

Signed Resolutions - August 19, 2019

- Res. #2019-256 - Payment of Vouchers \$ 241,798.85
- Res. #2019-257 - Certification to Local Finance Board of Receipt and Review of Audit Sections General Comments And Recommendations
- Res. #2019-258 - Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Drive Sober or Get Pulled Over \$5,500)
- Res. #2019-259 - Authorizing the Payout of Terminal Leave (L.Milbrandt \$30,230.78)
- Res. #2019-260 - A Resolution Amending Resolution #2018-364; Cops In Shops Summer Shore Initiative 2019 to Include the Grant Award Amount of \$2,640.00
- Res. #2019-261 - A Resolution in Support of the Cape May County Sheriff's Office Commitment to Upholding Public Safety in Cape May County
- Res. #2019-262 - A Resolution Requesting Release of Revegetation and Restoration Guarantee for Dune Site Plan; Block 115, Lot 3; Escrow #P-11-06-01 (\$1,000)
- Res. #2019-263 - Authorization for the Payout of Accumulated Compensatory Time (S.Flincroft \$2,907.13)
- Res. #2019-264 - A Resolution Requesting Release of A Demolition Bond for Block 91, Lot 65 (N.Howard \$500.)
- Res. #2019-265 - Authorization for Refund of Taxes (6 properties)
- Res. #2019-266 - A Resolution Approving An Agreement Between the Township of Lower and William Mastriana, Lower Township Chief of Police
- Res. #2019-267 - Approving a Professional Service Contract With DeBlasio and Associates for Professional Engineering Services for the 2019 Road Program; Section 1: Arizona Avenue, Capital Lane, Republic Lane, Union Lane, Federal Lane, States Avenue; and Section 2: Kechemeche Street, Pakahake Street, Pontaxit Avenue, Mathemek Street (\$90,000)
- Res. #2019-268 - Approving a Professional Service Contract with Mott MacDonald for Professional Engineering Services for Application Assistance on the Small Cities CDBG 2020 Grant Application; ADA Improvements at Rotary Park (3,800)



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01208 DRAIN DOCTOR*	19-02037	07/16/19	EMERGENCY WORK-SEWER BACK UP	Open	285.00	0.00		
01239 DIANA L DeNOTE	19-02226	08/06/19	COONTRACTUAL REIMBURSEMENT M	Open	135.58	0.00		
01310 JLP INTL INC*	19-01542	05/31/19	WEIGHT ROOM MAINTENANCE	Open	1,214.10	0.00		
01590 FORD, SCOTT & ASSOCIATES*	19-01900	07/01/19	C/O 1 BOND SERVICES RES 19-219	Open	9,300.00	0.00		
01649 GARDEN STATE HWY PRODUCTS, INC*	19-01829	06/26/19	SIGNS PEDSTRAIN	Open	2,465.00	0.00		
01703 HARBOR SALES COMPANY*	19-02048	07/17/19	VINYL FOR SIGNS	Open	1,119.50	0.00		
01806 ANTHONY J HARVATT, II, ESQ	19-02228	08/06/19	7/11/19 RESOLUTIONS CONCERNING	Open	300.00	0.00		
01807 MARLIN HEDUM	19-02281	08/15/19	CONTRACTUAL REIMBURSEMENT M	Open	277.93	0.00		
	19-02282	08/15/19	CONTRACTUAL REIMBURSEMENT M/V	Open	290.00	0.00		
	19-02283	08/15/19	CONTRACTUAL REIMBURSEMENT V	Open	235.00	0.00		
					802.93			
02025 HUNTER JERSEY PETERBILT*	19-01868	06/27/19	PARTS FOR TRUCKS	Open	192.26	0.00		
02027 JESCO INC*	19-02064	07/23/19	PARTS FOR RECYCLING TRUCK	Open	101.50	0.00		
02140 KINDLE FORD LINC/MERC., INC.*	19-01962	07/09/19	PARTS FOR VEHICLES/OCT.	Open	858.12	0.00		
02189 KNOX ASSOCIATES, INC*	19-01952	07/09/19	KNOX BOX FISHING CREEK	Open	352.00	0.00		
02223 LANDSMAN UNIFORMS*	19-01552	05/31/19	UNIFORMS	Open	718.20	0.00		
02247 LAWSON PRODUCTS, INC.*	19-02030	07/16/19	SUPPLIES FOR DPW GARAGE/JULY	Open	699.71	0.00		
02334 LOWER TWP CHAMBER OF COMMERCE	19-02113	07/25/19	MAY, 2019 LUNCHEON	Open	40.00	0.00		
02418 MAJESTIC SEWER AND DRAIN*	19-02271	08/13/19	8/1/19 MENS ROOM CLOGGED POOL	Open	125.00	0.00		
02658 MCELWEE & QUINN, LLC*	19-02110	07/25/19	\$7.45M BOND SALE 7/30/19	Open	1,200.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02725 THOMAS MILLS	19-02198	08/02/19	INSPECTION 30 CLIFFSIDE RD	Open	28.23	0.00		
02775 BARBARA MOORE	19-02247	08/09/19	CONTRACTUAL REIMBURSEMENT M	Open	830.00	0.00		
03052 NATIONAL FIRE PROTECTION ASSN*	19-02082	07/23/19	NATIONAL FIRE CODES SUBSCRIPT	Open	1,525.50	0.00		
03158 NYSCA*	19-02141	07/29/19	FOOTBALL COACHES RENEWAL	Open	80.00	0.00		
03172 OFFICE BUSINESS SYSTEMS INC*	19-02133	07/26/19	FTR CONTRACT 9/19-9/20	Open	941.00	0.00		
	19-02145	07/29/19	20" GOOSENECK MICROPHONE	Open	323.00	0.00		
					1,264.00			
03280 PARAMOUNT SANITARY SUPPLY*	19-02001	07/10/19	CLEANING SUPPLIES/BUILDINGS	Open	1,730.25	0.00		
03305 PEDRONI FUEL*	19-02263	08/12/19	NO LEAD GAS	Open	313.86	0.00		
03365 LYNN JEFFERIS	19-02225	08/06/19	CONTRACTUAL REIMBURSMENT MV	Open	239.92	0.00		
03466 R & R SPECIALTIES	19-02254	08/12/19	ETCHED PLAQUE WOLTJEN HENNESSY	Open	270.00	0.00		
03518 RIGGINS, INC.*	19-02193	08/02/19	OFF HIGHWAY DIESEL	Open	218.58	0.00		
	19-02287	08/15/19	OFF HIGHWAY DIESEL	Open	569.16	0.00		
					787.74			
03537 RUTGERS, THE STATE UNIVERSITY*	19-02118	07/25/19	FINANCIAL MANAGEMENT COURSES	Open	1,662.00	0.00		
03607 SEASHORE FOOD SUPPLY*	19-02230	08/06/19	8/4 FOOD SUPPLIES FOR BAYRUN	Open	1,308.26	0.00		
03611 SERVICE TIRE TRUCK CENTERS*	19-01288	05/02/19	TIRES/RDS/SANT/RECY/DPW/JULY	Open	4,420.56	0.00		
03757 ROBERT THOMAS	19-02284	08/15/19	CONTRACTUAL REIMBURSEMENT V	Open	345.00	0.00		
03844 GIACOMO TROMBETTA	19-02227	08/06/19	CONTRACTUAL REIMBURSEMENT M	Open	80.00	0.00		
03915 TURF EQUIPMENT & SUPPLY CO*	19-01291	05/02/19	SUPPLIES FOR MOWERS/JULY	Open	412.28	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
<b>03920 RAYMOND GARRISON</b>								
	19-02224	08/06/19	CONTRACTUAL REIMBURSEMENT V	Open	159.00	0.00		
<b>03985 VILLAS NAPA AUTO PARTS</b>								
	19-01298	05/02/19	REDS/SANT/RECY/DPW/JULY	Open	1,585.79	0.00		
<b>04097 CINTAS FIRST AID AND SAFETY*</b>								
	19-02242	08/08/19		Open	42.82	0.00		
	19-02245	08/08/19	CINTAS SERVICE	Open	<u>35.13</u>	0.00		
					77.95			
<b>04158 HUFFMAN'S FLOOR COVERING*</b>								
	19-01928	07/03/19	CLERKS OFFICE CARPET	Open	4,450.80	0.00		
<b>04266 NJ DEPT OF HEALTH&amp;SENIOR SVCS</b>								
	19-02246	08/08/19	DOG DAMAGE JULY 2019	Open	93.00	0.00		
<b>04504 MEDIA FIVE LTD*</b>								
	19-00974	03/29/19	RES 19-66 CONCERT SERIES BANDS	Open	3,500.00	0.00		
<b>05083 SJSHORE MARKETING LIMITED</b>								
	19-02062	07/19/19	REGISTRATION FORMS -SPORTS	Open	1,076.81	0.00		
<b>6071 UNITED UNIFORMS LIMITED LIAB*</b>								
	19-01911	07/02/19	SHIRTS - DONOHUE OEM	Open	90.00	0.00		
<b>7119 ENGINEERING DESIGN ASSOC*</b>								
	18-03249	12/11/18	VILLAGE ROAD PROJ RES 2018-361	Open	1,221.90	0.00		B
	19-00359	01/30/19	RES 18-326 SCHELLENGERS LNDG	Open	4,736.25	0.00		B
	19-01880	06/28/19	SURVEY OF CLOVERDALE AVE	Open	<u>750.00</u>	0.00		
					6,708.15			
<b>7195 PHOENIX ADVISORS, LLC*</b>								
	19-01793	06/18/19	PROF SVCS-2019 BOND SALE	Open	13,425.00	0.00		
<b>7233 BARBARA HOWELL</b>								
	19-02203	08/05/19	NNO PONIES	Open	450.00	0.00		
<b>7310 CORELOGIC REAL ESTATE TAX SER</b>								
	19-02273	08/13/19	REFUND TAXES B 81.02 L 27	Open	416.89	0.00		
<b>7354 FLEETPRIDE INC.*</b>								
	19-02262	08/12/19	SUPPLIES FOR TRUCKS/DPW	Open	1,323.97	0.00		
<b>7362 NEOPOST USA INC.</b>								
	19-01878	06/28/19	POSTAGE MACHINE SUPPLIES	Open	217.00	0.00		
<b>7475 SUZANNE M SCHEID</b>								
	19-02240	08/08/19	CONTRACTUAL REIMBURSEMENT M	Open	34.01	0.00		
<b>7478 WINDSTREAM COMMUNICATION INC*</b>								
	19-02201	08/02/19	7/29/19 PHONE SERVICE	Open	3,055.46	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
<b>7507 STEFANKIEWICZ &amp; BELASCO LLC</b>								
	19-00047	01/04/19	DNE \$97,000 EXPENSES	Open	5,850.00	0.00		
<b>7508 BLANEY &amp; KARAVAN PC*</b>								
	19-00048	01/04/19	LABOR ATT RES#2019-02 DNE 40K	Open	1,400.00	0.00		B
<b>7576 ROBERT THOMPSON JR.</b>								
	19-02223	08/06/19	CONTRACTUAL REIMBURSEMENT M	Open	328.76	0.00		
<b>7636 MOTT MACDONALD LLC*</b>								
	18-01334	05/14/18	18-164 ROSEANN/BAYSHORE C/O 6	Open	34,821.77	0.00		B
	18-01691	06/11/18	18-19 ROSEANNE PHASE III	Open	12,265.40	0.00		B
	19-00667	03/05/19	UPDATE STORMWATER PLAN	Open	5,670.00	0.00		B
	19-01260	05/02/19	CHANGE ORDER #1	Open	1,109.25	0.00		B
	19-01269	05/02/19	ROSEANN AVE PHASE 3	Open	603.00	0.00		B
	19-01271	05/02/19	19-156 C/O 1 ROSEANNE PHSE III	Open	2,700.00	0.00		
	19-01699	06/07/19	C/O 2 RES 19-205 ROSEANN IMPR	Open	18,780.64	0.00		B
	19-02298	08/16/19	PROFESSINAL ENGINEERING	Open	370.38	0.00		
	19-02299	08/16/19	PROFESSINAL ENGINEERING	Open	827.14	0.00		
	19-02300	08/16/19	PROFESSINAL ENGINEERING	Open	103.88	0.00		
					77,251.46			
<b>7653 ORIENTAL TRADING COMPANY, INC</b>								
	19-02040	07/16/19	NATIONAL NIGHT OUT	Open	380.47	0.00		PC1
<b>7791 CALIFORNIA CLOSETS INC*</b>								
	19-01757	06/12/19	CLERK'S OFFICE CLOSET	Open	4,748.00	0.00		
<b>7797 THIRSTY WILSON BAND</b>								
	19-02066	07/23/19	NATIONAL NIGHT OUT BAND	Open	700.00	0.00		
<b>7806 ESCAPE THE CAPE</b>								
	19-01852	06/26/19	RETURN OF UNUSED ESCROW	Open	312.68	0.00		
<b>7820 DEBLASTO &amp; ASSOCIATES, P.C*</b>								
	18-02168	08/08/18	ENGINEERING 2018 ROAD PROGRAM	Open	4,145.00	0.00		B
	19-01700	06/07/19	RES 19-206 FY20 NJDOT STATE AP	Open	2,000.00	0.00		
					6,145.00			
<b>7836 AXON ENTERPRISE, INC*</b>								
	19-02041	07/16/19	TASER BATTERIES	Open	713.90	0.00		
<b>7896 CMC COURT ADMINISTRATORS ASSOC</b>								
	19-02144	07/29/19		Open	100.00	0.00		
<b>7928 ANDERSON ENTERTAINMENT MGMT</b>								
	19-00976	03/29/19	RES 19-66 CONCERT SERIES-BANDS	Open	2,800.00	0.00		
<b>7929 AMAZON CAPITAL SERVICES, INC</b>								
	19-02235	08/07/19	RAGS FOR GARAGE	Open	179.70	0.00		
<b>7943 ERNEST A &amp; MARCIA H PAULUS</b>								
	19-02297	08/16/19	HOMESTEAD B 352.02 L1	Open	109.80	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
8035 LANGUAGE LINE SERVICES INC	19-02061	07/19/19	PHONE INTERPRETATION	Open	17.07	0.00		
8081 UGI ENERGY SERVICES	19-02200	08/02/19	NATURAL GAS 6/19-7/18/19	Open	120.30	0.00		
8096 4IMPRINT, INC	19-02047	07/17/19	CLOSED BACK TABLE THROW	Open	163.36	0.00		
8112 1000BULBS.COM	19-02065	07/23/19	BULBS AND BALLASTS	Open	733.56	0.00		
8130 MUNIHUB	19-02165	07/31/19	BOND SALE-ELECTRONIC POSTING	Open	500.00	0.00		
8131 DOCUVAULT SECURE SHREDDING LLC	19-02199	08/02/19	7/25/19 SHREDDING	Open	96.00	0.00		
8133 CHRIS LIZZI	19-02194	08/02/19	RETURN ESCROW B 148 L 1.01	Open	306.00	0.00		
	19-02195	08/02/19	RETURN ESCROW B148 L 2.01	Open	148.10	0.00		
	19-02196	08/02/19	RETURN ESCROW B148 L 2.02	Open	148.10	0.00		
					<u>602.20</u>			
8134 PM PROPERTIES MANAGEMENT CORP	19-02197	08/02/19	RETURN ESCROW B 499.02 L33.16	Open	570.70	0.00		
8136 JOHN MCKEON	19-02253	08/12/19	RETURN ESCROW B 132 L 17	Open	440.55	0.00		
8137 MICHAEL MADER	19-02272	08/13/19	REFUND OVERPAY B 505 L 18.06	Open	2,321.14	0.00		
8138 WKR CONSTRUCTION	19-02275	08/14/19	RELEASE MAINT BOND B753.04 L10	Open	1,650.00	0.00		
	19-02276	08/14/19	RETURN ESCROW B 753.04 L 10	Open	224.03	0.00		
					<u>1,874.03</u>			
8139 KEVIN RABE	19-02280	08/15/19	8/14/19 REFUND B 378 L 43	Open	3,698.83	0.00		
8140 NANCY HOWARD	19-02286	08/15/19	RELEASE DEMO BOND B 91 L 65	Open	500.00	0.00		
8141 CAPE REALTY ADVISORS LLC	19-02285	08/15/19	RETURN ESCROW B495.01 L 13.01	Open	3.82	0.00		
8142 FRED BOYLE	19-02296	08/16/19	RETURN ESCROW B 410.01 L36	Open	221.10	0.00		
8211 CONFIRE FIRE PROT SERV LLC*	19-02131	07/26/19	ANNUAL EXTINGUISHER INSPECTION	Open	100.80	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
8213 PARTY HOPPERS*								
	19-02205	08/06/19	DUNK TANK RENTAL NNO	Open	300.00	0.00		
ALPHACAR ALPHA CARD SYSTEMS*								
	19-02081	07/23/19	BLANK,PLAIN WHITE PVC CARDS	Open	58.93	0.00		
JUSTF005 SHANNON NAGEL								
	19-02202	08/05/19	NNO - FACE PAINTER	Open	200.00	0.00		
SOURCE SOURCEMEDIA LLC								
	19-02111	07/25/19	\$7.45M BOND SALE 7/30/19	Open	2,205.00	0.00		
Total Purchase Orders: 122 Total P.O. Line Items: 0 Total List Amount: 239,988.85 Total Void Amount: 0.00								

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

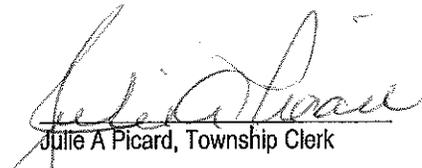
RESOLUTION #2019-

Title: AUTHORIZING THE PAYMENT OF VOUCHERS

Vendor	Description	CK #	Amount
NJ DOT	APPLICATION FEE SCHELLENGERS LANDING	65462	\$1810.00
	TOTAL Manual Checks		\$1810.00
	TOTAL Computer Generated		\$239,988.85
	TOTAL BILL LIST		\$241,798.85

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

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 AUG 19, 2019.

  
Julie A Picard, Township Clerk

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

RESOLUTION #2019-257

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

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

WHEREAS, the Annual Report of Audit for the year 2018 has been filed by a Registered Municipal Accountant with the Township Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and

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

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

WHEREAS, the members of the governing body have personally reviewed, at a minimum, the Annual Report of Audit and specifically the sections of the Annual Audit entitled:  
GENERAL COMMENTS RECOMMENDATIONS  
as evidenced by the group affidavit form of the governing body; and

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

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

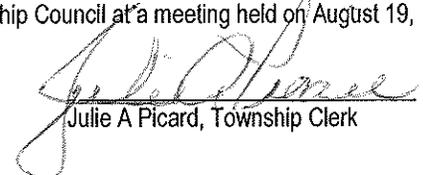
WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 to wit:

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

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

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

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 August 19, 2019.

  
Julie A Picard, Township Clerk

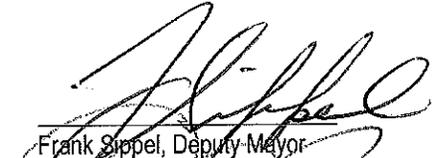
**CERTIFICATION OF THE GOVERNING BODY OF THE ANNUAL AUDIT  
GROUP AFFIDAVIT FORM**

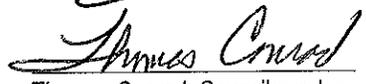
STATE OF NEW JERSEY  
COUNTY OF CAPE MAY

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

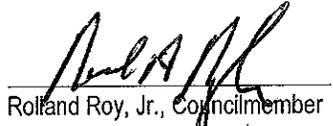
1. We are duly elected members of the Township Council of the Township of Lower in the County of Cape May
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year 2018
3. We certify that we have personally reviewed and are familiar with, at a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations"

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

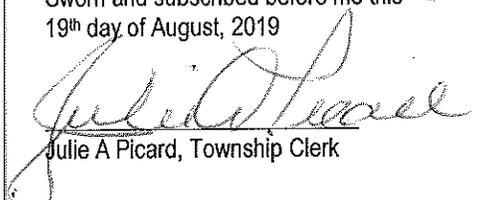
  
\_\_\_\_\_  
Frank Sippel, Deputy Mayor

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

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

  
\_\_\_\_\_  
Rolland Roy, Jr., Councilmember

Sworn and subscribed before me this  
19<sup>th</sup> day of August, 2019

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

# TOWNSHIP OF LOWER

2600 Bayshore Road  
Villas, New Jersey 08251



Incorporated 1798

(609) 886-2005

**TOWNSHIP OF LOWER  
COUNTY OF CAPE MAY  
CORRECTIVE ACTION PLAN:                    2018 AUDIT RECOMMENDATIONS**

**Prior Year Audit Findings (2017)**

**THERE WERE NO AUDIT RECOMMENDATIONS IN 2017**

# TOWNSHIP OF LOWER

2600 Bayshore Road  
Villas, New Jersey 08251



Incorporated 1798

(609) 886-2005

**TOWNSHIP OF LOWER  
COUNTY OF CAPE MAY  
CORRECTIVE ACTION PLAN:**

**2018 AUDIT RECOMMENDATIONS**

**Current Year Audit Findings (2018)**

**THERE WERE NO AUDIT RECOMMENDATIONS IN 2018.**

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

RESOLUTION #2019-258

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

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

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

SECTION 1.

NOW, THEREFORE BE IT RESOLVED that the Township Council of the Township of Lower, County of Cape May, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the increase of \$5,500.00 for an item of revenue in the budget of the year 2019 as follows:

Miscellaneous Revenues –  
 Revenue Offset with Appropriations - Drive Sober or Get Pulled Over  
 Total with increase to be \$ 5,500.00

SECTION 2.

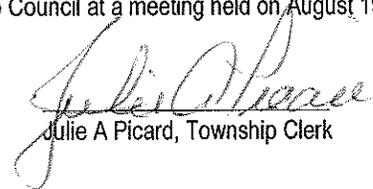
BE IT FURTHER RESOLVED that a like sum of \$5,500.00 be and the same is hereby appropriated under the caption of:

General Appropriations –  
 Public & Private Programs Offset by Revenues - Drive Sober or Get Pulled Over  
 State/Federal Share \$ 5,500.00  
 Non State Share \$  
 Total with increase to be \$ 5,500.00

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

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

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 August 19, 2019.

  
 Julie A Picard, Township Clerk

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

RESOLUTION #2019-259

Title: AUTHORIZING THE PAYOUT OF TERMINAL LEAVE

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

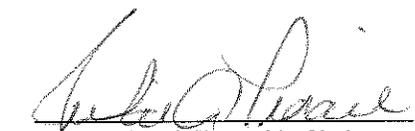
WHEREAS, it is necessary to obtain authorization for any salary and wage disbursement to a Township employee that is not specified in the salary ordinance; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that at a payment due to Laura Milbrandt in the amount of \$ 30,230.78 is authorized and chargeable to the Reserve for Accumulated Absences.

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

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 August 19, 2019.

  
Julie A Picard, Township Clerk

TOWNSHIP OF LOWER  
 RETIREMENT PAYOUT ANALYSIS  
 DATE:

EMPLOYEE: Milbrandt, Laura  
 DATE OF RESIGNATION: 2/1/2019  
 DATE OF PAYMENT: \_\_\_\_\_  
 RESOLUTION #: \_\_\_\_\_

Annual Salary:	\$70,358.09
Hourly Rate:	\$38.66
Longevity	\$0.00

TERMINAL LEAVE:			
	Hours	Rate	Total
Comp	0.00	38.66	0.00
Personal	25.75	38.66	995.45
Sick	551.00	38.66	21,300.72
Vacation	205.25	38.66	7,934.61
	782.00		
<b>Terminal Leave Payout</b>			<b>\$30,230.78</b>

	(A)	(B)	(C)	(B * C) (D)	(E)	A + D - E (F)	
	Carryover	Annual	26weeks / 52 weeks	Prorated Time Due	Time Used	Hours to be paid	
Comp				0.00		0.00	
Personal	11.75	28.00	0.50	14.00	0.00	25.75	contract max 840 hours
Sick	616.00	105.00	0.50	52.50	21.25	551.00	
Vacation	156.75	175.00	0.50	87.50	39.00	205.25	
<b>Total</b>	<b>784.50</b>	<b>308.00</b>	<b>1.50</b>	<b>154.00</b>	<b>60.25</b>	<b>782.00</b>	

Accrual and time used are current to 06/30/19 subject to change if time is used or not currently reported.

Employee Signature: \_\_\_\_\_

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

Treasurer's Signature: \_\_\_\_\_

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

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

RESOLUTION #2019-260

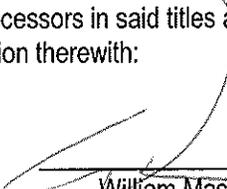
Title: A RESOLUTION AMENDING RESOLUTION #2018-364; COPS IN SHOPS SUMMER SHORE INITIATIVE 2019 TO INCLUDE THE GRANT AWARD AMOUNT OF \$2,640.

WHEREAS, the Township of Lower applied for and obtained a grant from the New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage Control in the amount of \$2,640.00 to run the Cops in Shops Summer Shore Initiative 2019 via Resolution #2018-364 adopted on December 3, 2018.

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.

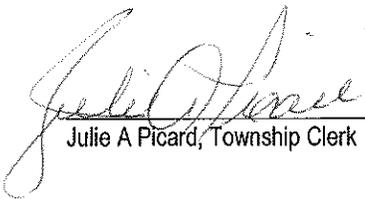
BE IT FURTHER RESOLVED, that the persons whose names, titles and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

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

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

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

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 August 19, 2019.

  
Julie A. Picard, Township Clerk

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

RESOLUTION #2019-261

Title: A RESOLUTION IN SUPPORT OF THE CAPE MAY COUNTY SHERIFF'S OFFICE COMMITMENT TO UPHOLDING PUBLIC SAFETY IN CAPE MAY COUNTY

WHEREAS, The United States Department of Homeland Security Immigration and Customs Enforcement (ICE) added Section 287(g) to the Immigration and Nationality Act to enable it to create partnerships with state and local law enforcement agencies for the purpose of enhancing safety and security of communities (287(g) Program); and

WHEREAS, in 2017, former Cape May County Sheriff, Gary Schaeffer, entered into a Memorandum of Agreement to partner with ICE to implement the 287(g) program, Jail Enforcement Model, in the Cape May County Correctional Facility for the purpose of enhancing safety and security in Cape May County; and

WHEREAS, Cape May County Sheriff Robert Nolan, is the Chief Law Enforcement Officer in Cape May County and swore an oath to uphold public safety by promoting, protecting, preserving and enhancing safety and security in our community; and

WHEREAS, Sheriff Nolan determined that the 287(g) Program is a force multiplier in the identification and detention of noncitizen individuals who are incarcerated for high-risk criminal charges or convictions; and

WHEREAS, Sheriff Nolan determined that the 287(g) Program promotes, protects, preserves and enhances safety and security in Cape May County; and

WHEREAS, Sheriff Nolan determined that the 287(g) Program does not infringe upon civil rights and/or liberties and has safeguards in place to protect against racial or ethnic profiling; and

WHEREAS, Sheriff Nolan entered into an agreement with ICE to extend the 287(g) Program for another 10 years.

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 hereby supports Sheriff Robert Nolan's commitment to public safety and security in Cape May County through execution of an agreement with ICE to continue the 287(g) Program at the Cape May County Correctional Facility.

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

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 August 19, 2019.

  
Julie A. Picard, Township Clerk

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

RESOLUTION #2019-262

Title: A RESOLUTION REQUESTING RELEASE OF REVEGETATION AND RESTORATION GUARANTEE FOR DUNE SITE PLAN; BLOCK 115, LOT 3; ESCROW #P11-06-01

WHEREAS, Lawrence S. Wind and Barbara M. Wind posted a bond for the revegetation and restoration of dune grass with the Township of Lower, in the amount of \$1,000.00; and

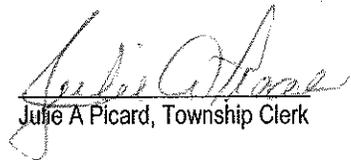
WHEREAS, the Township Planning Director recommends that the required restoration and revegetation of dune grass has been properly completed.

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

BE IT FURTHER RESOLVED that the Township Treasurer is granted permission to issue a check in the amount of \$1,000.00 plus any accrued interest for payment of the above released Guarantee.

	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 August 19, 2019.

  
Julie A Picard, Township Clerk

MEMORANDUM

TO: Mayor Erik Simonsen &  
Council members

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

DATE: August 12, 2019

RE: Release of Bond for Restoration  
and Revegetation of Dune Grass;  
Block 115, Lot 3  
Escrow #P11-06-01  
Resolution #2019-262

Lawrence S. Wind & Barbara M. Wind posted a bond for the restoration and revegetation of Dune grass, on November 11, 2011 per Planning Board Resolution #13-20. A site inspection by the Planning Director on August 6, 2019 revealed that all the required work was complete. Therefore, I recommend return of the above referenced bond for revegetation of dune grass by Township Council.

Thank you.

c: Julie Picard, Township Clerk

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

RESOLUTION # 2019-263

Title: AUTHORIZATION FOR THE PAYOUT OF ACCUMULATED COMPENSATORY TIME

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that payment to Stephen Flitcroft in the amount of \$2,907.13 is authorized and chargeable to the 2019 Budget account 9-01-25-240-123.

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

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 August 19, 2019.

  
Julie A Picard, Township Clerk

LOWER TOWNSHIP POLICE DEPARTMENT

SPECIAL REPORT

TO: Chief Mastriana  
FROM: Ptlm. Flitcroft  
DATE: 07/29/2019  
SUBJECT: Compensation time, cash out.

Sir,

I am respectfully requesting to sell back accrued compensation time, totaling 97 hrs.  
Thank you in advance for your consideration in this matter.

Respectfully Submitted,

*Stephen Flitcroft* 189  
Stephen Flitcroft  
Patrolman Badge 189

0 \*  
29.9704 x  
97 =  
2,907.129 \*+  
000.....  
0.000 \*+

C	File	Date	Officer	Comments
		7/31/19	LT. <i>[Signature]</i>	FD to CAP Biersbach
		7/31/19	M/B	Reviewed FD to Township

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

RESOLUTION #2019-264

Title: A RESOLUTION REQUESTING RELEASE OF A DEMOLITION BOND FOR BLOCK 91, LOT 65

WHEREAS, Nancy Howard posted a Demolition Bond with the Township of Lower, in the amount of \$500.00; and

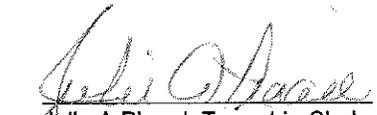
WHEREAS, the Township Building Inspector made a final inspection and the Certificate of Occupancy was issued August 13, 2019.

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

BE IT FURTHER RESOLVED, that the Township Treasurer is granted permission to issue a check in the amount of \$500.00 plus any accrued interest for payment of the above released demolition bond.

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

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 August 19, 2019.

  
Julie A Picard, Township Clerk

MEMORANDUM

TO: Mayor Erik Simonsen &  
Council Members

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

DATE: August 14, 2019

RE: Release of Demolition Bond  
Nancy Howard  
317 East Delaware Parkway  
Villas, NJ 08251  
Block 91, Lot 65  
Resolution #2019-264

Please release to the applicant the demolition bond that the Township is hold in trust, to assure the required demolition. A certificate of occupancy was issued August 13, 2019. Thank you.

WJG:las

att.

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

RESOLUTION #2019-265

Title: AUTHORIZATION FOR REFUND OF TAXES

WHEREAS, the Township Tax Collector has certified an overpayment due to the reasons listed below;  
and

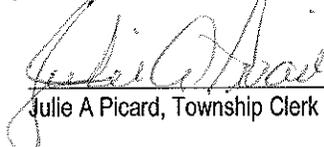
WHEREAS, a refund is due.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the CFO/Treasurer be and the same is authorized and directed to refund the overpayments according to the Tax Collector's certification on file with the CFO/Treasurer.

<u>Block</u>	<u>Lot</u>	<u>Refund To</u>	<u>Reason</u>	<u>Tax</u>
81.02	27	Core Logic 165 E Hudson Ave	100% Exempt Veteran	\$ 416.89
505	18.06	Michael Mader 5 Harvest Court	H/O Paid Erroneously	\$ 2,321.14
378	43	Jeannette Rabe 302 Beechwood Ave	H/O Paid Erroneously	\$ 3,698.83
352.02	1	Ernest Paulus 83 Wildwood Ave	Refund HB – Exempt Veteran	\$ 109.80
410.01	39.15	Core Logic 201 Lennox Ave	100% Exempt as of 5/20/19	\$ 621.05
823.01	3 c0705	Joanne Clarkson 902 Ocean Drive	H/O Paid Erroneously	\$ 1,422.19

	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 August 19, 2019.

  
Julie A Picard, Township Clerk

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

RESOLUTION #2019-266

Title: **A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE TOWNSHIP OF LOWER AND WILLIAM MASTRIANA, LOWER TOWNSHIP CHIEF OF POLICE**

**WHEREAS**, extensive negotiations were conducted by the Township Manager and Labor Counsel with Lower Township Chief of Police William Mastriana; and

**WHEREAS**, the parties have reached an agreement attached hereto as exhibit A; and

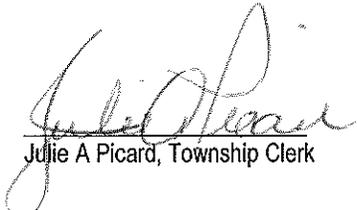
**WHEREAS**, the Township Manager and Labor Counsel recommend the Township Council's approval of the attached agreement.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the attached Agreement between the Township of Lower and William Mastriana, Lower Township Chief of Police is hereby approved.

**BE IT FURTHER RESOLVED** that the Mayor, Township Manager and Township Clerk are hereby authorized and directed to execute the Agreement attached hereto on behalf of the Township.

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

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 August 19, 2019.

  
Julie A Picard, Township Clerk

**AGREEMENT BETWEEN**  
**THE TOWNSHIP OF LOWER**  
**AND**  
**WILLIAM MASTRIANA**  
**THE CHIEF OF POLICE**  
**OF THE TOWNSHIP OF LOWER**

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**TOWNSHIP OF LOWER**

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**EMPLOYMENT CONTRACT BY AND BETWEEN  
THE TOWNSHIP OF LOWER AND THE CHIEF OF POLICE OF  
THE TOWNSHIP OF LOWER**

**THIS AGREEMENT** dated 8/19, 2019 is by and between the **Township of Lower**, a municipal corporation of the County of Cape May, State of New Jersey, (herein after referred to as the "**Township**") and **William Mastriana**, of North Cape May, New Jersey 08204, (herein referred to as "**The Chief**").

**RECITALS**

WHEREAS, William Mastriana is the Chief of Police of Lower Township since \_\_\_\_\_ and has performed admirably in that position;

WHEREAS, the Township and the Chief wish to continue this relationship for the foreseeable future upon terms deemed acceptable to both parties;

WHEREAS, the parties further seek to memorialize the terms of this employment relationship in writing; and

**NOW THEREFORE** the parties agree as follows:

**ARTICLE 1**

**EMPLOYMENT:** The Township agrees to employ William Mastriana as the Chief of Police of the Township of Lower Police Department, during good behavior and in accordance with New Jersey State Statute subject to the terms and conditions of employment set forth in this agreement.

**ARTICLE 2**

**MANAGEMENT RIGHTS:** The Township hereby retains and reserves unto itself all powers, rights, authority, duties, and responsibilities conferred upon and invested in it prior to the signing of this agreement, by the laws and constitution of the State of New Jersey and of the United States, except those limited by the specific and expressed terms of this agreement and then only to the extent that such specific and expressed terms hereof are in conformance with the constitution and laws of New Jersey and of the United States.

**ARTICLE 3**

**DUTIES AND RESPONSIBILITIES OF THE CHIEF:** The Chief shall perform his duties in a diligent manner in conformance with New Jersey State Statute NJSA 40A:14-118, in compliance with Township ordinances and the regulation and policies established by the New Jersey Attorney General's office. The responsibilities of the Chief shall include, but not be limited to the following:

- A. Conduct and manage the day to day operations of the police department.
- B. Administer and enforce rules, regulations, and special emergency directives regarding the disposition and discipline of the police force, its officers and personnel.
- C. Have exercise and discharge the functions, powers, and duties of the police force.
- D. Delegate such of his authority as he may deem necessary for the efficient operation of the force to be exercised under his direction and supervision.
- E. Prescribe the duties and assignments of all subordinates and other personnel.
- F. Report at least monthly at the regular meetings of the Township or by any such other forms as the Township shall require as to the operation of the police force during the preceding month.
- G. Report from time to time with the Township Manager and the Mayor regarding the operations of the Police Department.

**ARTICLE 4**

**WORK WEEK:** The position of Chief is a salaried position compensated pursuant to the salary paragraph in this contract.

This shall mean that the Chief shall dedicate himself to performing his duties without respect to a specific minimum or maximum number of hours worked per day of each week.

However, the Chief shall work an average of 40 hours per week. Time requirements for optimal job performance vary based on specific assignments, seasonal demands or other factors. All parties endorse a policy of flexibility which allows the Chief to adjust normal working hours as conditions require to include all hours which enable the Chief to complete routine duties of his office and to perform special duties as assigned, attend meetings as assigned, to work hours as required in order to complete critical work tasks or handle emergency conditions as they arise.

**ARTICLE 5**

**SICK LEAVE:** The Chief shall be entitled to utilize accumulated sick leave as provided for in the 2016-2019 Township Police Superior Officers' Collective Bargaining Contract.

**ARTICLE 6**

**INJURY LEAVE:** The Chief shall be entitled to injury leave as provided for in the 2016-2019 Township Police Superior Officers' Collective Bargaining Contract.

**ARTICLE 7**

**FUNERAL LEAVE:** In the event of the death in the Chief of Police's immediate family, the Chief of Police shall be given five (5) days leave with pay for a family member within the State of New Jersey and seven (7) days leave with pay if not within the State of New Jersey.

Immediate family shall mean spouse, sibling, child or grandchild, parent, parent-in-law, daughter-in-law, son-in-law, brother-in-law and sister-in-law.

**ARTICLE 8**

**VACATION DAYS:** The Chief shall be entitled to vacation days as provided for in the 2016-2019 Township Police Superior Officers' Collective Bargaining Contract.

Additionally, the position of Chief requires an intensive number of hours which could occur during normal days off and in recognition of this fact, the Chief shall be permitted to sell back to the Township two weeks of accumulated vacation. Vacation time carried forward must be used by December 31<sup>st</sup> of the following year.

**ARTICLE 9**

**HOLIDAY TIME:** The Chief shall be entitled to the same holidays as provided for in the 2016-2019 Township Police Superior Officers' Collective Bargaining Contract.

**ARTICLE 10**

**PERSONAL DAYS:** The Chief shall be entitled to the same number of personal days as provided for in the 2016-2019 Township Police Superior

Officers' Collective Bargaining Contract.. (Such personal days shall not accumulate from year to year.)

**ARTICLE 11**

**MEDICAL INSURANCE, HEALTH, AND EYE EXAMINATION PLAN:**

1. The Chief shall have the same medical insurance, health, prescription, dental and eye examination coverage as specified in the 2016-2019 Township Police Superior Officers' Collective Bargaining Contract.
2. Upon retirement the Chief of Police shall be entitled to receive retiree health, dental, prescription and eye insurance coverage consistent with the 2016-2019 Township of Lower Police Superior Officers' Collective Bargaining Contract, as though the Chief of Police was a retired member of that unit. Upon his death, his spouse will receive health, dental and eye insurance coverage along with the drug prescription plan as provided for in the 2016-2019 Township Police Superior Officers' Collective Bargaining Contract, as if the Chief of Police were still living so long as she does not re-marry.
3. Upon reaching the age of sixty-five (65) years of age or whenever the retired Employee is first eligible for medicare, the Township shall provide to the Chief health benefits in accordance with the health benefits provided to retirees age sixty-five (65) or whenever the retired Employee is first eligible for medicare as provided for in the 2016-2019 Township Police Superior Officers' Collective Bargaining Contract as of the date of his retirement.

**ARTICLE 12**

**CLOTHING ALLOWANCE:**

1. The Chief of Police shall not receive a clothing allowance.
2. It shall be left to the professional discretion of the Chief of Police as to when he should wear a formal or informal uniform or plain clothes.

**ARTICLE 13**  
**PERSONAL CAR:**

1. Due to the nature of the employment conditions of the Chief of Police, the Township agrees to supply the Chief with an unmarked automobile to be used for police work and limited personal use. The make and model of the automobile shall be determined by the Township however, it shall be a full size four door car and shall be equipped with such safety equipment as needed for police work.
2. The Chief of Police shall be permitted to use the car for his limited personal use within Cape May County. There shall be no limit on the use of the automobile for police work or anything associated with police work, such as attending meetings, in-service training, conferences, and any other traveling needed to carry out the duties of the Chief.
3. The Township shall pay all expenses for the operation and up keep of the automobile such as car insurance, tires, gas, oil changes, etc.
4. The automobile shall not be used by anyone other than the Chief of Police except that the Chief of Police may designate other members of the police department as appropriate, to use the vehicle for a designated police purpose.

**ARTICLE 14**  
**COLLEGE CREDITS:**

The Chief of Police shall no longer be entitled to payment for college credits .

**ARTICLE 15**

**COMPENSATION:**

During the terms of this Agreement the Chief shall receive the following base wages:

Effective 01/01/20 – 3.50%

Effective 01/01/21 – 1.00%

Effective 01/01/22 – 1.00%

The Chief and the Township agree to discuss the potential for a wage adjustment should there be a merger of police departments or should the Township's Police Department enter into a contract to provide police services to another municipality.

**ARTICLE 16**

**LONGEVITY PAY INCREASES:**

The Chief of Police is not entitled to Longevity Pay.

**ARTICLE 17**

**RETIREMENT:**

The Chief shall retain all pension rights under New Jersey Law. Upon retirement, the Chief shall receive a terminal leave benefit based upon the cash value of accumulated unused sick leave to a maximum of 180 days. The Chief may elect that such payments be made over two (2) budget years prior to the Chief's 25th year of service and/or retirement date. Just prior to retirement, an Employee shall receive in a lump sum, all unused vacation time which had accumulated in the year of retirement and immediately preceding calendar year, together with all compensatory or other time off due him, or the time off at the Employees' option but, in either case, subject to approval of the Chief of Police and the Township Manager. If the lump sum option is not approved, the Employee shall be paid the amount due in equal monthly installments over a period not to exceed 12 months.

**ARTICLE 18**

**LEGAL DEFENSE:**

1. The Township shall supply the Chief of Police with necessary legal advice and counsel in the defense of charges filed against him in the performance of his duties in accordance with the laws of the State of New Jersey and of the United States. A selection of an attorney may be made by the Chief of Police subject to the approval of the Township and such approval shall not be reasonably withheld by the Township. The Township shall similarly be responsible for indemnification and counsel, in connection with all

claims including compensatory and punitive damages for actions filed subsequent to the expiration of this agreement.

2. In the event that the Chief of Police utilizes counsel other than that supplied by the Township, the fees and costs shall be agreed upon by the attorney and the Township prior to the attorney performing such services.

#### **ARTICLE 19**

#### **PROFESSIONAL DEVELOPMENT/LAW ENFORCEMENT CONFERENCES:**

1. The Chief shall be permitted to attend and be compensated for at his regular salary, any school, seminar, or in-service training conducted or sponsored by the International Association of Chiefs' of Police, the New Jersey State Association of Chiefs' of Police, the New Jersey State Police, the Federal Bureau of Investigation, or any other educational program of a management or supervisory nature provided that the same is approved by the Township Manager in advance. All expenses such as travel, room, food, tuition, special clothing, books, or any other charges connected with these educational programs, shall be paid by the Township, unless otherwise agreed.
2. International Association of Chiefs' of Police Annual Training Conference: The Township agrees to grant paid training time off including travel time, of no more than five (5) days, for the Chief of Police to attend the annual International Association of Chiefs' of Police Training Conference which is held in various states throughout the United States each year. All costs and expenses associated with attendance shall be the responsibility of the Township. However, all costs and expenditures for the same to the extent practicable shall be pre-approved by the Township Manager. Prior to the conference, the Township Manager will establish a maximum per diem rate for meals not to exceed \$100 per day. The Chief will be required to provide receipts for all expenditures.

The Chief of Police shall also be required to provide a written report to the Township Manager, which details the information presented at the conference, including how such information is valuable and useful to the Lower Township Police Department.

3. Membership Dues: The Township also agrees to pay for the Chief of Police's dues for membership in the Cape May County Police Chiefs' Association, the South Jersey Police Chiefs' Association, the New Jersey State Association of Police, the New Jersey F.B.I.

National Academy Associates, and the International Association of Chiefs' of Police. The amount of membership dues shall not exceed the actual cost.

**ARTICLE 20**

**NON-PRECEDENT:** This contract shall not be interpreted or used as a guide or benchmark for any other employment contract or terms and conditions of any other employee including Collective Bargaining Agreements, and shall not be deemed an increase in salary given to all other municipal Officers and employees.

**ARTICLE 21**

**CONTINUATION OF BENEFITS NOT COVERED BY THIS AGREEMENT:**

All employment conditions not covered by this agreement shall continue to be governed, controlled, and interpreted by reference to either the Township Ordinances or the 2016-2019 Township Police Superior Officers' Collective Bargaining Contract however, the parties agree that unless a benefit is specifically referred to in this agreement, the Chief will not be entitled to the benefit.

**ARTICLE 22**

**ENTIRE AGREEMENT:** This agreement represents and incorporates the complete and final understanding between the parties on all issues which form the subject matter of this contract.

In the event of any conflict or dispute, it shall be resolved first through non-binding alternative dispute resolution and if not settled, then through binding arbitration in accordance with the rules of the American Arbitration Association, if requested by the Chief or the Township.

**ARTICLE 23**

**SEPARABILITY AND SAVINGS AND APPLICATION:**

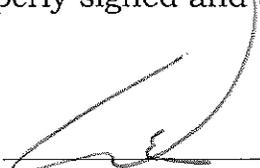
1. If any provision of the Agreement or any application of this Agreement to said employee or group of employees is held to be

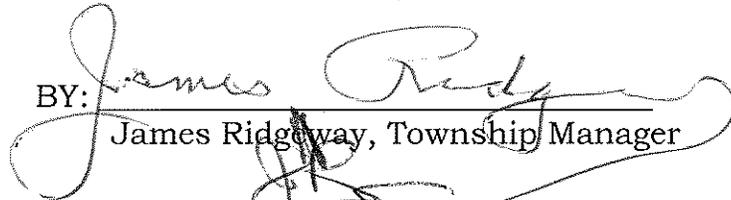
invalid by operation of law or by a court or other tribunal of competent jurisdiction, such provision shall be inoperative but all other provisions shall not be affected thereby and shall continue in full force and effect.

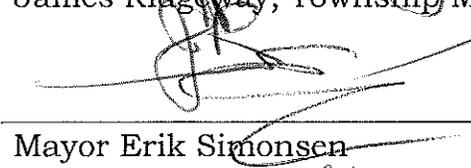
**ARTICLE 24**

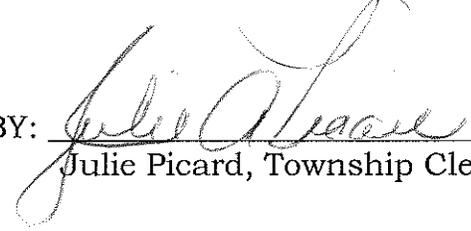
**TERM:** The term of this Agreement shall commence on January 1, 2020 through December 31, 2022 and thereafter from year to year until otherwise negotiated by the parties. No separation of the Chief shall occur except under the requirements of the State of New Jersey Statutes. The terms of this Agreement may only be modified by the mutual consent of the parties.

**IN WITNESS THEREOF**, the parties hereto have caused these presents to be properly signed and sealed this 19<sup>th</sup> day of August, 2019.

BY:   
William Mastriana, Chief of Police

BY:   
James Ridgeway, Township Manager

BY:   
Mayor Erik Simonsen

BY:   
Julie Picard, Township Clerk

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

RESOLUTION #2019-267

Title: **APPROVING A PROFESSIONAL SERVICE CONTRACT WITH DEBLASIO & ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES FOR THE 2019 ROAD PROGRAM: SECTION 1: ARIZONA AVENUE, CAPITAL LANE, REPUBLIC LANE, UNION LANE, FEDERAL LANE, STATES AVENUE AND SECTION 2: KEHEMECHE STREET, PAKAHAKE STREET, PONTAXIT AVENUE, MATHEMEK STREET**

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, DeBlasio & Associates have provided a proposal for professional engineering services including Survey and Base Mapping, Roadway Coring for Pavement Design, Design Plans and Specifications for the 2019 Road Program consisting of the following roads:

**Section 1**

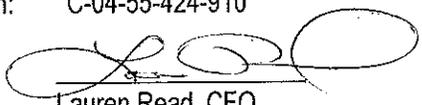
Arizona Avenue – Union Lane to end  
 Capital Lane – Arizona Ave to end  
 Republic Lane – Arizona Ave to end  
 Union Lane – Arizona Ave to end  
 Federal Lane – Arizona Ave to end  
 States Ave – Texas Ave to Municipal Bldg

**Section 2**

Kechemeche Street – Pontaxit Ave to end  
 Pakahake Street – Pontaxit Ave to end  
 Pontaxit Ave – Kechemeche St to Pakahake St  
 Mathemek Street – Kechemeche St to Pakahake St

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: C-04-55-424-910

Signature:   
 Lauren Read, CFO

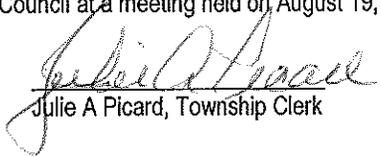
NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that a Professional Service Contract without public bidding is awarded as follows:

1. The Project Proposal between DeBlasio & Associates in the form attached hereto as EXHIBIT A, for an amount of \$90,000.00 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.

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

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 August 19, 2019.

  
 Julie A Picard, Township Clerk

# DEBLASIO & ASSOCIATES

CONSULTING ENGINEERS AND PLANNERS

4701 NEW JERSEY AVENUE • WILDWOOD, NJ 08260

PHONE: 609-854-3311 • FAX: 609-854-4323

August 13, 2019

VIA EMAIL & REGULAR MAIL

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

**Re: Township of Lower, Cape May County, NJ  
2019 Road Program  
D&A File #: LT-C-012**

Dear Mr. Douglass:

DeBlasio & Associates, P.C. is pleased to provide this proposal to provide our professional engineering services for the **2019 Road Program**. As a follow up to our conversations and meetings, it is our understanding that the **2019 Road Program** shall consist of the following roadways:

**A. Section 1**

1. Arizona Avenue – Union Lane to end
2. Capital Lane – Arizona Avenue to end
3. Republic Lane – Arizona Avenue to end
4. Union Lane – Arizona Avenue to end
5. Federal Lane – Arizona Avenue to end
6. States Avenue – Texas Avenue to Municipal Building

**B. Section 2**

1. Kechemeche Street – Pontaxit Avenue to end
2. Pakahake Street – Pontaxit Avenue to end
3. Pontaxit Avenue – Kechemeche Street to Pakahake Street
4. Mathemek Street – Kechemeche Street to Pakahake Street

➤ <b>Engineering Phase Cost:</b>	<b>\$90,000.00</b>
• Survey and Base Mapping	
• Roadway Coring for Pavement Design	
• Design Plans and Specifications	

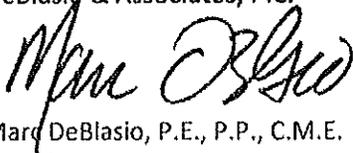
**Total Professional Service Fee      \$90,000.00**

Enclosed please find one (1) copy of the project location map for your reference.

Please note that our proposal does not include construction phase services such as construction observation, contract administration, shop drawing review and project close out.

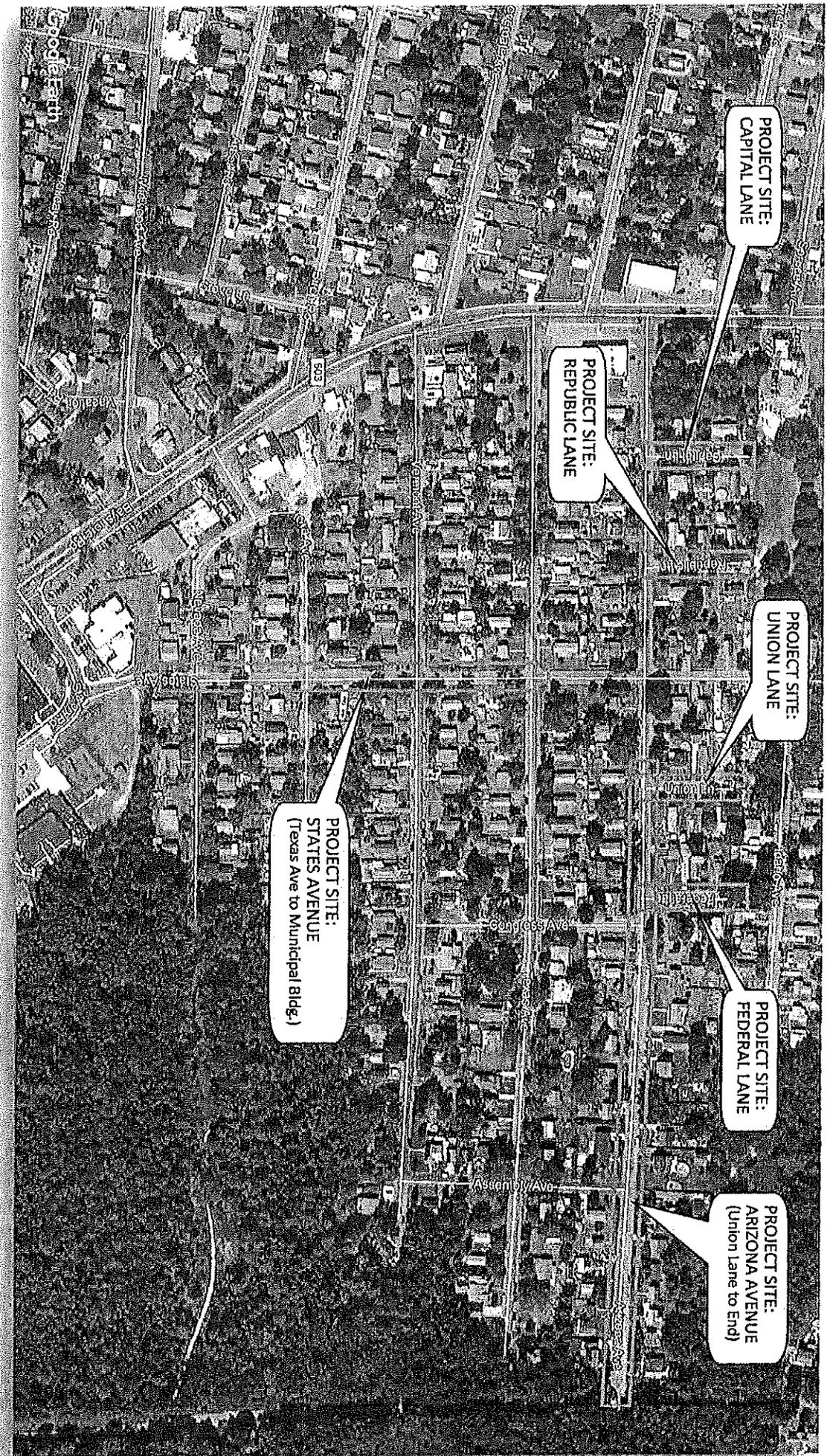
Upon your authorization, we are prepared to begin work immediately on the Township's **2019 Road Program**. Should you have any questions or require any additional information, please do not hesitate to contact me at our office. Thank you for the opportunity to submit this proposal.

Very truly yours,  
DeBlasio & Associates, P.C.

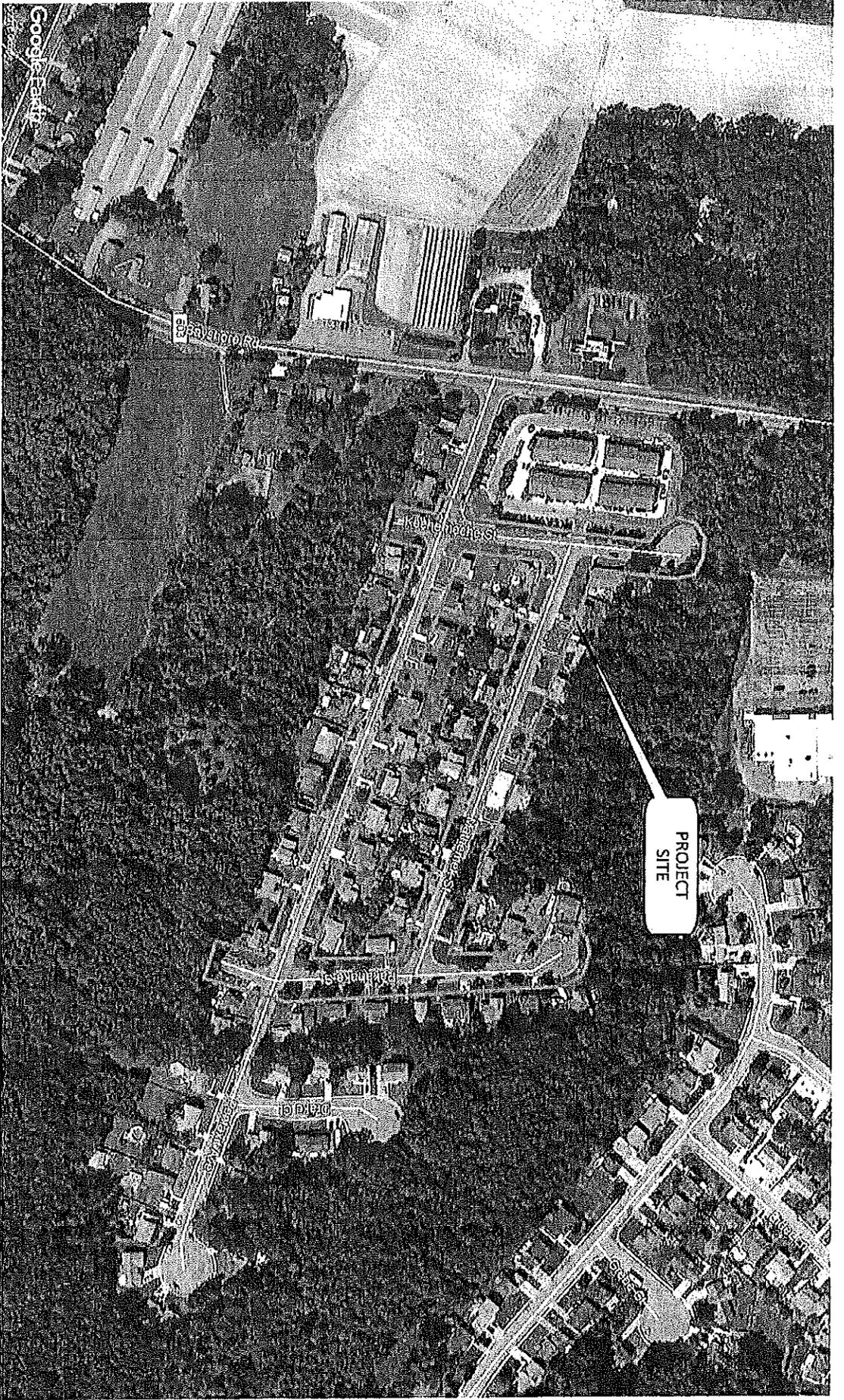
A handwritten signature in black ink, appearing to read "Marc DeBlasio". The signature is written in a cursive, flowing style.

Marc DeBlasio, P.E., P.P., C.M.E.  
President  
T: 609-854-3311  
Marc@deblasioassoc.com

cc: Jim Ridgway, Manager (via email)  
Margaret Vitelli, QPA (via email)  
Julie Picard, Clerk (via email)



**PROJECT LOCATION MAP**  
**2019 ROAD PROGRAM**  
Township of Lower, Cape May County, New Jersey  
Date: 8/5/2019



**PROJECT LOCATION MAP**  
2019 ROAD PROGRAM  
Township of Lower, Cape May County, New Jersey  
Date: 8/5/2019

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

RESOLUTION #2019-268

Title: **APPROVING A PROFESSIONAL SERVICE CONTRACT WITH MOTT  
MACDONALD FOR PROFESSIONAL ENGINEERING SERVICES FOR APPLICATION  
ASSISTANCE ON THE SMALL CITIES CDBG 2020 GRANT APPLICATION; ADA  
IMPROVEMENTS AT ROTARY PARK**

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, Mott MacDonald has provided a proposal for Engineering Services for Assistance on the Small Cities CDBG 2020 Grant Application for ADA Improvements at Rotary Park which includes:

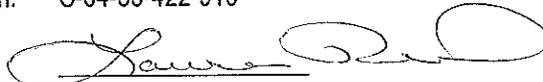
- Modification of existing parking area
- Provisions of ADA compliant swing set
- Provisions of ADA compliant playground structure
- Provisions of ADA accessible paths

WHEREAS, Mott MacDonald has provided a proposal for the above services in an amount of \$3,800.00; and

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

Appropriation: C-04-55-422-910

Signature:

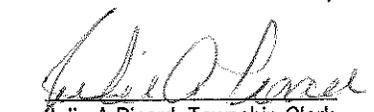
  
Lauren Read, CFO

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 Mott MacDonald and the Township of Lower, in the form attached hereto as EXHIBIT A, in the amount of \$3,800.00 is hereby approved.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on August 19, 2019.

  
Julie A. Picard, Township Clerk



Mr. Jim Ridgway, Manager  
Township of Lower  
2600 Bayshore Road  
Villas, NJ 08251

Via email at [jridgway@townshipoflower.org](mailto:jridgway@townshipoflower.org)

Your Reference  
Small Cities CDBG 2020  
Grant Application for Rotary  
Community Park

Our Reference  
405951-003

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

T +1 (609) 465 9377  
F +1 (609) 465 5270  
[www.mottmac.com](http://www.mottmac.com)

**Application Assistance for Small Cities CDBG 2020 Grant Application  
ADA Improvements at Rotary Community Park  
Township of Lower  
Cape May County, New Jersey**

August 14, 2019

Dear Mr. Ridgway:

As requested, Mott MacDonald is providing the following proposal to assist Blauer and Associates with the Small Cities CDBG 2020 grant application for various ADA improvements at the Rotary Community Park located along Bayshore Road just south of the entrance to the Lower Township MUA complex.

As discussed with Mr. Plenn, Ms. Crippen and Mr. Blauer it is the Township's intention to secure grant funds for the following ADA improvements at Rotary Community Park:

1. Modification of the existing parking area to provide one (1) ADA compliant parking space and an accessible path to the playground area;
2. Provision of an ADA compliant swing set;
3. Provision of an ADA compliant playground structure;
4. Provision of ADA compliant accessible paths to the play structures.

Mott MacDonald will prepare an Engineer's report describing the existing conditions, proposed improvements and the benefits/results of providing the proposed improvements for Mr. Blauer's inclusion in the grant application. Included in the report will be a site plan showing the location of the improvements, site photos and a cost estimate for the ADA improvements.

Mott MacDonald will be able to provide the above referenced information for a lump sum amount of **\$3,800**.



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

Very truly yours,

**Mott MacDonald, LLC**

A handwritten signature in black ink, appearing to read 'Mark R. Sray'.

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

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

Shawn A. Carr, PE, CME  
Associate  
T 609.465.9377  
shawn.carr@mottmac.com

cc: Mitchell Plenn, Recreation Director (via email)  
Julie Picard, Township Clerk (via email)  
Margaret Vitelli, QPA (via email)  
Colleen Crippen, Coordinator of Federal & State Aid (via email)