billing rates.

All photocopying and blueprints shall be a reimbursable expense as noted on the attached Fee Schedule and are not included in the estimated cost.

All application fees or escrow accounts required by any reviewing agency or their consultants shall be the sole responsibility of the client and are not included as part of this proposal.

Any payment due for services and expenses outstanding for a period of thirty (30) days or more shall include a charge at a rate of 12% per month from said thirtieth day. Should it be necessary to enforce collection of any part of the fee for services rendered, the undersigned agrees that they shall be liable for cost of collection without exception. Take notice, this agreement is personally guaranteed by the individuals executing this agreement on behalf of any corporation.

Any account delinquent past sixty (60) days may necessitate the stopping of all work.

Payment of our fees for professional services rendered is in no way contingent upon approval of our plans or documentation by any agency reviewing the same.

### GENERAL CONDITIONS

Engineering Design Associates will prepare plans, maps, calculations and reports in accordance with established professional practices and applicable rules and regulations governing the project. The preparation of the above, does not imply or guarantee approval of same by any reviewing agency.

The scope of work does not include any items not specifically mentioned. If the scope of work is modified substantially by the requirements of the Client, or any other reviewing agency, the fees within the agreement shall be subject to negotiation.

The consultant is authorized to subcontract any portion of the work to be performed without the written consent of the Client.

It is understood that copies of the original drawings and reports shall become the property of the client when all outstanding invoices, billings and charges have been paid. All original plans and other documents as instruments of services shall remain the property of Engineering Design Associates.

The client shall not assign his interest in the contract or project without the consultant's written consent.

Items of work not scheduled above and/or performed more than once, will be considered extra work and invoiced at current hourly rates.

The proposed fees constitute Engineering Design Associates' best estimate of the charges and time required to complete the project. The project scope will not be altered without written mutual agreement. Engineering Design Associates shall inform the client of such situations so that a renegotiation can be accomplished.

Fee and schedule commitments will be subject to renegotiation for delays caused by Client's failure to provide specified facilities or information, or for delays caused by unpredictable occurrences of force majeure, such as fire, floods, riots, strikes, unavailability of labor or materials or services, process shutdown, acts of God or of the public enemy, or acts or regulations of any governmental agency.

This proposal is valid for a period of thirty (30) days. Upon expiration of the period of time, Engineering Design Associates reserves the right to review the proposed basis of payment and fees, to allow for changing costs, as well as to adjust the time of performance to conform to workloads. In the event that this agreement is entirely terminated or the work is abandoned in whole or in part with or without cause, Engineering Design Associates shall be paid such part of the fee as earned to the date of termination. Notice of termination shall be given in writing by Certified Mail.

No cancellation of this project by the client will be effective unless seven (7) days written notice thereof, together with the reasons and details therefore, has been received by Engineering Design Associates. A final invoice, calculated on the first or fifteenth of the month (whichever comes first) following receipt of such cancellation notice and the elapse of the seven (7) day cancellation period (the effective date of cancellation).

**GENERAL CONDITIONS (Continued)**

- a. Where the method of payment is "Lump Sum," Client agrees that the final invoice will be based on the percentage of work completed to the effective date of cancellation, plus an equitable reasonable adjustment to provide for costs Engineering Design Associates incurs for commitments made firm before cancellation.
- b. Where the method of payment is time and materials, Client agrees that the final invoice will include all services and direct expenses up to the effective date of cancellation, plus an equitable reasonable adjustment to provide for costs Engineering Design Associates incurs for commitments made firm before cancellation.

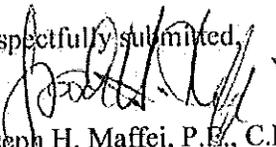
Engineering Design Associates will prepare all work in accordance with generally accepted professional practices. It is not the intention of Engineering Design Associates to provide services inconsistent with or contrary to such practices, or to make any warranty or guarantee, expressed or implied, nor to have any agreement or contract for services subject to the provisions of the Uniform Commercial or Specialty Code. Engineering Design Associates does not imply or guarantee the approval or issuance of permits by any individual or agency.

No work shall be commenced until we are in receipt of this signed proposal. Receipt of same shall be considered authorization to proceed with the work described within this proposal. Please indicate your

Acceptance of this proposal by signing in the space provided below and return one (1) copy to our office along with a completed contact information sheet.

Thank you for giving Engineering Design Associates this opportunity to offer our services. If you have any questions or would like to discuss any aspect of this proposal, please do not hesitate to contact our office.

Respectfully submitted,

  
Joseph H. Maffei, P.E., C.M.E., P.P.  
For **ENGINEERING DESIGN ASSOCIATES**

JHM/km  
Enclosure

cc: Julie Picard, Township Clerk, *via email*  
William J. Galestok, PP, AICP, *via email*

\_\_\_\_\_  
AUTHORIZED BY

\_\_\_\_\_  
DATE

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

RESOLUTION #2018-362

Title: A RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN THE TOWNSHIP OF LOWER AND THE COUNTY OF CAPE MAY TO DEVELOP AN ECONOMIC DEVELOPMENT PLAN FOR THE CAPE MAY COUNTY AIRPORT AND THE SURROUNDING OPPORTUNITY ZONE

WHEREAS, the County of Cape May has made tremendous strides to build a "Tech Village" at the Cape May County Airport that will result in the creation of good-paying jobs; and

WHEREAS, the US Department of Treasury has designated the airport and surrounding area as an Opportunity Zone which provide generous federal tax advantages for entrepreneurs who invest in this area; and

WHEREAS, legislation that would boost economic development in the airport area was conditionally vetoed by Governor Murphy; and

WHEREAS, the Governor's conditional veto noted that a full understanding of which industries or industry sectors are best suited is needed before incentives are targeted to the airport area; and

WHEREAS, the Township of Lower has secured a \$25,000 grant from the United States Department of Agriculture to develop an Economic Development Plan for the Cape May County Airport and the surrounding Opportunity Zone; and

WHEREAS, this grant requires that matching funds be provided as leverage equal to the grant; and

WHEREAS, it is proposed that Lower Township and the County of Cape May partner in providing the matching funds to develop the Economic Development Plan needed to meet the Governor's condition and to begin a meaningful discussion regarding State incentives to promote further development at the airport area.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Council formally adopts this partnership and Cape May County Freeholders have agreed to provide \$12,500 towards the completion of an Economic Development Plan for the airport area.

BE IT FURTHER RESOLVED that this Plan will be developed with the involvement and input from New Jersey Economic Development Authority, Delaware River & Bay Authority, South Jersey Economic Development District, the Cape May County Chamber of Commerce, Cape May County Vo-Tech, Atlantic Cape Community College and local business leaders.

	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 December 3, 2018.

Julie A Picard, Township Clerk

**Memorandum of Agreement**  
**Between the County of Cape May and**  
**the Township of Lower**

The County of Cape May (County) located at 4 Moore Road, Cape May Court House, New Jersey and the Township of Lower (Township) located at 2600 Bayshore Road, Villas, New Jersey agree to work collaboratively on the economic development plan for the Cape May County Airport and the surrounding Opportunity Zone.

The Township of Lower has secured a \$25,000 United States Department of Agriculture (USDA) grant to complete this economic development plan. In addition, the United States Department of Treasury has designed the airport and surrounding area as an Opportunity Zone which provides generous tax advantages for entrepreneurs who invest in this area.

Governor Murphy's conditional veto of legislation that would further support growth in the airport area stated that that a full understanding of which industries or industry sectors are best suited is needed before incentives are targeted to the airport area.

The USDA grant requires a that matching funds be provided as leverage equal to the grant.

**WHEREAS**, the County and the Township enters into a Memorandum of Agreement to complete an economic development plan for the Cape May County Airport and the surrounding Opportunity Zone.

**WHEREAS**, this Plan under the leadership of the County and the Township and will be developed with the involvement and input from New Jersey Economic Development Authority, Delaware River & Bay Authority, South Jersey Economic Development District, the Cape May County Chamber of Commerce, Cape May County Vo-Tech, Atlantic Cape Community College and local business leaders.

**NOW, THEREFORE**, on this \_\_\_\_day of December 2018, the County and the Township hereby agree as follows:

**1. Responsibility of the Township:**

- a. The Township shall use the funds from USDA and matching funds to retain professionals to complete the economic impact plan.
- b. Provide \$12,500 in matching funds for the USDA grant.

**2. Responsibility of Cape May County:**

- a. Provide full support and active participation in the completion of an economic development plan for the Cape May County Airport and the surrounding Opportunity Zone.

b. Provide \$12,500 in matching funds for the USDA grant.

**3. Term:**

The grant term extends until August 2019.

**4. Modifications:**

This MOA may be modified or amended by mutual consent of the parties where such modifications shall be in writing approved by both parties.

**5. Governing Law:**

This MOA shall be governed and construed in accordance with the laws of the State of New Jersey in the courts of the State of New Jersey without regard to the principals of conflicts of interest.

**6. Captions:**

The caption headings contained herein are used solely for convenience and shall not be deemed to limit or define the provisions of this MOA.

**7. Termination:**

This MOA may be terminated by either party through giving thirty (30) days written notice to the other party of the said intention to terminate.

**IN WITNESS WHEREOF** we have hereunto set our hands and seals on the day and year above first written:

ATTEST:

TOWNSHIP OF LOWER

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

\_\_\_\_\_  
Erik Simonsen, Mayor

COUNTY OF CAPE MAY

\_\_\_\_\_  
Date

\_\_\_\_\_  
Freeholder Director

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

RESOLUTION # 2018-363

Title: **AUTHORIZING COMPETITIVE CONTRACTING FOR MICROFILM AND ELECTRONIC RECORDS DATA MANAGEMENT SYSTEM FOR ALL DEPARTMENTS IN TOWNSHIP OF LOWER**

**WHEREAS**, PL 1999 c440 amended the Local Public Contract Law creating the category of contracting called Competitive Contracting; and N.J.S.A. 40A:11-4.3(a), which requires that in order to initiate competitive contracting, the governing body shall pass a resolution authorizing the use of competitive contracting each time specialized goods or services enumerated in 40A-4.1 are desired to be contracted; and

**WHEREAS**, 40A: 11 -4.3(b) requires that the competitive contracting process shall be administered by the purchasing agent qualified pursuant to 40A: 11-9, or by legal counsel of the contracting unit, or by an administrator of the contracting unit.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the Purchasing Agent is hereby authorized to initiate the competitive contracting for the Microfilm and Electronic Records Data Management Systems for all Departments in Township of Lower.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPLE						
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 December 3, 2018.

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

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

RESOLUTION #2018-364

Title: COPS IN SHOPS SUMMER SHORE INITIATIVE 2019

**WHEREAS**, the Township of Lower desires to apply for and obtain a grant from the New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage Control to run the Cops in Shops Summer Shore Initiative 2019;

**NOW THEREFORE, BE IT RESOLVED**, that the Township of Lower does hereby authorize the application for such a grant; and, upon receipt of the grant agreement from the New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage Control, does further authorize the execution of the grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of said agreement between the Township of Lower and the New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage Control.

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

\_\_\_\_\_  
Erik Simonsen, Mayor

\_\_\_\_\_  
William Mastriana, Chief of Police

	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 December 3, 2018.

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

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

RESOLUTION #2018-365

Title: RESOLUTION APPROVING A SHARED SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF LOWER AND LOWER CAPE MAY REGIONAL SCHOOL DISTRICT – SCHOOL RESOURCE OFFICER (SRO)

WHEREAS, pursuant to N.J.S.A. 40A:65-1 et seq., municipalities and local boards of education may enter into agreements for shared services with other municipalities and local boards of education in order to provide or receive any service that the local unit participating in the agreement is empowered to provide or receive within its own jurisdiction; and

WHEREAS, the proposed shared service agreement must comply with the requirements of N.J.S.A. 40A:65-7 which requires that the proposed agreement specify the services to be performed and or provided, the standards of the level, quality, and scope of performance, with assignment and allocation of responsibility for meeting those standards between or among the parties, the estimated cost of the services throughout the duration of the agreement and outline the allocation of and responsibility of the parties to satisfy same, the procedure for payment, and the duration of the agreement; and

WHEREAS, the Township of Lower (the "Township") is a municipal corporation of the State of New Jersey which maintains and operates a Police Department located within the jurisdiction of the Township which employs police officers specifically trained in educating, counseling, and protecting the public in an educational setting; and

WHEREAS, the Lower Cape May Regional School District (the "Board") is a local board of education which operates and oversees secondary schools (collectively, the "Schools") located within the Township; and

WHEREAS, the Board and the Township desire to enter an agreement wherein the Township shall make a police officer available to the Board for the purposes of providing security at the School upon the terms and conditions set forth within the attached agreement (the "Agreement"); and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the Mayor and Township Clerk are hereby authorized and directed to execute the attached Shared Service Agreement, attached hereto as Exhibit A for the term of January 1, 2019 through December 31, 2021.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 3, 2018.

Julie A Picard, Township Clerk

# **SHARED SERVICE AGREEMENT SCHOOL RESOURCE OFFICER (SRO)**

AGREEMENT is made this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by and between the LOWER CAPE MAY REGIONAL SCHOOL DISTRICT (hereinafter referred to as LCMR) and the TOWNSHIP OF LOWER (hereinafter referred to as TOWNSHIP") as follows:

## **WITNESSETH:**

WHEREAS, the TOWNSHIP OF LOWER (the "TOWNSHIP") agrees to provide the LOWER CAPE MAY REGIONAL SCHOOL DISTRICT ("LCMR") with one (1) additional School Resource Officer (SRO), to be located in the Richard M. Teitleman School (the "School"), to be overseen and managed by the TOWNSHIP OF LOWER POLICE DEPARTMENT, the cost of which shall be shared equally (50/50) by and between LCMR and the TOWNSHIP, and

WHEREAS, LCMR and the TOWNSHIP desire to set forth in this Shared Service Agreement the specific terms and conditions of the services to be performed and provided by the said SRO located in the School.

NOW, THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:

**I. Goals and Objectives-** It is understood and agreed that LCMR and the TOWNSHIP officials share the following goals and objectives with regard to the School Resource Officer (SRO) Program in the schools:

A. To foster educational programs and activities that will increase student's knowledge of and respect for the law and the function of law enforcement agencies.

B. To encourage the SRO to attend extra-curricular activities held at schools, while on duty, such as PTA meetings, athletic events and concerts.

C. To act swiftly and cooperatively when responding to major disruptions and flagrant criminal offenses at school, such as: disorderly conduct by trespassers, the possession and use of weapons on campus, the illegal sale and/or distribution of controlled dangerous substances, and riots.

D. To report serious crimes that occur on campus and to cooperate with law enforcement officials in their investigation of crimes that occur at school.

E. To cooperate with law enforcement officials in their investigations of criminal offenses which occur off campus.

## **II. Employment and Assignment of SRO**

A. The TOWNSHIP agrees to assign one (1) additional full-time SRO during the term of this agreement with LCMR to be located at the Richard M. Teitleman School. The SRO shall be an employee of the TOWNSHIP OF LOWER and shall be subject to the administration, supervision and control of the POLICE DEPARTMENT.

B. The TOWNSHIP agrees to provide and pay the SRO's salary and employee benefits in accordance with applicable salary schedules and employment practices of the POLICE DEPARTMENT, including but not necessarily limited to: sick leave, annual leave, retirement compensation, disability salary compensation, disability salary continuation, workers compensation, unemployment compensation, life insurance, dental insurance, and medical hospitalization insurance. The SRO shall be subject to all other personnel policies and practices of the POLICE DEPARTMENT.

C. LCMR agrees to pay the TOWNSHIP 50% of the cost of the SRO's salary and benefits in accordance with the payment schedule outlined below:

LCMR School Year Obligation Payment Due:

2019

\$41,450.00 due on or before June 30, 2019

\$41,450.00 due on or before December 31, 2019

2020

\$42,331.00 due on or before June 30, 2020

\$42,331.00 due on or before December 31, 2020

2021

\$42,961.50 due on or before June 30, 2021

\$42,961.50 due on or before December 31, 2021

D. The POLICE DEPARTMENT, in its sole discretion, shall have the power and authority to hire, discharge, assign and discipline the SRO. LCMR reserves the right to request an alternate SRO from the POLICE DEPARTMENT in the event the SRO's job performance is contrary to POLICE DEPARTMENT policies and the Code of Conduct applicable to police employees. The decision to grant or deny this request shall be the responsibility of the Chief of Police after input from TOWNSHIP's Mayor and/or Manager.

**III. Basic Qualifications of a School Resource Officer (SRO)** - the POLICE DEPARTMENT represents that the SRO assigned to LCMR shall meet all of the following qualifications:

A. Shall be a commissioned officer and should have three (3) years of law enforcement experience.

B. Shall possess a sufficient knowledge of the applicable Federal and State laws, TOWNSHIP and County ordinances, and Board of Education policies and regulations;

- C. Shall be capable of conducting in depth criminal investigations;
- D. Shall possess even temperament and set a good example for students; and
- E. Shall possess communication skills that would enable the officer to function effectively within the school environment.

**IV. Duties of the School Resource Officer** – The SRO shall be expected to work a forty-two (42) hour work week; and shall perform such duties as are assigned to him by the Chief of Police in consultation with the LCMR Superintendent. During the time school is in session from September through June, the SRO shall work full time at LCMR, except in the case of an emergency as directed by the Chief of Police. During vacation periods when school is not in session, the SRO shall report to the Chief of Police. In addition to rules and responsibilities listed in the Police Department Rules and Regulations, the following rules and responsibilities shall apply:

- A. To protect lives and property for the citizens and public school students of the TOWNSHIP of Spotswood;
- B. To enforce Federal, State and Local criminal laws and ordinances, and to assist school officials with the enforcement of LCMR Policies and administrative regulations regarding student conduct.
- C. To investigate criminal activity committed on or adjacent to school property.
- D. To counsel public school students in special situations, such as students suspected of engaging in criminal misconduct, when requested by the principal or the principal's designee or by the parents of the student;
- E. To answer questions that students may have about police enforcement of New Jersey Law and Municipal Laws;
- F. To assist other law enforcement officers with outside investigations concerning students attending the school(s) to which the SRO is assigned;
- G. To provide periodic traffic control at the school.

#### **V. Chain of Command**

- A. As employees of the POLICE DEPARTMENT, the SRO shall follow the chain of command set forth in the POLICE DEPARTMENT Policies and Procedures Manual.
- B. In the performance of their duties, the SRO shall coordinate and communicate with the Superintendent and the Principals or the Principals' designee of each of LCMR's schools.
- C. The LCMR Superintendent shall periodically report to the Chief of Police as to the work efforts of this SRO.

## **VI. Training / Briefing**

A. The SRO shall be required by the POLICE DEPARTMENT to complete the 40-hour Basic Course for School Resource Officers and School Administrators, as well as attend periodic seminars, recertification and in-service training sessions, as directed by the Chief of Police. All efforts will be made to coordinate this training to avoid its interfering with the SRO's responsibilities at the school, and LCMR shall be provided with reasonable advanced notice of such training so it may anticipate the SRO's absence. The POLICE DEPARTMENT shall provide a replacement police officer if the SRO will be absent due to training.

B. The SRO must attend periodic briefings and meetings at POLICE DEPARTMENT. All efforts will be made to coordinate this training to avoid its interfering with the SRO's responsibilities at the school, and LCMR shall be provided with reasonable advanced notice of such briefings and meetings so it may anticipate the SRO's absence. The POLICE DEPARTMENT shall provide a replacement police officer if the SRO will be absent due to briefings and meetings.

**VII. Dress Code** – The SRO shall wear the departmental uniform with an option to wear plain and/or tactical clothes in special situations when approved by the Chief of Police.

**VIII. Supplies and Equipment** - The POLICE DEPARTMENT will provide all equipment issued to the SRO as agreed to in their collective bargaining agreement between P.B.A. Local #59 and the TOWNSHIP Policies and Procedures.

## **IX. Transporting Students**

A. It is agreed that an SRO shall not transport students in their vehicles except:

1. When the students are a victim of a crime, under arrest, or some other emergency circumstances exist; and
2. When students are suspended and sent home from school pursuant to school disciplinary actions if the student's parent or guardian has refused or is unable to pick-up the child within a reasonable time period and the student is disruptive / disorderly and his / her continued presence on campus is a threat to the safety and welfare of other students and school personnel.

B. If circumstances require that the SRO transport a student, to a location other than the police station or other criminal justice facility, the school official must provide a school official or employee of the same gender of the student to be transported, to accompany the officer in the vehicle.

C. The SRO shall notify the school principal before removing a student from campus.

## **X. Duration of Agreement**

A. This agreement shall be effective as of January 1, 2019 and shall continue in effect until December 31, 2021.

B. This agreement shall not be extended orally, and it is expressly understood that it shall expire on the date indicated unless it is extended in writing.

C. LCMR and the TOWNSHIP agree that meetings to initiate a successor agreement and modifying, amending, or altering the terms of this agreement shall commence no later than ninety (90) days prior to the expiration of this agreement.

D. LCMR and the TOWNSHIP agree that the parties may choose not to enter into a successor agreement if they determine that doing so would not be in their best interest.

E. LCMR or the TOWNSHIP may choose to cancel this agreement with thirty (30) days written notice.

## **XI. Miscellaneous**

### **A. Representatives**

1. Each Party agrees that, to the fullest extent permitted by Applicable Law, it shall at all times during the term of this Agreement be organized and structured in a manner such that it can be bound with respect to any matter affecting this Agreement by the signature of one individual acting as such Party's representative. Upon any Party's request made from time to time by notice to another Party, such Party shall within ten days provide the other Party with notice of the name and address of such Party's representative. Each Party agrees that its representative will be reasonably available as needed to enable such Party to perform its obligations under this Agreement and that, to the extent permitted by Applicable Law; such Party's representative will have full power to bind such party as to any matter relating to this Agreement.

2. Nothing in this Section shall be deemed to prevent a Party from replacing such Party's representative from time to time, by written notice to the other Parties.

#### **3. Representatives of the Parties.**

a. The TOWNSHIP designates the following individual as its initial representative for purposes of this Agreement:

Chief William Mastriana  
Township of Lower Police Department  
405 Breakwater Rd, Cape May, NJ 08204  
Cape May, NJ 08204

b. LCMR designates the following individual as its initial representative for purposes of this Agreement:

Mr. Christopher Kobik  
Superintendent  
Lower Cape May Regional School District

687 Route 9  
Cape May, NJ 08204

**B. Further Assurances.** Each Party agrees to execute and deliver such further documents, and perform such further acts, as may be reasonably necessary to achieve the intent of the Parties with respect to this Agreement. Without limiting the generality of this paragraph, upon request at any time or from time to time any Party hereto shall execute and deliver to the other, additional counterparts of this Agreement or any related documents, provided such additional counterparts are prepared at the expense of the Party requesting them.

**C. Applicable Law.** This Agreement shall be construed in accordance with and governed by the internal laws (without reference to choice or conflict of laws) of the State of New Jersey.

**D. No Third Party Beneficiaries.** No person or entity other than the Parties shall have any right, benefit or obligation under this Agreement as a third party beneficiary or otherwise.

**E. Interpretation.** This Agreement shall be interpreted in accordance with its fair meaning and shall not be interpreted in favor of any particular Party. No inference in favor of or against any Party shall be drawn from the fact that such Party has drafted any portion of this Agreement. Each of the Parties has participated substantially in the negotiation, drafting and revision of this Agreement with representation by counsel and/or such other advisers as they have deemed appropriate

**F. Amendments and Waivers.** This Agreement may only be amended in a writing signed by the Parties. Any provision of this Agreement may only be waived in a writing signed by the Party against whom the waiver is to be effective.

**G. Counterparts.** This Agreement may be executed in counterparts, each of which shall constitute an original of this Agreement but all of which, together, shall constitute one and the same instrument. Signature pages may be detached from the counterparts and attached to a single copy of this Agreement to physically form one document.

**H. Indemnification.** The parties shall indemnify, hold harmless and defend one another, their directors, officers, agents and employees, from and against any and all losses, claims, liability, damage, action or expense including, without limitation, attorney's fees and costs arising out of or relating to (in) any breach or default in the performance of any obligation under this Agreement and/or (ii) any negligence, intentional misconduct and/or activity subject to strict liability arising from any act or omission of their respective agents, employees, contractors, invitees, attendees, patrons, guests or students arising under this Agreement.

[SIGNATURES BEGIN ON THE NEXT PAGE]

**LOWER CAPE MAY REGIONAL  
SCHOOL DISTRICT**

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Christopher H. Kobik, Superintendent

Attest: \_\_\_\_\_

**TOWNSHIP OF LOWER**

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Erik Simonsen, Mayor

Attest: \_\_\_\_\_

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

RESOLUTION # 2018-366

Title: **AUTHORIZING THE SALE OF TOWNSHIP OF LOWER SURPLUS NO LONGER NEEDED FOR PUBLIC USE ON GOVDEALS ONLINE AUCTION WEBSITE**

**WHEREAS**, the Township of Lower has determined that the property described on Schedule A attached hereto is no longer needed for public use; and

**WHEREAS**, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

**WHEREAS**, the Township of Lower intends to utilize the online auction services of GovDeals located at [www.govdeals.com](http://www.govdeals.com); and sell the Township surplus property.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the Township of Lower is hereby authorized to utilize the online auction services of GovDeals located at [www.govdeals.com](http://www.govdeals.com); and sell the surplus property as indicated on Schedule A on an online auction website.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPLE						
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 December 3, 2018.

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

RESOLUTION 2018-

REMOVAL OF FIXED ASSET NOT OPERABLE / BOKEN

DEPARTMENT	MANUFACTURER/MODEL	FIXED ASSET#
BOCA	IBM WHEEL WRITER 1000	1303
BOCA	SCHNEIDER ELECTRIC BN1080G/ BATTERY BACKUP	4004
REC	BLACK LEATHER CHAIR / REC AIDES	3051

GOV DEALS TO SELL

POLICE	HP PRINTER LASER/ JET M477FNW	4073
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TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION # 2018-367

Title: **RESOLUTION AUTHORIZING AN APPLICATION TO THE NEW JERSEY CLEAN ENERGY PROGRAM TO CONDUCT A LOCAL GOVERNMENT ENERGY AUDIT (LGEA) MUNICIPAL ENERGY AUDIT OF THE TOWNSHIP OF LOWERS VARIOUS BUILDINGS**

**WHEREAS**, the New Jersey Board of Public Utilities (BPU) has authorized an incentive program through New Jersey Clean Energy Program to provide free energy audits to identify energy conservation measure and NJ Clean Energy Program incentive opportunities for the Township; and

**WHEREAS**, Lower Township is eligible and desires to submit an application for this program and; by approving by Resolution will give the Purchasing Agent the opportunity to explore cost savings for the Township.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Township Manager and the QPA are hereby authorized to complete and submit an application under the Local Government Energy Audit Program.

	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 December 3, 2018.

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

# LOCAL GOVERNMENT ENERGY AUDIT (LGEA) PROGRAM

for local & state governments and select non-profits



## SIGNATURE PAGE

July 1, 2018 - June 30, 2019

### APPLYING ENTITY

### CHECKLIST

Please verify that all required components are complete before you submit your application.

Failure to submit a complete application will result in delays in your application approval and the start of your audit process.

- All tabs of the LGEA Application file have been filled out and/or addressed.
- Terms & Conditions have been read and acknowledged by all parties.
- The following are attached to the application email submitted to LGEA@NJCleanEnergy.com:
  - Completed Excel LGEA Application file.
  - Fourteen (14) coinciding months of applicable, consecutive utility bills (electric, gas, fuel oil, propane, etc.).
  - This signed Signature Page as a PDF - signed by the Applying Entity and Designated Representative (if applicable).
  - Non-profit charitable organizations (only) - The IRS Exemption Letter stating Section 501(c)(3) of Internal Revenue Code.

### ACKNOWLEDGEMENT

I have read, understood and am in compliance with all rules and regulations concerning this Program. I certify that all information provided is correct to the best of my knowledge, and I give the Program Manager permission to share my records with the New Jersey Board of Public Utilities, and contractors it selects to manage, coordinate or evaluate the Program, including the release of electric and natural gas utility billing information, sharing of ENERGY STAR® Portfolio Manager data and access, as well as make available to the public non-sensitive information. I allow reasonable access to my property to inspect the existing conditions of the facility or facilities in order to determine eligibility under the guidelines of New Jersey's Clean Energy Program. This arrangement supersedes all other communications and representations. Acceptance into the Program is dependent on receiving an Approval Letter/Notice to Proceed from the program.

This section must be signed by Mayor, Business Administrator, Executive Director, or some comparable decision-maker at the applying entity. If applicable, the Designated Representative identified on the Registration Form tab must also sign here.

#### APPLICANT

Must be a person authorized to execute contracts

Name

Title

Signature

Date

#### DESIGNATED REPRESENTATIVE (if applicable)

Name

Title

Signature

Date

# LOCAL GOVERNMENT ENERGY AUDIT (LGEA) PROGRAM

for local & state governments and select non-profits



## APPLICATION FORM

July 1, 2018- June 30, 2019

### APPLICANT INFORMATION

Entity Name	Federal ID/EIN	NAICS Code
Township of Lower	21-6005700	
Primary Contact Full Name	Title	County
Margaret Vitelli	QPA	Cape May
Phone Number	Email Address	
609-886-2005 x123	mvitelli@townshipoflower.org	
Mailing Address	City	State
2600 Bayshore Road	Villas	NJ
Entity Type		Zip Code
		8251

- State Contracting Agency OR Public Agency  
 Local Governments per Local Public Contracts Law  
 Local Governments per Public School Contracts Law  
 County Colleges per County College Contracts Law  
 NJ State Colleges or State Universities per State College Contracts Law  
 Nonprofit charitable organizations per Section 501(c)(3) of the Internal Revenue Code

Has this entity previously applied and been approved by the Local Government Energy Audit (LGEA) program? Yes  
 If yes, briefly describe any major or notable work performed since the last energy audit: 2010 none

Does the applying entity have an existing ENERGY STAR® Portfolio Manager account? Unsure

Do you have any Solar Photovoltaic (PV) installed in any facility(ies) included in this application? No

Do you have a Combined Heat & Power (CHP) plant operational at the facility? No

How did you hear about this program?  
 If other, please describe: Participated prior/need upgrades

### DESIGNATED REPRESENTATIVE (if other than Applicant)

A Designated Representative is a person(s) not directly associated with the applying entity but will be contributing to the application and/or auditing process. The program requires that you identify this person(s) so that we may work directly with them regarding your application and/or energy audit, otherwise we will not be able to share any information regarding your application.

Designated Representatives may include engineers, architects, green team volunteers, parishioners, etc. Note that all documents requiring signatures must be signed by the appropriate decision-maker at the applying entity and a Designated Representative, if applicable.

Company Name	Federal ID/EIN
Township of Lower	21-6005700
Primary Contact Full Name	Title
Margaret Vitelli	QPA
Phone Number	Relationship to Entity
609-886-2005 x123	Purchasing Agent
Mailing Address	Email Address
2600 Bayshore Road	mvitelli@townshipoflower.org
	City
	Villas
	State
	NJ
	Zip Code
	8251

### OPTIONAL WAIVERS (for buildings under average peak 200kW)

Available waivers for buildings with average peak kW less than 200kW are below. All waivers must be fully clarified upon request before the application can move ahead. You can select more than one.

- ESIP is an anticipated source of financing.
- Master or campus metering arrangement on-site, where demand of any one building is unknown (submeter data is strongly recommended with application submittal)
- Unable to commit to the turnkey Direct Install program process at this time due to scope, facility type, measure type (e.g. insulation, windows, etc.), financial constraints, limitations by board or contracting authority, desire to understand energy profile of all buildings prior to prioritizing resources, etc. (additional information may be requested).
- Other waiver request. Elaborate the request in the space below:

We need to see the cost associated with the recommendations for funding considerations.

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

ORDINANCE #2018 -20

SALARY AND BENEFIT ORDINANCE FOR THE TOWNSHIP OF LOWER

BE IT ORDAINED by the Township Council, the governing body of the Township, County of Cape May, State of New Jersey that the following ranges and rates of pay are established as follows, exclusive of longevity:

TOWNSHIP COUNCIL

Mayor	18,000.00	to	21,000.00
Councilmembers	15,000.00	to	18,000.00

NON-UNION ADMINISTRATIVE/MANAGEMENT PERSONNEL

Township Manager	85,000.00	to	125,000.00
Township Clerk	74,000.00	to	95,000.00
Chief Financial Officer	77,000.00	to	106,000.00
Assistant Township Clerk	46,000.00	to	56,000.00
Director of Personnel	70,000.00	to	90,000.00
Appointing Authority	5,000.00	To	10,000.00

NON-UNION POLICE PERSONNEL

Chief of Police	107,584.00	to	155,000.00
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SUPERIOR OFFICERS - POLICE

Police Captain	100,034.00	to	128,000.00
Police Lieutenant	94,000.00	to	119,000.00

SUPERVISORS UNION

General Supervisor Public Works	59,000.00	to	84,000.00
Tax Assessor	60,000.00	to	99,583.76
Tax Collector	60,000.00	to	97,500.00
Construction Official	52,000.00	to	87,000.00
Supt. Recreation Parks	56,000.00	to	92,100.00
Supt. of Public Works	75,000.00	to	108,300.00
Planning Director	60,000.00	to	97,500.00
Court Administrator	55,000.00	to	92,000.00
Coordinator Fed. & State Aid	50,000.00	to	82,000.00
Deputy Court Administrator	45,000.00	to	60,000.00
Supervisor of Garage Services	66,000.00	to	90,000.00
Supervisor Building, Grounds	59,000.00	to	90,000.00
Qualified Purchasing Agent	45,000.00	to	75,200.00
Purchasing Agent	45,000.00	to	75,200.00
Township Engineer	70,000.00	to	108,243.22

AFSCME

Cashier	26,966.00	to	41,132.42
Clerk Typist	26,966.00	to	45,462.15
Clerk	26,966.00	to	45,462.15
Assessing Clerk	26,966.00	to	45,462.15
Assessing Clerk Typist	26,966.00	to	45,462.15
Tax Clerk	26,966.00	to	45,462.15
Building Maintenance Worker	26,966.00	to	41,132.42
Building Maintenance Worker (PT)	15,000.00	to	24,354.72

Building Service Worker	26,966.00	to	41,132.42
Sr. Building Service Worker	38,000.00	to	59,533.77
Account Clerk-Typing	26,966.00	to	45,462.15
Computer Operator	26,966.00	to	45,462.15
Senior Tax Clerk	30,567.00	to	48,709.45
Senior Police Records Clerk	30,567.00	to	48,709.45
Senior Account Clerk	30,567.00	to	48,709.45
Senior Assessing Clerk	30,567.00	to	48,709.45
Senior Clerk Typist	30,567.00	to	48,709.45
Senior Clerk Stenographer	30,567.00	to	48,709.45
Senior Telephone Operator/Receptionist	30,567.00	to	48,709.45
Senior Computer Operator	30,567.00	to	48,709.45
Code Enforcement Officer	30,567.00	to	48,709.45
Registrar of Vital Statistics	30,567.00	to	48,709.45
Assessing Aide	34,168.00	to	56,286.47
Senior Code Enforcement Officer	34,168.00	to	56,286.47
Principal Clerk	34,168.00	to	62,781.07
Principal Account Clerk	34,168.00	to	62,781.07
Principal Assessing Clerk	34,168.00	to	62,781.07
Principal Clerk Stenographer	34,168.00	to	62,781.07
Principal Clerk Typist	34,168.00	to	62,781.07
Supervising Computer Operator	34,168.00	to	62,781.07
Building Inspector	37,769.00	to	56,286.47
Building Subcode Official	5,000.00	to	56,286.47
Plumbing Subcode Official	5,000.00	to	56,286.47
Plumbing Subcode Inspector (PT)	10,000.00	to	32,472.96
Plumbing Inspector	26,062.00	to	56,286.47
Plumbing Inspector (P/T)	10,000.00	to	32,472.96
Electrical Subcode Official	37,769.00	to	56,286.47
Electrical Inspector	26,062.00	to	56,286.47
Electrical Inspector (PT)	10,000.00	to	32,472.96
Fire Protection Inspector	26,062.00	to	56,286.47
Fire Protection Inspector (PT)	10,000.00	to	32,472.96
Assistant Zoning Officer	37,769.00	to	56,286.47
Assistant Tax Collector	37,769.00	to	56,286.47
Assistant Treasurer (FT)	37,769.00	to	56,286.47
Assistant Superintendent of Recreation	37,769.00	to	56,286.47
Assistant Superintendent of Recreation (PT)	27,000.00	to	56,286.47
Public Safety Telecommunicator or Trainee	30,000.00	to	54,121.61
Relief Public Safety Telecommunicator or Trainee	14.42 hr.	to	19.00 hr.
Violations Clerk	30,567.00	to	44,379.72
<u>POLICE PERSONNEL</u>			
Police Sergeant	86,051.00	to	110,697.09
Police Officer	33,000.00	to	104,000.00
Special Law Enforcement Officer (Class I)	8.85	to	10.00 hr.
Special Law Enforcement Officer (Class II)	11.00 hr.	to	17.00 hr.
Special Law Enforcement Officer - without Police Academy Certification	Applicable Minimum Wage Established by Department of Labor		
<u>PUBLIC WORKS PERSONNEL (PER HOUR)</u>			
Equipment Operator	23.81	to	29.55

Supervising Equipment Operator	25.82	to	31.91
Motor Broom Driver	22.58	to	28.11
Mechanic	26.50	to	35.00
Mechanics Helper	24.14	to	29.94
Senior Mechanic/Diesel	28.25	to	35.00
Maintenance Repairer	23.06	to	28.67
Sr. Maintenance Repairer	26.43	to	32.00
Laborer	14.42	to	27.23
Supervising Laborer	23.84	to	29.59
Rec. Parks Maintenance Worker/Groundskeeper	17.42	to	25.00
Electrician	22.64	to	28.19
Sign Maker/Wood & Metal	22.17	to	27.63
Senior Groundskeeper	19.03	to	26.00
Groundskeeper	14.42	to	27.23
Temporary Laborers	12.50	to	17.95
Recycling Program Aide	12.00	to	15.61
Animal Control Officer	21.83	to	27.23

OTHER EMPLOYEES

Deputy Manager	2,600.00	to	3,500.00
Court Attendant	8,000.00	to	9,000.00
Township Prosecutor	14,000.00	to	25,000.00
Municipal Judge	40,000.00	to	50,000.00
Public Defender	11,000.00	to	15,000.00
Recording Secretary Planning/Zoning Board	3,500.00	to	4,000.00
Fire Subcode Official	9,000.00	to	18,000.00
Safety Coordinator	3,000.00	to	4,000.00
District Recycling Coordinator	250.00	to	5,000.00
Emergency Management Coordinator	6,900.00	to	10,000.00
Emergency Management Deputies	2,000.00	to	10,000.00
Code Enforcement Officer Trainee	9.00 hr.	to	12.00 hr.
Assistant Treasurer (PT)	6,900.00	to	13,000.00
Tax Search Officer	3,000.00	to	3,500.00
Terminal Agency Coordinator	1,500.00	to	1,500.00
Animal Control (PT)	4,000.00	to	10,000.00

HOURLY EMPLOYEES

Lifeguard/Swimming Instructor	10.00	to	16.00 hr.
Recreation Aide	9.76	to	18.00 hr.
Senior Citizen Program Aide	9.76	to	18.00 hr.
Ticket Taker	8.85	to	10.00 hr.
Park Attendant	11.00	to	18.00 hr.
Field Inspector	15.00	to	30.00 hr.

BUREAU OF FIRE SAFETY

Fire Official	67,000.00	to	94,171.60
Fire Prevention Specialist (FT)	42,000.00	to	62,781.07
Fire Inspector (PT)	17.50	to	21.00 hr.
Fire Prevention Specialist (PT)	17.50	to	21.00 hr.
Fire Safety Board Members	1,400.000 Annually		

Section 2. Longevity pay is only applicable to PBA union employees hired prior to May 10, 2012. All other employees (union and non-union) are ineligible for longevity pay.

Section 3. Owners of private automobiles that are used for travel in connection with Township business shall be reimbursed for the use of said automobiles in accordance with the business use mileage rate established by the Internal Revenue Service in the year in which the travel occurred. All employees who do use their personal cars for Township business must furnish the Department of Revenue & Finance with a Certificate of Insurance supplied by the employee's insurance agent.

Section 4. Whenever a salary range is provided in this ordinance, the Township Council pursuant to the Lower Township Administrative Code and pursuant to contract shall determine the salary of the employees involved in the range, such determination to be made on the basis of time holding the position, experience, ability and performance. The Township shall not be obligated with respect to any employee to grant an increase in any year, except as may be provided by contract.

A. The Township Clerk shall be granted the same salary increase as shall be agreed for the Township Chief Financial Officer/Treasurer, Township Tax Assessor and Township Tax Collector pursuant to contract and New Jersey State Statute.

B. Permanent managerial/confidential employees not part of any bargaining unit by nature of their position shall continue to be governed by and receive the same benefits pursuant to the union contract which governs their annual increase.

C. All other non-union personnel shall be granted such salary increases as approved by the Township Council.

Section 5. The Chief Executive Official is hereby authorized to adopt a group hospitalization plan and other insurance plans pursuant to contract and to provide that such premiums be paid by the Township of Lower.

Section 6. The Township Council is hereby authorized to award overtime pay at the rate of one and one half of the regular rate, in accordance with the Federal Labor Standards Act applicable thereto, pursuant to contracts for all employees.

Section 7. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

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

\_\_\_\_\_  
David Perry, Councilmember

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

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

\_\_\_\_\_  
Erik Simonsen, Mayor

First Reading: December 3, 2018

Adoption:

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

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

RESOLUTION #2018-368

Title: APPROVAL OF AN ALCOHOLIC BEVERAGE CONTROL LICENSE PERSON TO PERSON TRANSFER- LICENSE #0505-33-015-009, FROM MARIE NICOLE INC TO HC FARM, LLC

WHEREAS, an application has been filed for a person to person transfer of Plenary Retail License 0505-33-015-009, heretofore issued to HC Farm, LLC to be pocketed, rendering the license inactive; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local Ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business.

NOW, THEREFORE, BE IT RESOLVED that the Lower Township Council does hereby approve effective 12:00 Noon on December 4, 2018, the transfer of the aforesaid Plenary Retail Consumption License to HC Farm, LLC and does hereby direct the Township Clerk to endorse the License Certificate to the New Ownership as follows: "This License, is hereby transferred to HC Farm, LLC to be "pocketed", rendering the License inactive effective 12:00 Noon on December 4, 2018.

	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 December 3, 2018.

Julie A Picard, Township Clerk

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

RESOLUTION #2018-369

Title: A RESOLUTION AUTHORIZING AN AMENDMENT TO THE SALARY ORDINANCE

**WHEREAS,** The Code of the Township of Lower, *Article II, Section 3-8 C. Salaries of Mayor and Council* require the salaries of the Mayor and Council be reviewed every two years and, as needed, be adjusted in accordance with N.J.S.A. 40A:9-165; and

**WHEREAS,** the salaries of the Mayor and Council have not been reviewed or adjusted since 2016; and

**WHEREAS,** upon review, it has been determined that an adjustment is in order.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the salary Ordinance be amended to reflect a \$2,500 increase to the salary range of Mayor and Councilmembers effective January 1, 2019.

	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 December 3, 2018.

Julie A Picard, Township Clerk

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

RESOLUTION # 2018-370

Title: AUTHORIZATION FOR THE PAYMENT OF COLLEGE CREDITS

WHEREAS, the employees listed on the attached schedule have earned college credits and per union contract the Township will pay employees for those credits earned as determined in their union contracts; 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 2018 budget for Salaries and Wages

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that payment to the employees listed on the attached schedule not to exceed the amount of \$ 20,810.00 is authorized and chargeable to the 2018 Budget.

	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 December 3, 2018.

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

Ded/Earn Code	Descript	Name	Amount	Comment
E08	Annual College Credits	ANZELONE, JENNIFER M	1,000.00	
E08	Annual College Credits	ARMBRUSTER, JOHN T	1,000.00	
E08	Annual College Credits	BLACK, KAITLIN O	1,000.00	
E08	Annual College Credits	CHEW JR, JOHN A	1,000.00	
E08	Annual College Credits	COOMBS SR, ERIC S	880.00	
E08	Annual College Credits	EDWARDS, EDWARD M	1,000.00	
E08	Annual College Credits	GRETO, ANTHONY T	1,000.00	
E08	Annual College Credits	JAMES JR, MICHAEL F	520.00	
E08	Annual College Credits	KOCIS, WILLIAM	1,000.00	
E08	Annual College Credits	LEWIS, KEVIN E	900.00	
E08	Annual College Credits	McEWING, BRIAN C	1,000.00	
E08	Annual College Credits	MICCICHE, ANTHONY	1,000.00	
E08	Annual College Credits	PERRY, MICHAEL C	1,000.00	
E08	Annual College Credits	RYAN, CHARLES J	1,000.00	
E08	Annual College Credits	SAINI, JORDAN C	980.00	
E08	Annual College Credits	VANAMAN JR, DONALD	1,000.00	
E08	Annual College Credits	WALKER, KENNETH	1,000.00	
E08	Annual College Credits	WHITTEN JR, DOUGLAS D	1,000.00	
E08	Annual College Credits	WHITTINGTON, TIMOTHY S	1,000.00	
E08	Annual College Credits	SHECK, JONATHAN	660.00	
E08	Annual College Credits	OMROD, WILLIAM	1,000.00	
E08	Annual College Credits	CRECCA, KATHRYN R	750.00	
E08	Annual College Credits	THOMAS, LINDA	120.00	
			20,810.00	

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

RESOLUTION # 2018-371

Title: AUTHORIZATION FOR 2018 INCENTIVE AWARD FOR INSURANCE WAIVER

WHEREAS, the employees listed on the attached schedule have waived health insurance and are due an incentive amount per Superior Officers Union and PBA Union Contract, Article 12, Section F, AFSCME Union Contract, Article VII, Section F and Supervisors Contract, Article VI, Section F; 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 year's budget for Health Insurance.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that payment to the attached schedule of employees in the amount of \$57,500.00 is authorized and chargeable to the 2018 Budget account 8-01-23-220-412.

	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 December 3, 2018.

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

<b>Employee</b>	<b>Jun-18</b>	<b>Dec-18</b>
Bailey, Howard III	\$ 2,500.00	\$ 2,500.00
Barcas, William	\$ 2,500.00	\$ 2,500.00
Biersbach, Martin	\$ 2,500.00	\$ 2,500.00
Boyle, Kevin Jr.	\$ 2,500.00	\$ 2,500.00
Brewster, Maria	\$ 2,500.00	\$ 2,500.00
Coombs, Eric	\$ 2,500.00	\$ 2,500.00
Crippen, Colleen	\$ 2,500.00	\$ 2,500.00
Douglass, Gary	\$ 2,500.00	\$ 2,500.00
Douglass, Scott	\$ 2,500.00	\$ 2,500.00
Greto, Anthony	\$ 2,500.00	\$ 2,500.00
Hansberry, Ryan	\$ 2,500.00	\$ 2,500.00
James, Michael	\$ 2,500.00	\$ 2,500.00
Kelleher, William	0	\$ 2,500.00
Lepor, David	\$ 2,500.00	\$ 2,500.00
Lewis, Kevin	\$ 2,500.00	\$ 2,500.00
Munro, Jonathan	\$ 2,500.00	\$ 2,500.00
Nuscis, Michael	\$ 2,500.00	\$ 2,500.00
Perry, Michael	\$ 2,500.00	\$ 2,500.00
Plenn, Mitchell	\$ 2,500.00	\$ 2,500.00
Rementer, Joseph	\$ 2,500.00	\$ 2,500.00
Ryan, Charles	\$ 2,500.00	\$ 2,500.00
Vanaman, Donald	\$ 2,500.00	\$ 2,500.00
Walker, Kenneth	\$ 2,500.00	\$ 2,500.00
	\$ 55,000.00	\$ 57,500.00

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

RESOLUTION # 2018-372

Title: AUTHORIZATION FOR THE PAYOUT OF ACCUMULATED VACATION TIME

WHEREAS, the employee listed below has accrued vacation 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 William Mastriana in the amount of \$5,791.61 is authorized and chargeable to the 2018 Budget account 8-01-25-240-123.

	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 December 3, 2018.

Julie A Picard, Township Clerk

Employee Maintenance - General Data

Employee Id: 


 Middle Init: 
 Last Name:

First Name:

Main Classification: 
 Dates: 
 Salary/Rates: 
 Hrs/Days: 
 Pension: 
 Emergency: 
 Demographics: 
 ACA: 
 Notes:

Accrual/Carryover Id:

	Last Used	Carryover	YTD Accrued	YTD Used	Available	Max Allowed	Hours Used	Payroll YTD	Hrs Worked Counter
Sick (Hours)	11/07/2018	1,012.50	128.00	39.00	1,101.50	.00	.00	.00	.00
Vacation (Hours)	11/23/2018	337.00	312.00	157.00	492.00	.00	.00	.00	.00
Admin (Hours)	06/11/2018	.00	48.00	45.00	3.00	.00	.00	.00	.00
Comp (Hours)	02/05/2018	26.00	.00	24.00	2.00	.00	.00	.00	.00
Other (Hours)	06/02/2005	.00	.00	.00	.00	.00	.00	.00	.00

Note: This tab reflects time up to and including 12/31/18.

0 \*  
 80 \* X  
 72 \* 3951 =  
 5,791 \* 608 \* +

**ccrippen**

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**From:** Chief William Mastriana <mastriana@lowertownshippolice.com>  
**Sent:** Wednesday, November 28, 2018 11:01 AM  
**To:** ccrippen; lread  
**Subject:** Sell back two weeks vacation

Colleen,

I am respectfully requesting to sell back 80 hours of this year's vacation time in accordance with my contract under article 8 Vacation Days. If possible I would like to receive this on the first pay period of December.

Thank you,



William Mastriana, Chief of Police  
Lower Township Police Department  
405 Breakwater Road  
Erma, NJ 08204  
Work (609) 886-1619 ext 125  
Cell (609) 374-6717  
E-mail [mastriana@lowertownshippolice.com](mailto:mastriana@lowertownshippolice.com)

"No one is compelled to choose the profession of a police officer, but having chosen it, everyone is obliged to live up to the standard of its requirements." ---President Calvin Coolidge



*Please consider the environment before printing this e-mail*

CONFIDENTIALITY NOTE: The information contained in this transmission, including any attachments, may be a confidential attorney communication or may contain privileged or confidential information intended only for the use of the individual or entity named above. If you are not the intended recipient, you must not, directly or indirectly, use or disclose all or any part of this message. If you believe that you have received this message in error, please delete it and all copies of it and notify the sender immediately by reply e-mail or contact the Lower Township Police Department at 609-886-2711.

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

RESOLUTION # 2018-373

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

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

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;

(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 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 December 3, 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.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 3, 2018

Julie A Picard, Township Clerk