

WORK SESSION AND REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL

December 19, 2022 – 7:00 pm.

Meeting called to order

Opening Announcement

Pledge of Allegiance & Moment of Silence

Roll Call & Determination of Quorum

Work Session

Consent Agenda

Approval of Minutes – December 5, 2022

Res. #2022-382 Authorization for the payment of vouchers \$ 769,243.61

Res. #2022-383 A Resolution Re-Appointing Kathleen Brown as Municipal Tax Collector for the Township of Lower Pursuant to N.J.S.A. 40A:9-142

Res. #2022-384 Approving Change Order #2 – Final to Fred M Schiavone Construction for Additional Paving and Fencing and As-Built Quantity Adjustments for 2022 NJDCA Small Cities Program Cloverdale Avenue, Evergreen Avenue and Spruce Avenue Storm Sewer Improvements (LT-C-026) \$27,084.96

Res. #2022-385 Approving a Professional Service Contract with DeBlasio & Associates for the FY2023 NJDOT Municipal Aid Including the Survey and Design Phase of the Reconstruction of Wildwood Avenue – Bayshore Road to Bay Drive Engineering Phase (LT-C-034) (\$60,000)

Res. #2022-386 Award National Cooperative Purchasing Agreement with Sourcewell to Central Jersey Equipment LLC to Purchase One (1) 2023 John Deere Gator XUV825M Contract #031121-DAC (\$19,871.16)

Res. #2022-387 Authorizing the Sale of Township of Lower Surplus No Longer Needed for Public Use on GOVDEALS Online Auction Website

Res. #2022-388 Authorizing the Release of Approximately \$163,612.02 in Surplus from the Township of Lower's Share of the Aggregate Excess Loss Contingency Fund

Res. #2022-389 A Resolution Vacating the Foreclosure of 931 Seashore Road, Block 753.04, Lot 4, Due to the Issuance of a Prior Tax Sale Certificate Not Named Within the Original Foreclosure and Amending Resolution 2022-354 to Reinstate Cancelled Taxes Associated with Same

Res. #2022-390 A Resolution Amending the Personnel Policies and Procedures Manual of Lower Township

Res. #2022-391 Transfer of 2022 Appropriations

Res. #2022-392 Award National Cooperative Purchasing Agreement with Sourcewell to Cherry Valley Tractor Sales to Purchase one (1) Powerstar 75 New Holland Cab Tractor Sourcewell Contract #110719CNH with Alamo Interstater W/4 oz Knives Sourcewell #0780821 (\$98,631.55)

Res. #2022-393 Award National Cooperative Purchasing Agreement with Sourcewell to Cherry Valley Tractor Sales to Purchase One (1) TS6 110 New Holland Cab Tractor with Alamo Samuari 18Ft Mid Mount Boom (\$158,008.64)

Res. #2022-394 A Resolution Requesting Release of Performance Guarantee for New Singular Wireless PCSLLC dba AT & T Mobility; Block 410.01; Lot 36.01; Escrow #Z20-08-02

Res. #2022-395 Approval for the Tax Collector to Proceed with Foreclosures of Group#2

Res. #2022-396 A Resolution Approving an Agreement Between the Township of Lower and Kevin Lewis, Lower Township Chief of Police

Res. #2022-397 Awarding a Competative Contract to TD BANK for Banking Services for the Township of Lower 2023-2024-2025 (36 Months)

Res. #2022-398 A Resolution Urging Governor Murphy to use Covid Relief Funds to Offset the Increased Premium Costs of the New Jersey State Health Benefit Program

Regular Agenda

Ordinance #2022-15 – An Ordinance Amending Chapter 400, Land Development, of the Code of the Township of Lower, to Create An Overlay Zoning District in the GB-1 Zone to Govern Class 5 Cannabis Retail Licenses and Class 6 Cannabis Delivery Licenses. This is The second reading and public hearing of this Ordinance. This Ordinance has been posted, published and made available to the public.

Engineer Report

Monthly Report -

Clerk, Construction, Dog, Tax Collector, Treasurer, Vital

Public Comment

Council Comments

Adjourn

COUNCIL MEETING MINUTES – December 5, 2022

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on December 5, 2022 at 7:00 p.m. in the meeting room of Township Hall, 2600 Bayshore Road, Villas, New Jersey.

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

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

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

Also present: Michael Laffey, Township Manager, David Stefankiewicz, Township Solicitor and Karen Fournier, Deputy Township Clerk

Work Session

Proclamation - Supporting the *Drive Sober or Get Pulled Over 2022 Year End Holiday Crackdown*
 Deputy Mayor Perry read the Proclamation pledging the Township's support of the *Drive Sober or Get Pulled Over 2022 Year End Holiday Crackdown* to increase awareness of the dangers of drinking and driving.

Consent Agenda

- Approval of State's Firemen's Association Membership Application – J. Reed – Villas Vol Fire Co
- Approval of minutes – November 21, 2022
- Res. #2022-371 Authorization for the payment of vouchers \$ 810,530.60
- Res. #2022-372 Authorization for Refund of Taxes
- Res. #2022-373 Approval of Change Order #1 to Keith Bonchi, GMS Law as Tax Foreclosure Attorney (\$5,000)
- Res. #2022-374 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (2022 Drive Sober or Get Pulled Over)
- Res. #2022-375 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (National Opioid Settlement \$7,461.95)
- Res. #2022-376 Various Appointments to the Planning Board
- Res. #2022-377 Approving a Professional Service Contract with DeBlasio & Associates for the Survey and Engineering Design Phase – Reconstruction of Carriage Lane, Briarwood Drive, Bridle Path, Paddock Lane, Timber Lane and Trotter Way – LT-C-032 (\$155,000)
- Res. #2022-378 Authorization for the Payout of Accumulated Sick Time (L. Read \$10,620.11)
- Res. #2022-379 Transfer of 2022 Appropriations
- Res. #2022-380 Certification of Lot Clearing Charges to the Tax Collector
- Res. #2022-381 Authorization for the Payout of Accumulated Compensatory Time (A. Hegerty \$2,691.51)

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

Regular Agenda

Ordinance #2022-12; An Ordinance Amending Chapter 432, Mercantile Licenses, to Modify the License Term Associated with Rental Unit Mercantile Licenses. This Ordinance has been published, posted and made available to the public.

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

Ordinance #2022-13 – Salary and Benefit Ordinance for the Township of Lower. This Ordinance has been published, posted and made available to the public.

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

Ordinance #2022-14 Re-Appropriation Ordinance of the Township of Lower, in the County of Cape May, State of New Jersey, Providing for Various Road Improvements and Re-Appropriating \$497,414.23 of Excess Bond Proceeds from Bond Ordinance 2019-09 to Finance the Cost Thereof. This Ordinance has been published, posted and made available to the public.

Deputy Mayor Perry voiced favor that this Ordinance will enable the Township to continue with road improvements.

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

Monthly Report

Finance

Call to the Public

Kelly Unknown, Caroline Ave., addressed Council regarding problems with unruly juveniles at Clem Mulligan Park and suggested additional police presence.

Manager Laffey agreed to address the matter and follow up with Kelly.

Sabrina Bloom, Mowery Ave., addressed Council to voice frustration with the juveniles at Clem Mulligan Park, stating their effect on her quality of life.

Deputy Mayor Perry directed Manager Laffey to follow up with Ms. Bloom.

Council Comments

Councilmember Conrad thanked the Lower Township Rotary for the Tree Lighting and Veteran's Ceremony.

Councilmember Coombs – no comments

Councilmember Roy – no comments

Mayor Sippel – no comments

Deputy Mayor Perry announced the Christmas Parade, Ferry Merry Christmas and the New Year's Eve Celebration.

Adjournment

There being no further business to address, motion to adjourn moved by Councilmember Conrad, seconded by Councilmember Coombs. Motion to adjourn was unanimous. Meeting adjourned at 7:17 p.m.

Mayor *Frank Sippel*

Township Clerk

Approved:

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01171	VERIZON WIRELESS - TOWNHALL								
		22-03025	12/06/22	CELL PHONE 10/24-11/23/22	Open	357.51	0.00		
		22-03100	12/14/22	IPHONE 10/29-11/28/22	Open	944.44	0.00		
						<u>1,301.95</u>			
01200	DELTA DENTAL PLAN OF NJ								
		22-03107	12/14/22	OCT CLAIMS PT B	Open	2,480.00	0.00		
		22-03108	12/14/22	NOV 22 DENTAL CLAIMS	Open	14,062.05	0.00		
						<u>16,542.05</u>			
01219	CONTRACTOR SERVICE*								
		22-03010	12/01/22	RAKES/DPW	Open	551.00	0.00		
01239	DIANA L DeNOTE								
		22-03087	12/12/22	CONTRACTUAL REIMBURSMENT M/V	Open	575.88	0.00		
01280	DON DOUGLASS, JR								
		22-03109	12/15/22	CONTRACTUAL REIMBURSEMENT V	Open	673.21	0.00		
01365	GARY DOUGLASS								
		22-03089	12/12/22	CONTRACTUAL REIMBURSMENT V	Open	390.00	0.00		
01483	FRA TECHNOLOGIES*								
		22-02401	10/06/22	SERVICE CONTRACT 12/22-11/23	Open	1,350.00	0.00		
01530	FIRE DISTRICT #1								
		22-00791	03/30/22	2022 FIRE DISTRICT #1 TAXES	Open	185,707.47	0.00		
01540	FIRE DISTRICT #2								
		22-00792	03/30/22	2022 FIRE DISTRICT 2 TAXES	Open	104,210.00	0.00		
01550	FIRE DISTRICT #3								
		22-00793	03/30/22	2022 FIRE DISTRICT # 3 TAXES	Open	268,492.50	0.00		
01806	ANTHONY J HARVATT, II, ESQ								
		22-00903	04/07/22	ZBA SOLICITOR SALARY	Open	625.00	0.00		
		22-02949	11/23/22	ZONING BRD RESOLUTION VOUCHERS	Open	600.00	0.00		
						<u>1,225.00</u>			
02175	BRUCE KLAUSING								
		22-03086	12/12/22	CONTRACTUAL REIMBURSMENT M	Open	2,041.20	0.00		
02541	ROBERT D. MARTIN, JR								
		22-03093	12/14/22	CONTRACTUAL REIMBURSEMENT M	Open	148.78	0.00		
02940	MUNICIPAL RECORD SERVICE*								
		22-02937	11/23/22	COURT TRAFFIC TICKETS	Open	717.00	0.00		
03158	NYSCA*								
		22-02818	11/14/22	RECERTIFICATION WRESTLING COAC	Open	60.00	0.00		
03160	OFFICE BASICS, INC*								
		22-03020	12/02/22	2023 DESK & WALL CALENDARS	Open	445.28	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03305	PEDRONI FUEL*	22-03074	12/12/22	NO LEAD GAS/DPW 12/2/22	Open	865.87	0.00		
03347	DAVID PERRY	22-03015	12/02/22	CONTRACTUAL REIMBURSEMENT M	Open	1,850.00	0.00		
03387	POGUE INC, *	22-03059	12/12/22	CONTROLLED SUBSTANCE TEST	Open	266.00	0.00		
03518	RIGGINS, INC.*	22-03046	12/12/22	OFF HIGHWAY DIESEL/DPW	Open	1,102.88	0.00		
03709	STATE OF NEW JERSEY	22-03029	12/06/22	22-23 LIQUOR LICENSE	Open	84.00	0.00		
03894	SHERWIN WILLIAMS COMPANY*	22-03018	12/02/22	HL 2320 FDTP WB WH PAINT	Open	184.80	0.00		
03902	DONALD VANAMAN JR	22-03016	12/02/22	CONTRACTUAL REIMBURSEMENT V	Open	175.00	0.00		
03971	VERIZON WIRELESS MDT POLICE	22-03012	12/01/22	VERIZON POLICE & TWP	Open	1,236.66	0.00		
04089	WIZARD'S FESTIVAL OF FUN, INC*	22-02950	11/28/22	FERRY MERRY XMAS RES#22-362	Open	6,450.00	0.00		
04097	CINTAS FIRST AID AND SAFETY*	22-03099	12/14/22	TOWNHALL FIRST AID 12/6/22	Open	12.72	0.00		
04301	SEASHORE ASPHALT CORPORATION*	22-01430	06/09/22	ASPHALT/PATVH/RDS/DPW/AUG	Open	183.15	0.00		B
5032	JAX LLC	22-02981	11/30/22	BASKETBALL PINNIES	Open	358.20	0.00		
6071	UNITED UNIFORMS LIMITED LIAB*	22-01964	08/08/22	UNIFORMS	Open	2,000.00	0.00		
		22-02985	11/30/22	Rambo & Belles uniforms	Open	508.95	0.00		
						<u>2,508.95</u>			
7079	SUBURBAN PROPANE L P*	22-03081	12/12/22	PROPANE @ FREEMAN DOUGLASS PAR	Open	473.90	0.00		
7207	MOTOROLA SOLUTIONS	22-02197	09/09/22	PORTABLE RADIO SINGLE UNIT CHG	Open	656.60	0.00		
7251	REIT LUBRICANTS CO*	22-02848	11/17/22	HYDRAULIC OIL/5-30 MOTOR OIL	Open	3,523.43	0.00		
7303	BILL FISHMAN	22-02998	12/01/22	2022 FALL SOCCER OFFICIAL	Open	160.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7354	FLEETPRIDE INC.*								
		22-02314	09/23/22	YRLY ONLINE DIAGNOSTIC LICENSE	Open	2,675.00	0.00		
7385	JASON FELSING								
		21-01434	06/11/21	EQUIPMENT ALLOWANCE 2021	Open	112.19	0.00		
		22-00871	04/07/22	EQUIPMENT ALLOWANCE 2022	Open	82.81	0.00		B
						195.00			
7507	STEFANKIEWICZ & BELASCO LLC*								
		22-00061	01/10/22	RES 2022-01 DNE \$150k EXPENSES	Open	4,232.50	0.00		B
7548	JENNIFER DOWE								
		22-03088	12/12/22	CONTRACTUAL REIMBURSMENT V	Open	128.50	0.00		
7691	AUDREY DENNY								
		22-03090	12/13/22	CONTRACTUAL REIMBURSEMENT M	Open	186.03	0.00		
7751	HOFFMAN'S EXTERMINATING*								
		22-02195	09/09/22	DOS-8/23/22-PEST-CANAL PARK	Open	125.00	0.00		
		22-02407	10/06/22	PEST CONTROL- CANAL PARK	Open	125.00	0.00		
		22-02571	10/27/22	PEST CONTROL- CANAL PARK	Open	125.00	0.00		
		22-02658	11/04/22	PEST CONTROL- CANAL PARK	Open	125.00	0.00		
						500.00			
7820	DEBLASIO & ASSOCIATES, P.C*								
		21-02889	11/17/21	ENGI SERVICES/MILLMAN 2021-353	Open	97.50	0.00		
		22-00548	02/28/22	REPLACE PAVILIONS RES2022-89	Open	1,357.50	0.00		B
		22-01121	05/02/22	RES.#2022-140 CO#1 DIAMOND BEA	Open	4,785.00	0.00		
		22-01544	06/10/22	RES#22-194 CONST MOWERY/HARVRD	Open	4,016.25	0.00		
		22-01963	08/08/22	RES #2022-251 POOL RENOVATIONS	Open	172.50	0.00		B
		22-01970	08/08/22	CHG 1- CLOVERDALE, EVERGREEN	Open	3,576.06	0.00		B
		22-02221	09/13/22	CHG ORD 1- MIAMI AVE ENGINEER	Open	2,823.75	0.00		B
		22-02530	10/25/22	CHG ORD #1 FIRE LANE	Open	6,497.50	0.00		B
		22-02843	11/17/22	ZONING BOARD ENGINEER VOUCHERS	Open	545.00	0.00		
		22-03058	12/12/22	CARRIAGE LN, BRIARWOOD, BRIDLE	Open	3,045.00	0.00		B
		22-03062	12/12/22	PLANNING BRD ENGINEER VOUCHERS	Open	695.36	0.00		
						27,611.42			
7922	WILLIAM OMROD								
		21-01460	06/11/21	EQUIPMENT ALLOWANCE 2021	Open	124.25	0.00		
		22-00888	04/07/22	EQUIPMENT ALLOWANCE 2022	Open	91.13	0.00		B
						215.38			
7923	THOMAS SHOUGH								
		22-03014	12/02/22	CONTRACTUAL REIMBURSMENT V	Open	85.00	0.00		
7929	AMAZON CAPITAL SERVICES, INC*								
		22-02656	11/04/22	SUPPLIES	Open	1,395.71	0.00		
		22-02662	11/04/22	SPOTLIGHT HANDLE FOR PD CAR	Open	39.90	0.00		
		22-02665	11/04/22	FS computer supplies, folders	Open	140.84	0.00		
		22-02817	11/14/22	WALL CLOCKS & ERASERS	Open	22.28	0.00		
		22-02900	11/21/22	HARDWARE FOR SIGN SHOP	Open	588.45	0.00		
		22-02968	11/28/22	COURT IPAD & CASE	Open	330.99	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7929	AMAZON CAPITAL SERVICES, INC*				Continued				
		22-03005	12/01/22	SNOW SHOVELS AND SPREADERS	Open	529.54	0.00		
		22-03013	12/01/22	FS amazon order	Open	88.59	0.00		
		22-03055	12/12/22	JIF SAFETY INCENTIVE	Open	122.99	0.00		
						<u>3,259.29</u>			
8039	CAPE MAY RUNNING LLC								
		22-03028	12/06/22	REFUND OF UNUSED ESCROW	Open	1,217.50	0.00		
8046	SAMPLE MEDIA INC								
		22-03000	12/01/22	FS 2023 commission mtg ad	Open	9.00	0.00		
8116	MARIA BREWSTER								
		22-03022	12/06/22	LEAGUE OF MUNC 11-16-22	Open	78.75	0.00		
8131	DOCUVAULT SECURE SHREDDING LC*								
		22-02347	09/28/22	MONTHLY SHREDDING TOWNSHIP	Open	116.85	0.00		B
8173	CUB SCOUT PACK 87								
		22-03054	12/12/22	CLEAN UP	Open	500.00	0.00		
8184	BUDDY TREEN								
		22-03023	12/06/22	2022 FALL SOCCER OFFICIAL	Open	70.00	0.00		
8459	BATTERIES PLUS BULBS #636 *								
		22-01031	04/21/22	RDS/SANT/RECY/DPW/JUNE	Open	820.00	0.00		
8464	JEREMY EMBS								
		22-03084	12/12/22	J. Embs uniform reimburs	Open	167.96	0.00		
8524	FRED M SCHIAVONE CONSTRUCTION*								
		22-02080	08/22/22	C.O.#7 RES#22-269 CLEM MULLIGN	Open	49,742.41	0.00		B
8537	ASBURY PARK PRESS								
		22-00513	02/22/22	2022 E-SUBSCRIPTION	Open	9.99	0.00		PC1
8547	SOUTHERN SHORE REGIONAL DMO								
		22-01400	06/07/22		Open	1,000.00	0.00		
8672	LOGMEIN INC.								
		22-00130	01/11/22	2022 GO TO MEETING	Open	19.00	0.00		PC1
8679	CANON SOLUTIONS AMERICA INC*								
		22-03052	12/12/22	ANNUAL MAINT 12/1/22-11/30/23	Open	3,907.20	0.00		
8707	PAUL J BALDINI P.A.								
		22-00065	01/10/22	RES 2022-04 DNE\$7500 CONFLICT	Open	2,047.50	0.00		
		22-03080	12/12/22	CO 1 CONFLICT COUNCEL \$5K	Open	2,812.50	0.00		
						<u>4,860.00</u>			
8721	BLANEY, DONOHUE, & WEINBERG PC								
		22-00063	01/10/22	RES 2022-02 LABOR DNE \$40K	Open	681.50	0.00		B

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
8723	HOFFMAN INTERNATIONAL INC*	22-00385	02/07/22	COUNTY PARTS FOR JCB LOADER	Open	1,135.65	0.00		
8789	CONNOR DEIGNAN	22-03044	12/12/22	2022 FALL SOCCER OFFICIAL	Open	120.00	0.00		
8815	EVAN QUARTON	22-02982	11/30/22	2022 FALL SOCCER OFFICIAL	Open	105.00	0.00		
8830	STALLION MARKETING LLC	22-01872	07/25/22	LICENSE FOR MOVIE	Open	700.00	0.00		
8848	COMFORT NOW LLC	22-02872	11/17/22	BOILER LEAKING-EMERGENCY CALL	Open	455.00	0.00		
8862	TARGET SOLUTIONS LEARNING LLC	22-02483	10/17/22	GUARDIAN TRACKING	Open	3,246.12	0.00		
8879	PAUL LATORRE	22-02832	11/17/22	RES #22-355 REFUND 4TH QRT TAX	Open	531.58	0.00		
8908	COMCAST BUISNESS	22-02894	11/21/22	DEC 22 ENCUMBER VOICE PHONES	Open	1,634.53	0.00		
8909	COMCAST BUISNESS	22-02895	11/21/22	DEC 22 BUS ETHERNET	Open	977.27	0.00		
8913	JOSEPH FERRY JR	22-02936	11/23/22	B-168 L19 FERRY	Open	960.05	0.00		
8914	KEVIN GORMLEY	22-02939	11/23/22	B-512.04 L-2879 GORMLEY	Open	2,732.58	0.00		
8918	PUNTIPA MOLTANE	22-03008	12/01/22	2022 FALL SOCCER OFFICIAL	Open	105.00	0.00		
8919	ROBERT BOWEN	22-03024	12/06/22	2022 FALL SOCCER OFFICIAL	Open	160.00	0.00		
BOSNA	KAREN MANETTE BOSNA	22-02980	11/30/22	YOGA- MOTH OF NOVEMBER	Open	100.00	0.00		
CMCHE005	CMC HERALD	22-02988	11/30/22	FS 2023 Commission mtg ad	Open	39.75	0.00		
CRAIGW	WALTER C CRAIG	22-02942	11/23/22	B-494.45 L-5	Open	1,250.01	0.00		
G-LIT	LITTLE ITALY II	22-03057	12/12/22	JIF SAFETY INCENTIVE LUNCHEON	Open	467.95	0.00		
TACPR	TAC PRINTING & MARKETING SERV*	22-01893	07/26/22	BUSINESS CARDS & LABELS	Open	165.00	0.00		

Vendor #	Name							
PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type	
Total Purchase Orders:		122	Total P.O. Line Items:	0	Total List Amount:	769,243.61	Total Void Amount:	0.00

Resolution #2022-382

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2022.

Julie A Picard, Township Clerk

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

RESOLUTION #2022-383

Title: A RESOLUTION RE-APPOINTING KATHLEEN BROWN AS MUNICIPAL TAX COLLECTOR FOR THE TOWNSHIP OF LOWER PURSUANT TO N.J.S.A. 40A:9-142

WHEREAS, Kathleen Brown has satisfactorily served as Municipal Tax Collector for the Township of Lower for a partial term of February 22, 2018 through December 31, 2018 and then served her initial four year term January 1, 2019 through December 31, 2022; and

WHEREAS, the appointment of Kathleen Brown for a second term as Municipal Tax Collector will grant her tenure in the position within the Township of Lower.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Kathleen Brown is hereby re-appointed as Municipal Tax Collector for her second four year term effective January 1, 2023, thereby granting her tenure.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2022.

Julie A Picard, Township Clerk

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

RESOLUTION # 2022-384

Title: APPROVING CHANGE ORDER #2 – FINAL TO FRED M SCHIAVONE CONSTRUCTION FOR ADDITIONAL PAVING AND FENCING AND AS-BUILT QUANTITY ADJUSTMENTS FOR 2022 NJDCA SMALL CITIES PROGRAM CLOVERDALE AVENUE, EVERGREEN AVENUE AND SPRUCE AVENUE STORM SEWER IMPROVEMENTS (LT-C-026)

WHEREAS, Fred M. Schiavone Construction Inc. was awarded on July 18, 2022 by Resolution #2022-233 for the 2022 NJDCA Small Cities Program Cloverdale Avenue, Evergreen Avenue and Spruce Avenue Storm Sewer Improvements (LT-C-026) for \$321,261.00; and Change Order #1 was approved on August 15, 2022 for additional Drainage in the amount of \$31,203.80 making the total \$352,464.80 and

WHEREAS, DeBlasio & Associates have provided a proposal for Change Order #2 for Additional Paving and Additional Fencing along Drainage Easement and As-Built Quantity Adjustments for \$27,084.96; and

WHEREAS, the Township Council desires to approve Change Order #2 in the amount of \$27,084.96; and the CFO has certified the availability of funds as evidenced by her signature below:

Appropriation: SCPF #2-01-56-750-351

Signature: Lauren Rad
Lauren Rad, CFO

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Change Order #2 attached hereto in the amount of \$27,084.96 is hereby approved and increasing the contract total to \$379,549.76.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
COOMBS						
ROY						
PERRY						
SIPPEL						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2022.

Julie A Picard, Township Clerk

DEBLASIO & ASSOCIATES

CONSULTING ENGINEERS AND PLANNERS

4701 NEW JERSEY AVENUE • WILDWOOD, NJ 08260

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

December 2, 2022

VIA EMAIL & REGULAR MAIL

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

**Re: Township of Lower, Cape May County, NJ
FY2022 NJDCA Small Cities Program
Cloverdale Avenue, Evergreen Avenue and Spruce Avenue Storm Sewer Improvements
D&A File #: LT-C-026**

Dear Ms. Picard:

Enclosed please find four (4) copies of **CHANGE ORDER NO. 2 - 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 additional work requested by the Township:

1. Additional Paving and Additional Fencing along Drainage Easement.
2. As-Built Quantity Adjustments.

Please note this change order will result in an increase of \$27,084.96 to the original contract amount of \$321,261.00 for a final contract amount of \$379,549.76.

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

MD:kd

cc: Michael Laffey, Manager (via email w/encl.)
Margaret Vitelli, QPA, Purchasing Agent (via email w/encl.)
Gary Douglass, Public Works Superintendent (via email w/encl.)
Fred Schiavone Construction, Inc. (via email w/encl.)
Mark Blauer (via email w/encl.)



Change Order #2 - Final

Client: Township of Lower
 Date: December 1, 2022
 Project Name: FY2022 NJDCA Small Cities Program
 Cloverdale Avenue, Evergreen Avenue and Spruce Avenue
 Storm Sewer Improvements
 D&A Project #: LT-C-026

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

A. Supplemental Items

Contract Pay Item Number	Description	Unit	Quantity	Contract Unit Price	Contract Total
S1	ADDITIONAL FENCING ALONG DRAINAGE EASEMENT	LUMP SUM	1	\$13,051.50	\$13,051.50
Subtotal:					\$13,051.50

B. Extras

Contract Pay Item Number	Description	Unit	Quantity	Contract Unit Price	Contract Total
6	HMA MILLING, 0-2" DEPTH	S.Y.	926	\$9.80	\$9,074.80
9	HOT MIX ASPHALT SURFACE COURSE, MIX 9.5M64, 2" THICK	TON	163.77	\$143.80	\$23,550.13
20	TRAFFIC MARKINGS, LINES, LONG-LIFE, THERMOPLASTIC-12"	L.F.	16	\$68.00	\$1,088.00
18	GROUT EXISTING STORM SEWER PIPE	C.Y.	15	\$518.00	\$7,770.00
Subtotal:					\$41,482.93

C. Reductions

Contract Pay Item Number	Description	Unit	Quantity	Contract Unit Price	Contract Total
4	K-5 INFILTRATION SAND, 6" THICK	C.Y.	-9	\$102.80	-\$925.20
5	RIP RAP, 12" THICK	C.Y.	-2	\$135.00	-\$270.00
7	DENSE GRADED AGGREGATE BASE COURSE, 6" THICK	S.Y.	-45	\$16.10	-\$724.50
8	HOT MIX ASPHALT BASE COURSE, MIX 19M64, 2" THICK	TON	-28.67	\$188.60	-\$5,407.16
11	INLET, TYPE "E" WITH SUMP BOTTOM	UNIT	-1	\$4,000.00	-\$4,000.00
12	INLET, TYPE "A"	UNIT	-1	\$3,200.00	-\$3,200.00
13	12" HIGH DENSITY POLYETHYLENE CULVERT STORM PIPE	L.F.	-69	\$82.00	-\$5,658.00
14	12" DUCTILE IRON CULVERT STORM PIPE, CLASS 52	L.F.	-25	\$143.00	-\$3,575.00
19	CLEAN AND TELEWISE STORM SEWER SYSTEM	L.F.	-289	\$10.40	-\$3,005.60
23	RESET EXISTING STONE MULCHING	S.Y.	-8	\$23.00	-\$184.00
24	INLET FILTERS, TYPE 1	S.F.	-25	\$20.00	-\$500.00
Subtotal:					-\$27,449.46

Net Contract Change \$27,084.96
 Original Contract Amount: \$321,261.00
 Amended Contract Amount: \$352,464.80
 Contract Percentage Change (%): 8.43
 Final Contract Amount: \$379,549.76

Approved and Accepted by:

Marc DeBlasio 12/2/22
 Marc DeBlasio, P.E., Township Engineer Date

Roberta M. Schiavone 12/2/22
 Fred M. Schiavone Construction Date

Township of Lower Mayor Frank Sippel _____
 Date

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

RESOLUTION #2022-385

Title: APPROVING A PROFESSIONAL SERVICE CONTRACT WITH DeBLASIO & ASSOCIATES FOR THE FY2023 NJDOT MUNICIPAL AID INCLUDING THE SURVEY AND DESIGN PHASE OF THE RECONSTRUCTION OF WILDWOOD AVENUE-BAYSHORE ROAD TO BAY DRIVE ENGINEERING PHASE (LT-C-034)

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

WHEREAS, DeBlasio & Associates have provided a proposal for the Engineering Design Phase including: Survey and Base Mapping, Roadway Coring for Pavement Design, Design Plans and Specifications, NJDOT Grant & Project Administration for Reconstruction of Wildwood Avenue from Bayshore Road to Bay Drive for \$60,000.00; and

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

Appropriation: C-04-55-432-100

Signature: Lauren Read, CFO

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

- 1. The Proposal between DeBlasio & Associates and the Township of Lower, in the form attached hereto as EXHIBIT A, for an amount of \$60,000.00 is hereby approved.

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

Table with 8 columns: MOTION, SECOND, AYE, NAY, RECUSE, ABSTAIN, ABSENT and 5 rows of names: CONRAD, COOMBS, ROY, PERRY, SIPPEL.

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2022.

Julie A Picard, Township Clerk

DEBLASIO & ASSOCIATES

CONSULTING ENGINEERS AND PLANNERS

4701 NEW JERSEY AVENUE • WILDWOOD, NJ 08260

PHONE: 809-854-3311 • FAX: 609-854-4323

November 30, 2022

VIA EMAIL

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

**Re: Township of Lower, Cape May County, NJ
FY2023 NJDOT Municipal Aid
Reconstruction of Wildwood Avenue – Bayshore Road to Bay Drive
Survey and Engineering Phase
D&A File #: LT-C-034**

Dear Mr. Douglass:

DeBlasio & Associates, P.C. is pleased to provide this proposal to provide our professional engineering and survey services for the **FY2023 NJDOT Municipal Aid Reconstruction of Wildwood Avenue – Bayshore Road to Bay Drive.**

As you are aware, the NJDOT has recently notified the Township that a \$170,085.00 grant has been allocated for the Reconstruction of Wildwood Avenue from Bayshore Road to Bay Drive. Based on our analysis and grant application submission, the engineer's estimate of construction cost is \$760,000.00.

➤ Engineering & Construction Phase Cost:	\$60,000.00
• Survey and Base Mapping	
• Roadway Coring for Pavement Design	
• Design Plans and Specifications	
• NJDOT Grant & Project Administration	
Total Professional Service Fee	\$60,000.00

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

Upon your authorization, we are prepared to begin work immediately on the Township's **FY2023 NJDOT Municipal Aid Reconstruction of Wildwood Avenue – Bayshore Road to Bay Drive.**

Should you have any questions or require any additional information, please do not hesitate to contact me at our office. Thank you for the opportunity to submit this proposal.

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

A handwritten signature in cursive script that reads "Marc DeBlasio".

Marc DeBlasio, P.E., P.P., C.M.E.

President

T: 609-854-3311

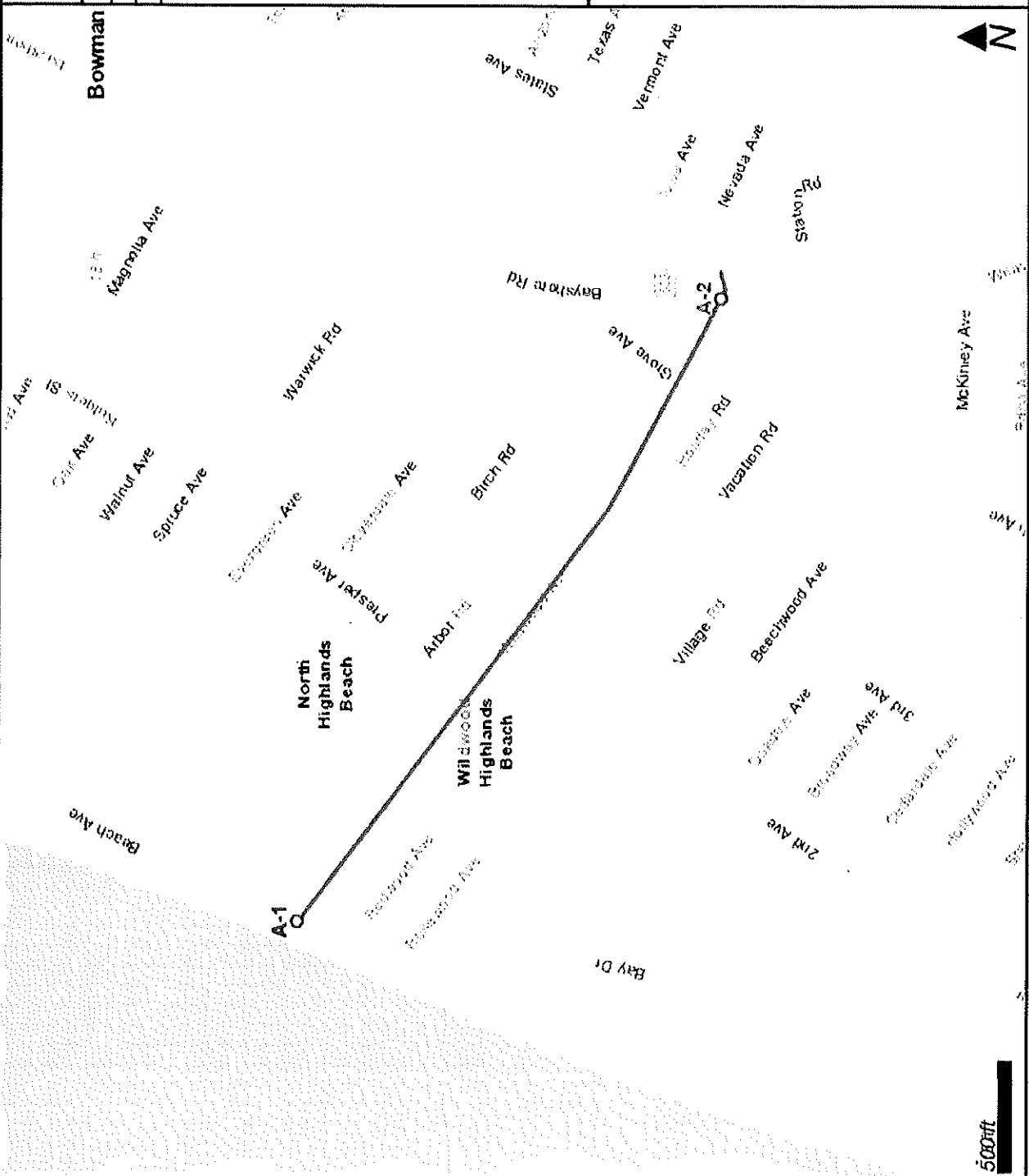
Marc@deblasloassoc.com

cc: Michael Laffey, Manager (via email)
Margaret Vitelli, QPA (via email)
Julle Picard, Clerk (via email)
Colleen Crippen, Grants Coordinator (via email)

Reconstruction of Wildwood Avenue

Wildwood Av

Project Location		
#	MP	Standard Route ID
A-1	0.03	05051104
A-2	0.85	05051417
Total Length: 0.61 miles		



500ft

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

RESOLUTION # 2022-386

Title: AWARD NATIONAL COOPERATIVE PURCHASING AGREEMENT WITH SOURCEWELL TO CENTRAL JERSEY EQUIPMENT LLC TO PURCHASE ONE (1) 2023 JOHN DEERE GATOR XUV825M CONTRACT #031121-DAC

WHEREAS, The Township of Lower participates in Sourcewell National Cooperative Purchase Agreement, Membership #28077; and intends to purchase under Contract #031121-DAC (1) One 2022 John Deere Gator XUV825M for the Recreation Department; and

WHEREAS, The Township of Lower is permitted to join national cooperative purchasing agreements under the authority of N.J.S.A. 52:34-6.2(b)(3); and NCOOP Bid #2022-12 was advertised on December 7, 2022 with comment period ending December 17, 2022; and was reviewed by the QPA and the Recreation Director; and

WHEREAS, the CFO has certified the availability of funds as evidenced by her signature below:

Appropriation: Ord #22-05 C-04-55-433-620

Signature: Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the following contract is hereby awarded to Central Jersey Equipment LLC pursuant to the proposal submitted in response to the Sourcewell National Cooperative Request for Proposals as follows:

AWARD: CENTRAL JERSEY EQUIPMENT LLC
\$19,871.16
Contract #031121-DAC
Contract expires 04/30/2025

BE IT FURTHER RESOLVED, upon approval of the resolution, the fully executed Purchase Order shall serve as the Contract for the award of the bid.

Table with 8 columns: MOTION, SECOND, AYE, NAY, RECUSE, ABSTAIN, ABSENT and 5 rows of names: CONRAD, COOMBS, ROY, PERRY, SIPPEL.

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2022.

Julie A Picard, Township Clerk



JOHN DEERE

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580
UEID: FNSWEDARMK53

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

Central Jersey Equipment LLC
100 Route 206
Hammonton, NJ 08037
609-704-9440
general@centraljerseyequipment.com

Quote Summary

Prepared For:

LOWER TOWNSHIP PUBLIC WORKS
PUBLIC WORKS DEPARTMENT 2600 B
VILLAS, NJ 08251
Business: 609-886-2005

Delivering Dealer:

Central Jersey Equipment LLC
Christopher Tommins
100 Route 206
Hammonton, NJ 08037
Phone: 609-704-9440
ctommins@centraljerseyequipment.com

3% Price increase for sales exceeding \$5,000 paid by Credit Card

*The parties acknowledge that this is not a contract until signed by both parties below. This is an estimate only, subject to approval by Management, and subject to approval if appropriate by all financial entities, and does not constitute a contract until signed by both parties.

All deposits are non refundable.

Quote ID: 25408416

Created On: 09 October 2021

Last Modified On: 28 November 2022

Expiration Date: 08 November 2021

Equipment Summary	Suggested List	Selling Price	Qty	Extended
JOHN DEERE GATOR™ XUV825M S4 (Model Year 2023)	\$ 23,106.00	\$ 19,871.16 X	1 =	\$ 19,871.16
Contract: Sourcewell Grounds Maintenance 031121-DAC (PG NB CG 70)				
Price Effective Date: November 25, 2022				
Equipment Total				\$ 19,871.16

* Includes Fees and Non-contract items

Quote Summary

Equipment Total	\$ 19,871.16
Trade In	
SubTotal	\$ 19,871.16
Est. Service Agreement Tax	\$ 0.00
Total	\$ 19,871.16
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	\$ 19,871.16

Salesperson : X _____

Accepted By : X _____



JOHN DEERE

Selling Equipment

Quote Id: 25408416 Customer Name: LOWER TOWNSHIP PUBLIC WORKS

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):
Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580
UEID: FNSWEDARMK53

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:
Central Jersey Equipment LLC
100 Route 206
Hammonton, NJ 08037
609-704-9440
general@centraljerseyequipment.com

JOHN DEERE GATOR™ XUV825M S4 (Model Year 2023)

Hours:	Suggested List *
Stock Number:	\$ 23,106.00
Contract: Sourcwell Grounds Maintenance 031121-DAC (PG NB CG 70)	Selling Price *
	\$ 19,871.16

Price Effective Date: November 25, 2022

* Price per item - includes Fees and Non-contract items

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
57EAM	GATOR™ XUV825M S4 (Model Year 2023)	1	\$ 19,949.00	14.00	\$ 2,792.86	\$ 17,156.14	\$ 17,156.14
Standard Options - Per Unit							
001A	US/Canada	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
0505	Build To Order	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
1063	27" Predator Heavy-Duty all-terrain radial tires on 14" Black Alloy Wheels	1	\$ 623.00	14.00	\$ 87.22	\$ 535.78	\$ 535.78
2007	Bench Seat - Black	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
2350	Park Position in Transmission	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
2501	Olive and Black	1	\$ 120.00	14.00	\$ 16.80	\$ 103.20	\$ 103.20
3003	Cargo Box with Spray in Liner, Brake, and Tail Lights	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
3101	Cargo Box Power Lift	1	\$ 1,048.00	14.00	\$ 146.72	\$ 901.28	\$ 901.28
4000	OSR Nets	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
4030	Black Roof	1	\$ 755.00	14.00	\$ 105.70	\$ 649.30	\$ 649.30
4152	Rear Bumper	1	\$ 296.00	14.00	\$ 41.44	\$ 254.56	\$ 254.56
4201	Front Brush Guard	1	\$ 315.00	14.00	\$ 44.10	\$ 270.90	\$ 270.90
Standard Options Total			\$ 3,157.00		\$ 441.98	\$ 2,715.02	\$ 2,715.02
Value Added Services Total			\$ 0.00			\$ 0.00	\$ 0.00
Total Selling Price			\$ 23,106.00		\$ 3,234.84	\$ 19,871.16	\$ 19,871.16

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

RESOLUTION #2022-387

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

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

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

WHEREAS, the Township of Lower intends to utilize the online auction services of GovDeals located at www.govdeals.com; and sell the Township surplus property.

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

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2022.

Julie A Picard, Township Clerk

12/19/2022

GOV DEALS RES 2022- 387

LOCATION	DESCRIPTION /DISPOSAL	FA#
TOWNHALL	COPIER SAVIN C9120	2653

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

RESOLUTION #2022-388

Title: AUTHORIZING THE RELEASE OF APPROXIMATELY \$163,612.02 (Balance subject to final accounting for annual interest activity) IN SURPLUS FROM THE TOWNSHIP OF LOWER'S SHARE OF THE AGGREGATE EXCESS LOSS CONTINGENCY FUND

WHEREAS, The Atlantic County Municipal Joint Insurance Fund, hereafter referred to as FUND has been organized pursuant to NJSA 40a:10-36 et seq; and

WHEREAS, the FUND is duly constituted and manages as a Municipal Self Insurance Fund to provide insurance coverage to its member municipalities; and

WHEREAS, the FUND has established an Aggregate Excess Loss Contingency Fund pursuant to NJAC 11:15-2.23; and

WHEREAS, in accordance with NJAC 11:15-2.21, the FUND is authorized to release surplus from its Closed Years Fund upon approval from the Department of Banking & Insurance and Department of Community Affairs; and

WHEREAS, should the FUND authorize the Release of Surplus from its Closed Years Fund, each member receiving a share of the surplus has the option of using the surplus as an offset against their next assessment billing, receiving the surplus as a direct payment or placing a portion of their surplus in the SUND's Aggregate Excess Loss Contingency Fund; and

WHEREAS, several members, including Lower Township, have placed a portion of their surplus from amounts released in prior years, into the Aggregate Excess Loss Contingency Fund; and

WHEREAS, based upon the un-audited balance as of December, 2022, the Township of Lower had an accumulated balance of approximately \$163,612.02 (Balance subject to final accounting for annual interest activity) in the Aggregate Excess Loss Contingency Fund; and

WHEREAS, the Fund Commissioner from Lower Township will forward a copy of this Resolution as a written request to the Fund Administrator's office asking for \$163,612.02 (Balance subject to final accounting for annual interest activity) the entire balance be released from the Aggregate Excess Loss Contingency Fund.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey as follows:

1. The allegations of the preamble are incorporated herein by this reference
2. The Township of Lower does hereby authorize the Fund Treasurer to release \$163,612.02 (Balance subject to final accounting for annual interest activity) Lower Township's balance in the Aggregate Excess Loss Contingency Fund in the form of a lump sum payment for the 2022 Fund Year to Lower Township
3. All Township officials and officers are hereby authorized and empowered to take all actions deemed necessary or advisable to carry into effect the intent and purpose of this Resolution

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2022.

Julie A Picard, Township Clerk



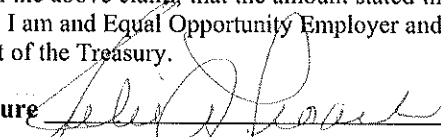
Pay To: Lower Township
 Address: 2600 Bayshore Road
 City/ST/Zip: Villas, NJ 08251 Tax Id#: 21-6005700

NOTE: All Bills Must Be Properly Certified Before Payment

DATE	ITEMS	TOTAL
12/19/2022	Disbursement from the Aggregate Excess Loss Contingency Fund for Retention Obligation and 20% Coinsurance Obligation " approximately \$163,612.02 (Balance subject to final accounting for annual interest activity) "	\$ 163,612.02
TOTAL OF THIS BILLING		163,612.02

Claimants Certification and Declaration

I do solemnly declare and certify under the penalties of law that the within bill is correct in all its particulars; that the articles have been furnished or services rendered as stated therein; that no bonus has been given or received by any person or persons with the knowledge of this claimant in connection with the above claim; that the amount stated therein is justly due and owing and that the amount charged is a reasonable one. I further certify that I am an Equal Opportunity Employer and that I have complied with the Affirmative Action regulations issued by the New Jersey Department of the Treasury.

Vendor's Signature  Title Municipal Clerk Date 12/19/2022

OFFICERS CERTIFICATION

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

Signature: _____

Title: Paul A. Forlenza, Executive Director

***Please do not write in the below box – JIF treasurer use only ***

APPROPRIATIONS		PAYMENT AUTHORIZED
		Payment approved at a meeting on
		Date:
		PAYMENT RECORD

f:\data\risk\winword\acmjif\formstacm voucher_2020.docx

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

RESOLUTION #2022-389

Title: A RESOLUTION VACATING THE FORECLOSURE OF 931 SEASHORE ROAD, BLOCK: 753.04, LOT: 4, DUE TO THE ISSUANCE OF A PRIOR TAX SALE CERTIFICATE NOT NAMED WITHIN THE ORIGINAL FORECLOSURE AND AMENDING RESOLUTION 2022-354 TO REINSTITUTE CANCELLED TAXES ASSOCIATED WITH SAME

WHEREAS, pursuant to Resolution 2021-372 the Township Council of the Township of Lower authorized the Township Tax Collector to proceed with the foreclosure of certain Tax Sale Certifications, otherwise known as Foreclosure Group #1; and

WHEREAS, one of the properties included within Foreclosure Group #1 was identified as 931 Seashore Road, Block: 753.04, Lot: 4; and

WHEREAS, subsequent to the Township of Lower's foreclosure of 931 Seashore Road, Block: 753.04, Lot: 4, the Township of Lower adopted Resolution 2022-354 formerly cancelling property taxes for several properties, including the property identified herein, that had been foreclosed upon and which were titled in the name of the Township of Lower; and

WHEREAS, subsequent to the foreclosure of 931 Seashore Road, the Township of Lower Tax Collector identified a prior tax sale certificate which had not been named within the original foreclosure; and

WHEREAS, in light of the fact that the foreclosure failed to identify the aforementioned tax sale certificate, the Township of Lower has determined that it is necessary to vacate the foreclosure of 931 Seashore Road, Block: 753.04, Lot: 4, in order to restart the foreclosure process to formally include the aforementioned tax sale certificate; and

WHEREAS, accordingly, the Township of Lower finds that vacating said foreclosure and amending Resolution 2022-354 to reinstate 3rd and 4th quarter taxes in the amount of \$293.41 should be reinstated and included in a new foreclosure proceeding concerning this property.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Lower Township Council hereby vacates the foreclosure of 931 Seashore Road, Block: 753.04, Lot: 4, and hereby amends Resolution 2022-354 in order to reinstitute 3rd and 4th quarter property taxes in the amount of \$293.41 with the understanding that said taxes will be included in a new foreclosure proceeding to be instituted by the Township in regards to this property.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2022

Julie A Picard, Township Clerk

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

RESOLUTION #2022-390

Title: A RESOLUTION AMENDING THE PERSONNEL POLICIES AND PROCEDURES MANUAL OF LOWER TOWNSHIP

WHEREAS, the Township of Lower adopted an updated Personnel Policies and Procedures Manual on April 4, 2022 by Resolution #2022-130; and

WHEREAS, upon further review of said policy, additional oversight should be incorporated to the current "Anti-Nepotism Policy"; page 96 will be replaced with the attached "Anti-Nepotism Policy".

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the Personnel Policies and Procedures Manual of Lower Township be amended to replace the current page 96 with the attached "Anti-Nepotism Policy":

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2022.

Julie A Picard, Township Clerk

ANTI-NEPOTISM POLICY

Nepotism: the practice of giving preferential treatment to family members in areas of employment, including but not limited to: hiring, promotion, transfer, compensation, evaluation and discipline.

The employment of relatives in the same area of the organization may cause serious conflicts and problems with favoritism – or the perception of such – and negatively impact morale. Decisions concerning the employment, evaluation, promotion and compensation of personnel should be based on considerations of individual merit. It is the Township of Lower's policy to hire, promote and transfer employees based on individual merit.

Family members for the purpose of this policy shall include: employee's spouse or ex-spouse, children, step-children, parents, step-parents, siblings, niece or nephew, grandparents, step-grandparents, grandchildren, step-grandchildren, and like relations of the employee's spouse (in-law family members).

Family members shall not directly supervise another Family Member, and shall not be directly supervised by a Family Member, unless authorized in accordance with the provisions of this policy set forth below.

No employee shall be involved in any part of the process of influencing or controlling the terms and condition of another Family Member's employment including: hiring, evaluation of work performance, establishing or changing work assignments, making recommendations for compensation or salary adjustments, promotions or other personnel decisions

Township employees conducting interviews for the purpose of hiring a new employee shall inquire of all interviewees or applicants whether the individual has a Family Member that is employed by the Township, along with the name of the Family Member employee. This information shall be utilized to determine if hiring the prospective employee would result in a violation of this policy.

Existing employees, and any existing inter-family relationships, which predates the effective date of this policy shall be exempt from the provisions of this policy: In the event an existing employees position of employment within the Township is modified and/or an existing employee is promoted within their current department, resulting in a supervisory situation wherein said employee is either supervising or being supervised by a family member, this policy would apply, and the provisions/requirements of this policy shall only be superseded on a case-by-case basis with the approval of the Township Manager, upon a finding that there would be no adverse impact on the operations/functions of the Township and/or the greater interests of the Township, subject to a majority vote by the members of Township Council. Any pre-existing family relationships between employees of any Township Department that predates this policy shall be exempt under this policy. However, if the existing employment relationship is changed so that the conflict no longer exists, this Policy would apply in future employment decisions affecting employee Family Members.

The Township recognizes that employee Family Member conflicts may arise when one Family Member gains an elected office where another Family Member already is employed. In such cases, the Township Manager may work with the Department where the conflict exists to reduce any real or perceived conflict.

~~The requirements set forth in this Policy may only be overturned on a case-by-case basis with the approval of the Township Manager, with consent of the Lower Township Council, upon a finding that there would be no adverse impact on the operation of the Township and/or that the greater interests of the Township would be furthered by not following the Policy.~~

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

RESOLUTION #2022-391

Title: TRANSFER OF 2022 APPROPRIATIONS

WHEREAS, N.J.S.A. 40A: 4-58 provides for appropriation transfers during the last two months of the current fiscal year when it has been determined that any appropriation is insufficient to pay the claims authorized or incurred during the current year, which are chargeable to said appropriation, and there is an excess in any appropriation over and above the amount deemed to be necessary to fulfill its purpose.

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 transfers totaling \$35,000.00 be made between the 2022 budget appropriations:

LINE ITEM		ACCT. NUMBER	TO	FROM
STREET LIGHTING	OE	2-01-31-435-299	35,000.00	
HEALTH INSURANCE	OE	2-01-23-220-412		35,000.00
			35,000.00	35,000.00

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2022.

Julie A Picard, Township Clerk

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

RESOLUTION # 2022-392

Title: AWARD NATIONAL COOPERATIVE PURCHASING AGREEMENT WITH SOURCEWELL TO CHERRY VALLEY TRACTOR SALES TO PURCHASE One (1) POWERSTAR 75 NEW HOLLAND CAB TRACTOR SOURCEWELL CONTRACT #110719CNH WITH ALAMO INTERSTATER W/ 4 OZ KNIVES SOURCEWELL #070821

WHEREAS, The Township of Lower participates in Sourcewell National Cooperative Purchase Agreement, Membership #28077; and intends to Purchase One (1) Powerstar 75 New Holland Cab Tractor Sourcewell Contract #110719CNH with Alamo Interstater w/ 4 oz knives Sourcewell Contract #070821; and

WHEREAS, The Township of Lower is permitted to join national cooperative purchasing agreements under the authority of N.J.S.A. 52:34-6.2(b)(3); and NCOOP Bid #2022-14 was advertised on December 7, 2022 with comment period ending December 17, 2022; and was reviewed by the QPA and Gary Douglass; and

WHEREAS, the CFO has certified the availability of funds as evidenced by her signature below:

Appropriation: C-04-55-431-220

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 following contract is hereby awarded to Cherry Valley Tractor Sales pursuant to the proposal submitted in response to the Sourcewell National Cooperative Request for Proposals as follows:

AWARD:	CHERRY VALLEY TRACTOR SALES New Holland Cab Tractor Powerstar 75 Contract #110719CNH Contract expires 04/30/2024 SUB TOTAL \$52,233.10 Alamo Right Hand 74" Interstater w/ 4 oz Knives Contract #070821-AGI Contract expires 08/09/2025 SUB TOTAL \$46,398.45	TOTAL \$98,631.55
--------	---	-------------------

BE IT FURTHER RESOLVED, upon approval of the resolution, the fully executed Purchase Order shall serve as the Contract for the award of the bid.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2022.

Julie A Picard, Township Clerk

POWER STAR 75 QUOTE



35 Route 70 West
 Marlton, New Jersey 08053-3099
 Tel #856-983-0111 Fax #856-983-7700
 Cell #609-304-9537

To: Lower Township

Attn: Gary Douglas
 Tel: 609-780-6049
 Cell:

Email: gdouglas@townshipoflower.org

Date	11/29/2022
Estimated Delivery	From Receipt of Order
Terms	
F.O.B.	Your Location
To Be Shipped Via	
Salesman	Hank Hampton

Quantity		Total
1	Lower Township Sourcewell Member ID # 28077 Powerstar 75 New Holland Cab Tractor, Heat/AC 12x12 Power Shuttle Transmission 11.2R24 R1W Front Tires 16.9R30 R1W Rear Tires	\$ 72,483.00
1	Sourcewell Discount Contract # 110719 CNH	Sourcewell Discount \$ (21,744.90)
1	Factory Freight	\$ 790.00
1	PDI	\$ 260.00
1	Delivery	\$ 446.00
	Tractor Total	\$ 52,233.10
1	02897004 Right Hand 74" Interstater w/ 4oz Knives	\$ 44,033.00
1	Sourcewell Discount Contract # 070821	Sourcewell Discount \$ (6,604.95)
1	801022 Factory Mounting	\$ 8,792.00
1	Factory Freight	\$ 1,807.00
1	Fuel Surcharge	\$ 321.40
1	PDI	\$ 250.00
1	Mower Total	\$ 46,398.45
Please note terms and conditions on Page 2		\$98,631.65

Thank you for the opportunity

Hank Hampton

TERMS AND CONDITIONS

- Sale is not final until this purchase order is signed by Seller and Buyer.
- No Warranties Express or Implied: Seller makes no warranties, express or Implied by law, as to the product(s) set forth in this purchase order, and Seller specifically disclaims any implied warranty of merchantability or fitness for a particular purpose and any liability for consequential damages, including loss of income.
- Manufacturer's Price Increase: Manufacturer has reserved the right to change the price of products to Seller without notice. In the event the price to Seller of the product(s) ordered by Buyer is changed by Manufacturer prior to its delivery to Buyer, Seller reserves the right to change the cash delivery price to Buyer. If the cash delivery price is increased by Seller,

Buyer may, if dissatisfied with the higher figure, cancel this order.

•**Delays in Delivery:** Buyer understands and agrees that Seller shall not be held responsible for any loss, damage, detention, delay, or failure to deliver resulting from any cause which is unavoidable or beyond Seller's reasonable control, including, but not limited to, fire, flood, natural disaster, strike or labor disturbance, accident, vandalism, riot or insurrection, war, any order, decree, law, or regulation of any court, government, or governmental

•**In the event that this purchase order is canceled by mutual written consent of Seller and Buyer, or if Seller is unable to make delivery of said product(s) for any of the reasons specified herein, Seller shall return and Buyer shall accept any of the monies paid for the product(s) in full discharge of any obligations of Seller to Buyer hereunder.**

•**No Modification Unless In Writing:** Buyer agrees that all previous communications between Seller and Buyer, either verbal or written, with reference to the subject matter of this purchase order, are hereby abrogated. Buyer further agrees that no modification hereof shall be binding upon Seller unless said modification is in writing and agreed to and accepted in writing by an officer or authorized representative of Seller.

•**Choice of Law and Forum:** In the event that a dispute arises under this purchase order, Buyer and Seller agree that said dispute shall be governed by the law of the State of New Jersey, and Buyer and Seller agree that the dispute will be adjudicated in the State of New Jersey, and Buyer agrees to submit to jurisdiction of said court.

•**Attorney's Fees:** In the event that Seller turns a dispute arising under this purchase order to an attorney and prevails in said dispute, Buyer understands and agrees that Buyer will be liable for either, at Seller's choice, stipulated attorney's fees in the sum of twenty (20) percent of the unpaid balance of this purchase order, or actual attorney's fees incurred by Seller resolving the dispute to conclusion.

Cherry Valley Tractor Sales
35 West Route 70
Marlton, NJ, 08053
www.cherryvalleytractor.com

Page 2 of 2

POWER STAR 75



QUOTATION CONFIRMATION		
QUOTATION	PRINT DATE	QUOTE DATE
701735942	11/29/2022	11/29/2022

SOLD TO	113823
CHERRY VALLEY TRACTOR SALES, INC. 35 ROUTE 70 WEST MARLTON NJ US 08053	

SALES AREA	CURRENCY	PURCHASE ORDER NO.	END CUSTOMER
CNH Industrial America LLC Agriculture	USD		

Description	Origin	List Price	Net Price
OPERATOR STRUCTURE #1 334183	Deluxe Cab w/HIVI's Panel		
PARK LOCK 759176	Hand Brake		
PIN CONNECTOR 334992	STD+30Ah+HORN+ACS		
PTO 743555	540 RPM PTO		
REAR DIFF LOCK 390381	Rear Mech Differential Lock		
REAR HITCHES/DRAWBAR 392905	Swinging Drawbar Loss Cleave		
REAR REMOTES 743569	2 Remotes 4 Couplers		
RR MIRRORS 743578	2 External Mirrors		
SEAT 332850	Delux Fabric Seat w/Air Susp		
SPEED 743552	40 KPH Max Ground Speed		
TOOL BOX L/SET OF T 332898	Toolbox		
WATERPROOF 743558	Less Waterproof Transmission		
WORK LAMPS 332717	MLP 2Front & 2Rear Roof Wk Lig Dealer Net	72,483.00	
	GUARANTEED RETAIL DISC		
	Net for Wholgood Programs		
	Mkrt Development Fee		
	Total Sundries		
	Total Taxes		
	Total		
PRICES ARE SUBJECT TO CHANGE WITHOUT NOTICE. FREIGHT ESTIMATE NOT INCLUDED. QUOTATION UPDATED: REQUIRED DELIVERY DATE YEAR 2023 MONTHNOV			

THIS IS NOT A TAX DOCUMENT

POWER STAR 75



QUOTATION CONFIRMATION		
QUOTATION	PRINT DATE	QUOTE DATE
701735942	11/29/2022	11/29/2022

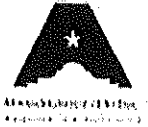
SOLD TO	113823
CHERRY VALLEY TRACTOR SALES, INC. 35 ROUTE 70 WEST MARLTON NJ US 08053	

SALES AREA	CURRENCY	PURCHASE ORDER NO.	END CUSTOMER
CNH Industrial America LLC Agriculture	USD		

Description	Origin	List Price	Net Price
PRICELIST	0041 N4		
PRICE EFFECTIVE DATE	10/17/2022		
CONTRACT	CONT010789	Under 140HP OW 2023	
COMMERCIAL MODEL	POWERSTAR 75	POWERSTAR 75	
ENGINE POWER	75HP	75 HP	
REGION	NAFTA		
VERSION	CAB	Cab	
Base machine price		76,439.00	
TRANSMISSION	330276	12x12 Power Shuttle	
FRONT AXLE	744580	4WD Electro Hyd Limited Slip	
FRONT WHEELS AND TIRES	8232404	11.2R24 R1W	1,358.00
REAR WHEELS AND TIRES	9355404	16.9R30 R1W	2,961.00
MID-MOUNT VALVES	762166	2MMV w/ Joystick New	
BUCKET	XT8140X	Less Bucket	1,114.00-
LOADER BRACKETS	743593	Less Front Loader	7,161.00-
FRONT BALLAST	390215	Less Front Carrier and Weights	
COUNTRY CONFIGURATION	334255	USA English Configuration	
3 POINT HITCH CONTROL	332035	Mech 3 Pt Hitch Ground Control	
AIR CLEANER	390200	Air Cleaner w/ Pre-Cleaner	
BATTERY	743585	100 AH Battery 743585	
DRAWBAR AND 3 POINT HITCH	743598	Flex Ends TLSPC Stabilizers	
ENGINE	391013	ENGINE F5C T1391013	
ENGINE EXHAUST	743545	A Pillar Exhaust w/Guard	
ENGINE OPTIONS	390018	Fan	
FENDERS	743599	Rear Fenders (30-34)	
FRONT FENDERS	390860	Less Front Fenders	
FRONT THREE POINT HITCH	334218	PAS Support + FHPL Ready	
FUEL TANK	744574	Fuel Tank + Protection	
HITCH	743595	Lift-O-Matic Plus	
HYD PUMP	743563	12.5 GPM Implement Pump	

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RIGHT STDED MOWER FOR POWERSTAR 75



Quote #:	Q-04418	Contract:	Sourcewell AI 070821-AGI
Prepared By:	Jeffery Tribull	Freight Terms:	
Quoted On:	11/28/2022	Credit Terms:	
Sales Order #:	Expires On: 12/30/2022	Dealer PO #:	
		End User PO #:	

Bill To:	CHERRY VALLEY TRACTOR SALES -AI	Invoice:	
Shlp To:	CHERRY VALLEY TRACTOR SALES -AI	Loading Dock:	Yes
		ETA:	

Tractor Information:

Make:	New Holland	Station:	Cab	Front Tire:	
Model:	Powerstar 75	Axle:	4WD	Rear Tire:	

RH Int

QTY	PART #	DESCRIPTION	List Price	Sourcewell AI Price
1	02997004	74" Right Hand Interstater®, 4 oz Knives	\$44,033.00	\$37,428.05
1	02972609	500# Wheel Weight	\$1,533.00	\$1,303.05
1	02997690	Mainframe, C4 Farmall 65C/75C Powerstar 75	\$0.00	\$0.00
1	02999775	Component Crate, C4 Farmall 65C/75C Powerstar 75	\$0.00	\$0.00
1	32121113	Hose Kit for John Deere and 75 hp Case and NH Tractors	\$0.00	\$0.00
1	00888190	Freight Add to Invoice	\$1,607.00	\$1,607.00
1	00888175	Freight Surcharge	\$321.40	\$321.40

Notes:

Signature: _____

Date: _____

****Unless otherwise stated, this quote will expire 35 days after the Issue date.****

- 1) The acceptance of this form is not firm until credit is approved and purchase order is accepted by Alamo Industrial in Seguin, TX
- 2) No purchase order will be accepted for a machine with less than full standard or optional safety equipment.
- 3) Approximate shipping and/or delivery dates can be confirmed only by Alamo Industrial in Seguin Texas and delivery is sometimes subject to change due to conditions beyond the control of Alamo Industrial
- 4) This sales order and quote form is subject to the Terms and Condition contained on page 3 of the form. If you did not receive page 2 containing the Terms and Conditions, please contact seller so that we may send them to you.
- 5) This sales order and quote form expressly limits acceptance to the terms of this offer and seller hereby objects to any different or additional terms contained in any response to this sales order & quote form by the buyer, including the buyers purchase order.

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

RESOLUTION # 2022-393

Title: AWARD NATIONAL COOPERATIVE PURCHASING AGREEMENT WITH SOURCEWELL TO CHERRY VALLEY TRACTOR SALES TO PURCHASE ONE (1) TS6 110 NEW HOLLAND CAB TRACTOR WITH ALAMO SAMUARI 18 FT MID MOUNT BOOM

WHEREAS, The Township of Lower participates in Sourcewell National Cooperative Purchase Agreement, Membership #28077; and intends to Purchase One (1) TS6 110 New Holland Cab Tractor Contract #110719CNH with (04851804) Samuari 18 Ft Mid Mount Boom w/ Joystick and (0986210) Severe Duty 50" Rotary Head w/Blade Pan Sourcewell Contract #070821-AGI; and

WHEREAS, The Township of Lower is permitted to join national cooperative purchasing agreements under the authority of N.J.S.A. 52:34-6.2(b)(3); and NCOOP Bid #2022-13 was advertised on December 7, 2022 with comment period ending December 17, 2022; and was reviewed by the QPA and Gary Douglass; and

WHEREAS, the CFO has certified the availability of funds as evidenced by her signature below:

Appropriation: C-04-55-415-220 (\$150,000.00)
C-04-55-431-220 (\$8,008.64)

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 following contract is hereby awarded to Cherry Valley Tractor Sales pursuant to the proposal submitted in response to the Sourcewell National Cooperative Request for Proposals as follows:

AWARD: CHERRY VALLEY TRACTOR SALES
TS6 110 New Holland Cab Tractor
Contract #110719CNH Contract expires 04/30/2024
SUB TOTAL \$78,402.64
Alamo Samuari 18ft Mid Mount Boom w/Joystick
Contract #070821-AGI Contract expires 08/09/2025
SUB TOTAL \$79,606.00
TOTAL \$158,008.64

BE IT FURTHER RESOLVED, upon approval of the resolution, the fully executed Purchase Order shall serve as the Contract for the award of the bid.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2022.

Julie A Picard, Township Clerk

T56.110 TRACTOR & MOWER QUOTE



36 Route 70 West
 Marlton, New Jersey 08053-3099
 Tel #856-983-0111 Fax #856-983-7700
 Cell #809-304-9537

To: Lower Township

Attn: Gary Douglas
 Tel: 609-780-6049
 Cell:

Email: gdouglass@townshipoflower.com

Date	11/29/2022
Estimated Delivery	From Receipt of Order
Terms	
F.O.B.	Your Location
To Be Shipped Via	
Salesman	Hank Hampton

Quantity		Total
1	Lower Township Sourcewell Member ID # 28077 T56.110 New Holland Cab Tractor, Heat/AC Air Suspension Seat, Rear Wiper, 4wd, 16x8 Shuttle Shift 14.9x24R1 Front Tires, 18.4x34R1 Rear Tires	\$ 101,068.00
1	Sourcewell Discount Contract # 110719 CNH	Sourcewell Discount \$ (27,288.38)
1	Factory Freight	\$ 3,928.00
1	PDI	\$ 260.00
1	Delivery	\$ 445.00
1	Tractor Total	Tractor Total \$ 78,402.64
1	04851804 Samuari 18ft Mid Mount Boom w/ Joystick	\$ 58,892.00
1	2988210 Severe Duty 60" Rotary Head w/ Blade Pan	\$ 18,058.00
1	Sourcewell Contract # 070821-AGI	Sourcewell Discount \$ (11,692.20)
1	Factory Freight	\$ 3,101.00
1	Fuel Surcharge	\$ 620.20
1	2985029 Factory Mounting	\$ 9,379.00
1	PDI	\$ 260.00
1	Alamo Mower Total	Alamo Mower Total \$ 79,606.00
1	Trade In Of Ford 7710 Tractor Serial C19187	\$ (13,000.00)
Please note terms and conditions on Page 2		\$145,008.64

Thank you for the opportunity

Hank Hampton

TERMS AND CONDITIONS

- Sale is not final until this purchase order is signed by Seller and Buyer.
- No Warranties Express or Implied: Seller makes no warranties, express or implied by law, as to the product(s) set forth in this purchase order, and Seller specifically disclaims any implied warranty of merchantability or fitness for a particular purpose and any liability for consequential damages, including loss of income.
- Manufacturer's Price Increase: Manufacturer has reserved the right to change the price of products to Seller without notice. In the event the price to Seller of the product(s) ordered by Buyer is changed by Manufacturer prior to its delivery to Buyer, Seller reserves the right to change the cash delivery price to Buyer. If the cash delivery price is increased by Seller,

TSG.110



QUOTATION CONFIRMATION		
QUOTATION	PRINT DATE	QUOTE DATE
701735947	11/29/2022	11/29/2022

SOLD TO	113823
CHERRY VALLEY TRACTOR SALES, INC. 35 ROUTE 70 WEST MARLTON NJ US 08053	

SALES AREA	CURRENCY	PURCHASE ORDER NO.	END CUSTOMER
CNH Industrial America LLC Agriculture	USD		

Description	Origin	List Price	Net Price
PRICELIST 0032 NS			
PRICE EFFECTIVE DATE 10/17/2022			
CONTRACT CONT010789 Under 140HP OW 2023			
COMMERCIAL MODEL TSG.110 II T4B TSG.110 II T4B			
EMISSIONS TIER 4B TIER 4B TIER 4B			
MODEL 811.110 TSG110SERII			
TRACTION 4WD MFD			
VERSION CAB Cab			
Base machine price		85,634.00	
PACKAGING X0548XX NH FAST PICK #3		896.00-	
DRAWBAR AND 3 POINT HITCH 390351 Cat 2 Flox Link MDC			
REAR HITCHES/DRAWBAR 392805 Swinging Drawbar Less Clevis			
SPEED 337280 40 KPH			
TRANSMISSION 330061 16x8 With Power Shuttle			
CREEPER or Interlock 390268 L/CREEPER FOR 8+8			
REAR AXLE 390331 Heavy-duty Flange Axle			
FRONT WHEELS AND TIRES 8230608 14.9X24 6 PLY R1 8230608		1,998.00	
REAR WHEELS AND TIRES 8340612 18.4x34 8 ply R1 8340612		4,117.00	
REAR REMOTES 428472 2 Bosch RR Flow Ctrl			
LOADER BRACKETS 390819 Less Loader Ready			
AUX RAMS 390344 Hyd Lift w/ 1 Int. cyl			
FRONT BALLAST 390215 Less Front Carrier and Weights			
HIGH VISIBILITY WINDOW 334743 High-visibility window			
SEAT 391288 Deluxe seat			
INSTRUCTOR SEAT 336937 Instructor seat			
REAR WIPER & WASHER 330842 Rear wiper/washer - CAB		317.00	
RADIO READY 392295 Radio 392295			
FRONT FENDERS 390860 Less Front Fenders			
FUEL TANK 391270 Fuel Tank w/Guard			
OPERATOR STRUCTURE #1 391610 Cab w/Fixed Front Screen			

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756.110



QUOTATION CONFIRMATION		
QUOTATION	PRINT DATE	QUOTE DATE
701735947	11/29/2022	11/29/2022

SOLD TO	113823
CHERRY VALLEY TRACTOR SALES, INC. 35 ROUTE 70 WEST MARLTON NJ US 08053	

SALES AREA	CURRENCY	PURCHASE ORDER NO.	END CUSTOMER
CNH Industrial America LLC Agriculture	USD		

Description	Origin	List Price	Net Price
AIR CLEANER 391290	CLEANER W DUST EJECT		
ALTERNATOR 390605	120 AMP Alternator.		
AUX HYDRAULIC PUMP 330173	Auxiliary 34 Litre/M		
BATTERY 390747	Heavy-duty 12V, 108 AMP		
BRAKE PACK 390302	Hydraulic Actuated Brake		
CLIMATE CONTROL 390648	Air Conditioner & Heater		
COUNTRY CONFIGURATI 330007	North American configuration		
ENGINE 391265	TB4 NEF ENGINE		
ENGINE EXHAUST 390199	Exhaust - Vertical		
ENGINE OPTIONS 390018	Fan		
EXTREMITY LIGHTING 391208	Std Less Extremity Light Pkg.		
FRONT AXLES ACCESSO 391404	LESS OSCILLAT STOP		
PTO 390844	540/1000 RPM - 2 SHAFTS		
RR MIRRORS 390154	2 Fixed External Rear Mirrors		
STEERING COLUMN 330644	Tiltable&Telesc.Steering Column		
TOOLBOX 391269	Toolbox_		
TRACTION SELECTION 390509	Class 3 Front Axle		
WORK LAMPS 336924	4 Front/4 Rear cab lights		
	Dealer Net	101,068.00	
	GUARANTEED RETAIL DISC		
	Net for Wholegood Programs		
	Mrkt Development Fee		
	Total Sundries		
	Total Taxes		
	Total		
PRICES ARE SUBJECT TO CHANGE WITHOUT NOTICE. FREIGHT ESTIMATE NOT INCLUDED. QUOTATION UPDATED:			

THIS IS NOT A TAX DOCUMENT

Boom MOWER FOR TS6.110



Quote #:	Q-04417		Contract:	Sourcewell AI 070821-AGI	
Prepared By:	Jeffery Tribull		Freight Terms:		
Quoted On:	11/28/2022	Expires On:	12/30/2022	Credit Terms:	
Sales Order #:			Dealer PO #:		
			End User PO #:		
Bill To:	CHERRY VALLEY TRACTOR SALES -AI		Invoice:		
Ship To:	CHERRY VALLEY TRACTOR SALES -AI		Loading Dock:	Yes	
			ETA:		
Tractor Information:					
Make:	New Holland	Station:	Cab	Front Tire:	12.4-24
Model:	TS6.110	Axle:	4WD	Rear Tire:	18.4-34

Samurai

QTY	PART #	DESCRIPTION	List Price	Sourcewell AI Price
1	04851804	18' Samurai™ Boom, Joystick for 4wd tractors	\$58,892.00	\$50,058.20
1	02986210	50" Severe Duty Rotary, Blade Pan	\$19,056.00	\$16,197.60
1	32120816	18'-22' Mount Kit, C4 Farmall 110A/120A SNs NT02690M- Farmall 130A/140A TS6.110/TS6.120 SNs NT02690M- TS6.130/TS6.140, Tier 4B	\$0.00	\$0.00
1	00888190	Freight Add to Invoice	\$3,101.00	\$3,101.00
1	00888175	Freight Surcharge	\$620.20	\$620.20

Notes:

Signature: _____

Date: _____

****Unless otherwise stated, this quote will expire 35 days after the issue date.****

- 1) The acceptance of this form is not firm until credit is approved and purchase order is accepted by Alamo Industrial in Seguin, TX
- 2) No purchase order will be accepted for a machine with less than full standard or optional safety equipment.
- 3) Approximate shipping and/or delivery dates can be confirmed only by Alamo Industrial in Seguin Texas and delivery is sometimes subject to change due to conditions beyond the control of Alamo Industrial
- 4) This sales order and quote form is subject to the Terms and Condition contained on page 3 of the form. If you did not receive page 2 containing the Terms and Conditions, please contact seller so that we may send them to you.
- 5) This sales order and quote form expressly limits acceptance to the terms of this offer and seller hereby objects to any different or additional terms contained in any response to this sales order & quote form by the buyer, including the buyers purchase order.


NEW HOLLAND SOURCEWELL DISCOUNTS



Sourcewell (NJPA) - Agricultural Equipment Contract

Change effective 3/3/2021			
Agricultural Equipment/Ranges	Product Series	Discount off MSRP	List Price Effective
Compact Tractors			
Boomer 35-55HP	Compact Boomers	28%	Current
Workmaster 25-40 HP, Workmaster 25S	Compact WORKMASTER™	28%	Current
Utility Tractors			
Workmaster 50-70HP	Utility WORKMASTER™ 50, 60, 70	25%	Current
Workmaster 55-75HP, Workmaster 95-120HP	Utility WORKMASTER™ 55, 65, 75, 95, 105, 120	25%	Current
Powerstar 75-120HP	Powerstar Light & Medium	30%	Current
Specialty T3F, Specialty T4F	Specialty Fruit Tractors	30%	Current
Specialty T4V	Specialty Vineyard Tractors	30%	Current
T5	T5 Series	30%	Current
Ag Tractors			
TS6	TS6 Series Tractors	27%	Current
T7	T7 Series Tractors	32%	Current
T8	T8 Series Tractors	35%	Current
T9	T9 Series Tractors	30%	Current
Telehandlers			
Telescopic Handler	LM5.25, LM6.28, LM6.32, LM7.42 & LM9.35	25%	Current
Loaders & Implements			
Compact Loaders	Compact Loaders	20%	Current
600 Series, 800 Series	TL Series Loaders	20%	Current
800LA/900LA Series	LA Series Loaders	20%	Current
Backhoes, Front Mounted Blades, Mowers, Post Hole Diggers, Rotary Broom, Rotary Cutters, Snow Blowers, Work EZ	Implements	20%	Current
Hay & Mowing Equip			
SP Windrower Heads, SP Windrowers, Small Square Balers, Round Balers, Large Square Balers, Disc Mower Conditioners, Mergers	Major Hay	25%	Current

ALAMO SOURCEWELL DISCOUNTS

		SOURCEWELL CONTRACT # 070821 MEMBER DISCOUNT SCHEDULE	
PRODUCT	DISCOUNT	PRODUCT	DISCOUNT
VERSA		SWITCHBLADE SICKLE BAR	
VERSA MOWER 60	15%	SWB5	15%
VERSA MOWER 72	15%	SWB6	15%
VERSA FLAIL 60	15%		
VERSA FLAIL 74	15%	MECHANICAL ROTARIES	
VERSA DITCHER	15%	RX72-3	15%
		RX84-3	15%
SAMURAI		RX96-3	15%
SA18	15%	EAGLE 10	15%
SA22	15%	EAGLE 15	15%
SA25	15%		
		HYDRO ROTARIES	
MACHETE 3		FALCON 10	15%
MB18	15%	FALCON 15	15%
MB22	15%		
MB25	15%	EXTEN-A-KUT II	15%
MACHETE 1 & 2 HEADS	15%	GRASS KING FLAILS	
		GK62	15%
MAVERICK 2		GK74	15%
MV24	15%		
MV30	15%	MC CONNELL	
		PA5570VFR	15%
MAVERICK 1 HEADS	15%		
		BRAHMA	15%
REAR MOUNT BOOMS			
RM17	15%	PRIMEMOVER	
RM20	15%	MANTIS 4142	15%
RM23	15%	RF20 & RF30 BOOMS FOR MANTIS	15%
RM165	15%	MAVERICK 2 BOOMS FOR MANTIS	15%
RM180	15%		
		REMOTE CONTROL	
INTERSTATER		TRAXX RC 28	15%
IS 62" (SINGLE WING)	15%	TRAXX RC 56	15%
IS 74" (SINGLE WING)	15%	TRAXX RC 75	15%
IS 88" (SINGLE WING)	15%		
IN17 (DUAL WING)	15%	AQUATIC & AMPHIBIOUS BOATS	15%
IN19 (DUAL WING)	15%		
IN21 (DUAL WING)	15%	MOWING BUCKETS	15%
SUPER-HEAVY DUTY FLAILS		PREMIUM FLAIL MOWERS	15%
SHD62	15%		
SHD74	15%	TURNKEY TRACTORS	15%
SHD88	15%		
SHD96	15%	ALL PARTS	2%
SHD FOR AEBI	15%		

EFFECTIVE DATE: 6/1/2021

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

RESOLUTION #2022-394

Title: A RESOLUTION REQUESTING RELEASE OF PERFORMANCE GUARANTEE FOR NEW SINGULAR WIRELESS PCSLLC d/b/a AT& T MOBILITY; BLOCK 410.01 LOT 36.01 ESCROW Z20-08-02

WHEREAS, TowerCo posted a Performance Guarantee with the Township of Lower, in the amount of \$5,000.00; and

WHEREAS, The Township Engineer has recommended the improvements having a total value of \$ 5,000.00 have been properly installed and are presently acceptable.

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

BE IT FURTHER RESOLVED that the Township Treasure is granted permission to issue a check in the amount of \$5,000.00 plus any accrued interest. For payment of the above released Guarantee.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2022.

Julie A Picard, Township Clerk

MEMORANDUM

TO: Township Council
FROM: William J. Galestok, PP, AICP WJG

Date: December 14, 2022
RE: Resolution #2022-394

The land Development Ordinance of the Township of Lower, Chapter, XVI, Subsection 400-81E, requires that, "The governing body shall by resolution, release or declare in default each Performance Guarantee".

Pursuant to the above referenced Subsection 400-81E, Resolution #2022-394 is required to release the Performance Guarantee held in trust by the Township of Lower for New Singular Wireless PCSLLC d/b/a AT&T Mobility. The required final inspection report certifying completion. Compliance and condition of the work, has been received from the Acting Township Engineer Mott MacDonald.

The Township Engineer recommends release of the retained \$5,000

The inspection and construction costs of the bonded improvements have been paid for by the developer. All mandated improvements must be completed for the project's final approval.

Cc: financial file

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

RESOLUTION #2022-395

Title: APPROVAL FOR THE TAX COLLECTOR TO PROCEED WITH FORECLOSURE OF GROUP #2

WHEREAS, it appears to be in the best interest of the Township of Lower that the attached list of Tax Sale Certifications, designated as Foreclosure Group #2 be foreclosed pursuant to N.J.S.A.54:5-104, 29-75 as amended and known as the In Rem Foreclosure Act.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Tax Collector is hereby directed to forward the list of Certificates to Attorney Keith Bonchi to proceed to Foreclose in Rem, the lands and premises covered by said certificates.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2022

Julie A Picard, Township Clerk

Block	Lot	Property Location	Cert Num	Sale Date	Owner Name	Balance as of 12/31/2022
13	28	101 E MIAMI AVENUE	09-00001	9/21/2009	UNITED MUNKACSER YESHIVOS	10,383.51
91	18	336 E PACIFIC AVENUE	08-00010	9/29/2008	KOLEV, NIKOLAY, DOKONI CONSTRUCT CO	27,313.15
466	2	343 PARK LANE	09-00049	9/21/2009	O'DONOGHUE, JOSEPH A	6,146.18
466	4	936 SHIRLEY AVENUE	09-00050	9/21/2009	O'DONOGHUE, JOSEPH A	18,207.03
468	3	323-325 OAK LANE	17-00027	9/11/2017	ABDON, PHYLLIS & OSCAR	5,100.85
508.04	1.01	845 KATHRYN BLVD	09-00059	9/21/2009	LOWER TOWNSHIP ASSOCIATES LLC	37,073.20
816	21	BOARDWALK	10-00109	10/4/2010	DWORCHAK, EDWARD & CATHERINE	6,465.45
816	22	BOARDWALK	00-169	4/13/2000	MONTGOMERY @ CHARLES MARION	10,817.53
Totals						

**Previously in Foreclosure Group 1 – Foreclosure Vacated*
753.04 4 931 SEASHORE ROAD 99-200 4/15/1999 MITNICK LLC 26,066.54

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

RESOLUTION #2022-396

Title: A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE TOWNSHIP OF LOWER AND KEVIN LEWIS, LOWER TOWNSHIP CHIEF OF POLICE

WHEREAS, extensive negotiations were conducted by the Township Manager and Labor Counsel with Lower Township Chief of Police Kevin Lewis; and

WHEREAS, the parties have reached an agreement; and

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

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

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

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2022.

Julie A Picard, Township Clerk

AGREEMENT BETWEEN
THE TOWNSHIP OF LOWER
AND
KEVIN LEWIS
THE CHIEF OF POLICE
OF THE TOWNSHIP OF LOWER

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

THIS AGREEMENT dated _____, 2021 is by and between the **Township of Lower**, a municipal corporation of the County of Cape May, State of New Jersey, (herein after referred to as the "**Township**") and **Kevin Lewis**, of North Cape May, New Jersey 08204, (herein referred to as "**The Chief**").

RECITALS

WHEREAS, **Kevin Lewis** has been provisionally appointed Chief of Police of Lower Township since January 1, 2021 and has performed admirably in that position;

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

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

NOW THEREFORE the parties agree as follows:

ARTICLE 1

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

ARTICLE 2

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

ARTICLE 3

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

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

ARTICLE 4

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

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

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

ARTICLE 5

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

ARTICLE 6

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

ARTICLE 7

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

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

ARTICLE 8

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

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

ARTICLE 9

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

ARTICLE 10

PERSONAL DAYS: The Chief shall be entitled to the same number of personal days as provided for in the then current Township Police Superior

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

ARTICLE 11

MEDICAL INSURANCE, HEALTH, AND EYE EXAMINATION PLAN:

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

ARTICLE 12

CLOTHING ALLOWANCE:

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

ARTICLE 13
PERSONAL CAR:

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

ARTICLE 14
COLLEGE CREDITS:

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

ARTICLE 15
COMPENSATION:

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

1/1/2022	\$178,000
1/1/2023	\$181,560 (2%)
1/1/2024	\$185,191 (2%)
1/1/2025	\$188,894 (2%)

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

ARTICLE 16

LONGEVITY PAY INCREASES:

The Chief of Police is not entitled to Longevity Pay.

ARTICLE 17

RETIREMENT:

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

ARTICLE 18

LEGAL DEFENSE:

1. The Township shall supply the Chief of Police with necessary legal advice and counsel in the defense of charges filed against him in the performance of his duties in accordance with the laws of the State of New Jersey and of the United States. A selection of an attorney may be made by the Chief of Police subject to the approval of the Township and such approval shall not be unreasonably withheld by the Township. The Township shall similarly be responsible for indemnification and counsel, in connection with all claims including compensatory and punitive damages for actions filed subsequent to the expiration of this agreement.
2. In the event that the Chief of Police utilizes counsel other than that supplied by the Township, the fees and costs shall be agreed upon by the attorney and the Township prior to the attorney performing such services.

ARTICLE 19

PROFESSIONAL DEVELOPMENT/LAW ENFORCEMENT CONFERENCES:

1. The Chief shall be permitted to attend and be compensated for at his regular salary, any school, seminar, or in-service training conducted or sponsored by the International Association of Chiefs' of Police, the New Jersey State Association of Chiefs' of Police, the New Jersey State Police, the Federal Bureau of Investigation, or any other educational program of a management or supervisory nature provided that the same is approved by the Township Manager in advance. All expenses such as travel, room, food, tuition, special clothing, books, or any other charges connected with these educational programs, must be approved in advance by the Township Manager.

2. International Association of Chiefs' of Police Annual Training Conference: The Township agrees to grant paid training time off including travel time, of no more than five (5) days, for the Chief of Police to attend the annual International Association of Chiefs' of Police Training Conference which is held in various states throughout the United States each year. All costs and expenses associated with attendance must be approved in advance by the Township Manager. If paid by the Township, the Township Manager will establish a maximum per diem rate for meals not to exceed \$100 per day and the Chief will be required to provide receipts for all expenditures.

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

3. Membership Dues: The Township also agrees to pay for the Chief of Police's dues for membership in the Cape May County Police Chiefs' Association, the South Jersey Police Chiefs' Association, the New Jersey State Association of Police, the New Jersey F.B.I. National Academy Associates, and the International Association of Chiefs' of Police. The amount of membership dues shall not exceed the actual cost.

ARTICLE 20

NON-PRECEDENT:

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

ARTICLE 21

CONTINUATION OF BENEFITS NOT COVERED BY THIS AGREEMENT:

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

ARTICLE 22

ENTIRE AGREEMENT:

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

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

ARTICLE 23

SEPARABILITY AND SAVINGS AND APPLICATION:

If any provision of the Agreement or any application of this Agreement to said employee or group of employees is held to be invalid by operation of law or by a court or other tribunal of competent jurisdiction, such provision shall be inoperative, but all other provisions shall not be affected thereby and shall continue in full force and effect.

ARTICLE 24

TERM: The term of this Agreement shall commence on _____ through _____, and thereafter from year to year until otherwise negotiated by the parties. No separation of the Chief shall occur except under the requirements of the State of New Jersey Statutes and the New Jersey Civil

Service Regulations. The terms of this Agreement may only be modified by the mutual consent of the parties.

IN WITNESS THEREOF, the parties hereto have caused this document to be properly signed and sealed this _____ day of _____, 2022.

BY: _____
Kevin Lewis, Chief of Police

BY: _____
Michael Laffey, Township Manager

BY: _____
Mayor Frank Sippel

BY: _____
Julie Picard, Township Clerk

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

RESOLUTION # 2022-397

Title: **AWARDING A COMPETITIVE CONTRACT TO TD BANK FOR BANKING SERVICES FOR THE TOWNSHIP OF LOWER 2023-2024-2025 (36 MONTHS)**

WHEREAS, as per N.J.S.A. 40A:11-4.3 on October 3, 2022 Township Council authorized by Resolution #2022-308 to allow the QPA to advertise and receive Competitive Contract Proposals for Banking Services for the Township of Lower, and;

WHEREAS, a Competitive Contract for a Banking Services was advertised on October 3, 2022 and accepted on November 30, 2022 at 11:00 a.m. the Township received Three (3) bids; and

WHEREAS, a Banking Service Evaluation Committee was established, all proposals and documents were thoroughly reviewed and after thorough consideration the Committee recommends TD Bank to provide the Township with the Banking Services effective January 1, 2023 for a term of Thirty Six (36) Months: 2023-2024-2025.

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 contract is hereby awarded:

**AWARD TO: TD BANK
Thirty Six (36) Months Contract 2023-2024-2025
Effective January 1, 2023**

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2022.

Julie A Picard, Township Clerk

Pricing Proposal



EXHIBIT B

BANKING SERVICES FEE PROPOSAL FORM

BANK TD Bank, N.A.
 SIGNATURE *Melissa A. D'Alessandro*
 PRINTED NAME Melissa A. D'Alessandro
 TITLE Vice President, Government Banking Relationship Manager
 ADDRESS 201 West High Street, First Floor Glassboro, NJ 08028
 PHONE (856) 302-4512
 FAX N/A

DEPOSITORY SERVICES	PER UNIT COST
CREDITS - COST	Please see footnote
DEBITS - COST	Please see footnote
DEPOSITS - COST	Please see footnote
WIRE FEE	Please see footnote
OVERDRAFT FEE	Please see footnote
STOP PAYMENT FEE	Please see footnote
RETURNED DEPOSIT FEE	Please see footnote
INTERNET FEES	Please see footnote

MONTHLY MAINT FEES	Projected net monthly cost for services outlined on the Volume Pro Forma, based on your current average balance of \$ 18,528,458 will be \$0
--------------------	--

ALL OTHER FEES:	Please see footnote
-----------------	---------------------

Please included fees charged for printed deposit slips and checks, as well as any charges for bank bags.

*RATE OF INTEREST FOR EACH ACCOUNT:	2.50%
-------------------------------------	-------

*INDICATE METHOD OF DETERMINING RATE OF INTEREST AND FREQUENCY OF CHANGE IN RATE. ATTACH ADDITIONAL SHEET IF REQUIRED AND DETAIL METHOD OF CALCULATING AND APPLYING INTEREST.

*TD Bank reserves the right to change its rate and methodology from time to time in its sole and absolute discretion without regard to any external interest rate index or market conditions.
 TD Bank, N.A.

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

RESOLUTION #2022-398

Title: RESOLUTION URGING GOVERNOR MURPHY TO USE COVID RELIEF FUNDS TO OFFSET THE INCREASED PREMIUM COSTS OF THE NEW JERSEY STATE HEALTH BENEFITS PROGRAM

WHEREAS, the New Jersey State Health Benefits Program (the SHBP), governed by N.J.S.A. 52:14-17.25 et seq., offers medical, prescription drug and dental coverage to qualified State and participating local government public employees, retirees and eligible dependents; and

WHEREAS, all SHBP plans are self-funded, with all benefits being paid directly from a SHBP fund supplied by the State, participating local employees and member premiums; and

WHEREAS, in 2023, due to decisions made by the New Jersey Division of Pensions and Benefits and the State Health Benefits Commission, the cost of SHBP Premiums will increase by 21.6% for active employees, 13% for early retirees, and 0.7% for Medicare retirees, which will result in a combined cost increase of 22.8%; and

WHEREAS, the current and retired employees of the Township of Lower currently receive health insurance benefits through SHBP; and

WHEREAS, the increased cost of the SHBP will result in significant additional costs to the Township of Lower and its employees; and

WHEREAS, the additional costs of premiums for the SHBP will result in a significant increase in the property taxes for the residents of the Township; and

WHEREAS, the Governor and the State of New Jersey have entered into an agreement with State employees to use New Jersey Covid relief funds to offset the increased premiums to limit the increase to 3% for State employees; and

WHEREAS, it would be fair and equitable for the State of New Jersey to use its Covid relief funds to provide the same or similar benefits to municipal employees that the State will be providing to State employees; and

WHEREAS, limiting the SHBP premium increase to 3% for participating municipal employees in the same manner for State employees would contribute to the State's goals to build a stronger and fairer economy for New Jersey that supports the middle class and lifts families and communities.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Lower, County of Cape May, State of New Jersey, that:

- 1. The allegations of the preamble are incorporated herein, by this reference
2. The Township of Lower urges the Governor of the State of New Jersey to expend state Covid relief funds to offset the increased premiums of the SHBP for municipal employees in the same manner that the State has agreed to do for the State employees in order to limit the premium increase to 3%
3. The Municipal Clerk shall forward copies of this Resolution to the Governor, State Treasurer, District 1 Legislators, State Health Benefits Commission, New Jersey Division of Pensions and Benefits, Cape May County Commissioners and each municipality in Cape May County

Table with 8 columns: MOTION, SECOND, AYE, NAY, RECUSE, ABSTAIN, ABSENT and 5 rows of names: CONRAD, COOMBS, ROY, PERRY, SIPPEL

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on December 19, 2022.

Julie A Picard, Township Clerk

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

ORDINANCE #2022-15

Title: AN ORDINANCE AMENDING CHAPTER 400, LAND DEVELOPMENT, OF THE CODE OF THE TOWNSHIP OF LOWER, TO CREATE AN OVERLAY ZONING DISTRICT IN THE GB-1 ZONE TO GOVERN CLASS 5 CANNABIS RETAIL LICENSES AND CLASS 6 CANNABIS DELIVERY LICENSES

WHEREAS, on November 3, 2020, registered New Jersey voters approved, by a ratio of 67.08% voting in favor of legalizing marijuana and 32.92% against, Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of marijuana for adults at least 21 years of age; and

WHEREAS, in the Township of Lower, approximately 70% of registered voters voted in favor of legalizing marijuana in the State of New Jersey; and

WHEREAS, on February 22, 2021, New Jersey Governor Philip Murphy signed the 'New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act' (the "Act"), N.J.S.A. 24:6I-1 et seq., into law effectively legalizing marijuana throughout the state of New Jersey; and

WHEREAS, the Act legalized the recreational use of marijuana and established a comprehensive regulatory and licensing scheme for the creation of a commercial cannabis industry within the state of New Jersey and specifically created six (6) distinct classes of commercial cannabis licenses related to growing, processing, distributing, wholesale, delivery, and retail uses; and

WHEREAS, on July 6, 2021, Township Council adopted Ordinance #2021-13 which amended Chapter 400, Land Development, of the Code of the Township of Lower and authorized the issuance of no more than two (2) Class 5 Cannabis Retail Licenses and no more than two (2) Class 6 Cannabis Delivery Licenses to operate within the Township's GB-1 and I zoning districts; and

WHEREAS, on November 15, 2021, Township Council adopted Ordinance #2021-21 which amended Chapter 400, Land Development, of the Code of the Township of Lower to expand the permitted zones in which Class 5 Cannabis Retail Licenses and Class 6 Cannabis Delivery Licenses are permitted to include the MD-2 (Marine Development/Commercial) zone; and

WHEREAS, after further review, the Township has determined that revisions to the GB-1 zone and the conditions associated with Class 5 Cannabis Retail Licenses and Class 6 Cannabis Delivery Licenses should be revised in order to establish an overlay zoning district to ensure that these uses are confined to specific areas of the GB-1 zone;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Chapter 400, Land Development, of the Code of the Township of Lower, be and hereby is amended as follows:

Section 1. Chapter 400, Land Development, Subsection B(21), is hereby incorporated as follows:

§ 400-10(B)(21) GB-1 Cannabis Overlay Zone. The Cannabis Overlay Zone shall be located within the GB-1 zone and same is specifically confined to Block: 690, Lots: 1.01 & 1.02 and Block: 741.01, Lot: 28.01.

Section 2. Chapter 400, Land Development, Article IV, District Regulations, Subsection 17, GB General Business, paragraph (A)(16), is hereby repealed and replaced with:

Class 5 cannabis retail stores, confined to the GB-1 Cannabis Overlay Zone, and subject to the requirements of § 400-111. This use shall not be permitted in the GB-2 Zone.

Section 3. Chapter 400, Land Development, Article IV, District Regulations, Subsection 17, GB General Business, paragraph (A)(17), is hereby repealed and replaced with:

Class 6 cannabis delivery stores/services, confined to the GB-1 Cannabis Overlay Zone, and subject to the requirements of § 400-111. This use shall not be permitted in the GB-2 Zone.

Section 4. Chapter 400, Land Development, Article VII, Exceptions, Modifications and Development Alternatives, Subsection 56, Conditional uses, paragraph (P), is hereby repealed and replaced with:

P. Class 5 cannabis retail stores.

- (1) There shall be no more than two (2) Class 5 Cannabis Retail Licenses issued in Township of Lower and same shall be confined to the GB-1 Cannabis Overlay Zone, MD-2, or I zoning districts. Cannabis retail stores shall not be permitted within any other zone located within the Township of Lower.

Class 5 Cannabis retail stores located in the GB-1 Cannabis Overlay Zone are deemed to be permitted uses, subject to the provisions of §400-111.

- (2) Submission of a license and/or a conditional license approved by the State of New Jersey and/or the Cannabis Regulatory Commission to engage in the retail sale of marijuana.
- (3) Submission of a copy of the Application submitted to the State of New Jersey requesting a Class 5 Cannabis Retail License along with all attachments.
- (4) Compliance with any and all requirements set forth within the 'New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act', N.J.S.A. 24:61-1 et seq.
- (5) Compliance with the area and bulk requirements of the zoning district in which same is proposed to be located.
- (6) The design of any building must conform to the general character of the area and not adversely affect the safe, comfortable enjoyment of property rights in the zone in which it is located.
- (7) No cannabis retail stores shall be located within 300 feet, measured from the front entrance to the proposed commercial property, of any residential structure, fire house, school, public playground, place of worship, hospital, beach, public recreational facility, or public library.
- (8) All sales to consumers must take place in the indoor areas of a cannabis establishment and/or curbside, in accordance with the provisions of N.J.A.C. 17:30-12.4, in front of said cannabis establishment. With the exception of the wholesale delivery of cannabis and/or the delivery of goods/equipment associated with the operation of a cannabis retail store, no business shall be conducted in the rear of a cannabis establishment.
- (9) Hours of operation shall be limited to 10a.m. to 10p.m.
- (10) Cannabis Consumption Areas are prohibited from operating anywhere on the premises which are licensed to engage in the retail sale of cannabis.
- (11) No outside storage of any cannabis, cannabis products or cannabis paraphernalia shall be permitted.

(12) All other applicable requirements of this chapter shall be met.

(13) To the extent that any of the provisions outlined herein are in conflict with rule and regulations promulgated by the New Jersey Cannabis Regulatory Commission, the rules and regulations of the Commission shall control.

Section 5. Chapter 400, Land Development, Article VII, Exceptions, Modifications and Development Alternatives, Subsection 56, Conditional uses, paragraph (Q), is hereby repealed and replaced with:

Q. Class 6 cannabis delivery service.

(1) There shall be no more than two (2) Class 6 Cannabis Delivery Licenses issued in Township of Lower and same shall be confined to the GB-1 cannabis overlay zone, MD-2, or I zoning districts. Cannabis delivery stores/services shall not be permitted within any other zone located within the Township of Lower.

Class 6 Cannabis delivery stores/services located in the GB-1 cannabis overlay zone are deemed to be permitted uses, subject to the provisions of §400-111.

(2) Submission of a license and/or a conditional license approved by the State of New Jersey and/or the Cannabis Regulatory Commission to engage in the delivery of marijuana.

(3) Submission of a copy of the Application submitted to the State of New Jersey requesting a Class 6 Cannabis Delivery License along with all attachments.

(4) Compliance with any and all requirements set forth within the 'New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act', N.J.S.A. 24:6I-1 et seq.

(5) Compliance with the area and bulk requirements of the zoning district in which same is proposed to be located.

(6) The design of any building must conform to the general character of the area and not adversely affect the safe, comfortable enjoyment of property rights in the zone in which it is located.

(7) No Cannabis Delivery Service shall be located within 300 feet, measured from the front entrance to the proposed commercial property, of any residential structure, fire house, school, public playground, place of worship, hospital, beach, public recreational facility, or public library.

(8) Cannabis Consumption Areas are prohibited from operating anywhere on the premises which are licensed to engage in the delivery of cannabis.

(9) No outside storage of any cannabis, cannabis products or cannabis paraphernalia shall be permitted.

(10) All other applicable requirements of this chapter shall be met.

(11) To the extent that any of the provisions outlined herein are in conflict with rules and regulations promulgated by the New Jersey Cannabis Regulatory Commission, the rules and regulations of the Commission shall control.

Section 6. Chapter 400, Land Development, Article IX, Overlay Zoning Districts, Subsection 111, is hereby enacted as follows:

ARTICLE IX Overlay Zoning Districts

§ 400-111 GB-1 Cannabis Overlay Zone.

A. Purpose.

- (1) The GB-1 Cannabis Overlay Zone is hereby enacted order to ensure that class 5 cannabis retail licenses and class 6 cannabis delivery licenses are confined to specific areas of the GB-1 zone deemed to be appropriate locations for said uses.
- (2) The GB-1 Cannabis Overlay Zone establishes regulations in an effort to facilitate these types of uses while protecting and promoting the general welfare of the community and the quality of life of existing residential and commercial uses located in close proximity to same.

B. Impact on underlying zoning.

- (1) The GB-1 Cannabis Overlay Zone shall not replace the existing GB-1 zoning regulations.
- (2) Any individual or entity seeking to develop property within the GB-1 Cannabis Overlay Zone shall have the option to utilize or develop the property in accordance with the regulations of either the underlying GB-1 zone or regulations outlined herein.

C. Permitted Uses.

- (1) Class 5 Cannabis Retail Stores.
- (2) Class 6 Cannabis Delivery Services.

D. Area and Yard requirements.

- (1) The area and bulk requirements of the underlying GB-1 zone shall apply to the permitted uses within the GB-1 Cannabis Overlay Zone.

E. Additional Requirements.

- (1) Submission of a license and/or a conditional license approved by the State of New Jersey and/or the Cannabis Regulatory Commission to engage in the delivery of marijuana.
- (2) Submission of a copy of the Application submitted to the State of New Jersey requesting a Class 5 Cannabis Retail License or Class 6 Cannabis Delivery License along with all attachments.
- (3) Compliance with any and all requirements set forth within the 'New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act', N.J.S.A. 24:6I-1 et seq.
- (4) The design of any building must conform to the general character of the area and not adversely affect the safe, comfortable enjoyment of property rights in the zone in which it is located.
- (5) Cannabis Consumption Areas are prohibited from operating anywhere on the premises which are licensed to engage in the delivery of cannabis.

- (6) No outside storage of any cannabis, cannabis products or cannabis paraphernalia shall be permitted.
- (7) Hours of operation shall be limited to 10:00 a.m. to 10:00 p.m.
- (8) All other applicable requirements of this chapter shall be met.
- (9) To the extent that any of the provisions outlined herein are in conflict with rules and regulations promulgated by the New Jersey Cannabis Regulatory Commission, the rules and regulations of the Commission shall control.

F. Site Plan Review.

- (1) Cannabis Retail Stores and/or Cannabis Delivery Stores/Services proposed to be located in existing buildings shall be exempt from site plan review provided no expansion or external renovations are proposed to same.
- (2) Cannabis Retail Stores and/or Cannabis Delivery Stores/Services proposed to be located in new construction shall require site plan review and approval.

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

Section 8. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provision of this Ordinance are hereby declared to be severable.

Section 9. This Ordinance shall become effective 20 days after final passage and publication according to law.

Thomas Conrad, Councilmember

Kevin Coombs, Councilmember

Roland Roy, Jr., Councilmember

Dave Perry, Deputy Mayor

Frank Sippel, Mayor

First Reading: *November 21, 2022*

Adopted:

Attest: _____
Julie A Picard, Township Clerk

TOWNSHIP OF LOWER

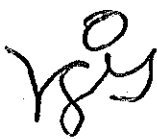
2600 Bayshore Road
Villas, New Jersey 08251



Incorporated 1798

(609) 886-2005

Memo

To: Lower Township Council
From: Lower Township Planning Board 
Re: Referral of Ordinance # 2022-15 for a report by the Lower Township Planning Board under N.J.S. 40:55D-64 and 40-55D-26a.
Date: December 8, 2022

The above referenced Lower Township Council Ordinance was referred by Lower Township Council, for a report from the Lower Township Planning Board under N.J.S. 40-55D-26a.

The Lower Township Planning Board Reviewed Ordinance # 2022-15, establishing a GB-1 Cannabis Overlay Zoning District, and finds the Ordinance in total, to be substantially consistent with the Lower Township Master Plan and Zoning Ordinance. The Planning Board therefore recommends approval of the Ordinance.

This report and action by the Planning Board was taken at a duly held meeting on December 8th, 2022. Thank you.

cc. Manager, Clerk, Solicitor

Township of Lower
 2600 Bayshore Road
 Villas, NJ 08251
 609-8862005

OFFICE OF CONSTRUCTION OFFICIAL

Construction Permit Activity Report

RANGE: 11/01/2022 To 11/30/2022

December 01, 2022 1:33:20PM

SUMMARY

CONSTRUCTION COSTS

COUNT

Cost Of Construction:	\$1,262,475.00	Cubic Footage:	162279 Cu.ft	Permit Issued:	96
Cost Of Alteration:	\$18,238,921.00	Square Footage:	12615 Sq.ft	Updates Issued:	13
Cost Of Demolition:	\$19,500.00			All Fees Waived:	4
Total Cost:	\$19,520,896.00			Municipal Fees Waived:	0

<u>PERMIT FEES</u>		<u>ADMIN FEES</u>		<u>WAIVED FEES</u>		<u>TOTAL FEES</u>	
Building:	\$346,450.00	Building:	\$0.00	Building:	\$331,100.00	Building Fees:	\$15,350.00
Electrical:	\$11,912.00	Electrical:	\$0.00	Electrical:	\$3,439.00	Electrical Fees:	\$8,473.00
Fire :	\$2,920.00	Fire :	\$0.00	Fire :	\$470.00	Fire Fees:	\$2,450.00
Plumbing:	\$4,556.00	Plumbing:	\$0.00	Plumbing:	\$854.00	Plumbing Fees:	\$3,702.00
Elevator:	\$68.00	Elevator:	\$0.00	Elevator:	\$68.00	Elevator Fees:	\$0.00
Mechanical:	\$1,950.00	Mechanical:	\$0.00	Mechanical:	\$0.00	Mechanical Fees:	\$1,950.00
				* Total Waived:	\$335,931.00	Technical Fees:	\$31,925.00

<u>DCA</u>	Calculated Fees	Waived Fees	Collected Fees
Volume Training Fee:	\$605.00	\$0.00	\$605.00
Alteration Training Fee:	\$34,660.00	\$33,175.00	\$1,485.00
DCA Minimum Fee:	\$5.00	\$1.00	\$4.00
Sub total Training Fee:	\$35,270.00	\$33,176.00	\$2,094.00

TECHNICAL ISSUES

Building Technical:	57
Electrical Technical:	76
Fire Protection Technical:	29
Plumbing Technical:	30
Elevator Technical:	1
Mechanical Technical:	25

CERTIFICATE ISSUES

Certificate of Occupancy:	10
Certificate of Approval:	34
Certificate of Continued Occupancy:	0

PERMIT FEES:	\$31,925.00
DCA FEES:	\$2,094.00
CERTIFICATE FEES:	\$1,687.00
MIN FEES:	\$0.00
NET TOTAL FEES:	\$35,706.00
PENALTIES COLLECTED:	\$0.00
CCO FEES:	\$0.00
OTHER FEES:	\$0.00
GRAND TOTAL FEES:	\$35,706.00

* By State law (see N.J.S. 52:27D-126c): \$335,931.00

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

OFFICE OF THE CONSTRUCTION OFFICIAL

Account Summation-Summary

Report Run from 11/01/2022 To 11/30/2022

December 1, 2022 1:34:08PM

ACCOUNT:		Cash Amount	Check Amount	Credit Card Amount	Total Fee
PERMIT FEES	Sub Totals:	\$2,052.00	\$33,654.00	\$0.00	\$35,706.00
CONTRACTOR LICENSE	Sub Totals:	\$0.00	\$1,050.00	\$0.00	\$1,050.00
GRAND TOTALS:		\$2,052.00	\$34,704.00	\$0.00	\$36,756.00

**2022 CASH RECEIPTS
NOVEMBER**

Township of Lower
Office of the Tax Collector

	MONTH TO DATE	YEAR TO DATE
Receipts		
Preliminary Tax Year (2023)	117,834.33	1,365,149.52
Current year taxes (2022)	12,647,109.28	68,504,384.58
Prior year taxes (2021)	19.64	395,684.74
Previously exempt property		0.00
State Audit Pay Back		0.00
Municipal Lien	2,558.39	32,906.51
Recording	20.00	1,151.27
Bankruptcy		0.00
6% Penalty		1,187.26
Municipal Service Fees	420.00	70,110.00
Tax Search Fees		0.00
Interest	15,479.52	122,276.58
Lot clearing	925.00	3,300.00
Returned Check Fees*	40.00	600.00
Duplicate Bills	525.00	1,410.00
Trash	156.00	70,321.50
Tax Sale Costs		1,240.17
MUA		0.00
TOTAL DEPOSITS	12,785,087.16	70,569,722.13
DEPOSITED TO COUNCIL CHECK	11,497,426.72	62,308,276.96
DEPOSITED TO WIPP ACCOUNT	1,287,660.44	8,261,445.17
TOTAL DEPOSITS	12,785,087.16	70,569,722.13
NSF Reversals *	1,122.83	139,297.42
WIPP NSF Reversals	41,529.84	118,454.79
NSF Fee Reversals *		0.00
TOTAL NSF	42,652.67	257,752.21
TOTAL	12,742,434.49	70,311,959.92

Prepared by Kathy Brown

CASH RECONCILIATION NOVEMBER 30, 2022

	Cash		Less Checks Outstanding	Cash Book Balance
	*On Hand	On Deposit		
Current	1,398,400.05	13,372,174.54	1,509,550.62	13,261,023.97
Trust - Assessment				
Trust - Dog License	0.00	10,201.36	508.50	9,692.86
Trust - Other	4,647.71	3,893,534.45	30,730.70	3,867,451.46
Capital - General	0.00	3,455,313.51	0.00	3,455,313.51
Water - Operating				0.00
Water - Capital				0.00
Assessment Utility Trust				0.00
Public Assistance**				0.00
Garbage District				0.00
Grant Fund				0.00
Total	1,403,047.76	20,731,223.86	1,540,789.82	20,593,481.80

*Include Deposits In Transit (and change funds)

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

REQUIRED CERTIFICATION

I hereby certify that all amounts shown in the "Cash on Deposit" column on Sheet 9 and 9(a) have been verified with the applicable bank statements, certificates, agreements or passbooks at 30-Nov-22

I also certify that all amounts, if any, shown for Investments in Savings and Loan Association on any trial balance have been verified with the applicable passbook at 30-Nov-22

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

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

Signature:

Lauren Reed

Title: CFO, Township of Lower

Township of Lower
Treasurer's Report
2022

	Total	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov
BEG. BAL. JAN. 1, 2022	12,217,442.42	12,217,442.42	11,609,740.10	14,584,381.20	10,778,177.58	7,849,873.55	10,768,098.56	9,147,147.04	3,930,032.98	13,915,885.04	9,465,011.49	9,028,144.40
RECEIPTS:												
Per Revenue Status	83,132,373.20	4,653,567.63	11,498,357.99	1,349,674.12	4,891,350.50	19,364,824.63	843,651.66	1,955,896.81	18,533,519.81	1,886,838.96	4,825,009.50	13,231,361.69
less: post cash surplus	(4,550,000.00)					(4,550,000.00)						
Interest due from Escrow	(957.32)	(117.61)	(106.93)	(90.99)	(105.72)	(98.43)	(98.21)	(17.59)	(81.30)	(85.31)	(79.34)	(77.82)
	78,581,415.88	4,653,450.02	11,498,251.06	1,349,583.13	4,891,244.78	14,814,726.20	843,653.35	1,935,879.22	18,533,438.61	1,886,753.65	4,824,930.16	13,231,363.87
Transfers:												
Capital-Clear Fund	3,291,028.12						411,510.12		1,384,539.11	1,162,503.84	184,448.14	128,027.91
Grants Received:												
ALED \$ RECD	4,737.97						4,737.97					
AMER RESCUE \$ RECD	1,116,761.15							1,116,761.15				
BODY ARMOR \$ RECD	9,139.73					9,139.73						
CC \$ RECD	81,632.54						81,632.54					
CIS \$ RECD	1,440.00											1,440.00
DSGPO \$ RECD	14,500.00		7,500.00									7,000.00
EVAA \$ RECD	10,000.00								10,000.00			
HISTORIC TRUST \$ RECD	35,737.50									35,737.50		
JIF \$ RECD	8,472.69	4,747.69				725.00		1,000.00				
HJDOT - STAR	132,750.00				132,750.00							
OPEN SPACE \$ RECD	240,000.00		240,000.00									
Opford Settlement	14,593.71								7,134.76			7,461.95
Recycling Tonnage \$ Recd	46,395.72			46,395.72								
SJ GAME ON \$ RECD	1,000.00					1,000.00						
SUSTAINABLE JERSEY \$ RECD	2,500.00										2,500.00	
1.72% 6/4/01												
TOTAL RECEIPTS:	83,498,108.01	4,658,187.71	11,743,751.06	1,395,978.88	5,029,994.78	14,825,592.93	1,341,733.98	3,073,640.37	19,335,114.48	3,104,994.99	5,111,878.30	13,375,233.53
DISBURSEMENTS:												
2021 Reserves	707,697.62	222,186.16	187,405.18	37,621.53	74,690.69	31,947.12	7,640.00	381.05	24,256.07	872.00	118,715.02	1,962.80
2022 Current	79,952,623.68	4,934,469.06	8,377,083.57	5,176,796.29	7,728,050.78	12,846,687.48	2,699,668.87	7,335,010.01	9,640,078.51	6,670,185.65	8,406,098.77	9,138,516.69
2022 Capital	4,629,592.85	247,305.48	243,142.68	81,927.21	218,571.87	712,760.56	(12,197.68)	1,298,034.49	345,068.35	1,162,503.84	184,448.14	128,027.91
less: Spctchl Emergency	(120,000.00)									(120,000.00)		
less: Def chgs TAX MAP	(148,200.00)						(148,200.00)					
less: Due capital bond and paydown	(1,225,000.00)						(1,225,000.00)					
less: Due capital GIF	(250,000.00)						(250,000.00)					
less: Due FR Grants/tyg share DEBR	0.00											
Appropriation Refunds:	(1,386,285.25)	(133,776.23)	(38,501.47)	(94,062.53)	(63,014.53)	(62,827.24)	(127,423.69)	(342,671.12)	(60,143.51)	(177,792.95)	(160,516.54)	(125,553.44)
1992 ANNUAL ADJ TO POST BUD 21 TAX REFUNDS TO 21 GL	(4,292.44)	(4,292.44)										
TRANSFERS OUT:	0.00											
CAPITAL (CLEAR F'S IF)	395,000.00						395,000.00					
TOTAL DISBURSEMENTS	82,553,128.46	5,265,908.03	8,769,109.96	5,203,182.50	7,958,298.81	16,807,387.92	2,962,635.30	8,290,754.43	9,949,259.42	7,555,868.34	8,648,743.39	9,142,953.98
END. BAL. DEC. 31, 2022	13,260,423.97	11,609,740.10	14,584,381.20	10,778,177.58	7,849,873.55	10,768,098.56	9,147,147.04	3,930,032.98	13,915,885.04	9,465,011.49	9,028,144.40	13,260,423.97
Total Appropriation Refunds	(1,381,285.25)	(133,776.23)	(38,501.47)	(94,062.53)	(63,014.53)	(62,827.24)	(127,423.69)	(342,671.12)	(60,143.51)	(177,792.95)	(160,516.54)	(125,553.44)
Bank Balance												
Checking-Ocean First	10,877,268.42	14,087,516.88	8,330,019.35	7,489,379.99	9,712,067.35	9,642,034.74	3,095,976.45	11,689,311.84	9,764,766.80	8,620,000.18	12,052,090.81	
Online Payment Acct	436,179.40	800,854.21	394,399.91	440,872.09	903,336.49	150,045.32	172,949.44	1,742,668.43	344,624.25	512,443.21	1,214,203.02	
Total Bank Balance	11,313,447.82	14,888,371.09	8,724,419.26	7,940,252.08	10,615,403.84	9,792,080.06	3,268,925.89	13,431,980.27	10,109,391.05	9,132,443.39	13,266,293.83	
ADD: Deposits in Transit	361,983.33	53,140.94	2,074,054.83	138,035.16	163,025.99	9,933.90	946,660.71	633,186.32	65,828.44	239,262.94	159,242.75	
LESS: Outstanding Checks	(65,691.05)	(357,129.93)	(20,298.81)	(228,413.71)	(10,331.27)	(654,868.92)	(285,553.62)	(49,281.55)	(709,908.00)	(343,561.93)	(165,112.61)	
Adjusted Bank Balance	11,609,740.10	14,584,381.20	10,778,177.58	7,849,873.55	10,768,098.56	9,147,147.04	3,930,032.98	13,915,885.04	9,465,011.49	9,028,144.40	13,260,423.97	
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Monthly Interest Received-Current Fund	44,295.04	4,058.01	4,936.48	4,377.48	3,978.15	4,453.20	4,281.05	3,290.21	3,400.60	4,310.11	3,227.97	3,973.48
Interest Rate		0.25%	0.25%	0.25%	0.25%	0.25%	0.25%	0.25%	0.25%	0.25%	0.25%	0.25%

**NOVEMBER 2022
VITAL STATISTICS**

Marriages,Civil Unions	7
Domestic Partners	0
Certified Copies	87
Certified Copies EDRS	0
Burial Permits	0

Marriages, Civil Unions State	\$0.00
Domestic Partners State	\$0.00
Marriages, Civil Unions Twp	\$0.00
Domestic Partners Twp	\$0.00
Certified Copies	\$870.00
Certified Copies EDRS	\$0.00
Burial Permits	\$0.00

TOTAL	\$870.00
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