

**WORK SESSION AND REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL**

**October 17, 2022 – 7:00 pm.**

**Meeting called to order**

Opening Announcement

Pledge of Allegiance & Moment of Silence

Roll Call & Determination of Quorum

**Work Session**

**Consent Agenda**

Approval of Minutes – October 3, 2022

Res. #2022-319 Authorization for the payment of vouchers \$ 481,538.68

Res. #2022-320 A Resolution Approving the Annual Level of Compensation for the Commissioners of Fire District #1 Pursuant to N.J.S.A. 40A:14-88 and Local Finance Notice 2021-16

Res. #2022-321 Resolution Acknowledging the Award of a Twelve (12) month Contract to UGI Energy Services for Natural Gas Supply Service under the South Jersey Power Cooperative for the Township of Lower

Res. #2022-322 Authorizing the Sale of Township of Lower Surplus No Longer Needed for Public Use on Govdeals Online Auction Website

Res. #2022-323 Approval of Change Order #1 for Engineering Services for the Construction Phase of Fire Lane; Bayshore Road to Sunnyside Drive Project (LT-C-029) (\$30,000)

Res. #2022-324 Approval for Pyrotecnico Fireworks Inc to Load and Unload a Fireworks Barge in Lower Township

Res. #2022-325 Authorization for the Payout of Accumulated Compensatory Time (J.Felsing #3,116.66)

Res. #2022-326 Approval for Cape May Hallowed Half Marathon (Oct 29, 2022)

Res. #2022-327 Approval of Change Order #1 to Paul Baldini, Esq. As Conflict Counsel (\$5,000)

**Regular Agenda**

**Engineer Report**

**Monthly Report -**

Clerk, Construction, Dog, Finance, Vital

**Public Comment**

**Council Comments**

**Closed Session**

Res. #2022-328 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, Personnel, Contracts**

**Adjourn**

**COUNCIL MEETING MINUTES – October 3, 2022**

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on October 3, 2022 at 7:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

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

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

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

Also present, David Stefankiewicz, Township Solicitor and Karen Fournier, Deputy Township Clerk

**Work Session**

**Consent Agenda**

Approval of Minutes – September 19, 2022

- Res. #2022-305 Authorization for the payment of vouchers \$ 787,820.34
- Res. #2022-306 Authorization for the Payout of Accumulated Compensatory Time (E. Danze \$2,523.29)
- Res. #2022-307 Local Arts Program Grant (approval of application)
- Res. #2022-308 Authorizing Competitive Contracting for Banking Services for the Township of Lower
- Res. #2022-309 Certification of Lot Clearing Charges to the Tax Collector
- Res. #2022-310 Bid Acceptance and Contract Award of 2022 NJDOT Reconstruction of Fire Lane - Bayshore Road to Sunnyside Drive (LT-C-029)
- Res. #2022-311 Bid Acceptance and Award of Suspended Module Open Grid with Grip Sports Tile for Freeman Douglass Park Hockey Rink
- Res. #2022-312 Insertion of Special Item of Revenue pursuant to N.J.S.A. 40A: 4-87; Chapter 159 (Body Armor \$6,210.)
- Res. #2022-313 Authorization for Refund of Taxes
- Res. #2022-314 Authorizing Payout of Terminal Leave (R. Smith \$11,230.29)
- Res. #2022-315 Authorizing Payout of Terminal Leave (L. Schubert \$42,329.18)
- Res. #2022-316 Authorizing Payment of 2022 County Taxes (Fourth Quarter)

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

**Regular Agenda**

Ord. #2022-10 An Ordinance Amending Chapter 592, Taxation of the Code of the Township of Lower, To Impose a Municipal Occupancy Tax of 3% on Hotels, Motels and other Transient Accommodations. This is the second reading and public hearing of this Ordinance. This Ordinance has been published, posted and made available to the public.

Steven Ewing, 773 Route 109, addressed Council in opposition to Ordinance #2022-10. As a motel owner he voiced concern about the adverse effect it may have on his business. He requested Council consider a lesser percent tax be imposed, if any at all.

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

Ord. #2022-11 An Ordinance for Special Emergency Appropriation as per NJSA 40A:4-53 Authorizing the Preparation of An Approved Tax Map This is the second reading and public hearing of this Ordinance. This Ordinance has been published, posted and made available to the public.

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

Res. #2022-318 A Resolution Ratifying a Four (4) Year contract agreement between the Township of Lower and the Lower Township Superior Officers

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

#### Administrative Reports

Floodplain Management Annual Update  
Tax Sale Summary

Public Comment – no comments

#### Council Comments

Councilmember Conrad shared his sympathy for the loss of Coach Frank Simonsen and Frank Porter, both long time volunteers in the community.

Councilmember Coombs echoed Councilmember Conrad's comments and offered condolences to the Simonsen and Porter families.

Councilmember Roy reiterated the above sentiments and encouraged volunteerism within the community.

Deputy Mayor Perry – no comments

Mayor Sippel announced the following October events: National Night Out, Military Appreciation Night, Shred Day, Benefit Concert, Trunk or Treat, Free Flu Shots and Haunted Trails.

#### Closed Session

Res. #2022-317 Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12. **Attorney-Client Privilege**

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

Council adjourned to Closed Session at approximately 7:10 p.m.

Council returned to Open Session at approximately 7:39 p.m.

**Adjournment**

There being no further business to address, motion to adjourn moved by Councilmember Conrad, seconded by Deputy Mayor Perry. Motion to adjourn was unanimous. Meeting adjourned at 7:40 p.m.

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Frank Sippel, Mayor

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Township Clerk

Approved:



Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01171	VERIZON WIRELESS - TOWNHALL								
		22-02433	10/07/22	CELL PHONE 8/24-9/23/22	Open	355.57	0.00		
		22-02434	10/07/22	IPHONE BILL 8/29-89/28/22	Open	<u>945.16</u>	0.00		
						1,300.73			
01200	DELTA DENTAL PLAN OF NJ								
		22-02372	10/04/22	DENTAL ADMIN SEPT 2022	Open	1,362.20	0.00		
		22-02412	10/06/22	SEPT 2022 DENTAL CLAIMS	Open	<u>9,132.75</u>	0.00		
						10,494.95			
01269	DISCOUNT HYDRAULICS*								
		22-02322	09/27/22	PARTS FOR HYDRAULICS/DPW	Open	1,042.82	0.00		
01365	GARY DOUGLASS								
		22-02381	10/04/22	REIMBURSEMENT/SHOES/PER CONTRA	Open	58.49	0.00		
01530	FIRE DISTRICT #1								
		22-00791	03/30/22	2022 FIRE DISTRICT #1 TAXES	Open	2,939.04	0.00		
01540	FIRE DISTRICT #2								
		22-00792	03/30/22	2022 FIRE DISTRICT 2 TAXES	Open	3,918.72	0.00		
01550	FIRE DISTRICT #3								
		22-00793	03/30/22	2022 FIRE DISTRICT # 3 TAXES	Open	1,306.24	0.00		
		22-02358	09/28/22	2019 INTERLOCAL #2019-357	Open	<u>22,500.00</u>	0.00		
						23,806.24			
01649	GARDEN STATE HWY PRODUCTS, INC*								
		22-02246	09/14/22	PAINT/DPW	Open	1,307.30	0.00		
01653	GENTILINI FORD*								
		22-01921	08/02/22	MATERIALS FOR VEHICLES/DPW/OCT	Open	1,105.53	0.00		
01690	GRANTURK EQUIPMENT CO*								
		22-01699	06/29/22	PARTS FOR VEHICLES/DPW	Open	370.29	0.00		
01806	ANTHONY J HARVATT, II, ESQ								
		22-00903	04/07/22	ZBA SOLICITOR SALARY	Open	625.00	0.00		
01826	WILLIAM HIENKEL								
		22-02386	10/04/22	CONTRACTUAL REIMBURSEMENT M	Open	1,181.68	0.00		
02175	BRUCE KLAUSING								
		22-02387	10/04/22	CONTRACTUAL REIMBURSEMENT V	Open	131.98	0.00		
02247	LAWSON PRODUCTS, INC.*								
		22-01923	08/02/22	SUPPLIES/DPW	Open	699.21	0.00		
02292	DONALD LOMBARDO								
		22-02389	10/05/22	CONTRACTUAL REIMBURSEMENT M	Open	1,621.55	0.00		
		22-02391	10/05/22	CONTRACTUAL REIMBURSEMENT M	Open	<u>392.15</u>	0.00		
						2,013.70			

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02334	LOWER TWP CHAMBER OF COMMERCE								
		22-02415	10/06/22	Installation & Awards Dinner	Open	210.00	0.00		
02461	JOHN MAHER								
		22-02388	10/05/22	CONTRACTUAL REIMBURSEMENT M	Open	3,169.95	0.00		
02541	ROBERT D. MARTIN, JR								
		22-02360	09/29/22	CONTRACTUAL REIMBURSEMENT M	Open	37.41	0.00		
03008	NJ DEPT OF TREASURY/FEES								
		22-02403	10/06/22	PROGRAM 133524 /THIRD QT.	Open	4,565.00	0.00		
03072	NJ STATE LEAGUE OF MUNICIPALIT*								
		22-02199	09/09/22	2022 League	Open	960.00	0.00		
03109	TRU GREEN CHEMLAWN								
		22-01023	04/20/22	AERATION & SLICE SEEDING	Open	312.00	0.00		B
03158	NYSCA*								
		22-02310	09/23/22	RENEWAL OF SOCCER COACHES	Open	120.00	0.00		
03350	MICHAEL PERRY								
		21-01462	06/11/21	EQUIPMENT ALLOWANCE 2021	Open	103.00	0.00		
		22-00890	04/07/22	EQUIPMENT ALLOWANCE 2022	Open	<u>150.00</u>	0.00		
						253.00			
03387	POGUE INC. *								
		22-02371	10/04/22	CONTROLLED SUBSTANCE TEST S.T.	Open	133.00	0.00		
03518	RIGGINS, INC.*								
		22-02351	09/28/22	OFF HIGHWAY DIESEL/DPW	Open	1,132.77	0.00		
		22-02400	10/06/22	OFF HIGHWAY DIESEL/DPW	Open	<u>1,198.52</u>	0.00		
						2,331.29			
03613	SEA ISLE ICE CO. INC.*								
		22-01645	06/27/22	ICE /DPW	Open	192.00	0.00		
03692	SOUTH JERSEY GAS CO*								
		22-02370	10/04/22	8/19-9/19/22 NATURAL GAS	Open	442.21	0.00		
03844	GIACOMO TROMBETTA								
		22-02416	10/07/22	CONTRACTUAL REIMBURSEMENT M	Open	117.00	0.00		
03863	TREASURER, STATE OF NEW JERSEY								
		22-02384	10/04/22	3RD QUARTER 7/1-9/30/22	Open	11,443.00	0.00		
03915	TURF EQUIPMENT & SUPPLY CO*								
		22-02350	09/28/22	BALL JOINT/DPW	Open	406.26	0.00		
03971	VERIZON WIRELESS MDT POLICE								
		22-02411	10/06/22	VERIZON POLICE & TWP	Open	1,236.54	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03985	VILLAS NAPA AUTO PARTS	22-01929	08/02/22	RDS/REC/DPW/DPW/SEP	Open	535.90	0.00		
03992	VAL-U AUTO PARTS LLC*	22-01927	08/02/22	RDS/SANT/RECY/DPW/SEPT	Open	2,230.55	0.00		
03994	MARGARET VITELLI	22-02458	10/12/22	CONTRACTUAL REIMBURSEMENT V	Open	393.00	0.00		
04075	BARBER CONSULTING SERVICES LLC	22-02317	09/26/22	BACK UP DRIVE FOR BOCA SERVER	Open	250.00	0.00		
04085	CHRISTOPHER WINTER	22-02393	10/05/22	CONTRACTUAL REIMBURSEMENT M	Open	96.89	0.00		
04097	CINTAS FIRST AID AND SAFETY*	22-02352	09/28/22	FIRST AID SUPPLIES/DPW	Open	47.81	0.00		
04266	NJ DEPT OF HEALTH&SENIOR SVCS	22-02410	10/06/22	September, 2022 Licenses	Open	27.60	0.00		
04280	G.F.O.A. OF NJ	22-01881	07/25/22	2022 ANNUAL FALL CONFERENCE	Open	550.00	0.00		
04301	SEASHORE ASPHALT CORPORATION*	22-01956	08/05/22	PATCH/ASPHALT/DPW	Open	272.25	0.00		
		22-02038	08/17/22	ASPHALT VARIOUS ROADWAYS	Open	964.18	0.00		B
						<u>1,236.43</u>			
7091	STEVE SELBY	22-02420	10/07/22	REIMBURSEMENT-FALL SOCCER/COAC	Open	25.00	0.00		
7098	SHORE VETERINARIAN ANIMAL *	22-02406	10/06/22	SEPT 2022 ANIMAL CONTROL	Open	750.00	0.00		
7385	JASON FELSING	22-01662	06/28/22	TRAINING SEPT & OCT 2022	Open	225.00	0.00		
7437	ECOVERSE INDUSTRIES LTD*	22-02022	08/15/22	COMPOST TURNER PARTS	Open	6,764.92	0.00		
7478	WINDSTREAM COMMUNICATION INC*	22-02456	10/12/22	9/27 & 10/8/22 INV PHONE	Open	3,816.30	0.00		
7507	STEFANKIEWICZ & BELASCO LLC*	22-00061	01/10/22	RES 2022-01 DNE \$150k EXPENSES	Open	8,665.03	0.00		B
7689	GOVERNMENT FORMS AND SUPPLIES*	22-01783	07/13/22	MEMO PADS - MAYOR	Open	297.95	0.00		
7748	JAMES MATHIS	22-01661	06/28/22	TRAINING SEPT & OCT 2022	Open	225.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7820	DEBLASIO & ASSOCIATES, P.C*								
		21-02904	11/17/21	ENGINEERING FIRE LANE 2021-351	Open	440.00	0.00		
		22-00548	02/28/22	REPLACE PAVILIONS RES2022-89	Open	3,500.00	0.00		B
		22-00767	03/29/22	RES 22-79 CONST WILSON 1/2/3	Open	900.00	0.00		B
		22-01544	06/10/22	RES#22-194 CONST MOWERY/HARVRD	Open	11,023.75	0.00		
		22-01963	08/08/22	RES #2022-251 POOL RENOVATIONS	Open	280.00	0.00		B
		22-01970	08/08/22	CHG 1- CLOVERDALE, EVERGREEN	Open	2,929.92	0.00		B
		22-02221	09/13/22	CHG ORD 1- MIAMI AVE ENGINEER	Open	2,240.00	0.00		B
						<u>21,313.67</u>			
7836	AXON ENTERPRISE, INC*								
		22-02306	09/23/22	CO#2 -RES#22-277 BODY	Open	58,140.00	0.00		
7929	AMAZON CAPITAL SERVICES, INC*								
		22-02268	09/15/22	COURT OFFICE SUPPLIES	Open	133.93	0.00		
		22-02346	09/28/22	INTERMATIC TMDOT101 TIMER	Open	55.65	0.00		
		22-02355	09/28/22	FS Amazon ink order	Open	298.08	0.00		
		22-02395	10/06/22	POLICE TAPE BACK UP SUPPLY	Open	168.79	0.00		
						<u>656.45</u>			
8131	DOCUVAULT SECURE SHREDDING LC*								
		22-02347	09/28/22	MONTHLY SHREDDING TOWNSHIP	Open	116.85	0.00		B
8164	CRISTIAN VALENCIA								
		22-02424	10/07/22	REIMBURSEMENT-FALL SOCCER COAC	Open	25.00	0.00		
8165	JASON DILWORTH								
		22-02422	10/07/22	REIMBURSEMENT-FALL SOCCER COAC	Open	15.00	0.00		
8195	JEFFREY LINDSAY								
		22-02425	10/07/22	REIMBURSEMENT-SOCCER COACH	Open	25.00	0.00		
8439	J&D SERVICES LLC *								
		22-00851	04/06/22	FERTILIZING SERVICES RES22-107	Open	2,502.90	0.00		B
8448	STAR GENERAL CONTRACTING *								
		22-00368	02/07/22	DOUGLASS PARK/CANAL PARK	Open	249.00	0.00		B
		22-02398	10/06/22	BATHROOM/DPW	Open	948.00	0.00		
		22-02405	10/06/22	TRAILER- LINCOLN BLVD.	Open	998.00	0.00		
						<u>2,195.00</u>			
8459	BATTERIES PLUS BULBS #636 *								
		22-01030	04/21/22	RDS/SANT/REC/DPW/MAY	Open	1,005.00	0.00		
8464	JEREMY EMBS								
		22-02367	10/04/22	Training hotel & gas reimburs	Open	590.00	0.00		
8517	STEWART BUSINESS SYSTEMS *								
		22-02436	10/07/22	BOCA COPIER 4/1-6/30/22 OVERAG	Open	71.43	0.00		
8537	ASBURY PARK PRESS								
		22-00513	02/22/22	2022 E-SUBSCRIPTION	Open	9.99	0.00		PC1

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
8672	LOGHEIN INC.	22-00130	01/11/22	2022 GO TO MEETING	Open	19.00	0.00		PC1
8679	CANON SOLUTIONS AMERICA INC*	22-02196	09/09/22	Printer Paper	Open	222.00	0.00		
8706	GOLDENBERG, MACKLER & SAYEGH	22-00413	02/10/22	RES2022-64 DNE \$10K TAX FOREC	Open	13.00	0.00		B
8707	PAUL J BALDINI P.A.	22-00065	01/10/22	RES 2022-04 DNE\$7500 CONFLICT	Open	390.00	0.00		B
8721	BLANEY, DONOHUE, & WEINBERG PC	22-00063	01/10/22	RES 2022-02 LABOR DNE \$40K	Open	1,638.50	0.00		B
8722	LAW OFFICE OF KARAVAN &	22-00064	01/10/22	RES 2022-03 TAX APPEAL DNE\$10K	Open	212.50	0.00		B
		22-00419	02/10/22	MORREL & HANSEN TAX APPEAL	Open	62.50	0.00		B
						275.00			
8734	THOMAS PLANNING ASSOCIATES LLC	22-00745	03/29/22	VACANT LAND INVEN RES2022-67	Open	375.00	0.00		B
8735	SURENIAN EDWARDS & NOLAN LLC	22-00826	04/06/22	Special Counsel Affordable Hou	Open	60.00	0.00		B
8752	VALARIE CUEVAS	22-02423	10/07/22	REIMBURSEMENT-SOCCER COACH	Open	15.00	0.00		
8839	VERBAL JUDO INSTITUTE INC	22-02127	08/30/22	TRAINING OCTOBER 17, 2022	Open	150.00	0.00		
8856	ROBERT MAKOWSKI	22-02345	09/28/22	REFUND 3RD QRT TAX	Open	798.20	0.00		
8860	NEIL YOUNG	22-02426	10/07/22	REIMBURSEMENT- SOCCER COACH	Open	15.00	0.00		
BLAUE	BLAUER ASSOCIATES INC*	19-02385	08/28/19	SCPF ROTARY PARK RES 2019-246	Open	270.00	0.00		B
		21-02127	08/30/21	2022 SMALL CITIES PROJECT	Open	1,500.00	0.00		B
						1,770.00			
MSBROWN	MS BROWN	22-02300	09/23/22	RETIREMENT PLAQUE	Open	88.00	0.00		
NJAFM	NJ ASSOC FOR FLOODPLAIN MANAGE	22-02339	09/28/22	NJAFM ANNUAL FLOOD CONFERENCE	Open	470.00	0.00		
PRESS	PRESS OF ATLANTIC CITY	22-02198	09/09/22	9-7-22 NTB FIRE LANE PROJECT	Open	71.60	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
SANTIAG	CESAR SANTIAGO	22-02421	10/07/22	REIMBURSEMENT-SOCCER COACH	Open	20.00	0.00		
Total Purchase Orders: 116    Total P.O. Line Items: 0    Total List Amount: 481,538.68    Total Void Amount: 0.00									

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on October 17, 2022.

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

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

RESOLUTION #2022-320

Title: **A RESOLUTION APPROVING THE ANNUAL LEVEL OF COMPENSATION FOR THE COMMISSIONERS OF FIRE DISTRICT #1 PURSUANT TO N.J.S.A.40A:14-88 AND LOCAL FINANCE NOTICE 2021-16**

**WHEREAS**, pursuant to N.J.S.A. 40A:14-88 and Local Finance Notice 2021-16, a Board of Fire Commissioners for a Fire District is permitted to establish annual compensation for its fire district commissioners; and

**WHEREAS**, on September 22, 2022, the Board of Commissioners of Fire District #1, adopted Resolution # 2022-14, a copy of which is annexed hereto, establishing the annual level of compensation for the commissioners of Fire District #1; and

**WHEREAS**, pursuant to N.J.S.A. 40A:14-88, the municipal governing body of the Township of Lower is required to review and approve the proposed annual compensation for the Fire District.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the proposed annual compensation for the Commissioners of Fire District #1, a copy of which is attached hereto, has been reviewed and same is hereby approved.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on October 17, 2022

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

**Resolution 2022-14**

**Establishing the Compensation for Members of the Board of Fire Commissioners**

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WHEREAS, *N.J.S.A.* 40A:14-88 provides that each member of the Board of Fire Commissioners shall receive as compensation such amounts as the Board shall fix; and

WHEREAS, *N.J.S.A.* 40A:14-88 further provides that the compensation so fixed shall be subject to review by the governing body wherein the Fire District is located; and

WHEREAS, the compensation for members of the Board is set forth in Schedule A to the resolution.

NOW THEREFORE, be it RESOLVED by the Commissioners of Fire District No. 1 in the Township of Lower, County of Cape May, as follows:

- (1) The Commissioners shall receive the compensation set forth on the attached schedule subject to review by the governing body of the municipality.
- (2) A copy of this resolution shall be forwarded to the governing body of the municipality upon adoption.

SCHEDULE A

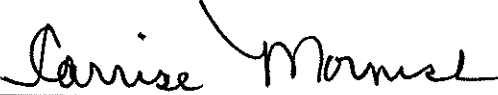
2023 BUDGET

William Howard	Chairman	\$5,200
Joseph Wareham	Vice-Chairman	\$4,700
Linda Brannon	Treasurer	\$5,700
Dale Gentek	Commissioner	\$4,700
Carrise Mornick	Secretary	\$5,700

**Certification 2022-14**

**Establishing the Compensation for Members of the Board of Fire Commissioners**  
**2023**

I, Carrise Mornick, Clerk of the Commissioners of Fire District No. 1 in the Township of Lower, County of Cape May hereby certify that the foregoing resolution was duly adopted by the Commissioners at a meeting held on September 22, 2022.

  
\_\_\_\_\_  
Carrise Mornick, Clerk

The foregoing resolution was introduced by Commissioner Gentek and it was seconded by Commissioner Wareham.

**RECORD OF VOTE**

<b>Members</b>	<b>WAREHAM</b>	<b>BRANNON</b>	<b>GENTEK</b>	<b>MORNICK</b>	<b>HOWARD</b>
<b>Yes</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
<b>No</b>					
<b>Not Voting</b>					
<b>Absent</b>					

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

RESOLUTION # 2022-321

Title: RESOLUTION ACKNOWLEDGING THE AWARD OF A (12) TWELVE MONTH CONTRACT TO UGI ENERGY SERVICES FOR NATURAL GAS SUPPLY SERVICE UNDER THE SOUTH JERSEY POWER COOPERATIVE FOR THE TOWNSHIP OF LOWER

WHEREAS, N.J.S.A 40A:11-11 (5) authorizes two or more contracting units to enter into a Cooperative Pricing Agreement for the purposes of electrical distribution services; and

WHEREAS, the Township of Lower is a member of the South Jersey Power Cooperative (SJPC) with Camden County serving as the lead agency; and

WHEREAS, on June 22, 2022 Township Council authorized by Resolution #2022-200 for the application and participation to bid for Natural Gas Supply Services for the Township of Lower; and

WHEREAS while serving as lead agency, Camden County issued bid specifications for the purchase of natural gas service utilizing energy consultant Concord Energy Services during the process; and

WHEREAS, the South Jersey Power Cooperative has awarded a contract to the lowest responsible bidders for natural gas to UGI Energy Services for natural gas service and submitted the follow rates and terms: effective for (12) Twelve Months first reading after December 1, 2022 through November 30, 2023; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey authorized the South Jersey Power Cooperative (SJPC) to contract with the UGI Energy Services for natural gas services with Camden County acting as Lead Agency the following contract is hereby awarded:

AWARD TO: UGI Energy Services  
Bid Group 3A  
Rate Code: GS Price: \$12.334/dth

TERM: (12) Twelve Month Contract  
December 1, 2022 to November 30, 2023

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on October 17, 2022.

Julie A Picard, Township Clerk

# Memo

TOWNSHIP OF LOWER

To: Mike Laffey, Township Manager  
From: Margaret Vitelli, QPA  
Date: October 11, 2022  
Re: 2022 Southern Regional Cooperative Natural Gas Bid Results

---

The Township participates in the Southern Regional Cooperative Agreement (SJPC) with Camden County as the lead agency for natural gas. Concord Energy Services is the Energy Market Management Team to administer, monitor the bidding process. Collectively there are over 100 Municipalities and Counties that have been participating in this regional effort since 2010. With the deregulations of natural gas and electric it has given Municipalities an opportunity to combine our energy needs to get the best possible price collectively.

The current Natural Gas Co Operative contract rate of \$4.176/dth and is set to expire on November 30, 2022. According to the attached memo due to the volatile market the retail natural gas bid came in much higher than in any year since we have participated in the Program.

UGI Energy Supply was awarded based on Rate Code (3A) and the Bid Group (3A) Category Rate of \$12.334/dth. SJPC has authorized by Resolution to award for the Natural Gas Supply Contract for a much shorter, (12) Twelve Month term which will expire on November 30, 2023.

SJPC and Concord Energy Services will continue to monitor the market to determine the best time to rebid based on future market rate opportunities.

If you have any questions, please feel free to contact me.

Thank you

Margaret Vitelli QPA

To: Participating Members of the South Jersey Power Co-Op  
From: Anna Marie Wright, QPA, Purchasing Agent Camden County  
Date: September 28, 2022  
RE: SJPC A44-22 Natural Gas Bid Summary and Results  
Cc: Vicki Molloy, Concord Energy Services  
Kim Coulter, Concord Energy Services

The County of Camden, as lead agency to the South Jersey Power Cooperative (SJPC), received bids for retail natural gas supply service on September 13, 2022. This overview provides a summary of the bid information and results which are much higher this year than the current contract which will expire November 30, 2022. This is mainly due to the natural gas market prices which have spiked to a 14 year high along with electricity and fuel oil pricing. The pandemic brought about a historic drop in energy demand and prices, but recovering demand is now straining fossil fuel markets for oil and gas, and even coal. Prices are skyrocketing as demand chases fuel supply that has not yet recovered from the pandemic drop. In addition, increases we have been experiencing since 3Q 2021 have been due to many factors such as weather (Hurricane Ida last summer knocked out production), an extremely hot summer in 2022, forecasts for another very cold winter for 2022 – 2023 and continued high demand for domestic production of Liquefied natural gas “LNG” for export to foreign countries needing fuel sources for the upcoming winter season.

Rest assured, we are continuously watching the market for opportunities to lower your energy costs and when the time is right, we plan to go back out to bid. If you have any questions concerning this document, you may feel free to contact me or Kim Coulter of Concord Energy Services directly (contact information below).

**Winning Bidder, Contact Information, Service Period and Prices:**

Winning Bidder: Bid Groups 3A, 4A & 5A	UGI Energy Services 835 Knitting Mills Way Wyomissing, PA 19610 Attn: Judi Subers <a href="mailto:jsubers@ugies.com">jsubers@ugies.com</a> (609)204-3954
Winning Bidder: Bid Groups 1A	Direct Energy Business Marketing LLC 194 Wood Avenue South Iselin, NJ 08830 Attn: Ross Balassone <a href="mailto:Ross.Balassone@directenergy.com">Ross.Balassone@directenergy.com</a> (732)781-0709
Consultant:	Concord Energy Services 520 South Burnt Mill Road Voorhees, NJ 08043 Phone: 856.427.0200 x 119 Vicki Molloy <a href="mailto:vmolloy@concord-engineering.com">vmolloy@concord-engineering.com</a>

**Participating Members:**

<b>Members</b>	<b>County</b>
Absecon City	Atlantic
Atlantic City	Atlantic
Atlantic County	Atlantic
Audubon	Camden
Avalon Borough	Cape May
Berlin Township	Camden
Brigantine City	Atlantic
Buena Borough	Atlantic
Camden City	Camden
Camden County Boathouse	Camden
Camden County Driving Range	Camden
Camden County Buildings and Operations	Camden
Camden County College	Camden
Camden County - Courthouse	Camden
Camden County Department of Corrections	Camden
Camden County Dept of Parks	Camden
Camden County Dept of Public Safety	Camden
Camden County Library	Camden
Camden County Police Department	Camden
Camden County Pollution Control Financing Authority	Camden
Camden County Dept of Public Works	Camden
Camden County Technical Schools	Camden
Camden County Eastern Regional School District	Camden
Cape May City	Cape May
Cape May County	Cape May
Cape May County Bridge Commission	Cape May
Cape May County MUA	Cape May
Cape May Point, Borough	Cape May
Carneys Point Township	Salem
Chesilhurst Borough	Camden
Clayton Borough	Gloucester
Deptford Township	Gloucester
Deptford Twp MUA	Gloucester
East Greenwich Township	Gloucester
Egg Harbor City	Atlantic
Egg Harbor Township	Atlantic
Elk Township	Gloucester
Elmer Borough	Salem
Folsom Borough	Atlantic
Franklin Township BOE	Gloucester
Galloway Township	Atlantic
Glassboro Borough	Gloucester
Gloucester County Buildings and Grounds	Gloucester

Gloucester County Library	Gloucester
Gloucester County Special Services School District	Gloucester
Gloucester County Utility Authority	Gloucester
Gloucester County Vocational-Tech School District	Gloucester
Gloucester Township	Camden
Haddon Heights Borough	Camden
Haddon Township	Camden
Hamilton Township	Atlantic
Hamilton Township MUA	Atlantic
Laurel Springs Borough	Camden
Lindenwold Fire District #1, #2, #3	Camden
Lindenwold Borough	Camden
Longport Borough	Atlantic
Lower Township	Cape May
Magnolia BOE	Camden
Magnolia Borough	Camden
Margate City	Atlantic
Merchantville BOE	Camden
Merchantville Borough	Camden
Monroe Township	Gloucester
Mullica Township	Atlantic
National Park Borough	Gloucester
Northfield City	Atlantic
Ocean City	Cape May
Oldmans Township	Salem
Paulsboro Borough	Gloucester
Penns Grove Borough	Salem
Pennsville Sewerage Authority	Salem
Pennsville Township	Salem
Pine Hill Borough	Camden
Pleasantville City	Atlantic
Rowan College South Jersey	Gloucester
Salem County	Salem
Salem County Special Services School District	Salem
Salem County Vocational Technical School District	Salem
Sea Isle City	Cape May
Somers Point City	Atlantic
Stone Harbor	Cape May
Stratford Borough	Camden
Swedesboro, Borough	Gloucester
Ventnor City	Atlantic
Vineland City	Cumberland
Voorhees Township	Camden
West Cape May Borough	Cape May
West Deptford Township	Gloucester
Wildwood City	Cape May

Wildwood Crest Borough	Cape May
Winslow Township Fire Department	Camden
Woodbury City	Gloucester
Woodbury Heights Borough	Gloucester
Woodlynne BOE	Camden
Woodstown Borough	Salem
Woodstown Sewerage Authority	Salem

**Service Period:**

Service Start: December 2022 (begins with each account's meter read after November 30, 2022)

Service End: November 30, 2023

Term of Service: 12 months

**Bid Pricing:**

The County selected the Firm, Fixed All Inclusive Pricing:

Utility	Rate Code	Bid Group	Term (Months)	Bid Price	Awarded Supplier
PSE&G	GSG/LVG	1A	12	\$12.6404/dth	Direct Energy
South Jersey Gas	GS	3A	12	\$12.334/dth	UGI Energy Services
South Jersey Gas	GSG-LV/NGV	4A	12	\$11.228/dth	UGI Energy Services
South Jersey Gas	CTS	5A	12	\$6.654/dth	UGI Energy Services

**Billing and Payment Terms:**

Each participating Member shall receive a monthly invoice for natural gas supply service for each of its accounts through (i) a single bill from the Natural Gas Utility Company (i.e. PSE&G, South Jersey Gas Company) for Full Requirements Service and Delivery & Transportation service (i.e. consolidated billing), or (ii) dual billing where the Delivery & Transportation services to the Facilities provided by the applicable local Natural Gas Utility Company shall be billed by the Natural Gas Utility Company and the Full Requirements Services shall be billed separately by the Supplier. The Participant will be able to choose the option that is best suited for their needs and the Supplier must be able to provide the option chosen. If no option is chosen, Participant will default to consolidated billing. If an individual account(s) is rejected by the Natural Gas Utility Company as ineligible for consolidated billing it shall be enrolled and billed on a dual billing basis. Billing for each SJPC Participant shall be based upon the applicable Natural Gas Utility Company's meter readings by location.

Your respective utility will continue to provide safe and adequate service to include the delivery and distribution of the natural gas. The utility is responsible for maintaining the existing network of underground pipes that make up the delivery system, which will serve all consumers, regardless of whom they choose to purchase their natural gas supply.

Invoice payment terms are 45 days from receipt of invoice. However, P.L. 2018, c. 127 establishes a prompt payment requirement for most goods and services contracts awarded under the Local Public Contracts Law and Public School Contracts Law. The law applies to goods and services contracts awarded on or after February 1, 2019 regardless of dollar amount. For further details on the new law and to review Local Finance Notice 2019-02, please visit:

[https://url.emailprotection.link/?bFbjgWGz72bvq7mXo96AJ8RaI0laG1wi\\_kakDInS\\_x9vbOXu2TAW6UhArKzRDlLcJfSeRd](https://url.emailprotection.link/?bFbjgWGz72bvq7mXo96AJ8RaI0laG1wi_kakDInS_x9vbOXu2TAW6UhArKzRDlLcJfSeRd)

[qKnix3cALDEhjrDIWdkZD44bm34MdZ1SKLW41ZAhsfhJmISryhpMESv9w](mailto:qKnix3cALDEhjrDIWdkZD44bm34MdZ1SKLW41ZAhsfhJmISryhpMESv9w).

**Next Steps:**

You will receive a notification from your Natural Gas Utility Company in November 2022 of the enrollment of your natural gas accounts by the above-identified supplier(s) for a start service concurrent with the December 2022 meter read dates. Attached, please find a copy of the Natural Gas Resolution awarded by Camden County, once the fully executed Natural Gas Supply Service Agreements between Camden County and the awarded Suppliers are available, copies will be forwarded for your files. It is recommended that each participating member pass a confirming resolution acknowledging the award of the contract. Said resolution should include the supplier, price(s), and term.

**Ongoing Contract Support:**

Throughout the term of this contract, you may contact Kim Coulter, at Concord Energy Services for assistance with contract questions, billing issues and/or general energy related questions. Kim can be reached at (856) 427-0200 x 119 or via email at [kcoulter@concord-engineering.com](mailto:kcoulter@concord-engineering.com).

Thank you and best regards,

*Anna Marie Wright, QPA*

Anna Marie Wright, QPA

**Attachments:**

1. Natural Gas Resolution
2. Account Listing

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

RESOLUTION #2022-322

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; 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; and sell the surplus property as indicated on Schedule A on an online auction website.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on October 17, 2022.

Julie A Picard, Township Clerk

10/17/2022

GOV DEALS RES 2022-322

LOCATION	DESCRIPTION /DISPOSAL	FA#
TOWNHALL	LANIER MP3003 COPIER	3040

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

RESOLUTION #2022-323

Title: APPROVAL OF CHANGE ORDER #1 FOR ENGINEERING SERVICES FOR THE CONSTRUCTION PHASE OF FIRE LANE; BAYSHORE ROAD TO SUNNYSIDE DRIVE PROJECT (LT-C-029)

WHEREAS, DeBlasio & Associates has been approved by Resolution #2021-351 on November 15, 2021 to provide Professional Services for the Construction Phase for Fire Lane; Bayshore Road to Sunnyside Drive Project (LT-C-029) for \$40,000.00; and

WHEREAS, DeBlasio & Associates has provided a proposal for \$30,000.00 for the Construction Phase for Fire Lane; Bayshore Road to Sunnyside Drive Project including Contract Administration, Shop Drawing and Submittal Review, Part Time Inspection based on 275 hours and NJDOT Grant Administration; and

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

Appropriation: C-04-55-432-910 \$10,894.50  
C-04-55-428-910 \$19,105.50

Signature: Lauren Read  
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 Change Order #1 for DeBlasio & Associates is hereby approved to increase the contract total to \$70,000.00.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on October 17, 2022.

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

October 4, 2022

VIA EMAIL

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

**Re: Township of Lower, Cape May County, NJ  
FY2022 NJDOT Municipal Aid  
Reconstruction of Fire Lane – Bayshore Road to Sunnyside Drive  
Construction Phase Services  
D&A File #: LT-C-029**

Dear Mr. Douglass:

DeBlasio & Associates, P.C. is pleased to provide this proposal to provide our construction phase services for the **Reconstruction of Fire Lane – Bayshore Road to Sunnyside Drive.**

**Construction Phase Cost:**


- Contract Administration
- Shop Drawing and Submittal Review
- Part Time Construction Observation Based on 275 Hours
- NJDOT Grant Administration

**Total Professional Service Fee**

**\$30,000.00**

Upon your authorization, we are prepared to begin work immediately on the Township's **Reconstruction of Fire Lane – Bayshore Road to Sunnyside Drive - Construction Phase Services.** 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.

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

cc: Michael Laffey, Manager (via email)  
Margaret Vitelli, QPA (via email)  
Julie Picard, Clerk (via email)  
Finance (via email)

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

RESOLUTION #2022-324

Title: APPROVAL FOR PYROTECNICO FIREWORKS INC TO LOAD AND UNLOAD  
A FIREWORKS BARGE IN LOWER TOWNSHIP

WHEREAS, Pyrotecnico Fireworks, Inc has requested permission to load and unload a barge in Lower Township for fireworks displays on the following date:

November 4, 2022 for a wedding @ Congress Hall  
Rain Date November 5, 2022; and

WHEREAS, Pyrotecnico has provided the required proof of liability insurance required by the Uniform Fire Code Section 5:18-3.27 and signed a Hold Harmless Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Pyrotecnico Fireworks, Inc is hereby granted permission to load and unload the "fireworks barge" for the event listed above in accordance with all other necessary approvals and permits.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on October 17, 2022.

Julie A Picard, Township Clerk

Date September 27, 2022

**SPONSOR**

Amy Ausiello Wedding @ Congress Hall Hotel  
245 Trotwood Dr.  
Pittsburg, PA 15241  
Phone: 412.719.8151

**FIREWORKS COMPANY**

Pyrotecnico Fireworks, Inc.  
1640 Garden Rd.  
Vineland, NJ 08360

**SHOW DATE:** November 4, 2022

**RAIN DATE:** November 5, 2022

**LOCATION:** Cape Atlantic Fisheries Loading/unloading on/off  
Barge – Lower Twp, NJ

- 1) Total number of class B Shells being used are approximately: see attached  
Illuminations:  
Size: 3” up to 8” Aerial Shells  
Ground Pieces: none
- 2) All shells are DOT approved. EX Numbers (please see attached). Only  
Materials listed and approved by the Bureau of Explosives will be used.
- 3) Display will be electronically fired.
- 4) Delivery to site will be approximately 8am – Set up will take approximately 12 hours.
- 5) All displays will comply with all requirements as fourth in NJAC 5:70-3,3301.1 and  
NFPA1123, NFPA1124, NFPA1125 & NFPA1126.
- 6) Personnel currently scheduled to represent fireworks display company are:  
Lead: Andrew Clemick Experience: 6 years  
Technician:

Signed: \_\_\_\_\_  
Pyrotecnico Representative

Date: September 27, 2022

**FIREWORKS DISPLAY  
HOLD HARMLESS AGREEMENT**

Between the Borough/Township/City/County of Lower Township  
and Pyrotecnico Fireworks, Inc. (Contractor).

**WITNESSETH:**

1. Pyrotecnico Fireworks, Inc. (Contractor) agrees to release, indemnify and hold harmless the Borough/Township/City/County of Lower Township from and against any loss, damage or liability, including attorneys' fees and expenses incurred by the latter entities and their respective employees, agents, volunteers or other representatives arising out of or in any manner relating to the manufacture, installation, firing or disassembly of any pyrotechnic equipment or device and/or the supervision and presentation thereof.

2. The applicant has furnished the Certificate of Insurance with limits of liability described below:

Workers Compensation/Employers Liability: \$1,000,000.00

General Liability: \$1,000,000.00

Automobile Liability: \$1,000,000.00

Umbrella Liability: \$9,000,000.00

A true copy of the Certificate of Insurance is attached indicating the member entity and applicable associations, recreations or committees formed by the member entity to organize the "event" must be named as additional insured on all liability policies.

3. The facilities will be used for the following purpose and no other:

Event: Fireworks Display Date: 11.4.22 Rain Date: 11.5.22

Dated: 9.27.22 Signed: *Lynn Ann Barnes*  
Authorized Signature of the Contractor

Witness: *Mary M Killingsworth*

LOADING AND UNLOADING ONTO/OFF OF BARGE IN LOWER TWP, NJ



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

RESOLUTION # 2022-325

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 Lauren Reed 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 Jason Felsing in the amount of \$3,116.66 is authorized and chargeable to the 2022 Budget account 2-01-25-240-124.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
COOMBS						
ROY						
PERRY						
SIPPEL						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held October 17, 2022.

Julie A Picard, Township Clerk

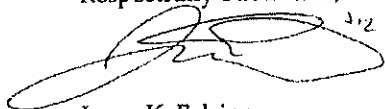
LOWER TOWNSHIP POLICE DEPARTMENT

SPECIAL REPORT

TO: Chief Kevin Lewis  
THRU: Lt. McEwing  
FROM: Sgt. Jason Felsing  
DATE: 10/11/2022  
SUBJECT: Comp Time Buy Out

Chief,  
I am asking to submit this letter to payroll requesting a buy out of 80 hours accrued comp time. Thank you in advance for your attention to this request.

Respectfully Submitted,



Jason K. Felsing  
Sergeant Badge 202

C	File	Officer	Comments
	10/11/22	LT ALLEY	To Capt Vanna
	10/11/22	CPT Vahanna	CHIEF LEWIS RECOMMEND APPROVE
	10-12-22	BY (S)	FILED TO TOWN HALL IN PROCESS

0 \*

38,9582 x

80 =

3,115.06 \*+

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

RESOLUTION #2022-326

Title: APPROVAL FOR CAPE MAY HALLOWED HALF MARATHON

WHEREAS, an application has been received from Harry Back of Cape May Running, LLC to host a 13.1 Mile running race, Cape May Hallowed Half Marathon on October 29, 2022; and

WHEREAS, the applicant has provided all the required paperwork, including indemnification and insurance certificates; and

WHEREAS, the Lower Township Police Department has reviewed the application and found the paperwork to be in 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 permission is hereby granted for the above stated event to take place.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on October 17, 2022.

Julie A Picard, Township Clerk

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

RESOLUTION #2022-327

Title: APPROVAL OF CHANGE ORDER #1 TO PAUL J BALDINI, ESQ AS CONFLICT COUNSEL

WHEREAS, Paul J Baldini, Esq. was awarded on January 3, 2022 by Resolution #2022-04as Conflict Counsel for the Township of Lower for an amount not to exceed \$7,500.00 and

WHEREAS, Paul J Baldini has provided a proposal for Change Order #1 for continuing legal services of an ongoing case for an amount of not to exceed \$5,000; and

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

Appropriation: 2-01-20-155-288

Signature: *Lauren Read*  
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 Change Order #1 attached hereto in the increase amount of \$5,000.00 for continuing legal services and the new total is now increased to not to exceed \$12,500.00 .

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on October 17, 2022.

Julie A Picard, Township Clerk

LAW OFFICES  
**PAUL J. BALDINI, P.A.**

A PROFESSIONAL CORPORATION

PAUL J. BALDINI, ESQUIRE  
E-Mail – [paul@paulbaldinilaw.com](mailto:paul@paulbaldinilaw.com)

4413 New Jersey Avenue  
Wildwood, NJ 08260  
(609) 729-2600  
(609) 729-8627 – Fax  
File No.: 3200-41

October 13, 202

*Via email only*

Julie A Picard, RMC  
Lower Township Clerk  
2600 Bayshore Road  
Villas, NJ 08251

**Re: Lower Township Proposal for Conflict Counsel**

Dear Ms. Picard:

Please accept this letter as a proposal for the completion of work on the pending above captioned matter for the Township of Lower (“Township”).

I propose to provide services to the Township in this matter not to exceed **\$5,000** to complete the OAL portion of this matter to be paid by voucher monthly. All work shall be billed at the hourly rate of **one hundred fifty dollars (\$150.00) per hour**. My firm may pay upfront any costs that may arise while representing the Township and would submit for reimbursement of said costs.

I am prepared to represent the interest of the Township in this matter and am in good standing with my professional license. All employees of my firm are in good standing with their respective professional licenses.

All services shall be performed from my office conveniently located proximate to the Township in Wildwood, New Jersey.

I have extensive litigation experience with my firm principally being a litigation firm that represents municipal governments.

In closing I look forward to the opportunity to continue to serve the residents of Lower Township. I thank you for considering me for appointment to the position of Conflict Counsel with regard to the above captioned matter.

Sincerely,

*/s/Paul J. Baldini*

Paul J. Baldini, Esquire

PJB/hkb



Township of Lower  
 2600 Bayshore Road  
 Villas, NJ 08251  
 609-8861455

**OFFICE OF CONSTRUCTION OFFICIAL**

**Construction Permit Activity Report**

RANGE: 09/01/2022 To 09/30/2022

October 03, 2022 9:36:40AM

**SUMMARY**

<u>CONSTRUCTION COSTS</u>		<u>COUNT</u>			
Cost Of Construction:	\$1,445,254.00	Cubic Footage:	565788 Cu.ft	Permit Issued:	118
Cost Of Alteration:	\$1,611,502.00	Square Footage:	33010 Sq.ft	Updates Issued:	15
Cost Of Demolition:	\$11,800.00			All Fees Waived:	1
Total Cost:	\$3,068,556.00			Municipal Fees Waived:	0

<u>PERMIT FEES</u>	<u>ADMIN FEES</u>	<u>WAIVED FEES</u>	<u>TOTAL FEES</u>
Building: \$47,508.00	Building: \$0.00	Building: \$0.00	Building Fees: \$47,508.00
Electrical: \$11,152.00	Electrical: \$0.00	Electrical: \$55.00	Electrical Fees: \$11,097.00
Fire : \$4,664.00	Fire : \$0.00	Fire : \$0.00	Fire Fees: \$4,664.00
Plumbing: \$6,622.00	Plumbing: \$0.00	Plumbing: \$0.00	Plumbing Fees: \$6,622.00
Elevator: \$0.00	Elevator: \$0.00	Elevator: \$0.00	Elevator Fees: \$0.00
Mechanical: \$2,970.00	Mechanical: \$0.00	Mechanical: \$0.00	Mechanical Fees: \$2,970.00
		* Total Waived: \$55.00	Technical Fees: \$72,861.00

<u>DCA</u>	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$2,100.00	\$0.00	\$2,100.00
Alteration Training Fee:	\$3,067.00	\$103.00	\$2,964.00
DCA Minimum Fee:	\$4.00	\$0.00	\$4.00
Sub total Training Fee:	\$5,171.00	\$103.00	\$5,068.00

**TECHNICAL ISSUES**

Building Technical:	60
Electrical Technical:	103
Fire Protection Technical:	39
Plumbing Technical:	45
Elevator Technical:	
Mechanical Technical:	40

Certificate of Occupancy Fee:	\$2,920.00
Waived Certificate Fees:	\$0.00
Sub Total Certificate Fees:	\$2,920.00

PERMIT FEES:	\$72,861.00
DCA FEES:	\$5,068.00
CERTIFICATE FEES:	\$2,920.00
MIN FEES:	\$-70.00
NET TOTAL FEES:	\$80,779.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$0.00
OTHER FEES:	\$100.00
GRAND TOTAL FEES:	\$80,879.00

**CERTIFICATE ISSUES**

Certificate of Occupancy:	9
Certificate of Approval:	34
Certificate of Continued Occupancy:	0

\* By State law (see N.J.S. 52:27D-126c): \$55.00

\* By Municipality (see N.J.S. 52:27D-126b): \$0.00

# OFFICE OF THE CONSTRUCTION OFFICIAL

## Account Summation-Summary

Report Run from 09/01/2022 To 09/30/2022

October 3, 2022 9:13:31AM

ACCOUNT:		Cash Amount	Check Amount	Credit Card Amount	Total Fee
PERMIT FEES	Sub Totals:	\$1,161.00	\$79,718.00	\$0.00	\$80,879.00
BOUNCED CK FEE	Sub Totals:	\$20.00	\$0.00	\$0.00	\$20.00
DUMPSTER	Sub Totals:	\$10.00	\$0.00	\$0.00	\$10.00
CONTRACTOR LICENSE	Sub Totals:	\$0.00	\$1,400.00	\$0.00	\$1,400.00
<b>GRAND TOTALS:</b>		<b>\$1,191.00</b>	<b>\$81,118.00</b>	<b>\$0.00</b>	<b>\$82,309.00</b>



## CASH RECONCILIATION AUGUST 31, 2022

	Cash		Less Checks Outstanding	Cash Book Balance
	*On Hand	On Deposit		
Current	2,289,153.91	13,902,944.11	2,274,769.59	13,917,328.43
Trust - Assessment				
Trust - Dog License	0.00	14,790.61	0.00	14,790.61
Trust - Other	1,513.21	4,065,858.40	15,183.99	4,052,187.62
Capital - General	0.00	4,950,293.40	0.00	4,950,293.40
Water - Operating				0.00
Water - Capital				0.00
Assessment Utility Trust				0.00
Public Assistance**				0.00
Garbage District				0.00
Grant Fund				0.00
<b>Total</b>	<b>2,290,667.12</b>	<b>22,933,886.52</b>	<b>2,289,953.58</b>	<b>22,934,600.06</b>

\*Include Deposits In Transit (and change funds)

\*\*Be sure to include a Public Assistance Account reconciliation and trial balance if the municipality maintains such a bank account.

**REQUIRED CERTIFICATION**

I hereby certify that all amounts shown in the "Cash on Deposit" column on Sheet 9 and 9(a) have been verified with the applicable bank statements, certificates, agreements or passbooks at 31-Aug-22

I also certify that all amounts, if any, shown for Investments in Savings and Loan Association on any trial balance have been verified with the applicable passbook at 31-Aug-22

All "Certificates of Deposits," "Repurchase Agreements," and other investments must be reported as cash and included in this certification.

(THIS MUST BE SIGNED BY THE REGISTERED MUNICIPAL ACCOUNTANT (STATUTORY AUDITOR) OR CHIEF FINANCIAL OFFICER) depending on who prepared this Annual Financial Statement as certified to on Sheet 1 or 1(a).

Signature:

*Lauren Read*

Title: CFO, Township of Lower

Township of Lower  
Treasurer's Report  
2022

	Total	Jan	Feb	Mar	Apr	May	June	July	Aug
BEG. BAL. JAN. 1, 2022	12,217,442.42	12,217,442.42	11,609,740.10	14,684,381.20	10,778,177.68	7,849,873.66	10,768,098.66	9,147,147.04	3,930,067.98
<b>RECEIPTS:</b>									
Per Revenue Status	63,089,178.15	4,853,567.83	11,496,357.99	1,349,874.12	4,891,350.50	19,364,824.83	843,951.68	1,955,931.81	18,533,519.91
less: post cash surplus	(4,550,000.00)					(4,550,000.00)			
Interest due from Escrow	(714.75)	(117.61)	(108.93)	(90.98)	(105.72)	(96.43)	(98.21)	(17.59)	(81.30)
	58,538,463.40	4,663,450.02	11,496,261.06	1,349,683.16	4,691,244.78	14,814,728.20	843,853.35	1,955,914.22	18,533,438.61
<b>Transfers:</b>									
Capital - Clear Interfund	1,798,048.23						411,510.12		1,384,538.11
<b>Grants Received:</b>									
ALED \$ RECD	4,737.97						4,737.97		
AMER RESCUE \$ RECD	1,118,761.15							1,116,761.15	
BODY ARMOR \$ RECD	9,139.73					9,139.73			
CC \$ RECD	81,832.54						81,832.54		
DSGPO \$ RECD	7,500.00		7,500.00						
EMAA \$ RECD	10,000.00								10,000.00
JIF \$ Recd	6,472.69	4,747.69				725.00		1,000.00	
NJDOT - STAR	138,750.00				138,750.00				
OPEN SPACE \$ RECD	240,000.00		240,000.00						
Opioid Settlement	7,134.76								7,134.76
Recycling Tonnage \$ Recd	48,395.72			48,395.72					
SJ GAME ON \$ Recd	1,000.00					1,000.00			
1,689,524.56									
<b>TOTAL RECEIPTS:</b>	62,004,036.18	4,668,197.71	11,743,761.06	1,395,978.88	6,029,994.76	14,825,592.93	1,341,733.98	3,073,675.37	19,936,111.48
<b>DISBURSEMENTS:</b>									
2021 Reserves	588,037.80	222,198.16	187,405.18	37,521.53	74,890.69	31,947.12	7,840.00	381.05	24,266.07
2022 Current	58,737,822.57	4,934,469.08	8,377,083.57	5,176,795.29	7,728,050.78	12,846,697.48	2,699,669.87	7,335,010.01	9,840,078.51
2022 Capital	3,134,812.86	247,305.48	243,142.68	81,927.21	218,571.87	712,760.56	(12,187.68)	1,298,034.49	345,068.35
less: Special Emergency	0.00								
less: Def chgs TAX MAP	(146,200.00)					(146,200.00)			
less: Due capital bond ord paydown	(1,225,000.00)					(1,225,000.00)			
less: Due capital CIF	(250,000.00)					(250,000.00)			
less: Due FS Grants/1wp share DEDR	0.00								
<b>Appropriation Refunds:</b>	(622,422.32)	(133,778.23)	(38,501.47)	(84,062.53)	(63,014.53)	(82,827.24)	(127,423.69)	(342,871.12)	(60,143.51)
1/3/22 MANUAL ADJ TO POST ENC 21 TAX REFUNDS TO 21 GL	(4,292.44)	(4,292.44)							
<b>TRANSFERS OUT:</b>	0.00								
CAPITAL (CLEAR FS IF)	395,000.00						395,000.00		
<b>TOTAL DISBURSEMENTS</b>	60,305,658.57	5,265,900.03	8,769,109.96	5,202,182.50	7,958,298.81	11,907,367.92	2,962,685.60	8,290,764.43	9,949,269.42
END. BAL. DEC. 31, 2022	13,916,920.04	11,609,740.10	14,684,381.20	10,778,177.68	7,849,873.66	10,768,098.66	9,147,147.04	3,930,067.98	13,916,920.04
Total Appropriation Refunds	(622,422.32)	(133,778.23)	(38,501.47)	(84,062.53)	(63,014.53)	(82,827.24)	(127,423.69)	(342,871.12)	(60,143.51)
<b>Bank Balance</b>									
Checking-Ocean First	10,877,268.42	14,087,516.88	8,330,019.35	7,499,379.99	9,712,067.35	9,642,034.74	3,095,976.45	11,689,311.84	
Online Payment Acct	436,179.40	800,854.21	394,399.91	440,872.09	903,336.49	150,045.32	172,949.44	1,742,668.43	
Total Bank Balance	11,313,447.82	14,888,371.09	8,724,419.26	7,940,252.08	10,615,403.84	9,792,080.06	3,268,925.89	13,431,980.27	
ADD: Deposits in Transit	361,983.33	53,140.04	2,074,054.83	138,035.18	163,025.99	9,933.90	946,695.71	533,221.32	
LESS: Outstanding Checks	(65,691.05)	(357,129.93)	(20,296.51)	(228,413.71)	(10,331.27)	(654,666.92)	(285,553.62)	(49,281.55)	
<b>Adjusted Bank Balance</b>	11,609,740.10	14,684,381.20	10,778,177.68	7,849,873.66	10,768,098.66	9,147,147.04	3,930,067.98	13,916,920.04	
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Monthly Interest Received-Current Fund	32,763.48	4,068.01	4,936.48	4,377.48	3,978.15	4,453.20	4,281.05	3,290.21	3,400.90
Interest Rate		0.25%	0.25%	0.25%	0.25%	0.25%	0.25%	0.25%	0.25%



SEPTEMBER 2022  
VITAL STATISTICS

Marriages,Civil Unions	19
Domestic Partners	0
Certified Copies	242
Certified Copies EDRS	11
Burial Permits	0
Marriages, Civil Unions State	\$0.00
Domestic Partners State	\$0.00
Marriages, Civil Unions Twp	\$0.00
Domestic Partners Twp	\$0.00
Certified Copies	\$2,420.00
Certified Copies EDRS	\$110.00
Burial Permits	\$0.00
<b>TOTAL</b>	<b>\$2,530.00</b>

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

RESOLUTION #2022-328

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 or 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 of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, assembled in public session on October 17, 2022 that an Executive Session closed to the public shall be held on this date at approximately \_\_\_\_\_ P.M. in the Conference Room of the Township Hall, 2600 Bayshore Road, Villas for the discussion of matters relating to the specific items designated above.

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

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on October 17, 2022

Julie A Picard, Township Clerk