

Signed Resolutions- October 7, 2024

- Res. #2024-315 Authorization for the Payment of Vouchers \$994,609.73
- Res. #2024-316 A Resolution Authorizing a Request for Funds from the Lower Township Municipal Utilities Authority
- Res. #2024-317 Approving Change Order #2 to Fred M Schiavone Construction, Inc. for the Final As-Built Quantities and Contract Reduction for Diamond Beach Park Improvements (LT-C-016)
- Res. #2024-318 Reappointment to the Zoning Board of Adjustment (R.Abrams)
- Res. #2024-319 Authorization for Waiver of Fees for Run the Crest 10 Miller – October 5, 2024
- Res. #2024-320 Approval for the 2024 Lower Township Veterans Day Parade
- Res. #2024-321 Under 3% Emergency Resolution (N.J.S.A. 40A: 4-48) Capital Improvement Fund – Down Payment for Bond Ord #24-07
- Res. #2024-322 Authorization for Refund of Taxes
- Res. #2024-323 Approval of Contributions to Lower Township Chamber of Commerce (\$4,000)
- Res. #2024-324 A Resolution Awarding a Non-Fair and Open Contract to ProPhoenix Corporation to Renew the Software and Maintenance for Lower Township Fire Safety
- Res. #2024-325 Approving Change Order #3 to Fred M. Schiavone Construction, Inc. for a Contract Extension of 45 Days for Frances Avenue Emergency Storm Sewer Piping at Ohio Pump Station (LT-C-045)
- Res. #2024-326 Certification of Best Practices Inventory
- Res. #2024-327 A Resolution Awarding a Non-Fair and Open Contract to DTM Powersports to Purchase a New 2024 Kawasaki Mule Pro-FX 1000 HD with Accessories Including Hard Top and Plow for the Lower Township Recreation Department
- Res. #2024-328 Authorizing the Sale of Township of Lower Surplus No Longer Needed for Public Use on GovDeals Online Auction Website
- Res. #2024-329 Approving Change Order #1 to Perna Finnegan for Emergency Sink Hole on Delaware Bay Drive Across from the Ohio Avenue Pumping Station Repairs for Final Contract Reduction for As-Built Quantity Adjustments (LT-C-044)
- Res. #2024-330 Local Arts Program Grant
- Res. #2024-331 A Resolution for Special Emergency Appropriation as per N.J.S.A. 40A: 4-53 Authorizing Preparation of an Approved Tax Map
- Res. #2024-332 Approving Change Order #2 to Van Note Harvey, a Division of Pennoni Associates Inc., for Additional Services to Complete Digital and Certified Tax Maps for the Calendar Year 2023 in 2024
- Res. #2024-333 Approving Change Order #1 with Paving Plus for As-Built Adjustments Final Contract Reduction for Resurfacing of Bay Drive; Wildwood Avenue to Mallow Road (LT-C-034A)
- Res. #2024-334 A Resolution to Ratify a Four (4) Year Contract Agreement Between the Township of Lower and the Lower Township Policemen's Benevolent Association (PBA) Local 59
- Res. #2024-335 A Resolution to Ratify a Four (4) Year Contract Agreement Between the Township of Lower and the Lower Township Superior Officers

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

RESOLUTION #2024- 315

Title: AUTHORIZING THE PAYMENT OF VOUCHERS

<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
GREAT AMERICAN FINANCIAL	MAIL MACHINE	\$560.00
GPANJ	9/20/24 GPANJ	\$125.00
STATE OF NJ	UNEMPLOYMENT	\$21,673.83
	TOTAL Manual Checks	\$22,358.83
	TOTAL Computer Generated	\$972,250.90
	TOTAL BILL	\$994,609.73

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
COOMBS	X		X			
ROY		X	X			
PERRY			X			
SIPPEL			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 Oct ,07 , 2024.


 Julie A Picard, Township Clerk

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00948	COASTAL LANDSCAPING	24-02449	09/12/24	WORK DONE ON BASEBALL FIELD	Open	810.48	0.00		
01125	MARGARET CROMPTON	24-00097	01/08/24	CONTRACTUAL REIMBURSEMENT M	Open	100.00	0.00		B
01132	CUMMINS INC	24-01141	04/30/24	FULL SERVICE ANNUAL/DPW	Open	692.84	0.00		
01170	VERIZON WIRELESS* F/S	24-02435	09/10/24	FS Verizon 07.27 08.26	Open	168.31	0.00		
01200	DELTA DENTAL PLAN OF NJ	24-02607	10/01/24	SEPT 2024 DENTAL ADMIN	Open	1,379.95	0.00		
01201	DELL MARKETING LP	24-01703	06/19/24	SDL LIZ ROSS TAX ASSESSOR USER	Open	2,690.00	0.00		
01239	DIANA L DeNOTE	24-02527	09/20/24	CONTRACTUAL REIMBURSEMENT M/V	Open	196.00	0.00		
01265	BRIAN DONAHUE	24-01233	05/10/24	CONTRACTUAL REIMBURSEMENT M	Open	733.80	0.00		
01389	EDDIE'S AUTO BODY	24-02524	09/20/24	FRONT END ALIGNMENT/DPW	Open	129.95	0.00		
01480	E-Z PASS	24-02539	09/24/24	REC 9/11/24 REPLENISH	Open	200.00	0.00		PC1
01602	THOMSON WEST*	24-02425	09/10/24	NJ CRIMINAL & MOTOR VEHICLE LA	Open	363.00	0.00		
01643	WILLIAM GALESTOK	24-02560	09/25/24	CONTRACT REIMB V	Open	340.00	0.00		
01690	GRANTURK EQUIPMENT CO*	24-02468	09/13/24	THRUST DISC/DPW	Open	764.40	0.00		
01806	ANTHONY J HARVATT, II, ESQ	24-01227	05/10/24	ZBA SOLICITOR JAN-DEC 2024 FEE	Open	625.00	0.00		
01873	HOME DEPOT*	24-02400	09/06/24	SUPPLIES/DPW	Open	701.04	0.00		
02025	HUNTER JERSEY PETERBILT~	24-02475	09/16/24	PARTS /DPW	Open	3,227.92	0.00		
02108	KEEN COMPRESSED GAS CO*	24-02211	08/14/24	COMPRESSED GAS/DPW	Open	279.98	0.00		
		24-02517	09/20/24	COMPRESSED GAS/DPW	Open	494.49	0.00		
						<u>774.47</u>			

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02140	KINDLE FORD LINC/MERC., INC.*								
		24-02536	09/24/24	MASTERIALS/DPW	Open	1,323.56	0.00		
		24-02565	09/27/24	PARTS/DPW	Open	<u>3,414.49</u>	0.00		
						4,738.05			
02247	LAWSON PRODUCTS, INC.								
		24-02186	08/13/24	SUPPLIES/DPW	Open	699.44	0.00		
02334	LOWER TWP CHAMBER OF COMMERCE								
		24-02448	09/12/24	SEPT LUNCHEON	Open	420.00	0.00		
02415	STEPHEN FLITCROFT								
		23-01202	05/19/23	2023 EQUIPMENT ALLOWANCE	Open	150.00	0.00		
		24-00240	01/22/24	2024 EQUIPMENT ALLOWANCE	Open	<u>28.28</u>	0.00		B
						178.28			
02538	MARSH & MCLENNAN AGENCY, LLC								
		24-00009	01/02/24	RES#24-42 DNE\$40K MNTHLY	Open	3,333.33	0.00		B
03026	NJ STATE HEALTH BENEFITS								
		24-02567	09/27/24	OCT 2024 HEALTH RETIREES	Open	114,785.50	0.00		
		24-02568	09/27/24	OCT 2024 HEALTH ACTIVE	Open	<u>215,375.06</u>	0.00		
						330,160.56			
03086	NJ STATE ASSN CHIEFS OF POL*								
		24-02387	09/06/24	POLICE CHIEFS IN SERVICE SERIE	Open	350.00	0.00		
03293	BLAINE PAYNTER								
		24-02561	09/25/24	CONTRACT REIMBURSEMENT M	Open	75.07	0.00		
03305	PEDRONI FUEL*								
		24-02530	09/24/24	NO LEAD GAS/DPW	Open	482.38	0.00		
03387	POGUE INC. *								
		24-02429	09/10/24	SAFETY AND HEALTH CONSORTIUM	Open	300.00	0.00		
03460	V.E. RALPH & SON, INC.								
		24-02496	09/18/24	ADULT AED PADS	Open	2,400.00	0.00		
03495	ELIZABETH BYRNE								
		24-00656	03/05/24	CONTRACTUAL REIMBURSEMENT M	Open	138.24	0.00		
03518	RIGGINS, INC.*								
		24-02516	09/20/24	OFF HIGHWAY DIESEL/9.11.24	Open	661.02	0.00		
03522	TSI INC								
		24-02004	07/25/24	24' TSI portacount Calibration	Open	910.53	0.00		
03537	RUTGERS, THE STATE UNIVERSITY*								
		24-02472	09/16/24	MATT VENDETTA PTA 2	Open	944.00	0.00		
03544	PORTER LEE CORP*								
		24-02356	08/29/24	SERVER MIGRATION SERVICE	Open	675.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03607	SEASHORE FOOD SUPPLY	24-02110	08/02/24	BAYRUN SUPPLIES 8/03/24	Open	983.78	0.00		
03611	SERVICE TIRE TRUCK CENTERS	24-01782	07/01/24	TIRES/DPW	Open	5,770.56	0.00		
03637	SHOPPE	24-02523	09/20/24	AD FOR SPECIAL TOWNHALL MTG	Open	300.00	0.00		
03692	SOUTH JERSEY GAS CO*	24-02610	10/01/24	8/19-9/19/24 NATURAL GAS	Open	943.51	0.00		
03820	MUNICIPAL UTIL. AUTH ON CALL	24-02460	09/13/24	REIMBURSE HALF OF TOTAL BILL/D	Open	198.41	0.00		
03904	LOWE'S HOME CENTER INC*	24-02103	07/31/24	SUPPLIES/DPW	Open	524.01	0.00		
03915	TURF EQUIPMENT & SUPPLY CO	24-02474	09/16/24	SUPPLIES /DPW	Open	1,873.58	0.00		
03920	RAYMOND GARRISON	24-02581	09/27/24	CONTRACT REIMB V	Open	425.00	0.00		
03985	VILLAS NAPA AUTO PARTS	24-01891	07/11/24	RDS/SANT/REC/DPW	Open	3,580.14	0.00		
03992	VAL-U AUTO PARTS LLC	24-01890	07/11/24	RDS/SANT/DPW	Open	3,548.68	0.00		
03994	MARGARET VITELLI	24-02535	09/24/24	CONF GPANJ	Open	171.52	0.00		
04085	CHRISTOPHER WINTER	24-02525	09/20/24	CONTRACTUAL REIMBURSEMENT M	Open	51.25	0.00		
04097	CINTAS FIRST AID AND SAFETY*	24-02443	09/10/24	MEDICAL CABINET REFILL	Open	20.88	0.00		
		24-02446	09/12/24	FIRST AID SUPPLIES 08/02/2024	Open	34.09	0.00		
		24-02451	09/12/24	COURT CABINET SERVICE 9/2024	Open	15.12	0.00		
		24-02454	09/12/24	5 SHELF FIRST AID KIT	Open	445.11	0.00		
		24-02489	09/17/24	TOWNHALL FIRST AID 9/13/24	Open	83.90	0.00		
		24-02566	09/27/24	FIRST AID SUPPLIES/DPW	Open	55.76	0.00		
						<u>654.86</u>			
04280	G.F.O.A. OF NJ	24-02080	07/30/24	ANNUAL FALL CONFERENCE-CFO	Open	425.00	0.00		
04301	SEASHORE ASPHALT CORPORATION*	24-02464	09/13/24	ASPHALT/DPW	Open	1,925.55	0.00		
04510	LEADER PRINTERS*	24-01137	04/30/24	CUSTOM STAMPS	Open	36.40	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
05083	ALLEGRA MARKETING, PRINT & MAIL								
		24-02455	09/12/24	CHILDREN'S FUND APPLICATION	Open	510.00	0.00		
		24-02493	09/18/24	Fall, 2024 Newsletter	Open	380.00	0.00		
						<u>890.00</u>			
5022	INSTITUTE FOR FORENSIC PSYCHO*								
		24-02359	08/29/24	FITNESS FOR DUTY	Open	1,300.00	0.00		
6004	LERETA, LLC								
		24-02428	09/10/24	8-334.15 L-12 EX VET	Open	250.63	0.00		
6059	USABLE LIFE								
		24-02608	10/01/24	OCTOBER 2024 LIFE INS	Open	951.75	0.00		
6063	CAPE MINING & RECYCLING, LLC*								
		24-00896	04/05/24	SUPPLIES FOR TRUCKS/DPW	Open	240.89	0.00		B
		24-02466	09/13/24	ASPALT/DPW	Open	984.11	0.00		
		24-02481	09/16/24	ASPHALT/DPW	Open	2,809.46	0.00		
						<u>4,034.46</u>			
6094	ANCHOR RUBBER STAMP & PRINT*								
		24-02499	09/18/24	4 x 4 stamp	Open	70.50	0.00		
7012	Y-PERS, INC*								
		24-02529	09/24/24	RAGS FOR GARAGE	Open	675.00	0.00		
7019	OCEAN VIEW VETERINARY								
		24-02453	09/12/24	Vet Services	Open	76.00	0.00		
7098	SHORE VETERINARIAN ANIMAL								
		24-00007	01/02/24	RES#24-27 DNE\$62K	Open	5,166.67	0.00		B
		24-02439	09/10/24	ANIMAL CONTROL	Open	975.00	0.00		
						<u>6,141.67</u>			
7139	MRC INC*								
		24-01898	07/11/24	REPLACEMENT SHADE FABRIC	Open	1,907.00	0.00		
7196	LAUREN HUGGINS SUIT								
		24-00006	01/02/24	RES#24-06 DNE\$16280 MNTHLY	Open	1,356.67	0.00		B
7251	REIT LUBRICANTS CO*								
		24-02430	09/10/24	250 GALLONS 15/40 MOTOR OIL	Open	3,210.00	0.00		
7354	FLEETPRIDE INC.*								
		24-02476	09/16/24	PARTS/DPW	Open	1,189.86	0.00		
		24-02538	09/24/24	FRONT AXLE #25/DPW	Open	1,179.24	0.00		
						<u>2,369.10</u>			
7437	ECOVERSE INDUSTRIES LTD*								
		24-02509	09/18/24	TEMPERATURE SENDER/DPW	Open	287.92	0.00		
7507	STEFANKIEWICZ & BELASCO LLC								
		24-00001	01/02/24	RES#24-01 DNE\$40K MTHLY	Open	3,333.33	0.00		B

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7507	STEFANKIEWICZ & BELASCO LLC								
		24-00002	01/02/24	RES#24-01 EXPENSES DNE\$150K	Open	<u>8,580.82</u>	0.00		B
						11,914.15			
7576	ROBERT THOMPSON JR.	24-02484	09/16/24	CONTRACTUAL REIMBURSEMENT M	Open	894.00	0.00		
7739	CHRISTOPHER KERVRAN	24-02515	09/19/24	CONTRACTUAL REIMBURSEMENT V	Open	75.49	0.00		
7751	HOFFMAN'S EXTERMINATING	24-00428	02/05/24	PEST AGREEMENT-CANAL PARK	Open	132.60	0.00		B
7820	DEBLASIO & ASSOCIATES, P.C	23-02340	09/14/23	RES#23-303 CO #1 ROTARY PARK	Open	1,653.75	0.00		B
		23-03206	12/14/23	RES#23-380 DOUGLASS PARK RENO	Open	592.50	0.00		B
		24-01011	04/18/24	RES#2024-123 REC PLAYGROUND	Open	3,420.00	0.00		B
		24-02458	09/12/24	PB ENGINEER VOUCHERS	Open	<u>1,107.62</u>	0.00		
						6,773.87			
7929	AMAZON CAPITAL SERVICES, INC ~	24-02272	08/19/24	OFFICE SUPPLIES	Open	483.89	0.00		
		24-02298	08/27/24	OFFICE SUPPLIES	Open	953.71	0.00		
		24-02366	08/30/24	UNIVERSAL SPILL KIT	Open	278.84	0.00		
		24-02375	09/05/24	VIVID INFLATABLE SHARK TUNNEL	Open	920.00	0.00		
		24-02403	09/06/24	HYDR. FITTINGS & OFFICE SUPPLY	Open	200.39	0.00		
		24-02427	09/10/24	COURT OFFICE SUPPLIES	Open	131.00	0.00		
		24-02436	09/10/24	LIGHTNING ADAPTER/FOOTBALL	Open	8.39	0.00		
		24-02440	09/10/24	COUNTY PARTS- STIHL	Open	56.86	0.00		
		24-02442	09/10/24	OFFICE SUPPLIES	Open	539.55	0.00		
		24-02447	09/12/24	TARP & CARBURETOR TOOLS	Open	176.61	0.00		
		24-02463	09/13/24	HVAC AIR FILTERS & WHEEL COVER	Open	1,011.18	0.00		
		24-02483	09/16/24	FS hp ink	Open	218.75	0.00		
		24-02518	09/20/24	HALLOWEEN BAGS	Open	40.98	0.00		
		24-02522	09/20/24	IGNITION COIL FOR STIHL-COUNTY	Open	12.98	0.00		
		24-02534	09/24/24	ORANGE COLORED PAPER	Open	<u>135.92</u>	0.00		
						5,169.05			
7982	DAWN BAILEY	24-02485	09/16/24	CONTRACTUAL REIMBURSEMENT V	Open	312.95	0.00		
8131	DOCUVAULT SECURE SHREDDING LC~	24-02613	10/02/24	9/30/24 SHREDDING	Open	168.05	0.00		
8175	INTEGRITY INTERPRETING LLC *	24-02572	09/27/24	COURT INTERPRETING 8/2024	Open	112.50	0.00		
8178	MARISSA MCCORKEL	24-02497	09/18/24	REIMB NJACTB Conf 12/26-30/24	Open	525.00	0.00		
8217	SARAH VAN SEETERS	24-02582	09/27/24	CONTRACT REIMB V	Open	315.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
8421	PROPHOENIX CORPORATION *	24-02471	09/16/24	FS inspection software annual	Open	7,843.03	0.00		
8459	BATTERIES PLUS BULBS #636	24-00359	01/29/24	RDS/SANT/RECY/DPW	Open	349.56	0.00		
8490	BUSINESS INFORMATION SYSTEMS*	24-01968	07/18/24	COURT RECORDER CONTRACT 24-25	Open	941.00	0.00		
8524	FRED M SCHIAVONE CONSTRUCTION	24-00455	02/07/24	RES 2024-78 BEACH PATHS	Open	8,537.00	0.00		
		24-01698	06/19/24	RES #2024-207 BROOKDALE ACCESS	Open	540.00	0.00		B
						9,077.00			
8706	GOLDENBERG, MACKLER & SAYEGH	22-03167	12/22/22	RES#22-373 CHANGE ORDER \$5,000	Open	4,648.78	0.00		
		23-03158	12/07/23	2023 Tax Foreclosure Atty	Open	107.76	0.00		B
						4,756.54			
8707	PAUL J BALDINI P.A.	24-01700	06/19/24	Assessor Special Tax Council	Open	2,721.63	0.00		B
8721	BLANEY, DONOHUE, & WEINBERG PC	24-00004	01/02/24	RES#24-03 PROSECUTOR DNE\$45K	Open	3,750.00	0.00		B
		24-00005	01/02/24	RES#24-03 WW CREST DNE\$10K	Open	833.33	0.00		B
						4,583.33			
8723	HOFFMAN INTERNATIONAL INC*	24-02241	08/19/24	TECH FOR VOLVO LOADER/DPW	Open	2,433.53	0.00		
8735	SURENIAN EDWARDS & NOLAN LLC	24-01010	04/18/24	Aff Housing - Res.2024-121 10k	Open	589.00	0.00		B
8850	SERVEPRO	24-00148	01/11/24	HAZ. WASTE CLEAN-UP 2023	Open	500.00	0.00		B
8908	COMCAST BUISNESS	24-02491	09/17/24	VOICE PHONES 9/1-9/30/24	Open	1,299.15	0.00		
8956	AMISH OUTLAWS LLC	24-02450	09/12/24	PAST DUE PRODUCTION FEE	Open	750.00	0.00		
8972	THE HOME CITY ICE COMPANY	24-02473	09/16/24	BAGGED ICE /DPW	Open	205.00	0.00		
9021	NATIONAL HIGHWAY PRODUCTS INC~	24-02276	08/21/24	SIGN MATERIAL	Open	1,914.42	0.00		
9166	REMINGTON & VERNICK ENG II INC	24-02152	08/08/24	RES 2024-267 CHG ORD 1 CRESSE	Open	3,140.00	0.00		B
9216	ATLANTICARE REGINAL MEDICAL	24-01959	07/18/24	RES#2024-229 \$5K PER MONTH	Open	5,000.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
9218	STRONG BOX LLC	24-01960	07/18/24	GUN SAFE	Open	8,081.10	0.00		
9223	NIELSEN FORD OF MORRISTOWN INC	24-02033	07/26/24	RES 24-244 PD F250XL TRUCK	Open	51,949.00	0.00		
9224	CHRISTINA LEWIS	24-02526	09/20/24	CONTRACTUAL REIMBURSEMENT V	Open	645.00	0.00		
9243	DANIELLE BOWMAN	24-02270	08/19/24	REFUND- CHEERLEADING	Open	15.00	0.00		
9250	MARYBETH FUSARO	24-02339	08/28/24	B-729 L-1 C311B	Open	1,987.49	0.00		
9255	WOOZY PROJECT LLC	24-02488	09/17/24	RETURN OF UNUSED ESCROW	Open	218.75	0.00		
9257	RICHARD CLENDENING	24-02590	10/01/24	B-142 L-36 CLENDENING	Open	381.97	0.00		
9258	CHARLES LONG	24-02591	10/01/24	B-334.09 L-18.01 EX VET	Open	177.85	0.00		
BIRCH	BIRCH'S COMMUNICATIONS LLC*	24-02456	09/12/24	MICROPULSE/GARAGE	Open	822.38	0.00		
BURGIN	PAUL BURGIN	24-02176	08/13/24	RETURN OF PERFORMANCE BOND	Open	238,919.27	0.00		
CARROT	CARROT-TOP INDUSTRIES, INC*	24-02479	09/16/24	HONOR GUARD FLAGS	Open	838.83	0.00		
G-UNITED	UNITED UNIFORM	24-02279	08/21/24	UNIFORM BALL CAPS	Open	540.00	0.00		
LOWER	LOWER TOWNSHIP	24-02498	09/18/24	DIFFERENCE CARD FUNDING	Open	7,714.98	0.00		
MSBROWN	MS BROWN	24-02346	08/29/24	RETIREMENT PLAQUE	Open	184.00	0.00		
SEAGE	SEAGEAR MARINE SUPPLY*	24-00907	04/05/24	SUPPLIES FOR RDS/DPW	Open	213.00	0.00		B
Total Purchase Orders:		158	Total P.O. Line Items:		0	Total List Amount:	972,250.90	Total Void Amount:	0.00

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

RESOLUTION #2024-316

Title: A RESOLUTION AUTHORIZING A REQUEST FOR FUNDS FROM THE LOWER TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

WHEREAS, the Lower Township Municipal Utilities Authority (MUA) budget for Fiscal Year December 1, 2023 through November 30, 2024 for both water and sewer contain a line item entitled Maximum Allowable for Appropriation to Municipality/County; and

WHEREAS, the amount listed on the Supplement Schedule as Maximum Allowable for Appropriation to Municipality/County in the sewer budget is \$220,722.50 and the amount listed in the water budget is \$167,749.45 for a maximum allowable total of \$388,521.95; and

WHEREAS, Council would like to officially request a portion of the allowable appropriation totaling \$160,000.00 be appropriated to the Township.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Lower Township Council hereby requests the Lower Township MUA appropriate a portion of the amounts listed in the Maximum Allowable for Appropriation to Municipality/County as listed in the Supplemental Schedules from the sewer & water budgets to the Township of Lower in the total amount of \$160,000.00.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD	X		X				
COOMBS		X	X				
ROY			X				
PERRY			X				
SIPPEL			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 October 7, 2024.


Julie A Picard, Township Clerk / A.B

Appropriations Schedule

Lower Municipal Utilities Authority
For the Period: December 01, 2023 to November 30, 2024

	FY 2024 Proposed Budget						FY 2023			
	Sewer	Water	Operation #3	Operation #4	Operation #5	Operation #6	Adopted Budget	Proposed vs. Adopted	% Increase (Decrease) Proposed vs. Adopted	
	Total All Operations						Total All Operations	All Operations	All Operations	
OPERATING APPROPRIATIONS										
<i>Administration - Personnel</i>										
Salary & Wages	\$ 218,000	\$ 218,000					\$ 436,000	\$ 430,000	\$ 6,000	1.4%
Fringe Benefits	110,500	110,500					221,000	204,000	17,000	8.3%
Total Administration - Personnel	328,500	328,500	-	-	-	-	657,000	634,000	23,000	3.6%
<i>Administration - Other (List)</i>										
See Attached F-4 Approp Detail Tab	325,000	259,000					584,000	599,000	(15,000)	-2.5%
Miscellaneous Administration*										#DIV/0!
Total Administration - Other	325,000	259,000	-	-	-	-	584,000	599,000	(15,000)	-2.5%
Total Administration	653,500	587,500	-	-	-	-	1,241,000	1,233,000	8,000	0.6%
<i>Cost of Providing Services - Personnel</i>										
Salary & Wages	1,006,000	836,000					1,842,000	1,776,000	66,000	3.7%
Fringe Benefits	558,000	477,950					1,035,950	1,127,000	(91,050)	-8.1%
Total COPS - Personnel	1,564,000	1,313,950	-	-	-	-	2,877,950	2,903,000	(25,050)	-0.9%
<i>Cost of Providing Services - Other (List)</i>										
See Attached F-4 Approp Detail Tab	2,129,500	868,500					2,998,000	2,878,500	119,500	4.2%
Miscellaneous COPS*										#DIV/0!
Total COPS - Other	2,129,500	868,500	-	-	-	-	2,998,000	2,878,500	119,500	4.2%
Total Cost of Providing Services	3,693,500	2,182,450	-	-	-	-	5,875,950	5,781,500	94,450	1.6%
Total Principal Payments on Debt Service In Lieu of Depreciation	68,450	585,039	-	-	-	-	653,489	522,546	130,943	25.1%
Total Operating Appropriations	4,415,450	3,354,989	-	-	-	-	7,770,439	7,537,046	233,393	3.1%
NON-OPERATING APPROPRIATIONS										
Total Interest Payments on Debt	25,155	509,280	-	-	-	-	534,435	372,141	162,294	43.6%
Operations & Maintenance Reserve										#DIV/0!
Renewal & Replacement Reserve	2,931,000	2,938,500					5,869,500	3,667,000	2,202,500	60.1%
Municipality/County Appropriation	80,000	80,000					160,000	160,000	-	0.0%
Other Reserves										#DIV/0!
Total Non-Operating Appropriations	3,036,155	3,527,780	-	-	-	-	6,563,935	4,199,141	2,364,794	56.3%
TOTAL APPROPRIATIONS	7,451,605	6,882,769	-	-	-	-	14,334,374	11,736,187	2,598,187	22.1%
ACCUMULATED DEFICIT										
TOTAL APPROPRIATIONS & ACCUMULATED DEFICIT	7,451,605	6,882,769	-	-	-	-	14,334,374	11,736,187	2,598,187	22.1%
UNRESTRICTED NET POSITION UTILIZED										
Municipality/County Appropriation	80,000	80,000	-	-	-	-	160,000	160,000	-	0.0%
Other	1,688,005	2,372,769					4,060,774	2,049,187	2,011,587	98.2%
Total Unrestricted Net Position Utilized	1,768,005	2,452,769	-	-	-	-	4,220,774	2,209,187	2,011,587	91.1%
TOTAL NET APPROPRIATIONS	\$ 5,683,600	\$ 4,430,000	\$ -	\$ -	\$ -	\$ -	\$ 10,113,600	\$ 9,527,000	\$ 586,600	6.2%

* Miscellaneous line items may not exceed 5% of total operating appropriations shown below. If amount in miscellaneous is greater than the amount shown below, then the line item must be itemized above.

5% of Total Operating Appropriations \$ 220,772.50 \$ 167,749.45 \$ - \$ - \$ - \$ - \$ 388,521.95

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

RESOLUTION # 2024-317

Title: APPROVING CHANGE ORDER #2 TO FRED M. SCHIAVONE CONSTRUCTION, INC. FOR THE FINAL AS-BUILT QUANTITIES AND CONTRACT REDUCTION FOR DIAMOND BEACH PARK IMPROVEMENTS (LT-C-016)

WHEREAS, Fred M. Schiavone Inc. was awarded the Diamond Beach Park Improvement (LT-C-016) project on January 17, 2024 by Resolution #2024-63 with a contract amount of \$1,299,280.00; and Change Order #1 was awarded by Resolution #2024-187 on June 3, 2024 for a no cost 30 Day Contract Extension; and

WHEREAS, DeBlasio & Associates has submitted a proposal for Change Order #2, which includes the addition of two (2) litter receptacles and adjustments to the final as-built quantities, resulting in a contract reduction of \$60,947.04; and

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 #2, attached hereto the Final Contract Reduction is hereby approved, with the Final total contract amount reduced to \$1,238,332.96.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD			X				
COOMBS	X		X				
ROY		X	X				
PERRY			X				
SIPPEL			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 October 7, 2024


Julie A Picard, Township Clerk

DEBLASIO & ASSOCIATES

ENGINEERS, SURVEYORS AND PLANNERS

4701 NEW JERSEY AVENUE • WILDWOOD, NJ 08260

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

September 17, 2024

VIA EMAIL & REGULAR MAIL

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

**Re: Township of Lower, Cape May County, NJ
Diamond Beach Park Improvements
D&A File #: LT-C-016**

Dear Ms. Picard:

Enclosed please find three (3) copies of **CHANGE ORDER NO. 2-Final** regarding the above referenced project for review and approval. Upon execution, please return two (2) originals to our office.

Please note that this change order reflects the following:

1. Addition of Two (2) Litter Receptacles.
2. As-Built Quantity Adjustments.

Please note this change order will result in a decrease of \$60,947.04 to the original contract amount of \$1,299,280.00 for a final contract amount of \$1,238,332.96.

Should you have any questions or require any additional information, please do not hesitate to contact me at our office.

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: Mayor Frank Sippel, (via email w/encl.)
Michael Laffey, Manager (via email w/encl.)
Margaret Vitelli, QPA, Purchasing Agent (via email w/encl.)
Mitchell Plenn, Superintendent of Parks and Recreation (via email w/encl.)
Fred M. Schiavone Construction (via email w/encl.)

Client: Township of Lower
Date: 09/16/2024
Project Name: Diamond Beach Park Improvements
O&A Project #: LT-C-016

Contractor: Fred M. Schiavone Construction
P.O. Box 416
Malaga, NJ 08328

A. Extras

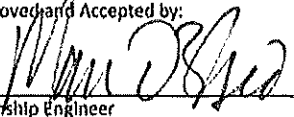
Contract Pay Item Number	Description	Unit	Quantity	Contract Unit Price	Contract Total
25	LITTER RECEPTACLE	UNIT	2	\$3,330.00	\$6,660.00
Subtotal:					\$6,660.00


B. Reductions

Contract Pay Item Number	Description	Unit	Quantity	Contract Unit Price	Contract Total
5	6" X 18" CONCRETE VERTICAL CURB	L.F.	-37	\$37.40	-\$1,383.80
6	CONCRETE BASE COURSE, 4" THICK	S.Y.	-25	\$75.80	-\$1,895.00
7	CONCRETE SIDEWALK W/ PERVIOUS PAVER BORDER, 4" THICK	S.Y.	-20	\$162.40	-\$3,248.00
8	CONCRETE SIDEWALK W/ PAVER BORDER, 4" THICK	S.Y.	-7	\$205.00	-\$1,435.00
9	ORNAMENTAL WIRE FENCE, 4' HIGH	L.F.	-11	\$108.00	-\$1,188.00
17	POURED IN PLACE SAFETY SURFACE	S.Y.	-10	\$188.10	-\$1,881.00
19	DENSE GRADED AGGREGATE BASE COURSE, 6" THICK	S.Y.	-30	\$12.65	-\$379.50
20	HOT MIX ASPHALT BASE COURSE, MIX 19M64, 2" THICK	TON	-1.37	\$385.00	-\$527.45
21	HOT MIX ASPHALT SURFACE COURSE, MIX 9.5M64, 2" THICK	TON	-9.22	\$385.00	-\$3,549.70
22	PICKLEBALL COURTS FENCING & GATES, 8' HIGH	L.F.	-5	\$181.50	-\$907.50
30	WAYFINDING SIGN (IF & WHERE DIRECTED)	UNIT	-3.5	\$9,666.00	-\$33,839.12
34	6" PERFORATED HIGH DENSITY POLYETHYLENE CULVERT PIPE	L.F.	-5	\$9.65	-\$48.25
35	12" HIGH DENSITY POLYETHYLENE CULVERT PIPE	L.F.	-1	\$80.70	-\$80.70
37	3/4" RIVER ROCK, 4" THICK	S.Y.	-8	\$34.25	-\$274.00
44	ALLOWANCE	DOLLAR	-16,970	\$1.00	-\$16,970.02
Subtotal:					-\$67,607.04

Net Contract Change: **-\$60,947.04**
Original Contract Amount: **\$1,299,280.00**
Contract Percentage Change (%): **-4.69**
Final Contract Amount: **\$1,238,332.96**

Approved and Accepted by:


Township Engineer 9/16/24
Date


Fred M. Schiavone Construction 9/16/24
Date


Township of Lower 10/8/24
Date
Mayor Frank Sippel

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

RESOLUTIUN #2024-318

Title: REAPPOINTMENT TO THE ZONING BOARD OF ADJUSTMENT

WHEREAS, Roy Abrams Jr. term on the Zoning Board of Adjustment expired September, 2024, and he has requested reappointment to the Board; and

WHEREAS, Council has reviewed the applications currently on file in the Clerk's office.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the following appointments be made:

<u>NAME</u>	<u>TYPE</u>	<u>TERM EXP</u>
Roy Abrams Jr.	Alt Member	September, 2026

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD		X	X				
COOMBS	X		X				
ROY			X				
PERRY			X				
SIPPEL			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 October 7, 2024.


Julie A Picard, Township Clerk

jpocard

From: Roy Abrams <rkkabrams@gmail.com>
Sent: Tuesday, September 17, 2024 3:44 PM
To: jpocard
Subject: External Planning board

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Picard,

Please consider this as a request to re-induct myself, Roy Abrams, Jr., as Alternate I on the Lower Township Planning Board.

Thank you

Roy Abrams Jr
609-675-0425

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

RESOLUTION #2024-319

Title: AUTHORIZATION FOR WAIVER OF FEES FOR RUN THE CREST 10 MILER – OCTOBER 5, 2024

WHEREAS, Run the Crest 10 Miler (JDL Events Management & Timing LLC) have requested the Extra Duty Police Service Contract fees be waived for this event; and

WHEREAS, the Township Council has reviewed their request and deems it appropriate to support this event.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that all permissible Township fees associated with this event be waived.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD			X				
COOMBS		X	X				
ROY	X		X				
PERRY			X				
SIPPEL			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 October 7, 2024.


Julie A Picard, Township Clerk

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

RESOLUTION #2024-320

Title: APPROVAL FOR THE 2024 LOWER TOWNSHIP VETERANS DAY PARADE


WHEREAS, Veterans are a vital part of our Community, and in honor of our Veterans, Lower Township will be hosting a Parade on Saturday, November 9, 2024; and

WHEREAS, Lower Township has received approval from the Cape May County Board of County Commissioners to close a portion of Bayshore Road (County Road No. 603) from the Villas Fire House to the Lower Township Municipal Hall from 10:00 am until the conclusion of the parade, approximately 1:00 pm.

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		X	X				
COOMBS	X		X				
ROY			X				
PERRY			X				
SIPPEL			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 October 7, 2024.


Julie A Picard, Township Clerk

Leonard C. Desiderio
Commissioner

Robert Church, P.E.
County Engineer

CAPE MAY COUNTY
OFFICE OF THE COUNTY ENGINEER

4 Moore Road – DN 402
Cape May Court House, NJ 08210-1601
(609)465-1035 Fax (609)465-1418





September 12, 2024
Eileen Kreis
Township of Lower
2600 Bayshore Road
Villas, NJ 08251

**Re: Annual Veteran's Day Parade
November 9, 2024**

Dear Ms. Kreis:

Enclosed please find a copy of Resolution No. 504-24 which was adopted by the Board of County Commissioners, Cape May County on September 10, 2024, granting permission for the above referenced festivities. Also enclosed please find a fully executed copy of the Promise of Indemnification Agreement for your records.

Very truly yours,


Robert G. Church, P.E.
County Engineer 

RGC/amc

enc.

cc: Lower Township Police Department
Road Department

**BOARD OF COUNTY COMMISSIONERS
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION**

No. 504-24

**RESOLUTION GRANTING PERMISSION TO THE TOWNSHIP OF LOWER TO
CLOSE A PORTION OF BAYSHORE ROAD (CR603) ON NOVEMBER 9, 2024
FOR THEIR ANNUAL VETERAN'S DAY PARADE**

WHEREAS, a Veteran's Day Parade will be held by the Township of Lower on Saturday, November 9, 2024; and

WHEREAS, a request has been made to close a portion of Bayshore Road (County Road No. 603) from Station Road to Fulling Mill Road (County Road No. 654) from approximately 10:00 a.m. until approximately 1:00 p.m.; and

NOW, THEREFORE, BE IT RESOLVED by the Cape May County Board of County Commissioners that permission is hereby granted to the Township of Lower to close a portion of Bayshore Road (CR603) from Station Road to Fulling Mill Road (CR654) beginning at 10:00 a.m. and continuing until approximately 1:00 p.m.; and

BE IT FURTHER RESOLVED that permission was conditional for the Township of Lower, on Saturday, November 4, 2023 and provided to the County:

1. A duly executed Promise of Indemnification in a form acceptable to County Counsel.
2. A Certificate of Insurance naming the County of Cape May, their officers and employees as additional insured for the scheduled event.
3. A letter from Township of Lower and the Lower Township Police Department indicating that they are aware of the event and have approved the traffic control plan for the event.

BE IT FURTHER RESOLVED that the Police Department of the Township of Lower is notified of the proposed road closing.

STATEMENT

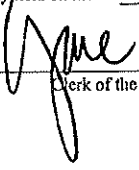
This Resolution gives permission to the Township of Lower to close a portion of Bayshore Road (CR603) for their Veteran's Day Parade on November 9, 2024.

cc: Township of Lower
Lower Township Police Department
File: Events

STATE OF NEW JERSEY) ss.:
COUNTY OF CAPE MAY)

I, Kevin Lare, Clerk of the Board of County Commissioners of the County of Cape May, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Board at a meeting duly held on the _____ 10th _____ day of

September 2024.

Signed, 
Clerk of the Board /ac

RECORD OF VOTE						
Commissioners	Ayes	Nays	Abstain	Absent	Moved	Second
Mr. Barr	✓				✓	
Mr. Bulakowski	✓					
Ms. Collette	✓					✓
Mr. Morey	✓					
Mr. Desiderio				✓		

√ - Indicates Vote Moved-Resolution Offered Second-Resolution Seconded

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

RESOLUTION #2024-321

Title: UNDER 3% EMERGENCY RESOLUTION (N.J.S.A 40A: 4-48)
CAPITAL IMPROVEMENT FUND – DOWN PAYMENT FOR BOND ORD #24-07

WHEREAS, an emergency has arisen with respect to the funds needed for the statutory obligation of a 5% down payment required for a bond ordinance as per N.J.S.A. 40A: 2-11; and

WHEREAS, inadequate provision was made in the 2024 budget for the aforesaid purpose and N.J.S.A. 40A: 4-46 provides for the creation of an emergency appropriation for the purpose above mentioned; and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$25,000.00 and three (3) percent of the total operating appropriations in the budget for 2023 is \$816,536.39; and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations in the budget for 2023.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that in accordance with N.J.S. 40A: 4-48:

1. An emergency appropriation is hereby made for:
 - CAPITAL IMPROVEMENT FUNDS
 - OTHER EXPENSES
 - PUBLIC BUILDINGS \$25,000.00
2. That said emergency appropriation shall be provided for in full in the 2025 budget and is requested to be excluded from CAPS, pursuant to N.J.S 40A: 4-53.3c(1)
3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD	X		X				
COOMBS		X	X				
ROY			X				
PERRY			X				
SIPPEL			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 October 7, 2024

Julie A. Picard / AB
Julie A Picard, Township Clerk

CERTIFICATION FOR EMERGENCY APPROPRIATION

Purpose of emergency appropriation:

Construction costs for the replacement of our Public Works building have exceeded initial estimates and it is desired that the project proceed expeditiously as it is necessary for the proper administration of our Public Works department.

Date of occurrence: 6/17/2024

Have any contracts been awarded or purchase orders placed in connection with this emergency appropriation?

Yes, for section 20 expenses only.

Lauren Read

Lauren Read
CFO, Township of Lower

Date 10/7/2024

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

RESOLUTION #2024-322

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>
142	36	Richard Clendening 8 W Bates Avenue	Exempt Veteran – 2024	\$ 381.97
344.09	18.01	Charles Long 11 Texas Avenue	Exempt Veteran	\$ 177.85

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD			X				
COOMBS		X	X				
ROY	X		X				
PERRY			X				
SIPPEL			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 October 7, 2024.


Julie A Picard, Township Clerk

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

RESOLUTION #2024-323

Title: APPROVAL OF CONTRIBUTION TO LOWER TOWNSHIP CHAMBER OF COMMERCE

WHEREAS, The Lower Township Chamber of Commerce is organized to achieve the objective of promoting business and community growth and development within by promoting economic programs designed to strengthen and expand the income potential of all business within the Township of Lower and promoting programs of civic, social and cultural nature which are designed to increase the functional and aesthetic values of the community and discovering and correcting abuses which prevent the promotion of business expansion and community growth; and

WHEREAS, the Lower Township Chamber of Commerce prints and supplies an Annual Directory to the residents of Lower Township.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lower, County of Cape May, State of New Jersey, does hereby authorize and approve a contribution of \$4,000.00 towards the Annual Directory.

BE IT FURTHER RESOLVED that the CFO, Lauren Read is hereby authorized to issue the above check chargeable to the following line item where sufficient funds are available as evidenced by her signature

Appropriation: 4-01-20-110-221

CFO's Signature: Lauren Read, CFO

Table with 8 columns: MOTION, SECOND, AYE, NAY, RECUSE, ABSTAIN, ABSENT. Rows include names: CONRAD, COOMBS, ROY, PERRY, SIPPEL. Checkmarks are present in the AYE column for CONRAD, COOMBS, PERRY, and SIPPEL, and in the MOTION column for ROY.

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 7, 2024.

Julie A. Picard / AB
Julie A Picard, Township Clerk



Lower Township Chamber of Commerce

1228 Bayshore Rd. • P.O. Box 374 • Villas, New Jersey 08251

www.lowertownshipchamber.com

ltcc@lowertownshipchamber.com • 609-886-5281 or 609-305-4153

September 21, 2024

Township of Lower

2600 Bayshore Rd

Villas, N. J. 08251

Attn: Mayor Sippel & Council

As the Lower Township Chamber approaches its **31stth** year of serving and assisting our business community, we humbly ask your assistance once more.

Since we are growing the content of our guide with more information about our Mayor, Council, Police Department, Fire Departments, Atlanticare and, of course, ads from our business community, we continue to expand our distribution sources. Our local Library and our Board of Commissioners office have asked for our guides along with new and larger member establishments.

We are keeping our print quantity to 12,000 – 15,000 copies which will be distributed to our local WAWA's; ACME, Post Offices, The Ferry Terminal, and, of course, to our Municipal Building. Also, each business advertiser will receive numerous copies for their establishments. They will be a part of our famous WELCOME BAGS which are given to each person/family purchasing a home or business in Lower Township through our Realtors and Title Companies.

This year, we are dedicating a portion of our guide to ANNIE & JOE SALVATORE, who have put their heart and soul in to the success shown at HISTORIC COLD SPRING VILLAGE and the NAVAL AIR STATION MUSEUM. There will be an article written by our member, K -ADAMS WRITES (Kirsten Adams) with pictures included. In addition, there will be a video documentary shown at our Holiday luncheon in December by our member, LaVINCI PRODUCTIONS (Michael LeVancher)

Through working with SAMPLE MEDIA, we are excited about this growth, however, with growth there is cost. Between distribution and delivery, we will be incurring additional expenses in printing and delivery costs more than ever this year.

We hope you will consider our request of funds, this year, in the amount of \$4000.00 to assist us in covering our additional costs as we continue to promote our Township!

Thanking you, in advance, for your consideration of our request, I remain,

Respectfully,

Linda J. Williams

Executive Director – Lower Township Chamber of Commerce

First Community in Cape May County, New Jersey, 1640

**Cold Spring • Diamond Beach • Erma • Fishing Creek • North Cape May
Schellenger's Landing • Shawcrest • Sunset Beach • Townbank • Villas**

Home of the Best Sunsets!

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

RESOLUTION #2024-324

Title: A RESOLUTION AWARDING A NON-FAIR AND OPEN CONTRACT TO PROPHOENIX CORPORATION TO RENEW THE SOFTWARE AND MAINTENANCE FOR LOWER TOWNSHIP FIRE SAFETY

WHEREAS, there exists a need for Lower Township Fire Safety to renew the Software and Maintenance with ProPhoenix Corporation Software for Inspections; and

WHEREAS, services such as support and/or maintenance of proprietary hardware and software may be exempt from public bidding as per the New Jersey Local Public Contract Law under Exceptions Section 40A:11-5(dd); and

WHEREAS the award of the contract to ProPhoenix is being made pursuant to N.J.S.A. 19:44A-20.5 and ProPhoenix has provided current Non-Fair and Open Certifications are filed with the Township; and

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

Appropriation: 4-01-25-265-201

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 the contract is hereby awarded:

AWARD: PROPHOENIX CORPORATION
TOTAL \$7,843.03

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD			X				
COOMBS	X		X				
ROY		X	X				
PERRY			X				
SIPPEL			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 October 7, 2024.

Julie A. Picard
Julie A Picard, Township Clerk /AB

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

RESOLUTION #2024-325

Title: APPROVING CHANGE ORDER #3 TO FRED M. SCHIAVONE CONSTRUCTION, INC. FOR A CONTRACT EXTENSION OF 45 DAYS FOR FRANCES AVENUE EMERGENCY STORM SEWER PIPING AT OHIO PUMP STATION (LT-C-045)

WHEREAS, Fred M. Schiavone Inc. was awarded the Frances Avenue Ohio Pump Station Emergency Repair project (LT-C-045) on May 6, 2024 by Resolution #2024-163, with a contract amount of \$582,800.00; a contract Extension of 35-Days at no cost was passed by Resolution #2024-274 on August 19, 2024; and on September 16, 2024 Resolution #2024-298 was passed for additional Piping for \$27,428.00; and

WHEREAS, DeBlasio & Associates has submitted a request for Change Order #3 proposing a no-cost extension of forty-five (45) calendar days to Fred M. Schiavone, resulting in a new contractual completion date of October 30, 2024.

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 #3, attached hereto and at no additional cost, is hereby approved, extending the contract by 45 Days is hereby approved, with the total contract amount remaining \$610,228.90.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD	X		X				
COOMBS		X	X				
ROY			X				
PERRY			X				
SIPPEL			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 October 7, 2024


Julie A. Picard, Township Clerk

DEBLASIO & ASSOCIATES

ENGINEERS, SURVEYORS AND PLANNERS

4701 NEW JERSEY AVENUE • WILDWOOD, NJ 08260

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

September 24, 2024

VIA EMAIL & REGULAR MAIL

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

**Re: Township of Lower, Cape May County, NJ
Frances Avenue Emergency Storm Sewer Replacement
D&A File #: LT-C-045**

Dear Ms. Picard:

Enclosed please find three (3) copies of **CHANGE ORDER NO. 3** regarding the above referenced project for review and approval. Upon execution, please return two (2) copies to our office.

Please note that this change order reflects the following:

1. Contract Time Extension – 45 Days.

Please note this change order will not result in any change to the contract value.

Should you have any questions or require any additional information, please do not hesitate to contact me or Will Hanson at our office.

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



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

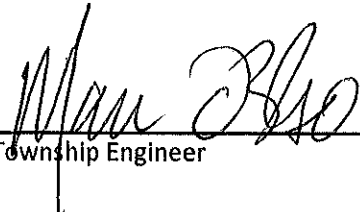
cc: Mayor Frank Sippel, (via email w/encl.)
Michael Laffey, Manager (via email w/encl.)
Margaret Vitelli, QPA, Purchasing Agent (via email w/encl.)
Gary Douglass, Superintendent of Public Works (via email w/encl.)
Fred M. Schiavone Construction (via email w/encl.)

Client: Township of Lower
Date: September 19, 2024
Project Name: Francis Avenue Emergency Storm Sewer Replacement
D&A Project #: LT-C-045

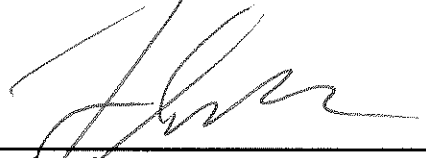
Contractor: Fred Schiavone Construction
PO Box 416
Malaga, NJ 08328

A. Contract Time Extension - 45 Days

Approved and Accepted by:


Township Engineer 9/23/24
Date

Roberta M. Schiavone 9/19/24
Fred M. Schiavone Construction, Inc. Date


Township of Lower 10/8/24
Date
Mayor Frank Sippel

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

RESOLUTION #2024-326

Title: CERTIFICATION OF BEST PRACTICES INVENTORY

WHEREAS, the New Jersey State Appropriations Act (P.L. 2011, c85) requires the Division of Local Government Services (DLGS) to determine the payment amount for each municipality's final share of State Aid based upon the results of the Best Practices Checklist; and

WHEREAS, the purpose of the Best Practices worksheet is to promote and improve financial accountability and transparency by withholding some or all of the final payment of State Aid from municipalities who do not score high enough on the annual worksheet; and

WHEREAS, the attached 2024 Best Practices Inventory for the Township of Lower shows the Township scored a 44.5 of a possible 46.5 (no aid withholding for scores > 35).

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the 2024 Best Practices Inventory has been reviewed and can be forwarded to the State of New Jersey Department of Community Affairs.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD		X	X				
COOMBS	X		X				
ROY			X				
PERRY			X				
SIPPEL			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 October 7, 2024


Julie A Picard, Township Clerk

Best Practices Inventory Online Platform

Survey

Lower Township

Printable Current Answers

001a	Unscored Survey	Affordable Housing	[0.00] No
Has your municipality been authorized to collect residential development fees to be deposited into an Affordable Housing Trust Fund?			
001b	Unscored Survey	Affordable Housing	Comment: Answered No
If the answer to Question 1a is "Yes" on what date did the municipality first start collecting residential development fees. Fill-in date under Comments as MM/DD/YYYY. If 1a was answered "No" insert "Answered No" under Comments.			
001c	Unscored Survey	Affordable Housing	[0.00] N/A
If the answer to Question 1a is "Yes" has your municipality adopted an ordinance setting forth conditions associated with affordable housing residential development fees? If so, fill-in the date the ordinance was adopted under Comments as MM/DD/YYYY. If not, insert "Answered No" or "Answered N/A" under Comments.			
002a	Unscored Survey	Affordable Housing	Comment: Answered No
Has your municipality been assessing non-residential development fees pursuant to N.J.S.A. 40:55D-8.1 et seq.?			
002b	Unscored Survey	Affordable Housing	[0.00] Yes
If the answer to Question 2a is "Yes" are the fees retained by the municipality in its own Affordable Housing Trust Fund or submitted to the State Treasurer?			
			[0.00] N/A
Comment: We have yet to collect the fees. When received, they will be remitted to the State.			

003a	Unscored Survey	Affordable Housing	[0.00] No
Did your municipality receive Regional Contribution Agreement (RCA) funds prior to 2008?			
003b	Unscored Survey	Affordable Housing	[0.00] N/A
If the answer to Question 3a was "Yes" have all RCA funds been expended pursuant to the approved RCA?			
003c	Unscored Survey	Affordable Housing	[0.00] N/A
If the answer to Question 3b was "No" is the unspent balance of RCA funds currently in your municipality's Affordable Housing Trust Fund?			
004	Unscored Survey	Affordable Housing	[0.00] Yes Comment: 45
Does your municipality have a third-round fair share affordable housing present need obligation? If so, the number of units completed that fulfill your municipality's third-round present need obligation under Comments (please only include numbers without text or explanation to facilitate tabulation). If your municipality does not have a third-round present need obligation, type "Answered No" under Comments. If responding "Other" please explain the reason under Comments.			
005a	Unscored Survey	Affordable Housing	[0.00] Yes Comment: 126
Does your municipality have a third-round fair share affordable housing prospective need obligation? If so, please provide your municipality's third-round fair share affordable housing prospective need obligation under Comments (please only include numbers without text or explanation to facilitate tabulation). This information can typically be found in your municipality's affordable housing settlement agreement, if one exists. Answer "No" if your municipality is an Urban Aid municipality that meets the qualification formula for an exemption from prospective need. If your municipality does not have a third-round prospective need obligation, type "Answered No" under Comments. If responding "Other" please explain the reason under Comments.			
005b	Unscored Survey	Affordable Housing	Comment: 0
If the answer to Question 5a is "Yes" please provide the number of units completed that fulfill your municipality's third-round prospective need obligation under Comments (please only include numbers without text or explanation to facilitate tabulation). If your municipality does not have a third-round prospective need obligation, type "Answered No" under Comments. If your answer to Question 5a is "Other" please state the reason under Comments.			

006	Unscored Survey	Affordable Housing	[0.00]	No
Has your municipality been the subject of a builder's remedy lawsuit for its third-round prospective need obligation in which the court imposed a judgment in favor of the builder?				
007a	Unscored Survey	Affordable Housing	[0.00]	No
Has your municipality reached an affordable housing settlement agreement for the third round with the Fair Share Housing Center, a builder, or any other interested party?				
007b	Unscored Survey	Affordable Housing	[0.00]	N/A
If the answer to Question 7a is "Yes" was the agreement approved by the courts and your municipality granted a Judgment of Compliance and Repose and Temporary Immunity from exclusionary zoning lawsuits?				
007c	Unscored Survey	Affordable Housing	[0.00]	N/A
If the answer to Question 7a is "Yes" does the settlement agreement impose a prospective need obligation, net of bonuses, credits, and realistic development potential adjustments, that was greater than zero?				
008	Unscored Survey	Affordable Housing	[0.00]	Yes
Has your municipality formally appointed a municipal housing liaison?				
009a	Unscored Survey	Broadband	[0.00]	No
Does your municipality have a municipally-owned fiber network providing broadband access?				
009b	Unscored Survey	Broadband	[0.00]	No
If the answer to Question 9a is "No" is your municipality actively considering or taking steps towards the build-out of a municipally-owned fiber network providing broadband access?				

010	Core Competencies	Budget	[1.00] Yes
<p>Unless the Local Finance Board sets forth a later date pursuant to N.J.S.A. 40A:4-5.1, N.J.S.A. 40A:4-5 requires that calendar year municipalities approve their introduced budgets no later than February 10 (or August 10 for state fiscal year municipalities) and N.J.S.A. 40A:4-10 requires that calendar year municipalities adopt their budgets no later than March 20 (or September 20 for state fiscal year municipalities). For CY2024 budgets the Local Finance Board extended these dates to March 29 and April 30, respectively, or the next regularly scheduled governing body meeting thereafter (See Local Finance Notice 2023-22). Timely budget adoption helps a municipality avoid having to issue estimated tax bills or tax anticipation notes (TANs). Did your municipality introduce and adopt its current year budget no later than the extended dates authorized by the Local Finance Board? This question may only be answered N/A if your municipality's budget is subject to adoption by the Local Finance Board under State Supervision or if the Division instructed the municipality to delay budget adoption.</p>			
011	Core Competencies	Budget	[1.00] Yes
<p>N.J.S.A. 40A:5-12 requires the chief financial officer of each municipality to file the Annual Financial Statement (AFS) with the Division no later than February 10 (August 10 for SFY municipalities). Local Finance Notice 2023-22 announced the extension of this deadline to March 8. The statute specifies a \$5 per day penalty payable by the CMFO for failing to file the AFS within 10 days of after the time fixed for filing. Did your municipality file its AFS with the Division by no later than March 8 (or August 10 for SFY municipalities)?</p>			
012	Core Competencies	Budget	[1.00] Yes
<p>Pursuant to N.J.S.A. 40A:2-40, the chief financial officer each municipality shall, before the end of the first month of the fiscal year, file its Annual Debt Statement with the Division of Local Government Services. Did your municipality file its Annual Debt Statement for the preceding fiscal year with the Division no later than January 31 (July 31 for SFY municipalities)?</p>			
013	Core Competencies	Budget	[1.00] Yes
<p>Recent amendments to N.J.A.C. 5:30-7.4 disqualify from local examination a municipality that has failed to submit to the Division the user-friendly budget section corresponding with the previous year's adopted budget. Has your municipality electronically submitted to the Division the User-Friendly Budget section of its adopted CY2023/SFY2024 and CY2024 budgets?</p>			
014	Core Competencies	Budget	[1.00] Prospective
<p>Revenue from a local cannabis tax is required to be entered on the municipal budget under FCOA Code 08-240. If your municipality has adopted a local cannabis tax, does your municipal budget list revenue from its local cannabis tax under FCOA Code 08-240? Only answer N/A if your municipality has not adopted a local cannabis tax.</p>			

015	Best Practices	Budget	Has your municipality created an accumulated absence liability trust fund pursuant to N.J.A.C. 5:30-15.5, and annually deposit appropriations into the fund? Only answer N/A if your municipality 1) does not offer (for any employee hired after a certain date) payouts upon retirement for accumulated sick leave, and 2) no current employee has a grandfathered right to sick leave payouts upon retirement	[0.50] Yes
016	Best Practices	Budget	N.J.S.A. 40A:4-62.1 allows municipalities to establish a storm recovery reserve for purposes such as, but not limited to, snow, ice, and debris removal. Unexpended balances budgeted annually for storm recovery purposes may be lapsed into the reserve. Has your municipality established a storm recovery reserve to ensure the consistent availability of funds for this purpose?	[0.50] Yes
017	Core Competencies	Capital Projects	Sections 7 and 8 of P.L. 2021, c. 184 amended N.J.S.A. 40A:4-43 and 4-44 to require any municipality having its own water system to reflect in its capital budget and capital program the water infrastructure improvements listed on the annual Water Quality Accountability Act (WQAA) capital improvement report submitted to the Department of Environmental Protection (DEP). The Local Finance Board recently adopted amendments to N.J.A.C. 5:30-4.3 incorporating this statutory change into the municipal budget process. If your municipality has its own water system, does the capital budget and program reflect the capital projects listed in the annual WQAA report submitted to DEP that fall within the time period of the municipality's capital budget and capital program?	[1.00] N/A
018	Core Competencies	Capital Projects	Has your municipality adopted a capital program as defined by N.J.A.C. 5:30-4.2, meaning a moving, multi-year plan and schedule for capital projects (including prospective financing sources) and, when pertinent, first year operating costs and savings? Only answer N/A if your municipality does not have a capital budget and is not required to adopt a capital budget pursuant to N.J.A.C. 5:30-4.3.	[1.00] Yes
019	Core Competencies	Cybersecurity	Is Multi Factor Authentication (MFA) required for remote access to your municipality's network? If yes, please state under Comments where your municipality deploys MFA (e.g. banking, privileged users in-network, off-network back ups).	[1.00] Yes Comment: Banking
020	Core Competencies	Cybersecurity	Does your municipality require a password policy for all network users requiring alphanumeric complexity, length requirements, and either 1) at least annual updating; or 2) a password meeting advanced standards such as those from the National Institute of Standards & Technology (NIST)?	[1.00] Yes

021	Best Practices Cybersecurity	Has your municipality enrolled for membership in the New Jersey Cybersecurity & Communications Integration Cell (NJCCIC)? An NJCCIC membership provides access to the latest cyber alerts, bulletins, training notifications and other important updates.	[0.50] Yes
022	Best Practices Environment	Have one or more public electric vehicle charging stations been installed on municipal property?	[0.00] No
023	Best Practices Environment	When purchasing new vehicles, does your municipality have a formal policy to purchase hybrid or alternative fuel vehicles whenever such vehicles are suited to the intended use? Only answer N/A if your municipality does not own any vehicles.	[0.00] No
024	Core Competencies Ethics	The Local Government Ethics Law, designed to ensure transparency in government, requires local government officers to file Financial Disclosure Statements (FDSs) annually. Compliance by local elected officials is required by N.J.S.A. 40A:9-22.6. Did all governing body members timely file their annual Financial Disclosure Statements for 2024 such that they were not issued a Notice of Violation (NOV) by the Local Finance Board? A "No" answer is permissible if the governing body members' NOV were rescinded by the Board. Only answer N/A if your municipality has an ordinance on the books establishing a municipal ethics board.	[1.00] Yes
025	Core Competencies Ethics	If your municipality has a municipal ethics board, did the municipal ethics board enforce the Financial Disclosure Statement (FDS) statute by issuing violations to local government officers (LGOs) who were on the 2024 roster but did not file the FDS by April 30, 2024? Only answer N/A if your municipality does not have an ordinance on the books establishing a municipal ethics board.	[1.00] N/A
026	Core Competencies Ethics	N.J.S.A. 2C:51-2d permanently disqualifies from future public employment any person convicted of an offense "relating directly to the person's performance in, or circumstances flowing from, the specific public office, position or employment held by the person." Disqualification from public employment relating to a conviction for a disorderly persons or petty disorderly persons offense may be waived by the court upon application of the county prosecutor or the Attorney General and for good cause shown. As part of any job application process, does your municipality ask whether the applicant is currently disqualified from public employment due to a criminal conviction for which N.J.S.A. 2C:51-2d applies?	[1.00] Prospective

027

Core Competencies

Financial Administration

[1.00] Yes

At its July 2023 meeting, the Local Finance Board adopted an amendment to N.J.A.C. 5:30-8.2 that converted the previously suggested surety bond schedule for a CMFO to a mandatory minimum schedule. This change came into effect on January 1, 2024. See Local Finance Notice 2023-21 for further details and to view the exposure index. Through a blanket bond or an individual bond, does your municipality provide a fidelity bond with faithful performance coverage for the CMFO that meets at least the minimum schedule set forth in N.J.A.C. 5:30-8.2?

028

Core Competencies

Financial Administration

[1.00] Yes

At its July 2023 meeting, the Local Finance Board adopted updates to N.J.A.C. 5:30-5.7 requiring municipalities to maintain a general ledger for not only the current fund, but also for all other funds, as well as post totals for all funds to the general ledger on at least a monthly basis and maintain required original books of entry in an electronic format. See Local Finance Notice 2024-09 for further details. Does your municipality maintain a general ledger for its current fund and all other funds in accordance with N.J.A.C. 5:30-5.7?

029

Core Competencies

Financial Administration

[1.00] Yes

Does your municipality post totals for all funds to the general ledger on at least a monthly basis?

030

Core Competencies

Financial Administration

[1.00] Yes

Does your municipality maintain required original books of entry in an electronic format?

031

Core Competencies

Financial Administration

[1.00] Yes

N.J.S.A. 40A:5-7 requires a synopsis of all audits, together with the auditor's recommendations, to be prepared and published by the municipal clerk at least once in the municipality's official newspaper or, if there is none, in a newspaper published in the local unit or, if there is no newspaper published in the local unit, in a newspaper having a general circulation in the municipality. If the municipal clerk fails to have publication of the synopsis and recommendations made within 30 days of receipt of the annual audit, the clerk shall be subject to a fine of \$10,000 payable to the local unit for each day after the expiration of the 30 days that such publication fails to appear. At its July 2023 meeting, the Local Finance Board adopted updates to N.J.A.C. 5:30-6.4 that codifies the minimum content of the synopsis of audit along with the process for publishing the synopsis and corrective action plan. See Local Finance Notice 2024-10 for further details. Does your municipality publish the synopsis of audit as required pursuant to N.J.S.A. 40A:5-7?

032	Core Competencies	Financial Administration	Local Finance Notice 2024-11 updates municipalities and fire districts on current IRS guidance and Federal Fair Labor Standards Act (FLSA) guidance pertaining to incentives paid to volunteer firefighters and EMS (other than LOSAP). Nominal stipends funded through the federal Staffing for Adequate Fire and Emergency Response (SAFER) program's volunteer firefighter recruitment and retention (R&R) grant is also discussed. Has your municipality reviewed its volunteer fire and EMS incentives for compliance with federal requirements?	[1.00] N/A Comment We currently do not pay incentives to volunteer fire/EMS personnel.
033	Best Practices	Financial Administration	N.J.A.C. 5:30-8.3(a)(3) establishes a schedule of minimum dollar amounts for tax collector surety bonding. However, to provide a higher level of security for public funds, municipalities are encouraged to adopt the more stringent schedule for tax collector surety bonding specified in N.J.A.C. 5:30-8.3(a)(4). Has your municipality adopted the more stringent surety bonding schedule for tax collectors set forth in N.J.A.C. 5:30-8.3(a)(4) or higher?	[0.50] Yes
034	Best Practices	Financial Administration	N.J.A.C. 5:30-8.4 (a) establishes a schedule of minimum dollar amounts for municipal court surety bonding, specifically for municipal judges and municipal court administrators. However, subsection (b) of 5:30-8.4 encourages municipalities to adopt a more stringent schedule for municipal court surety bonding that is specified in the subsection. Has your municipality adopted the more stringent surety bonding schedule for municipal court judges and court administrators set forth in N.J.A.C. 5:30-8.4(b) or higher?	[0.50] Yes
035	Core Competencies	Lead Remediation	Subsection h. of N.J.S.A. 52:27D-437.16 requires each municipality to assess an additional fee of \$20 per unit inspected for lead hazards and deposited into the Department of Community Affairs' Lead Hazard Control Assistance Fund established pursuant to N.J.S.A. 52:27D-437.4. Has your municipality assessed and collected the above-reference \$20 fee assessment for each lead inspection and sent the proceeds to the Department of Community Affairs' Division of Housing & Community Resources for deposit into the Fund?	[1.00] Prospective
036a	Unscored Survey	Lead Remediation	Does your municipality have a permanent local agency that is currently conducting inspections for lead-based paint hazards in rental dwellings and enforcing the provisions of P.L. 2021, c. 182? If your answer is "Other" fill-in the name of the municipal agency under Comments. If your answer is "Shared Service", please fill-in the name of the agency and the local unit providing the service under Comments. Further information concerning the requirements of this recently enacted law are available at https://www.nj.gov/dca/codes/resources/leadpaint.shtml .	[0.00] Code Enforcement (non-UCC)

036b	Unscored Survey	Lead Remediation	[0.00] N/A Comment: Using in-house employee for inspections
If your municipality does not have a permanent local agency or a shared service currently conducting inspections for lead-based paint hazards in rental dwellings to enforce the provisions of P.L. 2021, c. 182, has your municipality retained a lead evaluation contractor to provide paid lead inspection services?	Unscored Survey	Lead Remediation	[0.00] N/A Comment: Using in-house employee for inspections
037a	Unscored Survey	Lead Remediation	[0.00] No
Pursuant to P.L. 2021, c. 182, has your municipality identified rental dwellings that have experienced tenant turnover since July 22, 2022?	Unscored Survey	Lead Remediation	[0.00] N/A
037b	Unscored Survey	Lead Remediation	[0.00] N/A
If your municipality has identified rental dwellings that have experienced tenant turnover since July 22, 2022, have all of those units been inspected prior to re-occupancy?	Unscored Survey	Lead Remediation	[0.00] N/A
038a	Unscored Survey	Lead Remediation	[0.00] N/A
The method of lead-based paint hazard inspection required for each municipality is at https://www.nj.gov/dca/codes/publications/pdf_lead_doh_lead_data_insp.pdf . If your municipality is required to perform a visual inspection, how many visual lead-based paint inspections did your municipality conduct (directly, through shared services, or through a certified lead evaluation contractor) since 2022? Please only include numbers (no text or explanation) under Comments to facilitate tabulation.	Unscored Survey	Lead Remediation	[0.00] N/A
038b	Unscored Survey	Lead Remediation	[0.00] N/A
If your municipality is required to perform a dust wipe swiping under https://www.nj.gov/dca/codes/publications/pdf_lead_doh_lead_data_insp.pdf , how many dust wipe-sampling lead-based paint inspections did your municipality conduct (directly, through shared services, or through a certified lead evaluation contractor) since 2022? Please only include numbers (no text or explanation) under Comments to facilitate tabulation.	Unscored Survey	Lead Remediation	[0.00] N/A
038c	Unscored Survey	Lead Remediation	[0.00] N/A
How many post-remediation lead-based paint inspections has your municipality conducted (directly, through shared services, or through a certified lead evaluation contractor) since 2022? Please only include numbers (no text or explanation) under Comments to facilitate tabulation.	Unscored Survey	Lead Remediation	[0.00] N/A

038d

Unscored Survey

Lead Remediation

How many lead safe certifications have been issued by your municipality since 2022? Please only include numbers (no text or explanation) under Comments to facilitate tabulation.

Comment 0

039

Core Competencies

Personnel

For any municipal officers and employees NOT required by contract or municipal policy to make health benefit contributions following the Chapter 78 health benefit contribution grid (excluding Rx and dental), is your municipality requiring those employees to contribute at least 1.5% of base salary towards health benefits pursuant to P.L. 2010, c. 2? See Local Finance Notices 2010-12 and 2011-20R for further details. Answer N/A if all of your municipality's officers and employees are required by contract or municipal policy to contribute at least the amount required by P.L. 2011, c. 78 for health benefits.

[1.00] Yes

040

Core Competencies

Personnel

Payments for waivers filed before May 21, 2010 and maintained continuously since, cannot exceed fifty percent (50%) of the amount saved by the local unit as a result of the employee's waiver of coverage. For waivers filed on or after May 21, 2010, which is the effective date of P.L. 2010, c. 2, payments cannot exceed the lesser of twenty-five percent (25%) of the amount saved by the local unit as a result of the waiver, or \$5,000. When calculating an employee's waiver payment, the local unit must deduct the employee's healthcare contribution obligation from the total premium cost. Local units have sole discretion as to whether or not to offer employees payments for waiver of health benefits, and may offer waiver payments below the statutory maximum. Health benefit waiver payments are statutorily excluded from collective bargaining. See Local Finance Notices 2010-12 and 2016-10 for further discussion on health benefit waiver payments. Are your municipality's healthcare waiver payments at or below the statutory maximum? "N/A" is only applicable where the municipality does not make payments in lieu of health benefits.

[1.00] Yes

041

Core Competencies

Personnel

The Fair Labor Standards Act (FLSA) is a federal law requiring that overtime pay must be paid for all hours over 40 hours in a work week except for those employees classified as exempt and thus not entitled to overtime. Management employees such as elected officials, managers/administrators, municipal clerks, CFOs, public works superintendents, police chiefs and other department heads are typically classified as having exempt status and thus not entitled to overtime pay. Other municipal employees may also be classified as exempt under the FLSA (please consult labor counsel for detailed guidance). Exempt status also precludes overtime pay for time worked during emergencies, attendance at night meetings and participation in training sessions. Compensated leave time in lieu of cash payments is considered a form of overtime pay unless such leave is utilized in the same pay period. Does your municipality refrain from paying overtime to employees classified as exempt under the FLSA?

[0.00] No

042	Core Competencies	Personnel	Has your municipality reviewed and updated its employee personnel manual/handbook within the past three years or upon the conclusion of each of your municipality's collective negotiated agreements (CNAs)? If yes, please provide in the Comments section the date which the personnel manual was officially updated using the MM/DD/YYYY format. If not yes, please type "Did Not Answer Yes" into the comment box.	[1.00] Yes Comment 4/4/22
043	Core Competencies	Personnel	At its July 2023 meeting, the Local Finance Board updated N.J.A.C. 5:30-16.2 to require a municipality's purchasing agent, certified public works manager, and business administrator/municipal manager to register for GovConnect by November 1, 2023. If your municipality has one or more of the above-referenced titles, have the individuals in those titles registered for GovConnect?	[1.00] Yes
044	Unscored Survey	Personnel	Does your municipality currently have an unlicensed individual serving as an acting municipal clerk, temporary chief municipal finance officer, temporary purchasing agent, and/or a temporary chief public works manager? Select as many as are applicable or None of the Above.	[0.00] No
045	Unscored Survey	Personnel	Does your municipality currently retain a chief financial officer through a professional services contract?	[1.00] Yes
046	Core Competencies	Procurement	The purchase of insurance coverage and consultant services is a limited exception to public bidding by virtue of being deemed an Extraordinary Unspecifiable Service (EUS) pursuant to N.J.S.A. 40A:11-5(a)(ii) and 40A:11-5(1)(m). Page 3 of Local Finance Notice AU-2002-2 for further details. The standard EUS certification declaration (do not submit the form to DLGS) is available at https://www.nj.gov/dea/divisions/dlgs/programs/ipld_docs/eus_letter.pdf . If your municipality has procured insurance under the EUS exception to public bidding, has your municipality followed the procedural requirements of an EUS in doing so?	[1.00] Yes Comment Resolution #24-161
047	Core Competencies	Procurement	N.J.S.A. 34:1A-1.16 authorizes the New Jersey Department of Labor and Workforce Development (NJDO) to create a list on its website, dubbed the Workplace Accountability in Labor List (The WALL), of any person found in violation of any State wage, benefit, and tax laws and against whom a final order has been issued by the NJDO. For such violation, A contract cannot be awarded to any contractor or vendor appearing on the WALL, which is available at https://www.nj.gov/labor/ea/ossec/wall.shtml . Is your municipality cross checking prospective vendor or contractor names against the WALL before awarding any contract over the quote threshold?	[1.00] Yes

048	Core Competencies	Procurement	P.L. 2023, c. 138 requires public works contractor registration and payroll certification for public works projects to be completed online at https://njwages.nj.gov/ . Municipalities were required to be registered prior to August 15, 2024. Email njwagehubinfo@dol.nj.gov for assistance with registration. In addition to the NJ Wage Hub online requirements, certified payrolls shall continue to be submitted to the municipality in the manner and process that is consistent with each body's previous receipt of certified payrolls (e.g. email, fax). Is your municipality registered with NJDOL's online certified payroll system?	[1.00] Yes
049	Best Practices	Procurement	If your municipality contracts with an insurance broker for health insurance, and said contract exceeds the Local Public Contracts Law (LPCL) bid threshold, is your municipality's health insurance broker being procured through a competitive contracting or sealed bid process conducted pursuant to the Local Public Contracts Law? Only answer N/A if your municipality does not contract with an insurance broker for health insurance or, if it does, the contract does not exceed your municipality's LPCL bid threshold.	[0.50] N/A
050	Best Practices	Procurement	Insurance broker fees dependent on the amount of health insurance premiums or fees paid by the municipality are vulnerable to abuse as brokers could face conflicting incentives in seeking lower-cost health insurance alternatives. If your municipality contracts with an insurance broker for health insurance, is the structure for broker payments set at a flat-fee rather than on a commission basis to mitigate the risk of a broker recommending more expensive health insurance coverage to earn higher fees? Only answer N/A if your municipality does not contract with an insurance broker for health insurance.	[0.50] Yes
051	Core Competencies	Shared Services	N.J.S.A. 40A:65-4(b) requires a copy of each shared services agreement to be filed with the Division of Local Government Services. Has your municipality filed with the Division the most current copy of each shared services agreement under which the municipality provides one or more services to another local unit as defined by N.J.S.A. 40A:65-3 of the Uniform Shared Services and Consolidation Act? Only answer N/A if your municipality does not provide a shared service to another local unit.	[1.00] Yes

052a	Unscored Survey	Shared Services	Comment N/A
<p>If your municipality currently provides a chief financial officer, tax collector, tax assessor, municipal clerk, qualified purchasing agent, certified public works manager, municipal treasurer, and/or a public works superintendent to another municipality pursuant to a shared services agreement, please select one or more of the options provided and list under Comments each municipality (and the county in which that municipality is located) along with the position being provided to that municipality. If your municipality currently provides none of these positions pursuant to a shared services agreement, select None of the Above and insert N/A into Comments.</p>			
052b	Unscored Survey	Shared Services	Comment N/A
<p>If the answer to Question 52a is yes, did one or more of the identified shared service agreements result in the dismissal of a tenured official? If yes, please insert under Comments 1) the position or positions where an agreement resulted in the dismissal of a tenured official; and 2) an estimate of the cost savings anticipated to be achieved by the participating municipalities at the outset of the agreement. If the answer is No or N/A, please insert "No" or "N/A" under Comments. See LFN 2018-3R for more information on this provision of the Common Sense Shared Service Act.</p>			
053a	Unscored Survey	Special Improvement Districts	[0.00] No
<p>Has your municipality designated one or more special improvement districts (SIDs) pursuant to N.J.S.A. 40:56-71?</p>			
053b	Unscored Survey	Special Improvement Districts	[0.00] N/A
<p>If your municipality has designated one or more special improvement districts (SIDs) pursuant to N.J.S.A. 40:56-71, does one or more SID have a business improvement zone established pursuant to N.J.S.A. 40:56-71.1 et seq.? Answer N/A if your municipality does not have a SID.</p>			
054	Core Competencies	Transparency	[1.00] Yes Comment: https://townshipoflower.org/mayor.php
<p>Are your municipality's codified and uncodified ordinances, including all current salary ordinances, posted on the municipality's website? Please provide the link to the webpage on which the ordinances are posted under Comments. If the answer is "No" type "Answered No" under Comments.</p>			
055	Core Competencies	Transparency	[1.00] Yes Comment: https://townshipoflower.org/planning-zoning.php
<p>Does your municipality maintain on its website minutes and agendas for the governing body, planning board, board of adjustment and all commissions? Please provide the link to the webpage on which the agendas and minutes are listed under Comments. If the answer is "No" type "Answered No" under Comments.</p>			

056	Core Competencies	Transparency
<p>Does your municipality's website have a calendar that is regularly updated with the meeting dates for governing body meetings along with the meetings of all other boards, committees, and commissions? Please provide the link to the webpage on which the calendar is listed under Comments. If the answer is "No" type "Answered No" under Comments.</p>		<p>[1.00] Yes Comment https://townshipofflower.org/mayor.php</p>
057	Core Competencies	Transparency
<p>Does your municipality maintain on its website the previous three years of adopted budgets and the current year introduced or adopted budget, inclusive of the user-friendly budget section? Please provide the link to the webpage on which the budgets are posted under Comments. If the answer is "No" type "Answered No" under Comments.</p>		<p>[1.00] Yes Comment https://townshipofflower.org/treasurer-f</p>
058	Core Competencies	Transparency
<p>Does your municipality maintain on its website the most recent annual financial statement (AFS) and annual audit, including any corrective action plan? Please provide the link to the webpage on which both are posted under Comments. If the answer is "No" type "Answered No" under Comments.</p>		<p>[1.00] Yes Comment: https://townshipofflower.org/treasurer-f</p>
059	Best Practices	Transparency
<p>Does your municipality post on its website all current labor agreements, including memoranda of understanding, contract amendments, and "side letter" or "side bar" agreements? Please provide the link to the webpage on which current labor agreements are posted under Comments. If the answer is "No" type "Answered No" under Comments. If the answer is "N/A", please use the comment box to provide clarification.</p>		<p>[0.50] Yes Comment https://townshipofflower.org/unioncont</p>
060	Core Competencies	Transparency
<p>N.J.S.A. 34:13A-8.2 requires public employers, including municipalities, to file with the Public Employment Relations Commission (PERC) a copy of all contracts negotiated with public employee representatives. This includes, but is not limited to, collective bargaining agreements, memoranda of understanding, contract amendments, and "side letter" or "side bar" agreements. Copies of same may be emailed to contracts@perc.state.nj.us. Has your municipality filed all current contracts with PERC? Only answer N/A if your municipality does not have any employee labor unions.</p>		<p>[1.00] Yes</p>

061	Core Competencies	Transparency	Pursuant to N.J.S.A. 34:13A-16.8(d)(2), PERC requires a summary of the cost impact associated with a municipality's completed contracts for all bargaining units. Police and fire contracts have one summary form, while non-police and fire contracts have another form. The summary forms and filing instructions are located at https://www.state.nj.us/perc/conciliation/contracts/ . Has your municipality filed the required PERC summary forms for all current completed labor agreements? Only answer N/A if your municipality does not have any employee labor unions.	[1.00] Yes
062	Core Competencies	Transparency	In accordance with Governor Murphy's Executive Order 267 dated October 8, 2021 and outlined in LFN 2022-08 dated March 2, 2022, municipalities and counties were required to provide DLGS with a copy of all American Rescue Plan (ARP) LFRF reports filed with U.S. Treasury, including Project and Expenditure Reports, Interim Reports, and Recovery Plan and Performance Reports?. Did your municipality file with DLGS all reports filed with Treasury? Only answer N/A if your municipality refused ARP LFRF Funding	[1.00] Yes
063	Core Competencies	Transparency	P.L. 2023, c. 30, known as the "Elections Transparency Act," made various significant changes to New Jersey's pay-to-play laws. One of these changes is the prohibition on imposing pay-to-play provisions that are more restrictive than those in State law. The repeal of N.J.S.A. 40A:11-51, the statute that originally authorized local pay-to-play restrictions or grandfathered existing ones, is effective retroactive to January 1, 2023. See Local Finance Notice 2023-14 for further details. Has your municipality repealed any local pay-to-play ordinances or resolutions originally authorized or grandfathered by N.J.S.A. 40A:11-51? Answer N/A if your municipality did not have local pay-to-play restrictions on the books.	[1.00] Yes
064	Best Practices	Transparency	Does your municipality feature a link on its website to the Division of Taxation's Property Tax Relief Program webpage at https://www.state.nj.us/treasury/taxation/relief.shtml ?	[0.50] Yes
065a	Unscored Survey	Transparency	Does your municipality have one or more official social media accounts? Please select all that apply.	
065b	Unscored Survey	Transparency	If your answer to Question 65a is "Yes", does your municipality allow comments on its social media posts?	[0.00] Yes

065c

Unscored Survey

Transparency

If your answer to Question 65b is "Yes", does your municipality archive comments made on its social media posts?

[1.00] No

066

Core Competencies

Redevelopment

Upon the adoption of a resolution by a municipal governing body determining that a delineated area, or any part thereof, is an area in need of redevelopment or an area in need of rehabilitation, N.J.S.A. 40A:12A-6(b)(5)(c) and 40A:12A-14a require the municipal clerk to transmit a copy of the resolution to the Commissioner of the Department of Community Affairs for review. If the area in need of redevelopment or rehabilitation is not located in an area in which development or redevelopment is to be encouraged pursuant to any State law, the determination shall not take effect without first receiving the review and approval of the Commissioner. If the area in need of redevelopment or rehabilitation is located within an area in which development or redevelopment is encouraged pursuant to State law, the resolution shall take effect after the municipal clerk has transmitted a copy of the resolution to the Commissioner. Areas in Need of Redevelopment and Areas in Need of Rehabilitation are featured on the NJ Community Asset Map hosted on the Office of Local Planning Services webpage under "Available Data and Applications." Has your municipality submitted all resolutions designating areas in need of redevelopment or rehabilitation within the municipality to the DCA Commissioner?

[1.00] Yes

067

Core Competencies

Redevelopment

N.J.S.A. 40A:20-9.d requires an urban renewal entity with which the municipality has a financial agreement for a long-term payment in lieu of taxes (PILOT) to submit annually, within 90 days after the close of its fiscal year, its auditor's reports to the mayor and the governing body. Does your municipality enforce the annual submission of urban renewal entity audit reports and review those reports?

[1.00] Yes

068

Core Competencies

Utilities

P.L. 2022, c.107 (N.J.S.A. 48:2-29.57 et seq. or the "Utility Reporting Law") requires the Board of Public Utilities (BPU) to collect data from both investor-owned utilities and local government-owned utilities regarding service to residential and commercial customers. The reporting template is available at <https://nj.gov/bpu/agenda/doc/PL107/ReportingRequirementTemplateFinal.xlsx>. If your municipality has a water, sewer, or electric system, has your municipality complied with the reporting requirement in the Utility Reporting Law?

[1.00] N/A

069

Core Competencies

Utilities

Section 4 of P.L. 2021, c. 317 establishes a Winter Termination Program allowing eligible residential customers to avoid service shutoff from November 15 through March 15 for non-payment of water, sewer, or electric service provided by a local unit. See Local Finance Notice 2023-09 for further details. Has your municipality notified its residential ratepayers about the Winter Termination Program in the manner required under law with respect to the utility services it provides?

[1.00] N/A

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

RESOLUTION #2024-327

Title: A RESOLUTION AWARDING A NON-FAIR AND OPEN CONTRACT TO DTM POWERSPORTS TO PURCHASE A NEW 2024 KAWASAKI MULE PRO-FX 1000 HD WITH ACCESSORIES INCLUDING HARD TOP AND PLOW FOR THE LOWER TOWNSHIP RECREATION DEPARTMENT

WHEREAS, Lower Township Recreation Department has a need to acquire a new 2024 Kawasaki Mule Pro-FX 1000 HD as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20; and

WHEREAS, the Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the Township received two proposals for the 2024 Kawasaki Mule Pro-FX 1000 HD with accessories including a hard cab and door kit, snow plow, heater, winch kit and cargo box; and

WHEREAS, DTM Powersports submitted the lowest price proposal at a cost of \$27,270.67; and DTM Powersports has completed and submitted a Business Entity Disclosure Certification which certifies that DTM Powersports has not made any reportable contributions to a political or candidate committee in the Township of Lower in the previous one year, and that the contract will prohibit the DTM Powersports from making any reportable contributions through the term of the contract; and

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

Appropriation: C-04-55-441-620

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 the contract hereby is awarded:

AWARD: DTM POWERSPORTS
TOTAL \$27,270.67

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD	X		X				
COOMBS			X				
ROY		X	X				
PERRY			X				
SIPPEL			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 October 7, 2024.

Julie A. Picard
Julie A Picard, Township Clerk

QUOTE SHEET

ITEM REQUESTED Lowest: Mole VTN

1st Quote:

Vendor Name DTM Powersports

Address 222 Harding Highway Newfield, NT. 08344

Telephone Number 1-856-712-0099

Price: \$ 27,270.67

2nd Quote:

Vendor Name Ht. Holly Motorsports

Address 2044 Route 206 P.O. Box 2210 Vincentown, NT. 08088

Telephone Number 609-859-0333

Price: \$ 28,863.36

3rd Quote:

Vendor Name _____

Address _____

Telephone Number _____

Price: _____

AWARDED TO:

Vendor Name DTM Powersports

Address 222 Harding Highway Newfield, NT. 08344

Telephone Number 1-856-712-0099

Price: \$ 27,270.67

BRC X

REQUESTED BY: [Signature]

DATE: 9/25/24

This Quote sheet is required on any purchase over \$2000.00. Be sure all information has been completed and the funds are available before ordering.



DTM Powersports

222 Harding Highway
Newfield, NJ 08344
866-712-0099

Sales Person: Arret Dobson

Quote # 12849

Date: 09/12/2024

Buyer: Sherno, Dan
Villas, NJ (Cape May) 08251 -
pmuldoon@townshlpoflower.org
(M) (609) 676-2494

Stock#	Unit	VIN	MU/Hrs	Price
KAW50288 5	New 2024 Kawasaki MULE PRO-FX 1000 HD Edition (Firecracker Red)	JKAAFCL14RB502885	0	\$16,799.00
Total Unit(s) Price:				\$16,799.00

Requested Parts & Accessories:			
Part #	Part Description	Qty	Total Sale Amount
KAF080-081	HARD CAB REAR PANEL	1.000	\$922.95
KAF080-082	MULE PRO DOOR KIT	1.000	\$3,184.85
99994-1972	Heavy Duty Spring Bole - Front	1.000	\$148.85
99994-1973	HEAVY DUTY SPRING KIT	1.000	\$185.85
99994-1995	HEATER	1.000	\$827.95
KAF080-042	ACCESSORY FUSE BOX	1.000	\$339.95
99994-1537-458	WINCH KIT VRX16S PRO	1.000	\$860.95
KAF080-009	SNOW PLOW MOUNT	1.000	\$501.95
KW79805	WARN PLOW BASE UTV	1.000	\$612.95
KW79958	WARN PLOW PLADE UTV	1.000	\$653.95
			\$8,244.80

Invoice Summary	
Total Unit(s) Price:	\$16,799.00
Total Freight:	\$968.00
Total Set-Up:	\$888.00
Total Other:	\$0.00
Total F&I:	\$0.00
Total Parts:	\$9,393.10
Total Service:	\$257.57
Sales Tax:	\$0.00
Doc Fees:	\$125.00
Other Fees:	\$1,830.00
Total Sale Price:	\$30,070.67
Trade-In Allowance:	\$0.00
Trade-In Payoff:	\$0.00
Trade-In Value:	\$0.00
Cash Back:	(\$2,800.00)
Down Payments:	\$0.00
Balance Due:	\$27,270.67

Installed/NonInstalled Parts & Accessories:			
Part #	Part Description	Qty	Total Sale Amount
KAF080-001	WINDSHIELD FO	1.000	\$773.95
K63G-500-01Q	KPO TIRE SEALANT	4.000	\$87.80
99994-1168	KQR CARGO BOX	1.000	\$240.85
KAF080-012	ACCESSORY MOUNT	2.000	\$45.80
			\$1,148.60

Incentives:	
Description	Total Amount
Government Discount	\$2,800.00
	\$2,800.00

\$ 28,863.36

Hard Cab

Mt Holly

Quote 1

Item Number	Description	Unit Price	Total
	Title Fee		175
	2024 or Newer Kawasaki MULE Pro-FX 1000 HD Edition		15,249.50
KAF080-061	Hard Cab Rear Panel		922.99
KAF080-062	Mule Pro Door Kit		3,194.99
99994-1972	Heavy Duty Spring Sets Front		148.99
99994-1973	Heavy Duty Spring Kit		185.99
99994-1395	Heater		827.99
KAF080-042	Accessory Fuse Box		333.99
<i>100</i> 99994-1537-45s	Winch Kit VRX45S Pro		800.00 844.99
KAF080-009	Snow Plow Mount		501.99
KW79805	Warn Plow Base UTV		612.99
KW79958	Warn Plow Blade UTV		653.99
KAF080-001	Windshleid PC		773.99
K63G-500-01Q	KPO Tire Sealant @ 4		21.99
99994-1168	KWR Cargo Box		240.99
KAF080-012	Accessory Mount @ 2		22.99
	Frighht/Delivery		1400.00
	Set up/Installation		2750.00

Exceptions: TOTAL \$ 28,863.36

Company Name Mt. Holly Motorsports
 Telephone 609-859-0373
 Email _____

Date: 9/24/2024

Respond to Quote via email to: mvitelli@townshipoflower.org
 Township of Lower
 Margaret Vitelli QPA
 609-886-2005 x123

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

RESOLUTION #2024-328

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		X	X				
COOMBS			X				
ROY	X		X				
PERRY			X				
SIPPEL			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 October 7, 2024.

Julie A. Picard / AB
 Julie A Picard, Township Clerk

10/7/2024

GOV DEALS RES 2024- 328

LOCATION	DESCRIPTION /DISPOSAL	FA#
DPW	PETERBILT TRASH TRUCK	2369
DPW	2006 MACK TRASH TRUCK	2236
DPW	2005 DODGE DURANGO	2153
DPW	1989 FORD TRACTOR	44
DPW	2007 MACK ROLL OFF TRUCK	2342
DPW	2000 FREIGHTLINER	1409
DPW	TORO MOWER	1539

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

RESOLUTION # 2024-329

Title: APPROVING CHANGE ORDER #1 TO PERNA FINNIGAN FOR EMERGENCY SINK HOLE ON DELAWARE BAY DRIVE ACROSS FROM THE OHIO AVENUE PUMPING STATION REPAIRS FOR FINAL CONTRACT REDUCTION FOR AS-BUILT QUANTITY ADJUSTMENTS (LT-C-044)

WHEREAS, an Emergency was established by Lower Township Council on October 2, 2023 by Resolution #2023-330; Perna Finnegan was awarded by Resolution #2023-356 on November 6, 2024 with a contract amount of \$477,138.85 (LT-C-044); and

WHEREAS, DeBlasio & Associates has submitted a request for Change Order #1 proposing a Final As-Built Quantity Adjustment in a reduction of \$43,886.15.

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, is hereby approved and will result in a reduction of the contract by \$43,886.15 with the total contract amount reduced to \$433,252.70.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD			X				
COOMBS	X		X				
ROY		X	X				
PERRY			X				
SIPPEL			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 October 7, 2024


Julie A. Picard, Township Clerk

**DEBLASIO &
ASSOCIATES**
ENGINEERS, SURVEYORS AND PLANNERS

4701 NEW JERSEY AVENUE • WILDWOOD, NJ 08260

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

September 30, 2024

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

**Re: Township of Lower, Cape May County, NJ
Ohio Avenue Pump Station – Emergency Storm Sewer Replacement
D&A File #: LT-C-044**

Dear Ms. Picard:

Enclosed please find three (3) copies of **CHANGE ORDER NO. 1-Final** regarding the above referenced project for review and approval. Upon execution, please return two (2) copies to our office.

Please note that this change order reflects the following:

1. As-Built Quantity Adjustments.

Please note this change order will result in a decrease of \$43,886.15 to the original contract amount of \$477,138.85 for a final contract amount of \$433,252.70.

Should you have any questions or require any additional information, please do not hesitate to contact me or Will Hanson at our office.

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: Mayor Frank Sippel, (via email w/encl.)
Michael Laffey, Manager (via email w/encl.)
Margaret Vitelli, QPA, Purchasing Agent (via email w/encl.)
Gary Douglass, Superintendent of Public Works (via email w/encl.)
Perna Finnigan, Inc (via email w/encl.)

Client: Township of Lower
Date: September 6, 2024
Project Name: Ohlo Avenue Pump Station - Emergency Storm Sewer Replacement
D&A Project #: LT-C-044

Contractor: Perna Finnigan, Inc.
1921 E. Sherman Avenue
Vineland, NJ 08361

A. Extras

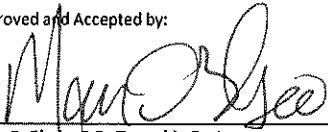
Contract Pay Item Number	Description	Unit	Quantity	Contract Unit Price	Contract Total
7	12" HIGH DENSITY POLYETHYLENE CULVERT PIPE	L.F.	7	\$100.00	\$700.00
8	36" DUCTILE IRON CULVERT STORM PIPE, CLASS 52	L.F.	1	\$1,168.57	\$1,168.57
10	DENSE GRADES AGGREGATE BASE COURSE 6" THICK	S.Y.	100	\$15.00	\$1,500.00
12	HOT MIX ASPHALT BASE COURSE, MIX 19M64, 4" THICK	TON	20.94	\$151.00	\$3,161.94
Subtotal:					\$6,530.51

B. Reductions

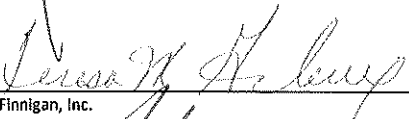
Contract Pay Item Number	Description	Unit	Quantity	Contract Unit Price	Contract Total
6	24" HIGH DENSITY POLYETHYLENE CULVERT PIPE	L.F.	-10	\$257.00	-\$2,570.00
13	HOT MIX ASPHALT SURFACE COURSE, MIX 9.5M64, 2" THICK	TON	-70	\$227.00	-\$15,890.00
14	HMA MILLING, 0-2" DEPTH	S.Y.	-436	\$13.00	-\$5,668.00
19	ALLOWANCE: STREAM BED RESTORATION	LUMP SUM	-0.628866	\$10,000.00	-\$6,288.66
20	ALLOWANCE: UNFORESEEN WORK	LUMP SUM	-1	\$20,000.00	-\$20,000.00
Subtotal:					-\$50,416.66

Net Contract Change: (\$43,886.15)
Original Contract Amount: \$477,138.85
Total Contract Percentage Change (%): -9.20
Final Contract Amount: \$433,252.70

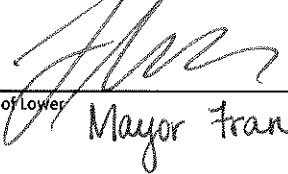
Approved and Accepted by:



Marc DeBlasio, P.E., Township Engineer
Date: 9/30/24



Perna Finnigan, Inc.
Date: 9/25/24



Township of Lower
Mayor Frank Sippel
Date: 10/8/24

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

RESOLUTION #2024-330

Title: LOCAL ARTS PROGRAM GRANT

WHEREAS, it is the desire of the governing body of the Township of Lower to apply for and obtain a grant from the New Jersey State Council on the Arts, Cape May County Division of Culture and Heritage, for funding in the amount of \$20,000 to carry out a Local Arts Program to facilitate free youth and adult arts programming at various Family Fun events.

NOW THEREFORE BE IT RESOLVED, that the governing body of the Township of Lower does hereby authorize the application for and the execution of a contract for the receipt of such a grant from the New Jersey State Council on the Arts, Cape May County Division of Culture and Heritage, and does further, upon the execution of such a contract, authorize the expenditure of such funds pursuant to the terms of said contract between the Township of Lower and the New Jersey State Council on the Arts, Cape May County Division of Culture and Heritage.

BE IT FURTHER RESOLVED, that in the event that a grant agreement is executed between the New Jersey State Council on the Arts, Cape May County Division of Culture and Heritage and the Township of Lower, the chief executive officer and the grants officer, are hereby authorized and directed to carry out all functions related to the execution and completion of the grant funded project.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD			X				
COOMBS	X		X				
ROY		X	X				
PERRY			X				
SIPPEL			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 October 7, 2024


Julie A Picard, Township Clerk

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

RESOLUTION #2024-331

Title: A RESOLUTION FOR SPECIAL EMERGENCY APPROPRIATION AS PER N.J.S.A. 40A:4-53
AUTHORIZING PREPARATION OF AN APPROVED TAX MAP

WHEREAS, it has been found necessary to make a Special Emergency Appropriation to meet certain extraordinary expenses to prepare an approved tax map; and

WHEREAS, N.J.S.A. 40A:4-53 provides that it shall be lawful to make such appropriation, which appropriation shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act.

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of N.J.S.A. 40A:55:

1. An emergency appropriation is hereby made for the preparation of approved tax maps in the Township of Lower in the total amount of \$50,000.
2. That the emergency appropriation shall be provided for in the budgets of the next five (5) succeeding years by the inclusion of not less than \$10,000.
3. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services; however, no approval is required from the Division.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Director of the Division of Local Government Services upon adoption.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD	X		X				
COOMBS			X				
ROY		X	X				
PERRY			X				
SIPPEL			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 October 7, 2024


Julie A. Picard, Township Clerk

SPECIAL EMERGENCY APPROPRIATIONS

(5-Year)

Under the provisions of NJS 40A:4-53, a municipality may adopt an ordinance authorizing special emergency appropriations at any time during the year for the following purposes:

- a. Preparation of an approved tax map
- b. Preparation and execution of a complete revaluation program or any program to update and make current any previous revaluations program when ordered by the county board of taxation
- c. Revision and codification of ordinances
- d. Preparation of master plan or plans, when required to conform to the planning laws of the State
- e. Preparation of drainage maps for flood control purposes
- f. Preliminary engineering studies and planning necessary for the installation and construction of a sanitary sewer system
- g. Municipal Consolidation Act (PL 1977, c. 435)
- h. Contractually required severance liabilities resulting from the layoff or retirement of employees, when the total liability is in excess of ten (10) percent of the amount to be raised by taxes for municipal purposes in the fiscal year in which the layoffs or retirements take place
- i. Preparation of a sanitary or storm system map

After the adoption of an ordinance for special emergency appropriations, the local unit shall, by 2/3 vote of the full governing body, adopt a resolution, pursuant to NJS 40A:4-55, setting forth:

- a. The amount appropriated
- b. Provision for the borrowing of money and the issuance of "Special Emergency Notes", which may be renewed from time to time, but at least 1/5 of all such notes, and the renewals, shall mature and be paid in each year, so that all notes shall have matured and have been paid no later than the last day of the fifth year following the date of the emergency resolution. The provisions of this chapter relating to tax anticipation notes shall apply to special emergency notes.
- c. A local unit may finance such appropriation from surplus funds available or borrow money in the manner prescribed above. Where any appropriation is financed from surplus available, at least 1/5 of the amount thereof shall be included in each annual budget until the appropriation has been fully provided for.

NOTE: Special emergencies referred to above do not require the approval of the Director of the Division of Local Government Services; however, the resolutions must be filed with the Division.

Under the provisions of NJS 40A:4-54, a municipality may adopt a resolution authorizing special emergency appropriations to cover the cost of extraordinary expense for the repair, reconstruction of streets, roads or bridges, or other public property damaged by flood or hurricane where such expense was not foreseen at the time of adoption of the budget. A municipality may adopt a resolution authorizing special emergency appropriations to cover the cost of extraordinary expense for the repair and reconstruction of private property damaged by flood or hurricane in accordance with rules and regulations promulgated by the Department of Community Affairs for a Municipal Natural Disaster Relief Grant Program authorized pursuant to section 2 of P.L. 1999, c. 366 (C.40:48-9.15).

Special Emergency Appropriations

Page 2

(3-year special emergency)

Under the provisions of NJS 40A:4-55.1, a municipality may adopt ordinances to authorize special emergency appropriations to cover the cost of extraordinary expenses for the repair or reconstruction of streets, roads or bridges damaged by snow, ice, frost, or floods. Such ordinance is valid only if it is approved by the Local Finance Board pursuant to NJS 40A:4-55.5.

Under the provisions of NJS 40A:4-55.13, a special emergency appropriation may be made by the municipality through the adoption of a resolution after adoption of the annual budget for costs arising from a public emergency caused by civil disturbances.

Under the provisions of P.L. 2002, c.22, a local unit may adopt a resolution declaring a special emergency and authorizing appropriations for the purpose of funding obligations to satisfy accumulated deficits of employee group insurance programs. No such resolution shall be effective unless and until it is approved by the Director of the Division of Local Government Services.

“Special emergency notes” may be authorized and renewed by the adoption of a resolution approved by a 2/3 vote of the full governing body, but at least 1/3 of all notes and renewals shall mature and be paid in each year. This appropriation may also be financed from surplus funds, but at least 1/3 of the amount of the appropriation must be included in each annual budget until fully provided for pursuant to NJS 40A:4-55.4 and 40A:55.16.

FORM OF SPECIAL EMERGENCY RESOLUTION – NJS 4A:4-53, 54, 55.1 and 55.13
(3-year and 5-year Special Emergencies)

WHEREAS, it has been found necessary to make an Emergency Appropriation to meet certain extraordinary expenses incurred, or to be incurred, by STATE PURPOSE and,
WHEREAS, NJS40A:_____ provides that it shall be lawful to make such appropriation, which appropriation and/or the “special emergency notes” issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth or one-third of the amount authorized pursuant to this act.
NOW, THEREFORE BE IT RESOLVED, (by not less than two-thirds of all governing body members affirmatively concurring) that in accordance with the provisions of NJS 40A:4-55:

1. An emergency appropriation is hereby made for INSERT TITLE OF APPROPRIATION in the total amount of \$ _____.
2. That the emergency appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of not less than \$ _____ (must be at least one-fifth or one-third of the total amount).
3. That an “emergency note”, not in excess of the amount authorized pursuant to law, be provided.
4. That such note shall be executed by STATE NAME AND TITLE OF CHIEF FINANCIAL OFFICER and TITLE OF “SUCH OTHER OFFICER”.
5. That said note shall be dated _____ 20__, may be renewed from time to time provided that such note and any renewals shall mature and be paid in the amount of not less than one-fifth or one-third of the total amount appropriated by this resolution in each year after the authorization, INSERT FURTHER DETAIL, i.e. PLACE OF PAYMENT
6. That the statement required by the Local Finance Board has been filed with the Clerk and a copy will be transmitted to the Director of the Division of Local Government Services
7. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services; however, no approval is required from the Division.

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

RESOLUTION #2024-332

Title: **APPROVING CHANGE ORDER #2 TO VAN NOTE HARVEY, A DIVISION OF PENNONI ASSOCIATES INC., FOR ADDITIONAL SERVICES TO COMPLETE DIGITAL AND CERTIFIED TAX MAPS FOR THE CALENDAR YEAR 2023 IN 2024**

WHEREAS, Van Not Harvey was awarded a Professional Service Contract by Resolution #2017-281 on October 16, 2017 for the Preparation of the Tax Maps for \$731,000.00; Change Order #1 was awarded by Resolution #2022-290 on September 7, 2022 for additional tax years 2018 through 2022 for \$120,000.00; and

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, Van Note Harvey was recently acquired by Pennoni Associates Inc., and the remaining balance on the existing contract, including Change Order #1 with Van Note Harvey, is \$45,458.04, with future billing to be submitted by Pennoni Associates in accordance with the original contract for Tax Years 2017-2022; and

WHEREAS, Van Note Harvey, now operating as a division of Pennoni Associates, has submitted a proposal for additional services to finalize the tax map through Tax Year 2023, which includes the required block and lot numbers as mandated by the Division of Taxation, at a fee not to exceed \$50,000.00; and

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

Appropriation: 4-01-46-870-805 5 Yr. Special Emergency Tax Maps

Signature: *Lauren Read*
Lauren Read, CFO

WHEREAS, Van Note Harvey, a Division of Pennoni has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political candidate or committee in the Township of Lower in the previous year and will prohibit him from making any reportable contributions through the term of the contract; and

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 to Van Note Harvey, Division of Pennoni as follows per Exhibit A with an estimated completion date of November 15, 2024:

- Deliverables:
- A. Two (2) complete sets of the signed and sealed certified tax map printed full size
 - B. Two Portable Document Format (PDF) of Signed and Certified Tax Map
 - C. Written survey report of the ground control utilized to establish the backbone of the world map along with methodology in preparation of map.
 - D. Correlation table of any historical block and lot numbers to the new block and lot numbers.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Change Order #2 to Van Note Harvey, a Division of Pennoni, is hereby approved to increase the contract total to \$901,000.00.

BE IT FURTHER RESOLVED that this award shall be published in the Township's Official Newspaper.

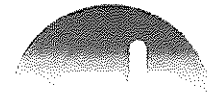
	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD			<i>[Signature]</i>				
COOMBS		<i>[Signature]</i>	<i>[Signature]</i>				
ROY	<i>[Signature]</i>		<i>[Signature]</i>				
PERRY			<i>[Signature]</i>				
SIPPEL			<i>[Signature]</i>				

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 7, 2024.

Julie A. Picard / AB
Julie A. Picard, Township Clerk

van note – harvey

211 Bayberry Drive, Suite 1A-1C
Cape May Court House, NJ 08210
609-465-2600 Fax: 609-465-8028
NJ Authorization #24GA28271300
www.pennoni.com



van note-harvey
division of pennoni

October 2, 2024

VNHA File: 43227-070-10

Elizabeth Ross, CTA, Tax Assessor
Lower Township
2600 Bayshore Road
Villas, NJ 08251

**RE: Proposal for additional services for Preparation and Delivery of
Approved Tax Maps for Lower Township through Calendar Year 2023 in 2024 (Revised)**

Dear Ms. Ross:

We are pleased to submit this proposal to Lower Township for the additional services necessary for preparation of new digital format tax map which includes submission to and approval by the New Jersey Division of Taxation, Property Administration, Local Assessment Compliance (hereafter the Division) through and including calendar year 2023.

PROJECT UNDERSTANDING

Lower Township currently has a tax map that was created circa 1958 and last certified by the N.J. Division of Taxation January 1983 and has been selectively maintained the past 34 years. It is now Lower Township's desire to have prepared a new Digital Tax Map that is compiled as one world map, geo-referenced to the North American Datum of 1983 (NAD83) New Jersey State Plane Coordinate system (feet) and printable in 24" x 36" sheets to permit the map to be in compliance with the rules and regulation of the Division as well as serving as the backbone for and compatible with a Geographic Information System (GIS).

Van Note-Harvey Associates currently has a contract with Lower Township to prepare this new tax map based upon tax years thru 2017. While this tax map was being prepared, an excessive amount of anomalies such as title around the Cape May Canal and historic South Cape May streets have expanded the time to complete the original mapping, coupled with the COVID-19 pandemic created new procedures and processes added within the New Jersey Division of Taxation which has caused the original mapping to extend into 2023. This proposal is to continue the original services to include tax years through and including 2023 thereby providing a new tax map that is current through tax year 2023.

You and I are aware the Division of Taxation has required that all block and lot numbers are required to be changed. This proposal acknowledges that Van Note-Harvey Associates, will provide a correlation spreadsheet relating the old (historical) block and lot numbers to the new block and lot numbers for your information and use.

QUALIFICATIONS

With that understanding, our proposal for this project continues with the team that can provide Lower Township with a completely new, State certified, digital tax map which will also serve as an excellent working foundation for future GIS needs should you decide to implement such a program in the future.

Van Note-Harvey Associates has created and maintained Digital Tax Maps throughout New Jersey, but in Cape May County, new Digital Tax Maps have been created and are currently being maintained for the City of North Wildwood and Middle Township.

The preparation of Digital Tax Maps is completely detailed in the Division's "State of New Jersey Tax Maps Regulations and Standards, updated 2008", "NJ Digital Tax Maps CAD Standards", and "State of New Jersey Tax Map Template Procedures, AutoCAD Format". Considering those regulations and ultimate approval by the Division of Taxation of New Certified Tax Maps does not, in our opinion, require a detailed proposal submission. The certification by the Division guarantees the compliance with all applicable rules.

DELIVERABLES

The deliverables for the new digital tax map are:

- A. Two (2) complete sets of the signed and sealed certified tax map printed full size at 24" x 36" (one for the County Tax Administrator & one for the Tax Assessor) additional copies will be available in full or reduced sizes for the cost of reproduction as provided for below)
- B. Two Portable Document Format (PDF) copies of the signed and certified tax map. (This will facilitate the installation of the tax map onto the Township's website.
- C. A written survey report of the ground control utilized to establish the backbone of the world map along with the methodology used in the preparation of the map.
- D. A correlation table of any historical block and lot numbers to the new block and lot numbers.

FEE

The fee to complete the original New Digital Tax Map, through 2022 was and is eight hundred fifty-one thousand dollars (\$851,000.00) through tax year 2022 but does not include the tax year 2023. There is still \$45,458.04 of work in process to be invoiced. Since Van Note-Harvey Associates is now Van Note-Harvey Associates, a Division of Pennoni, and at your request, Van Note-Harvey Associates, a Division of Pennoni has agreed to invoice this work in process (wip) under a new purchase order to be created. The new purchase order will be to Van Note-Harvey Associates, a Division of Pennoni. We have provided Lower Township with all the requested Pay to Play etc. executed documents on August 26, 2024, and should serve to ameliorate any confusion in contract obligations and keeps the project moving forward.

All new work for the additional year, will be billed on an hourly basis at our current billing rates which are included below. These rates are modified in January of each year and new rates will be furnished.

The fee for including the additional tax year 2023 to the Digital Tax Map is a not to exceed fee of fifty thousand dollars (\$50,000.00) based upon the map maintenance changes information that you provided to me covering the tax year 2023. All the deliverables, coordination and progress copies are included in the not to exceed fee.

ASSUMPTIONS

The project scope of work and related fees quoted are based on the following assumptions:

- a) Project scope changes from those identified above which are required by Lower Township or reviewing agencies, necessitated through no fault of this office, will be considered additional work. All project additional work will be billed on an hourly basis at our current municipal billing rates which are attached hereto and made a part hereof. These rates are modified in January of each year and new rates will be furnished.

***IN THE EVENT STATE/FEDERAL "PREVAILING RATE" REQUIREMENTS APPLY, ADJUSTED RATES WILL BE SUPPLIED**

- b) Costs of additional plan reproduction will be provided on a direct charge basis in addition to the fees quoted, if plans are reproduced in this office, representative reproduction costs are:
 - \$ 3.00 for a 24" X 36" blue line print
 - \$ 30.00 for a 24" X 36" reproducible plastic
 - \$ 3.00 for a 30" X 42" blue line print
 - \$ 30.00 for a 30" X 42" reproducible plastic
 - \$ 0.10 for an 8 1/2" X 11" (letter size) copy
- c) Coordination prints between owner, and Van Note-Harvey Associates are included in the fees quoted.
- d) The fees quoted and schedule indicated assume that this proposal will be accepted and returned within 30 days. If the proposal is accepted after this 30-day period, the fee and schedule may be subject to change.
- e) The services provided will address the regulatory requirements in effect on this date, services required by new rules and regulations shall be considered additional services.
- f) The services provided do not anticipate any identification, delineation, mapping, nor involvement with New Jersey Saltwater, Freshwater Wetlands, or transition areas.
- g) The fees assume that all correspondence, plans, etc., relative to the project will be transmitted utilizing regular postal mail or e-mail. Express mail, airborne, overnight mail or hand deliveries will be provided was a direct charge without markup.
- h) Application fees and filing fees, if any, will be the responsibility of the applicant.

- i) Invoicing will be submitted for payment monthly. Invoices are due upon receipt.
- j) Invoices not paid within thirty (30) days may be just cause for suspension of VNHA's services until such time as all payments are made in full.
- k) Should the project be terminated, VNHA will be compensated for all services performed up to the termination notice date. Terminations must be in writing.

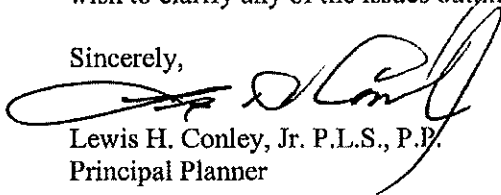
TIME FOR COMPLETION

It is difficult to estimate a time for completion (certification of the maps) currently as we have no control over the time for review by the Division of Taxation. Van Note-Harvey Associates anticipates the completion of their work by November 15, 2024.

The team that has been selected for this project will be headed by myself as overall project coordinator with the direct support and assistance of James W. Verna, III, Branch Manager to dedicate the resources of the firm, Bruce Playford, a 38-year veteran in surveying and tax map construction in our Court House Office will be the Tax Map Manager for the project.

We believe that you will find Van Note-Harvey Associates measurably beneficial to Lower Township in the performance of this project and ask for your favorable review for this proposal. We also invite you, since this is a professional services contract proposal, to feel free to contact us if you have any questions or wish to clarify any of the issues outlined within this proposal.

Sincerely,



Lewis H. Conley, Jr. P.L.S., P.P.
Principal Planner

LHC:lhc

- c: Lauren Read, CFO Lower Twp. (via email)
- Jim Verna, (via email)
- Bruce Playford, (via email)
- Carolyn Young, (via email)



Municipal Billing Rates

2024 SCHEDULE OF FEES

Pennoni provides engineering consulting services to its clients in accordance with the terms and conditions of our contract. Pennoni's compensation will be based on the following schedule of fees and charges unless our contract specifies otherwise.

LABOR CATEGORY	RATES: \$/HOUR
Senior Principal Professional.....	\$260
Principal Professional.....	\$244
Senior Professional.....	\$208
Project Professional	\$190
Staff Professional	\$188
Associate Professional	\$174
Graduate Professional.....	\$150
Technician III	\$134
Technician II	\$122
Technician I	\$118
Survey Crew.....	\$300
Senior Field Technician	\$140
Field Technician	\$120
Laboratory Technician.....	\$105
Building Code Official	\$120
Project Assistant.....	\$ 88

- ▶ Add 15% to above Survey Crew rates when OSHA 40-hour training required
- ▶ Technical Support/Expert Testimony Fee provided upon request
- ▶ 3 Person Survey Crew rates for roadwork provided upon request

"Professional" Includes all disciplines (Engineer, Planner, Landscape Architect, Surveyor, Geologist, etc.)

EXPENSES:

Pennoni does not bill for routine office management or accounting services; however, direct expense charges described below are subject to an additional administrative and handling fee as indicated:

- ▶ Subconsultant/Subcontractor services: cost plus 10%
- ▶ Project Related Travel and Living Expenses: cost plus 10%
- ▶ Field Equipment, Expendable Materials/Supplies and Outside Reproduction): cost plus 10%
- ▶ Passenger Vehicles: per IRS standard rate
- ▶ Field Vehicles: \$100.00/day
- ▶ Record Retrieval: \$500.00/request plus reprographic charge
- ▶ Communication Fee: 2% of billable labor. Includes cost for non-deliverable in-house photocopies, non-express postage and telephone/fax/computer.

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

RESOLUTION #2024-333

Title: APPROVING CHANGE ORDER #1 WITH PAVING PLUS FOR AS-BUILT ADJUSTMENTS FINAL CONTRACT REDUCTION FOR RESURFACING OF BAY DRIVE; WILDWOOD AVENUE TO MALLOW ROAD (LT-C-034A)

WHEREAS, Pavers Plus, LLC has been approved by Resolution #2024-110 on March 18, 2024 for the Resurfacing of Bay Drive (Wildwood Avenue to Mallow Road) (LT-C-034A) for \$553,887.00; and

WHEREAS, DeBlasio & Associates has provided a As-Built Adjustments and Final Contract reduction of \$4,888.89.

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 is hereby approved to Pavers Plus LLC to decrease the contract total to \$548,988.11.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
COOMBS			X			
ROY		X	X			
PERRY			X			
SIPPEL			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 October 7, 2024.

Julie A. Picard
Julie A Picard, Township Clerk

DEBLASIO & ASSOCIATES

ENGINEERS, SURVEYORS AND PLANNERS

4701 NEW JERSEY AVENUE • WILDWOOD, NJ 08260

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

October 1, 2024

VIA EMAIL & REGULAR MAIL

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

**Re: Township of Lower, Cape May County, NJ
Resurfacing of Bay Drive
D&A File #: LT-C-034(a)**

Dear Ms. Picard:

Enclosed please find four (4) copies of **CHANGE ORDER NO. 1 - Final** regarding the above referenced project for review and approval. Upon execution, please return three (3) copies to our office.

Please note that this change order reflects the following:

1. As-Built Quantity Adjustments

Please note this change order will result in a decrease of \$4,888.89 to the original contract amount of \$553,877.00 for a final contract amount of \$548,988.11.

Should you have any questions or require any additional information, please do not hesitate to contact me or Will Hanson at our office.

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: Mayor Frank Sippel, (via email w/encl.)
Michael Laffey, Manager (via email w/encl.)
Margaret Vitelli, QPA, Purchasing Agent (via email w/encl.)
Gary Douglass, Superintendent of Public Works (via email w/encl.)
Paving Plus, LLC (via email w/encl.)

Client: Township of Lower
Date: October 1, 2024
Project Name: Resurfacing of Bay Drive
D&A Project #: LT-C-034(a)

Contractor: Paving Plus, LLC
PO Box 508
Franklinville, NJ 08322

A. Extras

Contract Pay Item Number	Description	Unit	Quantity	Contract Unit Price	Contract Total
4	ASPHALT PRICE ADJUSTMENTS	DOLLAR	14816.56	\$1.00	\$14,816.56
5	HOT MIX ASPHALT 9.5M64 SURFACE COURSE	TON	102.61	\$93.00	\$9,542.73
7	HMA MILLING, 3" OR LESS	S.Y.	331.56	\$2.90	\$961.52
15	TRAFFIC MARKINGS LINES, 24"	L.F.	20	\$5.10	\$102.00
Subtotal:					\$25,422.81

B. Reductions

Contract Pay Item Number	Description	Unit	Quantity	Contract Unit Price	Contract Total
3	FUEL PRICE ADJUSTMENTS	DOLLAR	-523.25	\$1.00	-\$523.25
6	HOT MIX ASPHALT 19M64 BASE COURSE	TON	-81.62	\$90.00	-\$7,345.80
8	EXCAVATION, UNCLASSIFIED	C.Y.	-45	\$20.00	-\$900.00
9	8" x 18" CONCRETE VERTICAL CURB (IF & WHERE DIRECTED)	L.F.	-40	\$50.00	-\$2,000.00
10	RESET STONE MULCHING	S.Y.	-245	\$5.00	-\$1,225.00
11	INLET FILTERS, TYPE 1	S.F.	-230	\$1.00	-\$230.00
12	RESET BRICK PAVERS	S.Y.	-26.8	\$50.00	-\$1,340.00
13	BICYCLE SAFE GRATE	UNIT	-2	\$600.00	-\$1,200.00
14	TURF REPAIR STRIP	L.F.	-5306	\$1.00	-\$5,306.00
16	CONCRETE DRIVEWAY, 6" THICK (IF & WHERE DIRECTED)	S.Y.	-20	\$50.00	-\$1,000.00
18	CONCRETE SIDEWALK, 4" THICK	S.Y.	-10	\$50.00	-\$500.00
19	TRAFFIC STRIPES, 4"	L.F.	-703	\$0.55	-\$386.65
21	DENSE GRADED AGGREGATE BASE COURSE, 6" THICK	S.Y.	-557	\$15.00	-\$8,355.00
Subtotal:					-\$30,311.70

Net Contract Change **(\$4,888.89)**
Original Contract Amount: \$553,877.00
Contract Percentage Change (%) -0.88
Final Contract Amount: \$548,988.11

Approved and Accepted by:

Township Engineer

Date

Paving Plus, LLC

Date

Township of Lower

Date

Mayor Frank Sippel

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

RESOLUTION #2024-334

Title: A RESOLUTION TO RATIFY A FOUR (4) YEAR CONTRACT AGREEMENT BETWEEN THE TOWNSHIP OF LOWER AND THE LOWER TOWNSHIP POLICEMEN'S BENEVOLENT ASSOCIATION (PBA) LOCAL 59

WHEREAS, extensive negotiations were conducted by the Township Manager and Labor Counsel with PBA Local 59; and

WHEREAS, the parties have reached an agreement which will be utilized to prepare the Collective Bargaining Agreement with PBA Local 59 in accordance with the terms of the attached agreement; and

WHEREAS, the Township Manager and Labor Counsel recommend the Township Council's ratification of the Collective Bargaining Agreement.

NOW, THEREFORE, BE IT RESOLVED, the attached agreement is hereby ratified.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute the ratified Collective Bargaining Agreement, once prepared, in accordance with and under the terms as outlined attached hereto on behalf of the Township.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
✓ CONRAD		X	X				
✓ COOMBS	X		X				
✓ ROY			X				
PERRY						X	
✓ SIPPEL			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 October 7, 2024


Julie A Picard, Township Clerk /AB

PBA 59 RF 9-27-24

**MEMORANDUM OF AGREEMENT BETWEEN
LOWER TOWNSHIP
And
POLICEMEN'S BENEVOLENT ASSOCIATION LOCAL 59**

WHEREAS, the TOWNSHIP OF LOWER and the LOWER TOWNSHIP POLICE DEPARTMENT (Town/Employer) and PBA Local 59 (Union), herein collectively referenced as "the Parties", have negotiated terms to modify the current collective bargaining agreement (CBA) with a term of January 1, 2020 through December 31, 2023; and

WHEREAS, as a result of negotiations, the Parties have reached an agreement on changes to terms and conditions of the CBA to be included in a successor contract.

WHEREAS, the Parties desire to reduce these terms and conditions of agreement to a written Memorandum of Agreement, the terms of which shall be included in a successor agreement.

NOW THEREFORE, the Parties agree the current 2020-2023 contract shall be modified consistent with the following:

1. PREAMBLE. The preamble section above is hereby incorporated by reference as if fully set forth herein.
2. DURATION. The **first sentence of the "TERM AND RENEWAL" Article on page 43 of the current agreement** shall be deleted in its entirety and replaced as follows:

"This Agreement shall be in full force and effect retroactive to January 1, 2024 and shall remain in effect to and including December 31, 2027 without any reopening except as to any provision specifically stated. Retroactive pay pursuant to this agreement shall be provided in a check separate from regular pay checks issued to the members."

3. WAGES. **Article 19, pages 32, paragraphs A and B, and the corresponding Schedules A and B shall be deleted and replaced as follows:**

- i. **Paragraph A shall read as follows:**

"The wages for all employees shall be as provided in the guides attached hereto in **Schedules A and Schedule B**. The guide shall increase January 1st of each year based upon **Schedule A**, and annual officer movement on the guide shall occur on each officers' anniversary date. All Officers on the salary guide shall move one step each year of this agreement.

Sergeants' salaries shall be as follows:

In each year of this agreement the Sergeants' salaries shall be as set forth in the attached **Schedule A** or 8.36 percent greater than the highest salary in the attached guide for patrol officers, whichever is higher."

Article 19, paragraph B on page 32 shall be deleted in its entirety to eliminate longevity from the agreement for any and all officers in the bargaining unit.

Schedules A and B, and C shall be deleted and replaced with the schedules A and B attached hereto.

Article 19, page 32, Paragraph C on page 32 shall be deleted and replaced in conformity with the attached salary guide as follows:

"Sergeants and Officers shall be paid pursuant to the attached wage guide in **Schedules A and B** and in accordance with the terms of this agreement. Officers Nuscis, Micciche, and Saini shall have anniversary dates of Jan. 20 for salary and step movement purposes. Officers Greto, Gamble and Kevin Boyle shall have anniversary dates of Jan. 1 for salary and step movement purposes. All Officers shall move one step on the guide annually until they reach the maximum step. Wage increases resulting from this agreement shall apply retroactively for all current employees (as of the execution date of this agreement) and for employees that retired in a manner recognized by PFRS during the term of this agreement."

Article 19, paragraph D on page 33 shall be deleted and replaced as follows:

"Sergeant's compensation upon promotion shall be set upon promotion at the higher of (1) the rate set forth in **Schedule A**, (2) 8.36% above the employee's former compensation as a Patrolman, (3) 8.36% above the compensation of the then highest paid Patrolman."

Article 19, paragraph E on page 33 shall be deleted and replaced as follows:

"E. Upon execution of this Agreement, all police officers working "extra duty" assignments shall be compensated at the rate of \$85.00 per hour and appropriate Township Ordinances, Resolutions and Codes shall be revised to reflect this rate of pay for extra duty assignment(s)."

4. COSTS FOR LAW ENFORCEMENT LICENSES. The following language shall be an additional "Article 22" to the contract on page 36 of the current agreement:

"ARTICLE 22 - LAW ENFORCEMENT OFFICER LICENSE FEES.

All fees and costs for officers to obtain and renew police licenses shall be paid for by the Township. However, fees issued for late applications shall be paid by the employee when the employee has caused an application to be submitted late and fees issued for late applications shall be paid by the Township when the employer has caused an application to be submitted late. Classes for continuing education and training shall be paid for by the Township provided the classes for education and training have been approved by the Chief of Police."

5. AUTHORITY IN ARBITRATION. **Article 16, on pages 27-29 shall be amended to add the following new paragraph D (iii) on page 29 in the "Miscellaneous" section of the Article.**

"iii. PBA 59 Authority in Arbitration Matters. Notwithstanding the right of any employee of the bargaining unit to assert a grievance, P.B.A. 59 shall have the sole and exclusive right to decide and act on issues involving: filing for arbitration, resolving matters subject to pending arbitration, withdrawing an arbitration matter, and filing an appeal of an arbitration decision pursuant to *N.J.S.A. 34:13A-62*. In the event a law supersedes this provision and requires control of arbitration by a specific employee without Union authorization and the employee seeks to pay for costs to arbitrate their own grievance, the employee shall notify the Union and the Employer in writing asserting the legal authority superseding *N.J.S.A. 34:13A-62* with written confirmation to the Union and the Employer that the costs for arbitration attributed to the Union pursuant to this article shall be borne directly, solely and entirely by the employee."

6. HOLIDAY COMPENSATION.

Article 10 "Holidays", section A on page 15 shall be amended to change the text under the list of holidays to remove Lincoln's Birthday and add Juneteenth. The paragraph under the holiday list shall be amended to delete the paragraph and replace it as follows:

"Except for Columbus Day, the Holidays shall be compensated by granting equal compensatory time off, to be taken at the Township's discretion within the vacation period and may only be carried over pursuant to the terms of Article 9, Paragraph D."

7. SICK LEAVE. Article 11 on page 16 -17 shall be amended as follows:

i. Paragraph A (ii) on page 16 shall be amended to include sick leave use consistent with all New Jersey laws and regulations (including *N.J.A.C.* 4A:6-1.3) and any Township ordinances/code that provide a more expansive use of sick time. Accordingly Paragraph A (ii) on page 16 shall be deleted and replaced with the following language:

“(ii) Sick leave may be utilized by employees who are unable to work because of:

1. Personal illness or injury (see *N.J.A.C.* 4A:6-21B for Federal family and medical leave); or
2. Exposure to contagious disease (see *N.J.A.C.* 4A:6-1.21B for Federal family and medical leave); or
3. Care, for a reasonable period of time, of a seriously ill member of the employee's immediate family (see *N.J.A.C.* 4A:1-1.3 for definition of immediate family, see *N.J.A.C.* 4A:6-1.21A for family leave under State law and see *N.J.A.C.* 4A:6-1.21B for Federal family and medical leave); or
4. Death in the employee's immediate family, for a reasonable period of time; or
5. Sick leave may be used by an employee with a disability for absences related to the acquisition or use of an aid for the disability when the aid is necessary to function on the job. In such cases, reasonable proof may be required by the appointing authority; or
6. Any additional use of sick leave provided for by New Jersey Law, Federal Law and/or Township Ordinances and Code.”

ii. Paragraph B(i) on page 16 shall be amended to change “16” sick days per year to “15” sick days per year.

iii. Paragraph B(iv) on page 16 shall be deleted in its entirety.

iv. Paragraph C(iii) on page 16 shall be deleted in its entirety and replaced with the following: “Absence without notice for five (5) consecutive days shall constitute job

abandonment resulting in a resignation not in good standing pursuant to *NJAC* 4A:2-6.2.”

8. **INSURANCE, HEALTH & WELFARE. Article 12 on pages 18-22**, shall be amended as follows:

- i. **Paragraph A(i) on page 18** shall be deleted and replaced with the language below. The Parties intend to continue and maintain the current insurance, health and welfare benefits, and use the NJ Direct 2035 HRA Card plan as a less expensive way to provide the same health insurance benefits.

“The New Jersey State Health Plan NJ Direct 2030 shall remain the base plan. The Parties seek to allow for the Township to provide an alternative method of insurance coverage with the same level of health benefits to employees with cost savings to both parties. To accomplish this, the Parties agree that if the Township provides a 2035 plan with an HRA card, the PBA shall accept and use the New Jersey State Health Plan NJ Direct 2035 coverage combined with an HRA card to pay for employee out of pocket costs as long as employees have at least the same coverage, networks and out of pocket costs that would be realized by employees if they were in the New Jersey State Health Plan NJ Direct 2030 plan. In the event the Township cannot offer New Jersey State Health Plan NJ Direct 2035 coverage combined with an HRA card to pay for employee out of pocket costs so that employees have at least the same coverage, networks and out of pocket costs that would be realized by employees if they were in the New Jersey State Health Plan NJ Direct 2030 plan, employees shall be put back in the New Jersey State Health Plan NJ Direct 2030 plan. The Township reserves the right to change the third party administrators and/or health plans as long as the benefit levels provided (including retirees) are equal to or greater than the New Jersey State Health Plan NJ Direct 2030 (#052). See attached **Schedule D**. The Township agrees that should the change result in less coverage, the Township will make up the difference to the affected individual.”

- ii. **Paragraph B(i)(a) on page 19** shall be deleted from the contract in its entirety. The subsection shall be reorganized to properly numerate the Article.

- iii. **Paragraph B(i)(c) on page 19** shall be amended to delete the paragraph and replace it as follows:

“Coverage is for the retired Employee, spouse and eligible dependents until Medicare eligibility. “Eligible dependents” are determined pursuant to applicable law and the terms of this agreement. See Section “A” of this Article. In the event of a retired employee’s death, the spouse will continue to receive the described benefits until remarriage or Medicare eligibility. Upon retired employee’s death, dependents receiving benefits will continue to receive the same until they are ineligible due to age or otherwise.”

iv. **Paragraph C(i)(a) on page 20** shall be deleted from the contract in its entirety. The subsection shall be reorganized to properly numerate the Article.

v. **Paragraph C(i)(d) on page 20** shall be amended to delete and replace the last sentence as follows:

“Upon a retired employee’s death, the employee’s eligible dependents receiving benefits will continue to receive the same (at retiree co-pay rates) until they are ineligible due to age or otherwise. “Eligible dependents” are determined pursuant to applicable law and the terms of this agreement. See Section “A” of this Article.””

vi. **Paragraph F on page 21** shall be deleted from the contract in its entirety.

9. **SUBSTANTIVE CHANGES.** The changes provided above contain all substantive modifications to be made to the successor CBA between the Parties. All other language in the January 1, 2020 through December 31, 2023 agreement that is not affected by this document shall remain in the new agreement.
10. **MODIFICATION OF ALL TERMS INCONSISTENT WITH THIS MOA.** All other provisions in the January 1, 2020 – December 31, 2023 CBA that are inconsistent with the substantive changes noted above shall be modified for consistency with the terms of this MOA in the successor agreement spanning from January 1, 2024 to December 31, 2027.
11. **WITHDRAWAL AND WAIVER OF TERMS NOT PROVIDED HEREIN.** All proposals and terms not provided in this MOA are hereby withdrawn and waived by the parties.
12. **PARTIES’ GOOD FAITH TO FINALIZE CONTRACT.** The Town acknowledges it will process retroactive payments resulting from this executed MOA as expeditiously as possible, and the Parties agree they will act to have the amended successor agreement executed in an expeditious manner upon receipt.
13. **CONSTRUCTION.** This Agreement shall be construed and interpreted in accordance with the laws of the State of New Jersey. However, since each party to this Agreement and their counsel have reviewed and negotiated this Agreement, the general rule of

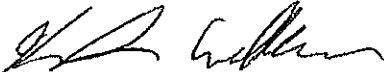
construction that any ambiguity or uncertainty in a writing shall be interpreted against the party drafting the writing shall not apply to any action relating to this Agreement.

14. RATIFICATION. The union and the Town acknowledge the terms of this MOA need to be ratified by the Union and the Town. By signing this agreement, the Parties' representatives are indicating they are prepared to present this agreement to their respective constituents with the recommendation to ratify this agreement.

Subject to the ratification provisions set forth above, the Parties signify and acknowledge their agreement to the terms listed above, by the signatures of their duly authorized representatives.

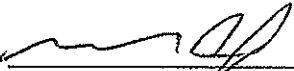
PBA 59

**LOWER TOWNSHIP AND LOWER
TOWNSHIP POLICE DEPARTMENT**



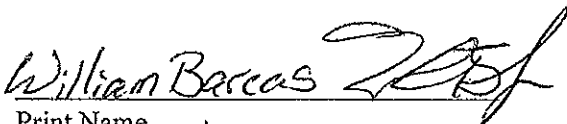
Print Name Kenneth Walker
Date: 10/2/24

Print Name
Date:



Print Name Michael James Jr
Date: 10/2/2024

Print Name
Date:



Print Name
Date: 10/02/24

Print Name
Date:

Print Name
Date:

Print Name
Date:

SCHEDULE A

	4%	4%	3%	3%
	2024	2025	2026	2027
1	\$ 47,214.96	\$ 49,103.56	\$ 50,576.67	\$ 52,093.97
2	\$ 51,386.40	\$ 53,441.86	\$ 55,045.11	\$ 56,696.47
3	\$ 55,557.84	\$ 57,780.15	\$ 59,513.56	\$ 61,298.96
4	\$ 59,730.32	\$ 62,119.53	\$ 63,983.12	\$ 65,902.61
5	\$ 65,292.24	\$ 67,903.93	\$ 69,941.05	\$ 72,039.28
6	\$ 70,854.16	\$ 73,688.33	\$ 75,898.98	\$ 78,175.95
7	\$ 76,417.12	\$ 79,473.80	\$ 81,858.02	\$ 84,313.76
8	\$ 80,589.60	\$ 83,813.18	\$ 86,327.58	\$ 88,917.41
9	\$ 84,761.04	\$ 88,151.48	\$ 90,796.03	\$ 93,519.91
10	\$ 88,933.52	\$ 92,490.86	\$ 95,265.59	\$ 98,123.55
11	\$ 92,994.72	\$ 96,714.51	\$ 99,615.94	\$ 102,604.42
12	\$ 97,276.40	\$ 101,167.46	\$ 104,202.48	\$ 107,328.55
13	\$ 100,947.60	\$ 104,985.50	\$ 108,135.07	\$ 111,379.12
14	\$ 104,607.36	\$ 108,791.65	\$ 112,055.40	\$ 115,417.07
15	\$ 108,287.92	\$ 112,619.44	\$ 115,998.02	\$ 119,477.96
16	\$ 111,958.08	\$ 116,436.40	\$ 119,929.50	\$ 123,527.38
SGTs	\$ 126,037.60	\$ 131,079.10	\$ 135,011.48	\$ 139,061.82

SCHEDULE B – OFFICER SPECIFIC SALARIES

9-13-24

Last Name, Suffix	First Name, Middle Initial	Old Step at 1/1/24	2024	2025	2026	2027
			Salary at 12/31/24	Salary at 12/31/25	Salary at 12/31/26	Salary at 12/31/27
BARTLESON JR	LOUIS W	10	88,933.52	96,714.51	104,202.48	111,379.12
BLACK-BOYLE	KAJTLIN O	10	88,933.52	96,714.51	104,202.48	111,379.12
BOHN JR	DALLAS M	top	111,958.08	116,436.40	119,929.50	123,527.38
BOYLE	KYLE	9	84,761.04	92,490.86	99,615.94	107,328.55
BOYLE Jr	KEVIN	16	111,958.08	116,436.40	119,929.50	123,527.38
DANZE	ERIC	9	84,761.04	92,490.86	99,615.94	107,328.55
DUNN	PATRICK	4	59,730.32	67,903.93	75,898.98	84,313.76
ELWELL	JENNIFER M	top	111,958.08	116,436.40	119,929.50	123,527.38
FESSLER	ROBERT	top	111,958.08	116,436.40	119,929.50	123,527.38
FLITCROFT	STEPHEN	11	92,994.72	101,167.46	108,135.07	115,428.54
GAMBLE	MATTHEW R	16	111,958.08	116,436.40	119,929.50	123,527.38
GELLURA	SAMUEL	4	59,730.32	67,903.93	75,898.98	84,313.76
GINOVILLE	STEVEN	1	51,386.40	57,780.15	63,983.12	72,039.28
ELAM-HAMPTON	SIMBA	3	55,557.84	62,119.53	69,941.05	78,175.95
HARKIN, III	MICHAEL	5	70,854.16	79,473.80	86,327.58	93,519.91
HEGARTY	ADAM	9	84,761.04	92,490.86	99,615.94	107,328.55
JAMES JR	MICHAEL F	10	88,933.52	96,714.51	104,202.48	111,379.12
KOCIS	WILLIAM	8	80,589.60	88,151.48	95,265.59	102,604.42
MARROQUIN	ANTONIO	4	59,730.32	67,903.93	75,898.98	84,313.76
MATHIS	JAMES	8	80,589.60	88,151.48	95,265.59	102,604.42
MICCICHE	ANTHONY	9	84,761.04	92,490.86	99,615.94	107,328.55
NUSCIS	MICHAEL	9	84,761.04	92,490.86	99,615.94	107,328.55
O'BRIEN	KEVIN	6	70,854.16	79,473.80	86,327.58	93,519.91
OMROD	WILLIAM	7	76,417.12	83,813.18	90,796.03	98,123.55
PARKER	AUSTIN	5	65,292.24	73,686.33	81,858.02	88,917.41
PORCH	WILLIAM	7	76,417.12	83,813.18	90,796.03	98,123.55
PRATS	ANTHONY	4	59,730.32	67,903.93	75,898.98	84,313.76
REILLY	MATTHEW	3	55,557.84	62,119.53	69,941.05	78,175.95
SAINI	JORDAN	9	84,761.04	92,490.86	99,615.94	107,328.55
SCHECK	JONATHAN	9	84,761.04	92,490.86	99,615.94	107,328.55
SHOUGH	THOMAS	6	70,854.16	79,473.80	86,327.58	93,519.91
VASSAR	CHRISTOPHER	4	59,730.32	67,903.93	75,898.98	84,313.76
WALKER	KENNETH	8	80,589.60	88,151.48	95,265.59	102,604.42
WHITE	ROBERT	1	51,386.40	57,780.15	63,983.12	72,039.28
*GIRARD	THOMAS		47,214.96	53,441.86	59,513.56	65,902.61
*ROMANTINO	NICHOLAS		47,214.96	53,441.86	59,513.56	65,902.61
*CUSHMAN	AUSTIN		47,214.96	53,441.86	59,513.56	65,902.61

*tentative salaries to be determined upon date of full time hiring and each officer passing academy/or receiving academy waiver/or having active full time certification, consistent with applicable law.

SCHEDULE B – SGT. SPECIFIC SALARIES

	2024	2025	2026	2027
Barcas, W.	126,037.60	131,079.10	135,011.48	139,061.82
Perry, M.	126,037.60	131,079.10	135,011.48	139,061.82
Greto, A.	126,037.60	131,079.10	135,011.48	139,061.82
McNulty, J.	126,037.60	131,079.10	135,011.48	139,061.82
Felsing, J.	126,037.60	131,079.10	135,011.48	139,061.82
Scheid, C.	126,037.60	131,079.10	135,011.48	139,061.82

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

RESOLUTION #2024-335

Title: **A RESOLUTION TO RATIFY A FOUR (4) YEAR CONTRACT AGREEMENT BETWEEN THE TOWNSHIP OF LOWER AND THE LOWER TOWNSHIP SUPERIOR OFFICERS**

WHEREAS, extensive negotiations were conducted by the Township Manager and Labor Counsel with Lower Township Police Department Superior Officers; and

WHEREAS, the parties have reached an agreement which will be utilized to prepare the Collective Bargaining Agreement with Lower Township Superior Officers in accordance with the terms of the attached agreement; and

WHEREAS, the Township Manager and Labor Counsel recommend the Township Council's ratification of the Collective Bargaining Agreement.

NOW, THEREFORE, BE IT RESOLVED, the attached Memorandum of Agreement is hereby ratified.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute the ratified Collective Bargaining Agreement, once prepared, in accordance with and under the terms as outlined attached hereto on behalf of the Township.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD		X	X				
COOMBS	X		X				
ROY			X				
PERRY						X	
SIPPEL			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 October 7, 2024.


Julie A Picard, Township Clerk

**MEMORANDUM OF AGREEMENT
TOWNSHIP OF LOWER
and
POLICEMEN'S BENEVOLENT ASSOCIATION LOCAL 59
LOWER TOWNSHIP SUPERIOR OFFICERS ASSOCIATION**

WHEREAS, the TOWNSHIP OF LOWER (Town) and PBA LOCAL 59 – LOWER TOWNSHIP SUPERIOR OFFICERS ASSOCIATION (Union), herein collectively referenced as “the Parties”, have negotiated terms to modify the current collective bargaining agreement (CBA) with a term of January 1, 2020 through December 31, 2023; and

WHEREAS, as a result of negotiations, the Union and Town have reached an agreement on changes to terms and conditions of the CBA to be included in a successor contract; and

WHEREAS, the Union and the Town desire to reduce these terms and conditions of agreement to a written Memorandum of Agreement (MOA), the terms of which shall be included in a successor agreement; and

WHEREAS, the Parties understand that the successor agreement needs to be approved and ratified by the Town’s governing body and the Union; and the respective bargaining agents of the Parties will recommend ratification and approval of this MOA to the Parties.

NOW THEREFORE, the Parties agree the 2020 – 2023 contract shall be modified consistent with the following:

1. PREAMBLE. The preamble section above is hereby incorporated by reference as if fully set forth herein.
2. DURATION. The **first sentence of the “Term and Renewal” Article on page 40 of the current contract** shall be deleted in its entirety and replaced as follows:

“This Agreement shall be in full force and effect from January 1, 2024 and shall remain in effect to and including December 31, 2027, without any reopening date except as to any provision specifically stated.”

3. WAGES. **Article 19 on page 31, and Schedules A and B on pages 41,** shall be modified as follows:
 - i. **Section A** shall be modified to add the following sentence:

“Salaries and wages set forth in this agreement are retroactive to January 1st of the first year of this agreement.”

ii. **Schedules A and B on page 41** shall be replaced with the attached Schedules A and B.

iii. **Article 19, Paragraph B on page 31** shall be amended to compensate officers for “extra duty” at the rate of “85.00 per hour”.

4. **HOLIDAYS. Article 10 on page 15** shall be amended as follows:

i. **Paragraph A** shall be amended to remove Lincoln’s Birthday from the list of holidays and add Juneteenth to the list of holidays.

ii. **Paragraph A** shall be amended to remove Columbus Day from the list of holidays.

5. **SICK LEAVE. Article 11 on page 16 -17** shall be amended as follows:

i. **Paragraph A (ii) on page 16** shall be amended to include sick leave use consistent with all New Jersey laws and regulations (including *N.J.A.C.* 4A:6-1.3) and any Township ordinances/code that provide a more expansive use of sick time. Accordingly **Paragraph A (ii) on page 16** shall be deleted and replaced with the following language:

“Sick leave may be utilized by employees who are unable to work because of:

1. Personal illness or injury (see *N.J.A.C.* 4A:6-21B for Federal family and medical leave); or

2. Exposure to contagious disease (see *N.J.A.C.* 4A:6-1.21B for Federal family and medical leave); or

3. Care, for a reasonable period of time, of a seriously ill member of the employee's immediate family (see *N.J.A.C.* 4A:1-1.3 for definition of immediate family, see *N.J.A.C.* 4A:6-1.21A for family leave under State law and see *N.J.A.C.* 4A:6-1.21B for Federal family and medical leave); or

4. Death in the employee's immediate family, for a reasonable period of time; or

5. Sick leave may be used by an employee with a disability for absences related to the acquisition or use of an aid for the disability when the aid is necessary to function on the job. In such cases, reasonable proof may be required by the appointing authority; or
6. Any additional use of sick leave provided for by New Jersey Law, Federal Law and/or Township Ordinances and Code.”

ii. **Paragraph B(i) on page 16** shall be amended to change “16” sick days per year to “15” sick days per year.

iii. **Paragraph B(iv) on page 16** shall be deleted in its entirety.

iv. **Paragraph C(iii) on page 16** shall be deleted in its entirety and replaced with the following: “Absence without notice for five (5) consecutive days shall constitute job abandonment resulting in a resignation not in good standing pursuant to *NJAC 4A:2-6.2*.”

6. **INSURANCE, HEALTH & WELFARE. Article 12 on pages 18-22,** shall be amended as follows:

- i. **Paragraph A(i) on page 18** shall be deleted and replaced with the language below. The Parties intend to continue and maintain the current insurance, health and welfare benefits, and use the NJ Direct 2035 HRA Card plan as a less expensive way to provide the same health insurance benefits.

“The New Jersey State Health Plan NJ Direct 2030 shall remain the base plan. The Parties seek to allow for the Township to provide an alternative method of insurance coverage with the same level of health benefits to employees with cost savings to both parties. To accomplish this, the Parties agree that if the Township provides a 2035 plan with an HRA card, the PBA shall accept and use the New Jersey State Health Plan NJ Direct 2035 coverage combined with an HRA card to pay for employee out of pocket costs as long as employees have at least the same coverage, networks and out of pocket costs that would be realized by employees if they were in the New Jersey State Health Plan NJ Direct 2030 plan. In the event the Township cannot offer New Jersey State Health Plan NJ Direct 2035 coverage combined with

an HRA card to pay for employee out of pocket costs so that employees have at least the same coverage, networks and out of pocket costs that would be realized by employees if they were in the New Jersey State Health Plan NJ Direct 2030 plan, employees shall be put back in the New Jersey State Health Plan NJ Direct 2030 plan. The Township reserves the right to change the third party administrators and/or health plans as long as the benefit levels provided (including retirees) are equal to or greater than the New Jersey State Health Plan NJ Direct 2030 (#052). See attached **Schedule D**. The Township agrees that should the change result in less coverage, the Township will make up the difference to the affected individual.”

ii. **Paragraph B(i)(a) on page 19** shall be deleted from the contract in its entirety. The subsection shall be reorganized to properly numerate the Article.

iii. **Paragraph B(i)(c) on page 19** shall be amended delete the paragraph and replace it as follows:

“Coverage is for the retired Employee, spouse and eligible dependents until Medicare eligibility. “Eligible dependents” are determined pursuant to applicable law and the terms of this agreement. See Section “A” of this Article. In the event of a retired employee’s death, the spouse will continue to receive the described benefits until remarriage or Medicare eligibility. Upon retired employee’s death, dependents receiving benefits will continue to receive the same until they are ineligible due to age or otherwise.”

iv. **Paragraph C(i)(a) on page 20** shall be deleted from the contract in its entirety. The subsection shall be reorganized to properly numerate the Article.

v. **Paragraph C(i)(d) on page 20** shall be amended to delete and replace the last sentence as follows:

“Upon a retired employee’s death, the employee’s eligible dependents receiving benefits will continue to receive the same (at retiree co-pay rates) until they are ineligible due to age or otherwise. “Eligible dependents” are determined pursuant to applicable law and the terms of this agreement. See Section “A” of this Article.”

vi. **Paragraph F on page 21** shall be deleted from the contract in its entirety.

7. **AUTHORITY IN ARBITRATION. Article 16, on pages 26-28** shall be amended to add the following new **paragraph “e” to section C(iv) on page 28**.

“PBA 59 Authority in Arbitration Matters. Notwithstanding the right of any employee of the bargaining unit to assert a grievance, P.B.A. 59 shall have the sole and exclusive right to decide and act on issues involving: filing for arbitration, resolving matters subject to pending arbitration, withdrawing an arbitration matter, and filing an appeal of an arbitration decision pursuant to *N.J.S.A. 34:13A-62*. In the event a law supersedes this provision and requires control of arbitration by a specific employee without Union authorization and the employee seeks to pay for costs to arbitrate their own grievance, the employee shall notify the Union and the Employer in writing asserting the legal authority superseding *N.J.S.A. 34:13A-62* with written confirmation to the Union and the Employer that the costs for arbitration attributed to the Union pursuant to this article shall be borne directly, solely and entirely by the employee.”

8. **POLICE LICENSES.** A new **“Article 21-Law Enforcement Officer Licenses”** shall be created to **replace vacant Article 21 on page 33**. The new Article shall read as follows:

“ARTICLE 21 - LAW ENFORCEMENT OFFICER LICENSE FEES.

All fees and costs for officers to obtain and renew police licenses shall be paid for by the Township. However, fees issued for late applications shall be paid by the employee when the employee has caused an application to be submitted late and fees issued for late applications shall be paid by the Township when the employer has caused an application to be submitted late. Classes for continuing education and training shall be paid for by the Township provided the classes for education and training have been approved by the Chief of Police.”

9. **SUBSTANTIVE CHANGES.** The changes provided above contain all substantive modifications to be made to the successor CBA between the Parties. All other language in the January 1, 2020 through December 31, 2023 agreement that is not affected by this document shall remain in the new agreement.
10. **MODIFICATION OF ALL TERMS INCONSISTENT WITH THIS MOA.** All other provisions in the January 1, 2020 – December 31, 2023 CBA that are inconsistent with the substantive changes noted above shall be modified for consistency with the terms of this MOA in the successor agreement spanning from January 1, 2024 to December 31, 2027.
11. **WITHDRAWAL AND WAIVER OF TERMS NOT PROVIDED HEREIN.** All proposals and terms not provided in this MOA are hereby withdrawn, rejected, and waived by the parties.

12. PARTIES' GOOD FAITH TO FINALIZE CONTRACT. The Town acknowledges it will process retroactive payments resulting from this executed MOA as expeditiously as possible, and the Parties agree they will act to have the amended successor agreement executed in an expeditious manner upon receipt.

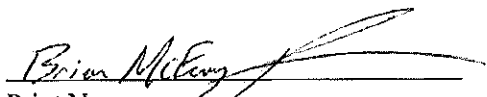
13. CONSTRUCTION. This Agreement shall be construed and interpreted in accordance with the laws of the State of New Jersey. However, since each party to this Agreement and their counsel have reviewed and negotiated this Agreement, the general rule of construction that any ambiguity or uncertainty in a writing shall be interpreted against the party drafting the writing shall not apply to any action relating to this Agreement.

14. RATIFICATION. The union and the Town acknowledge the terms of this MOA need to be ratified by the Union and need to be approved by the Town's governing body.

Subject to the ratification provisions set forth above, the union and the Town signify and acknowledge their agreement to the terms listed above, by the signatures of their duly authorized representatives.

PBA 59 Lower Twp SOA

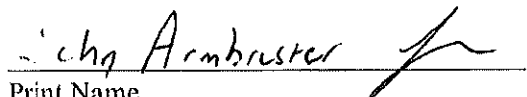
Lower Township


Print Name

Date: 9/27/24

Print Name


Date:


Print Name

Date: 9/27/24

Print Name

Date:


9-27-24

Schedule A

	4%		4%		4%		4%
	2024		2025		2026		2027
Lt	\$ 144,997.84	\$	150,797.75	\$	156,829.66	\$	163,102.85
Cpt	\$ 157,120.08	\$	163,404.88	\$	169,941.08	\$	176,738.72

Schedule B – Officer Specific Salaries

	2024		2025		2026		2027
Armbruster	\$ 144,997.84	\$	150,797.75	\$	156,829.66	\$	163,102.85
McEwing	\$ 144,997.84	\$	150,797.75	\$	156,829.66	\$	163,102.85
Ryan*	\$ 144,997.84	\$	150,797.75	\$	156,829.66	\$	163,102.85
Majane**	\$ 157,120.08	\$	163,404.88	\$	169,941.08	\$	176,738.72

*Ryan eligible for acting Captains pay for time serving as acting Captain from January 1, 2024 to May 1, 2024.

**Majane promoted to Captain May 6, 2024

***Back pay (“retro pay”) to January 1, of the first year of this agreement shall continue to apply to unit members actively working immediately after ratification of this agreement, as set forth in the last paragraph of Article 19, page 32, Section “A”.**