

WORK SESSION AND REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL
February 6, 2023– 7:00 pm.

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

Work Session

Proclamation – Pastor West
Erma Fire Department presentation to Jeffrey Laag and John Rogers
Public safety update – drones
Lew Conley – Fire District Elections Presentation

Consent Agenda

Approval of Minutes – January 18, 2023
Res. #2023-69 Approval for Payment of Vouchers \$ 955,287.00
Res. #2023-70 Amend Designation of Official Depositories
Res. #2023-71 Authorizing Pay Out of Terminal Leave (S.Trunfio \$9,114.82)
Res. #2023-72 A Resolution Requesting Release of Demolition Bond for Block 537, Lot 13; 3 Beverly Road, Town Bank, NJ
Res. #2023-73 Authorization for the Pay Out of Accumulated Compensatory Time (K.Walker \$6,238.92)
Res. #2023-74 Authorization for the Pay Out of Accumulated Compensatory Time (E.Danze \$7,096.20)
Res. #2023-75 Issuance of 2023 Taxi, Limousine and Operator Licenses
Res. #2023-76 Approval of 2023 Rotary Towing Licenses
Res. #2023-77 A Resolution of the Township Council of the Township of Lower Evidencing Local Support of an Application for a Class 5 Cannabis Retail License within the Township of Lower by Sea & leaf, LLC
Res. #2023-78 Approving Change Order #1 for the Award of National Cooperative Purchasing Agreement with Sourcewell to Hunter Jersey Peterbilt for (1) One 2023 Peterbilt 548 Tandem Axle Cab and Chassis (\$13,158.)
Res. #2023-79 Approving Change Order #1 for Amendments to the Award of National Cooperative Purchasing Agreement with Sourcewell to Hunter Jersey Peterbilt for (1) One 2023 Peterbilt 548 Tandem Axle Cab and Chassis (\$8,481.)
Res. #2023-80 Various Appointments to the Recreation Advisory Board
Res. #2023-81 Approval of Change Order #3 with DeBlasio & Associates for Additional Architectural Services for Diamond Beach Park (\$13,000)
Res. #2023-82 Approving a Professional Service Contract with DeBlasio & Associates for the Engineering and Architectural and Construction Phase of the Lincoln Boulevard Restroom Facility Project (LT-C-035) (\$40,000)
Res. #2023-83 Authorizing the Sale of Township of Lower Surplus No Longer Needed for Public Use on Govdeals Online Auction
Res. #2023-84 Appointment to the Planning Board (S.Morris)
Res. #2023-85 Bid Rejection for Replacement of Various Pavilions in the Township of Lower (LT-C-027)
Res. #2023-86 A Resolution in Support of the New Jersey Department of Transportation's Recommendation to Reduce Speed Limit Along Route 109

Ordinance #2023-02; An Ordinance Amending Chapter 106, Recreation Advisory Board, Subsection 2, Membership; Organization; Terms; Alternates; Vacancies, In Order to Increase the Total Number of Board Members Appointed to the Recreation Advisory Board. This is the first reading of this Ordinance. The second reading and public hearing has been scheduled for March 6, 2023.

Ordinance #2023-03 Bond Ordinance Providing for Various Roadway and Drainage Improvements, By and In the Township of Lower, in the County of Cape May, State of New Jersey; Appropriating \$2,700,000 Therefore and Authorizing the Issuance of \$2,500,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof. This is the first reading of this Ordinance. The second reading and public hearing has been scheduled for February 22, 2023

Regular Agenda

Res. #2023-87 A Resolution in Support of the Lower Township Police Department Reaffirming the Township of Lower's Commitment to Public Safety in light of Recent Incidents Involving Juvenile Delinquency

Ordinance 2023-01 An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-15.14) This is the second reading and public hearing of this Ordinance. This Ordinance has been published, posted and made available to the public.

Public Comment

Council Comments

Closed Session

Res. #2023-88 Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12. **Attorney/Client privilege**

Adjourn

COUNCIL MEETING MINUTES – January 18, 2023

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on January 18, 2023 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 and Robert Belasco, Township Solicitors and Karen Fournier, Deputy Township Clerk

Work Session

Consent Agenda

Approval of Minutes – January 4, 2023

- Res. #2023-53 Authorization for the Payment of Vouchers \$ 1,361,030.76
- Res. #2023-54 Approval of Change Order #2 (Final) to Asphalt Paving Systems Inc. for Additional Storm Sewer Improvements and As-Built Quantities (LT-C-024) for the Mowery Avenue, Harvard Street, Peters Road and Howland Avenue Project
- Res. #2023-55 A Resolution Authorizing and Approving an Interim Shared Service Agreement between the County of Cape May and the Township of Lower for Public Safety Answering, Dispatch and Related Services
- Res. #2023-56 Authorization for Waiver of Permitting Fees for Historic Cold Spring Village Associated with the Replacement of a Storage Trailer
- Res. #2023-57 Reappointment to the Municipal Utilities Authority Board (J. Henderson)
- Res. #2023-58 Transfer of 2022 Appropriations
- Res. #2023-59 A Resolution Approving Municipal Banking Agreements
- Res. #2023-60 Resolution Supporting the Annual (2022) Greater Cape May Elk's/Tom Beheler Youth Basketball Tournament
- Res. #2023-61 FY 2024 Lower Cape Alliance
- Res. #2023-62 DMHAS Youth Leadership Grant
- Res. #2023-63 Authorization for the Payout of Accumulated Compensatory Time (S. Gellura \$4,524.72)
- Res. #2023-64 Authorization for the Payout of Accumulated Compensatory Time (M. Harkin \$4,810.02)
- Res. #2023-65 Contract Award for Management Information System Consultant (MIS) Final Year 2023
- Res. #2023-66 Bid Rejection for Municipal Pool Renovations Project
- Res. #2022-67 A Resolution Requesting Reduction of Performance Guarantee for Snug Harbor Marina, LLC; Block 823; Lots 1+1.02; Escrow #P02-11-01

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

Engineer Report

Marc DeBlasio updated Council on the engineering projects being handled by DeBlasio & Associates: Reconstruction of Fire Lane; Millman Center Improvements; Replacement of Various Pavilions; Municipal Pool Renovations; Diamond Beach Park Improvements; Lincoln Blvd. Bathroom Installation; and Reconstruction of Carriage Lane, Briarwood Drive, Bridle Path, Paddock Lane, Timber Lane and Trotter Way.

Reports

2022 Annual Variance Report
2022 Tax Collector's Annual Report
Clerk, Construction, Dog, Tax, Vital Statistics

Public Comment

John Owenski, 29 Keywood Drive, Shawcrest, addressed Council on behalf of the tenants of Shawcrest Mobile Home Park to voice discontent about the steep increase in rent and request that Council adopt an Ordinance imposing rent control legislation.

Colin Smith, 1 Rabbit Run, addressed Council regarding the Veterans' Tax Exemption and requested the Township consider a full-year tax refund for Veterans.

Tom Rabinski, 42 Yerkes Ave., Shawcrest, addressed Council about the next step in the process of imposing rent control.

Solicitor Stefankiewicz stated that Council will take the request under advisement.

Solicitor Belasco informed of New Jersey laws and suggested additional research be done on the matter prior to the Township making a decision.

Council Comments

Councilmember Conrad – no comments
Councilmember Coombs – no comments
Councilmember Roy – no comments
Mayor Sippel – no comments
Deputy Mayor Perry shared birthday wished for Manager Laffey.

Closed Session

Res. #2023-68 Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12. **Attorney/Client privilege**

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

Council Adjourned to Closed Session at 7:15 p.m.

Council returned to Open Session at 7:55 p.m.

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 7:56 p.m.

Mayor

Township Clerk

Approved:

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00784	CAPE MAY STAR & WAVE								
		23-00114	01/11/23	LEGAL - 01/04/23	Open	165.00	0.00		
		23-00229	01/23/23	Legals - 1/11/2023	Open	255.00	0.00		
		23-00298	01/31/23	Legals - 1/25/23	Open	<u>166.00</u>	0.00		
						586.00			
00825	COMCAST*								
		23-00291	01/31/23	INTERNET(ALL) 1/15-2/14/23	Open	1,320.24	0.00		
01125	MARGARET CROMPTON								
		23-00155	01/12/23	CONTRACTUAL REIMBURSEMENT M	Open	200.00	0.00		B
01170	VERIZON WIRELESS* F/S								
		23-00125	01/11/23	FS Verizon 11.27 - 12.26	Open	167.68	0.00		
01239	DIANA L DeNOTE								
		23-00154	01/12/23	CONTRACTUAL REIMBURSEMENT M	Open	1,726.94	0.00		
01250	SCOTT DOUGLASS								
		23-00121	01/11/23	REIMBURSEMENT SHOES	Open	84.99	0.00		
01390	EDMUNDS & ASSOCIATES, INC.*								
		23-00272	01/26/23	1095c Filing	Open	943.59	0.00		PC1
01480	E-Z PASS								
		23-00256	01/24/23	EZPASS REPLENISH 1/12/23 DPW	Open	100.00	0.00		PC1
01490	ROBERT FESSLER								
		21-01436	06/11/21	EQUIPMENT ALLOWANCE 2021	Open	150.00	0.00		
		22-00872	04/07/22	EQUIPMENT ALLOWANCE 2022	Open	<u>47.94</u>	0.00		B
						197.94			
01590	FORD, SCOTT & ASSOCIATES*								
		23-00255	01/24/23	2023 MUNICIPAL AUDITOR DNE\$41K	Open	4,000.00	0.00		B
01622	THOMAS A. FRISOLI, JR.								
		23-00129	01/11/23	EXEMPT VETERAN AS OF 11/21/22	Open	547.68	0.00		
01641	GALL'S INC*								
		22-02962	11/28/22	MANADNOCK BATON HOLDERS	Open	506.05	0.00		
01653	GENTILINI FORD*								
		23-00065	01/10/23	PARTS FOR TRUCKS/DPW	Open	140.20	0.00		
01690	GRANTURK EQUIPMENT CO*								
		21-01727	07/09/21	2021 LEACH 29 CYD REAR LOADER	Open	5,500.00	0.00		
01873	HOME DEPOT*								
		22-02595	10/27/22	SHOP SUPPLIES	Open	372.44	0.00		
01964	INTERNATIONAL ASSOC ARSON INVS								
		23-00124	01/11/23	Belles NJIAAI 2023 mtg confr	Open	625.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01974	I.A.C.P MEMBERSHIP*	23-00148	01/11/23	IACP MEMBERSHIP 2023	Open	190.00	0.00		
02097	LACAL EQUIPMENT INC	22-03053	12/12/22	RECYCLING PARTS/DPW	Open	3,979.94	0.00		
02108	KEEN COMPRESSED GAS CO*	23-00160	01/18/23	COMPRESSED GAS/DPW	Open	124.11	0.00		
02223	LANDSMAN UNIFORMS*	22-03043	12/12/22	UNIFORMS	Open	1,628.50	0.00		
02247	LAWSON PRODUCTS, INC.*	23-00093	01/11/23	SUPPLIES DPW/JAN	Open	699.94	0.00		
02248	LAWMEN SUPPLY*	22-03065	12/12/22	BPV NAME TAPE	Open	10.00	0.00		
02349	ROBERT LUBBERMAN	23-00110	01/11/23	ELKS/BEHELER TOURNAMENT	Open	120.00	0.00		
02538	MARSH & MCLENNAN AGENCY, LLC*	23-00041	01/06/23	RES#23-17 MONTHLY DNE\$43517	Open	3,626.41	0.00		B
02777	RR DONNELLEY*	22-02640	11/02/22	SAFETY PAPER	Open	142.00	0.00		
02811	JAMES MOY	23-00275	01/27/23	CONTRACTUAL REIMBURSEMENT M	Open	162.01	0.00		
02968	PATTI'S PARTY WORLD*	22-03217	12/30/22	NYE'S PARTY	Open	271.68	0.00		
03001	STATE TOXICOLOGY LABORATORY*	22-03213	12/30/22	APPLICANT TESTING	Open	90.00	0.00		
03021	NJ MOTOR VEHICLE COMMISSION	23-00107	01/11/23	2003 ANNUAL ONLINE FEE/DPW	Open	150.00	0.00		
03026	NJ STATE HEALTH BENEFITS	23-00267	01/26/23	FEB 2023 RETIREE HEALTH	Open	118,323.47	0.00		
		23-00268	01/26/23	FEB 2023 ACTIVE HEALTH	Open	237,127.31	0.00		
						355,450.78			
03086	NJ STATE ASSN CHIEFS OF POL*	23-00149	01/11/23	PROGRAM FEE 2023	Open	1,666.00	0.00		
03179	OFF-SHORE GETTY STATION*	23-00259	01/24/23	TOWNING/DPW 11/7/22	Open	125.00	0.00		
03305	PEDRONI FUEL*	23-00245	01/24/23	NO LEAD GAS/DPW	Open	742.86	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03365	LYNN JEFFERIS	23-00159	01/17/23	CONTRACTUAL REIMBURSEMENT M/V	Open	490.84	0.00		
03387	POGUE INC. *	23-00105	01/11/23	SAFETY AND HEALTH CONSORTIUM	Open	2,784.00	0.00		
03455	PUBLIC WORKS ASSOCIATION*	23-00251	01/24/23	2023 MEMBERSHIP/DPW	Open	15.00	0.00		
03518	RIGGINS, INC.*	23-00180	01/18/23	OFF HIGHWAY DIESEL/DPW	Open	762.87	0.00		
		23-00235	01/24/23	OFF HIGHWAY DIESEL/DPW	Open	<u>287.93</u>	0.00		
						1,050.80			
03544	PORTER LEE CORP*	23-00146	01/11/23	B.E.A.S.T. ANNUAL RENEWAL	Open	1,126.00	0.00		
03611	SERVICE TIRE TRUCK CENTERS*	23-00068	01/11/23	TIRES/DPW	Open	1,808.49	0.00		
		23-00074	01/11/23	TIRES/RDS/SANT/RECY/DPW	Open	6,051.69	0.00		
		23-00236	01/24/23	TIRES/DPW 11/30 & 12/21/22	Open	<u>5,150.78</u>	0.00		
						13,010.96			
03660	SIRCHIE FINGERPRINT LAB. INV.*	22-02570	10/27/22	DET. SUPPLIES	Open	1,721.52	0.00		
03688	SOUTHERN NJ CHAPTER NIGP*	23-00273	01/26/23	2023 SJNIGP MEMBERSHIP	Open	100.00	0.00		
03692	SOUTH JERSEY GAS CO*	23-00295	01/31/23	12/20-1/23/23 NATURAL GAS	Open	17,471.19	0.00		
03727	EDWARD STRING	23-00276	01/27/23	CONTRACTUAL REIMBURSEMENT M	Open	156.00	0.00		
03764	TCTANJ	23-00032	01/06/23	TCTA 2023 MEMBERSHIP - CFO	Open	100.00	0.00		
		23-00141	01/11/23	2023 MEMBERSHIP BROWN/BREWSTER	Open	<u>200.00</u>	0.00		
						300.00			
03863	TREASURER, STATE OF NEW JERSEY	23-00064	01/10/23	QUARTERLY REPORTFOR 4THQUARTER	Open	6,397.00	0.00		
03904	LOWE'S HOME CENTER INC*	22-03166	12/22/22	WHITE CHRISTMAS LIGHTS	Open	111.86	0.00		
03969	VERIZON	23-00257	01/24/23	LANDLINES 1/13-2/12/23	Open	44.08	0.00		
03971	VERIZON WIRELESS MDT POLICE	23-00299	01/31/23	VERIZON POLICE & TWP	Open	1,236.66	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04075	BARBER CONSULTING SERVICES LLC								
		23-00123	01/11/23	FS BCS 2023 contract & icloud	Open	1,975.00	0.00		
		23-00140	01/11/23	MALWAREBYTES / END POINT 2023	Open	<u>2,672.47</u>	0.00		
						4,647.47			
04097	CINTAS FIRST AID AND SAFETY*								
		23-00037	01/06/23	COURT CINTAS SERVICE 12/2022	Open	34.76	0.00		
		23-00102	01/11/23	FIRST AID SUPPLIES/DPW/JAN	Open	51.43	0.00		
		23-00177	01/18/23	REFILL MEDICAL CABINET	Open	11.00	0.00		
		23-00217	01/23/23	FIRST AID SUPPLIES	Open	20.55	0.00		
		23-00223	01/23/23	TOWNHALL FIRST AID 1/17/23	Open	48.58	0.00		
		23-00313	02/01/23	TOWNHALL FIRST AID 2/1/23	Open	<u>2.03</u>	0.00		
						168.35			
04204	ZACHARY ZELWAK								
		23-00215	01/23/23	CONTRACTUAL REIMBURSEMENT M	Open	513.00	0.00		B
04261	STATE OF NEW JERSEY								
		23-00294	01/31/23	4TH QTR 2022 UNEMPLOYMENT	Open	6,235.36	0.00		
04266	NJ DEPT OF HEALTH&SENIOR SVCS								
		23-00269	01/26/23	December, 2022 License Fees	Open	10.20	0.00		
04280	G.F.O.A. OF NJ								
		23-00031	01/06/23	GFOA 2023 MEMBERSHIP - CFO	Open	90.00	0.00		
04300	W B MASON CO INC*								
		22-03077	12/12/22	2023 LABELS	Open	60.90	0.00		
04301	SEASHORE ASPHALT CORPORATION*								
		22-01430	06/09/22	ASPHALT/PATVH/RDS/DPW/AUG	Open	311.85	0.00		B
		22-02038	08/17/22	ASPHALT VARIOUS ROADWAYS	Open	<u>854.00</u>	0.00		B
						1,165.85			
2023	ATLANTIC TACTICAL INC*								
		22-03045	12/12/22	PATROL SUPPLIES	Open	3,799.05	0.00		
6059	USABLE LIFE								
		23-00266	01/26/23	FEBRUARY 2023 LIFE INS	Open	949.05	0.00		
6071	UNITED UNIFORMS LIMITED LIAB*								
		22-03125	12/19/22	S. Rambo unifrom order	Open	280.00	0.00		
		23-00296	01/31/23	ACADEMY UNIFORMS	Open	<u>1,861.00</u>	0.00		
						2,141.00			
7012	Y-PERS, INC*								
		22-02896	11/21/22	RAGS FOR GARAGE	Open	337.50	0.00		
7019	OCEAN VIEW VETERINARY*								
		22-02986	11/30/22	11/15/22 Vet Services	Open	156.00	0.00		
7079	SUBURBAN PROPANE L P*								
		23-00145	01/11/23	PROPANE @ FREEMAN DOUGLASS	Open	1,365.71	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7098	SHORE VETERINARIAN ANIMAL *								
		23-00132	01/11/23	DEC 2022 ANIMAL CONTROL	Open	150.00	0.00		
		23-00182	01/18/23	2023 ANIMAL CONTROL DNE\$60K	Open	<u>5,000.00</u>	0.00		B
						5,150.00			
7196	LAUREN HUGGINS SUIT*								
		23-00040	01/06/23	RES#23-09 PUBLIC INFO OFFICER	Open	1,356.67	0.00		B
7199	STAPLES CREDIT PLAN-INSTORE PU								
		22-03216	12/30/22		Open	52.99	0.00		
		22-03222	12/30/22	OFFICE SUPPLIES	Open	1,392.02	0.00		
		23-00120	01/11/23	1/9/23 PAPER TOWNHALL	Open	<u>339.90</u>	0.00		
						1,784.91			
7228	SOUTH STATE INC.*								
		23-00156	01/12/23	RETURN UNUSED ESCROW 2022	Open	861.25	0.00		
7475	SUZANNE M SCHEID								
		23-00283	01/31/23	CONTRACTUAL REIMBURSEMENT M	Open	35.54	0.00		
7507	STEFANKIEWICZ & BELASCO LLC*								
		22-00061	01/10/22	RES 2022-01 DNE \$150k EXPENSES	Open	6,387.50	0.00		B
		23-00034	01/06/23	RES#2023-01 MONTHLY DNE\$34K	Open	<u>2,833.33</u>	0.00		B
						9,220.83			
7512	DIANA LILLO								
		23-00077	01/11/23	ELKS/BEHELER TOURNAMENT	Open	200.00	0.00		
7577	GARY'S AUTOMOTIVE								
		23-00109	01/11/23	DIESEL STICKER/DPW	Open	127.50	0.00		
7581	ASSOC OF STATE FLOODPLAIN								
		23-00279	01/30/23	MEMBERSHIP DUES 2023	Open	175.00	0.00		
7636	MOTT MACDONALD LLC*								
		22-03212	12/30/22	Planning Brd Engineer Vouchers	Open	981.50	0.00		
7711	LORETTA MURPHY								
		23-00084	01/11/23	ELKS/BEHELER TOURNAMENT	Open	160.00	0.00		
7715	JOE ENGLEHERT								
		23-00071	01/11/23	ELKS/BEHELER TOURNAMENT	Open	240.00	0.00		
7751	HOFFMAN'S EXTERMINATING*								
		23-00053	01/06/23	PEST AGREEMENT-CANAL PARK 2023	Open	132.60	0.00		B
		23-00166	01/18/23	PEST CONTROL-CANAL PARK	Open	<u>250.00</u>	0.00		
						382.60			
7820	DEBLASIO & ASSOCIATES, P.C.*								
		21-02889	11/17/21	ENGI SERVICES/MILLMAN 2021-353	Open	1,470.50	0.00		
		22-00548	02/28/22	REPLACE PAVILIONS RES2022-89	Open	4,142.50	0.00		B
		22-01121	05/02/22	RES.#2022-140 CO#1 DIAMOND BEA	Open	9,630.00	0.00		
		22-01963	08/08/22	RES #2022-251 POOL RENOVATIONS	Open	10,930.00	0.00		B

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7820	DEBLASIO & ASSOCIATES, P.C*				Continued				
		22-01970	08/08/22	CHG 1- CLOVERDALE, EVERGREEN	Open	1,361.86	0.00		B
		22-02221	09/13/22	CHG ORD 1- MIAMI AVE ENGINEER	Open	4,036.25	0.00		B
		22-02530	10/25/22	CHG ORD #1 FIRE LANE	Open	8,151.25	0.00		B
		22-03058	12/12/22	CARRIAGE LN, BRIARWOOD, BRIDLE	Open	7,657.50	0.00		B
		23-00164	01/18/23	Planning Brd Engineer Vouchers	Open	2,242.40	0.00		
						<u>49,622.26</u>			
7871	PLANET TECHNOLOGIES, INC*								
		22-03110	12/16/22	2023 Email License Renewal	Open	2,449.92	0.00		
7929	AMAZON CAPITAL SERVICES, INC*								
		22-03026	12/06/22	OFFICE SUPPLIES	Open	212.04	0.00		
		22-03063	12/12/22	CARBURETORS	Open	23.70	0.00		
		23-00033	01/06/23	COURT OFFICE SUPPLIES	Open	43.57	0.00		
		23-00066	01/10/23	OFFICE SUPPLIES	Open	216.90	0.00		
		23-00171	01/18/23	OFFICE SUPPLIES	Open	124.26	0.00		
		23-00176	01/18/23	OFFICE SUPPLIES & DOGI BAGS	Open	114.73	0.00		
		23-00178	01/18/23	ARMSTRONG CEILING TILES	Open	141.90	0.00		
		23-00218	01/23/23	GYM WIPE REFILLS	Open	125.98	0.00		
		23-00250	01/24/23	2 Pack Flag Spreader - Indoor	Open	45.95	0.00		
		23-00260	01/24/23	FUSE BLOCK WITH COVER	Open	16.57	0.00		
						<u>1,065.60</u>			
8012	FRED LAHM								
		23-00075	01/11/23	ELKS/BEHELER TOURNAMENT	Open	40.00	0.00		
8043	JOHN FITCHETT								
		23-00108	01/11/23	ELKS/BEHELER TOURNAMENT	Open	80.00	0.00		
8046	SAMPLE MEDIA INC								
		23-00127	01/11/23	Fire District ballot ad	Open	498.00	0.00		
8070	JOE LLOYD								
		23-00080	01/11/23	ELKS/BEHELER TOURNAMENT	Open	80.00	0.00		
8168	CMRS-FP ACTT# 106000865324								
		23-00280	01/30/23	1/26/23 POSTAGE REPLENISH	Open	10,000.00	0.00		
8197	GREAT AMERICAN FINANCIAL SERV								
		23-00222	01/23/23	MAIL MACHINE LEASE 2023	Open	560.00	0.00		
8253	FREDERICK PLENN								
		23-00090	01/11/23	ELKS/BEHELER TOURNAMENT	Open	360.00	0.00		
8422	DRI-STICK DECAL CORP *								
		22-03003	12/01/22	STICKERS FOR RECYCLING CENTER	Open	931.83	0.00		
8448	STAR GENERAL CONTRACTING *								
		22-00368	02/07/22	DOUGLASS PARK/CANAL PARK	Open	227.00	0.00		
		23-00062	01/10/23	BATHROOM/DPW DEC 2022	Open	948.00	0.00		
						<u>1,175.00</u>			

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
8450	MIKE STRICKLAND	23-00106	01/11/23	ELKS/BEHELER TOURNAMENT	Open	320.00	0.00		
8459	BATTERIES PLUS BULBS #636 *	23-00081	01/11/23	RDS/SANT/REC/DPW/JAN	Open	1,124.32	0.00		
8460	RE BUSINESS SOLUTIONS *	23-00224	01/23/23	POOLED PRINTER MAINT 4TH QTR	Open	1,168.20	0.00		
8464	JEREMY EMBS	23-00290	01/31/23	J. Embs Training reimbursement	Open	500.00	0.00		
8517	STEWART BUSINESS SYSTEMS *	23-00126	01/11/23	FS Stewart fee 1.23 3.23	Open	113.85	0.00		
8524	FRED M. SCHIAVONE CONSTRUCTION*	21-01974	08/06/21	C/O #1-CLEM MULLIGAN TREES	Open	4,286.98	0.00		
		21-02836	11/10/21	CHANGE ORDER #3-CLEM MULLIGAN	Open	473.43	0.00		
		21-02891	11/17/21	C/O #4 CLEM MULL 2021-345	Open	1,149.32	0.00		
		22-03180	12/22/22	CHG ORD 2-CLOVERDALE/EVERGREEN	Open	12,790.48	0.00		B
						18,700.21			
8537	ASBURY PARK PRESS	23-00314	02/01/23	2023 E-SUBSCRIPTION	Open	9.99	0.00		PC1
8706	GOLDENBERG, MACKLER & SAYEGH	22-00413	02/10/22	RES2022-64 DNE \$10K TAX FOREC	Open	2,630.66	0.00		B
8721	BLANEY, DONOHUE, & WEINBERG PC	23-00039	01/06/23	RES#2023-05 PROSECUTOR DNE\$45K	Open	3,750.00	0.00		B
8723	HOFFMAN INTERNATIONAL INC*	23-00179	01/18/23	FILLER CAP/DPW	Open	154.25	0.00		
8741	VICTIMS OF CRIME COMPENSATION	23-00181	01/18/23	PD RESERVE EXCESS REMITTANCE	Open	2,706.27	0.00		
8754	OCEAN FIRST BANK	23-00158	01/12/23	PURCHASE SCANNERS	Open	3,071.25	0.00		
8755	THOMAS SULLIVAN	23-00133	01/11/23	WRESTLING OFFICIAL	Open	120.00	0.00		
8848	COMFORT NOW LLC	23-00237	01/24/23	HVAC MAINTENANCE AGREEMENT	Open	1,233.25	0.00		
8910	ARAMARK UNIFORM & CAREER	22-02948	11/23/22	CONSTRUCTION JACKETS 12/31/22	Open	414.63	0.00		
8922	ACES MECHANICAL LLC	22-03199	12/29/22	REPLACE GAS/AC ATTIC-MILLMAN	Open	6,600.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
8926	HERMAN DAY JR	23-00131	01/11/23	EXEMPT VETERAN AS OF 11/7/22	Open	851.16	0.00		
8927	TIM CASWELL	23-00112	01/11/23	FINGERPRINT/BACKGROUND CHECK	Open	25.38	0.00		
8929	PIETRO ADAMS	23-00134	01/11/23	WRESTLING OFFICIAL	Open	120.00	0.00		
8930	BHAUYA RAMA	23-00135	01/11/23	WRESTLING OFFICIAL	Open	120.00	0.00		
8931	CAPE REGIONAL URGENT CARE LLC	23-00231	01/24/23	F/T PRE-EMPLOYMENT MED EXAM	Open	394.00	0.00		
8934	JEFF BORDLEY	23-00270	01/26/23	WRESTLING OFFICIAL	Open	135.00	0.00		
8935	BILL FIFER	23-00271	01/26/23	WRESTLING OFFICIAL	Open	135.00	0.00		
8936	IAAI INC	23-00286	01/31/23	J. Embs Training 5/23/23	Open	285.00	0.00		
BAILEYL	LANCE BAILEY	23-00069	01/11/23	ELKS/BEHELER TOURNAMENT	Open	80.00	0.00		
BASILE	FRANK BASILE	23-00070	01/11/23	ELKS/BEHELER TOURNAMENT	Open	80.00	0.00		
CARROT	CARROT-TOP INDUSTRIES, INC*	23-00184	01/18/23	FLAGS FOR TOWNSHIP	Open	890.27	0.00		
DOUGHE	MARK DOUGHERTY	23-00143	01/11/23	SHOE ALLOWANCE	Open	125.00	0.00		
DOUGHERT	GEORGIA DOUGHERTY	23-00282	01/31/23	CONTRACTUAL REIMBURSEMENT M	Open	382.30	0.00		
DSTEFANK	DAN STEFANKIEWICZ	23-00094	01/11/23	ELKS/BEHELER TOURNAMENT	Open	320.00	0.00		
FAIR	JOHN FAIR	23-00072	01/11/23	ELKS/BEHELER TOURNAMENT	Open	240.00	0.00		
GARRI005	GARRISON SECURITY GROUP	22-03163	12/22/22	RETURN OF UNUSED ESCROW	Open	570.00	0.00		
HALLK	KERRY HALL	23-00073	01/11/23	ELKS/BEHELER TOURNAMENT	Open	80.00	0.00		
NJPSAC	NJPSAC	23-00147	01/11/23	CALEA - DUES - 2023	Open	400.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
ROSSIS	STEVEN ROSSI								
23-00111		01/11/23		ELKS/BEHELER TOURNAMENT	Open	80.00	0.00		
RUTHERF	WILLIAM RUTHERFORD								
23-00098		01/11/23		ELKS/BEHELER TOURNAMENT	Open	80.00	0.00		
SUSAN010	SUSANNE STRING								
23-00216		01/23/23		CONTRACTUAL REIMBURSEMENT M	Open	894.00	0.00		
Total Purchase Orders:		185	Total P.O. Line Items:		0	Total List Amount:	933,754.62	Total Void Amount:	0.00

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

RESOLUTION #2023-69

Title: AUTHORIZING THE PAYMENT OF VOUCHERS

Vendor	Description	Amount
BARBER CONSULTING	2023 MIS SERVICES	\$16,000.00
SHORE ANIMAL CONTROL	JAN 2023	\$5000.00
COLIN SMITH	EXEMPT VET RES#2023-46	\$532.38

TOTAL Manual Checks \$21,532.38

TOTAL Computer Generated \$933,754.62

TOTAL BILL \$955,287.00

	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 FEB ,6 ,2023.

Julie A Picard, Township Clerk

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

RESOLUTION #2023-70

Title: **AMEND DESIGNATION OF OFFICIAL DEPOSITORIES**

NOW THEREFORE BE IT RESOLVED that Resolution #2023-34 be amended to authorize the following account; and

BE IT FURTHER RESOLVED that all disbursements by check require two signatures:

ACCOUNT

AUTHORIZED OFFICIALS

Payroll Agency Account

CFO, Asst. Treasurer, Township Clerk, or Asst. Twp. Clerk

BE IT FURTHER RESOLVED that the use of electronic signatures is hereby authorized.

	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 February 6, 2023.

Julie A Picard, Township Clerk

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

RESOLUTION # 2023-71

Title: AUTHORIZNG PAY OUT OF TERMINAL LEAVE

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey Governing Body of the Township of Lower that a payment due to Steven Trunfio in the amount of \$9,114.82 is authorized and is chargeable to Reserve for Accumulated Absences.

	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 February 6, 2023.

Julie A Picard, Township Clerk

Trunfio, Steven

TOWNSHIP OF LOWER
 RETIREMENT PAYOUT ANALYSIS
 DATE:

EMPLOYEE:	Trunfio, Steven
DATE OF RETIREMENT	1/12/2023
DATE OF PAYMENT:	
RESOLUTION #:	

Annual Salary:	\$57,433.00
Hourly Rate:	\$26,2972

TERMINAL LEAVE:			
	Hours	Rate	Total
Comp	288.07	26.30	7,575.42
Personal	1.85	26.30	48.55
Sick	0.00	26.30	0.00
Vacation	48.69	26.30	1,280.47
Holiday	8.00	26.30	210.38
College Credits			
Terminal Leave Payout			\$9,114.82

	(A)	(B)	(C)	(B * C) (D)	(E)	A + D - E (F)
	Carryover	Annual	2 weeks / 52 weeks	Prorated Time Due	Time Used	Hours to be paid
Comp	288.07	0.00		288.07	0.00	288.07
Personal	0.00	48.00	0.04	1.85	0.00	1.85
Sick	0.00	0.00	0.04	0.00	0.00	0.00
Vacation	129.00	96.00	0.04	3.69	84.00	48.69
Holidays						8.00
Total	417.07	144.00	0.12	293.61	84.00	338.61

Accrual and time used are current 9/27/2022

Employee Signature: _____

Date: _____

Treasurer's Signature: _____

Date: _____

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

RESOLUTION #2023-72

Title: A RESOLUTION REQUESTING RELEASE OF DEMOLITION BOND FOR BLOCK 537,
LOT 13, 3 BEVERLY ROAD, TOWN BANK, NJ.

WHEREAS, William A. Brown/Modular Builders posted a Demolition Bond with the Township of Lower, in the amount of \$2000.00; and

WHEREAS, the Township Building Inspector made a final inspection and the Certificate of Occupation was issued December 29, 2022.

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

BE IT FURTHER RESOLVED that the Township Treasurer is granted permission to issue a check in the amount of \$2000.00 (plus any accrued interest. If applicable) for payment of the above released demolition bond.

	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 February 6, 2023.

Julie A Picard, Township Clerk

MEMORANDUM

TO: Mayor Frank Sippel &
Council Members

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

DATE: January 23, 2023

RE: Release of Demolition Bond
3 Beverly Road
Town Bank, NJ
Block 537, Lot 13
Resolution #2023-072

Please release to the applicant the demolition bond that the Township is hold in trust, to assure the required demolition. A certificate of occupancy was issued December 29, 2022. Thank you.

WJG:plw

att.

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

RESOLUTION #2023-73

Title: AUTHORIZATION FOR THE PAYOUT OF ACCUMULATED COMPENSATORY TIME

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that payment to Kenneth Walker in the amount of 6,238.92 is authorized and chargeable to the 2023 Budget account 3-01-25-240-123.

	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 February 6, 2023.

Julie A Picard, Township Clerk

LOWER TOWNSHIP POLICE DEPARTMENT

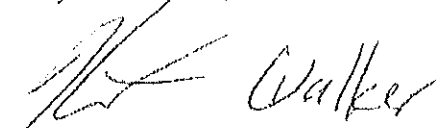
SPECIAL REPORT

TO: Chief Kevin Lewis
FROM: Ptlm. Kenneth Walker Jr. #205
DATE: January 20, 2023
SUBJECT: Comp Time Buyout

Chief Lewis,

I am asking to submit this letter to payroll requesting a buyout of 200 hours of accrued comp time. Thank you in advance for your time and attention to this request.

Respectfully Submitted,



Kenneth Walker Jr.
Patrolman Badge 205

C	File	Date	Officer	Comments
		01/20/23	205	Forwarded to Lt. Ambruster
		1/20/23	Off. #190	Fwd: Capt. Wynn
		1-23-23	(KJ)	FWD TO TOWN HALL

0 *

0 *

2 0 X

3 190 =

65 210 **

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

RESOLUTION # 2023-74

Title: AUTHORIZATION FOR THE PAY OUT OF ACCUMULATED COMPENSATORY TIME

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that payment to Eric Danze in the amount of 7,096.20 is authorized and chargeable to the 2023 Budget account 3-01-25-240-124.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
COOMBS						
ROY						
PERRY						
SIPPEL						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held February 6, 2023.

Julie A Picard, Township Clerk

LOWER TOWNSHIP POLICE DEPARTMENT

SPECIAL REPORT

TO: Chief Kevin Lewis

FROM: Det. Eric Danze #200

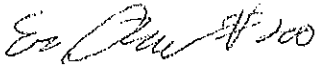
DATE: January 23, 2023

SUBJECT: Comp Time Buyout

Chief Lewis,

I am asking to submit this letter to payroll requesting a buyout of 200 hours of accrued comp time. Thank you in advance for your time and attention to this request.

Respectfully Submitted,



Eric Danze
Detective Badge 200

C	File		
Date		Officer	Comments
01/23/2023		Det. G. [Signature] #178	TOT Capt. Ryan
1/23/23		Li. P. [Signature] 184	
1-23-23		184 (circled)	Forw To Town Hall

71-8871 x
200 =
71-95-210 #+

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

RESOLUTION #2023-75

Title: ISSUANCE OF 2023 TAXI, LIMOUSINE AND OPERATOR LICENSES

WHEREAS, applications have been submitted by High Roller Limousine, Inc. and G-Garibaldi Transportation, LLC, pursuant to Ord. #2000-4, for Taxi, Limo and Operator Licenses; and

WHEREAS, the applicants submitted the appropriate fees, provided the required documentation, and the Police Department has reviewed and approved the application packets.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Clerk is hereby authorized to issue the following:

High Roller Limousine, Inc.

<u>License Type</u>	<u>Description</u>
Limo	2010 Chrysler Town & Country Vin #2A4RR8D11AR381017
Limo	2012 Chrysler Town & Country Vin #2C4RC1CG6CR143588
Operators	Arthur Wolf Karen Wolf

G Garibaldi Transportation, LLC

<u>License Type</u>	<u>Description</u>
Taxi	2011 Dodge Caravan Vin #2D4RN5DG8BR749038
Operators	Oleg Pismenny
Limo	2008 Dodge Caravan Vin #1D8HN44H68B107521
Limo	2005 Ford Econoline Vin #1FBSS31L75HB30769
Limo	2006 Town & Country Vin #2A4GP44R66R852534
Limo	2006 Ford Freestar Vin#2FMZA51636BA30424
Limo	2010 Dodge Caravan Vin #2D4RN4DE5AR146006
Limo	2010 Dodge Caravan Vin #2D4RN4DE7AR244499
Operators	Oleg Pismenny John O'Donoghue Charles Frederick John Vodges Carlas Gonzalez

	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 February 6, 2023.

Julie A Picard, Township Clerk

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

RESOLUTION #2023-76

Title: APPROVAL OF 2023 ROTARY TOWING LICENSES

WHEREAS, Chapter 600 of the Revised General Ordinances of the Township of Lower requires any contractor providing towing and storage services for the Township of Lower be licensed by the Township; and

WHEREAS, the following contractors have completed the required application, paid the fee and provided all documentation required by ordinance; and

WHEREAS, the Lower Township Police Department has reviewed said applications as required by Chapter 600, Subsection 4 and have no objection to the issuance of said licenses.

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 applicants shall be issued a Rotary Towing License for the year 2023:

- John D Snyder – John’s Auto Body
- Jerry Mancuso – Cape Harbor Auto Repair Inc.
- Barney Linn - Cape May Exxon
- John Harron – Off Shore Getty Inc.
- Thomas Manna – D.A.D.’s Towing Service, LLC

	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 February 6, 2023.

Julie A Picard, Township Clerk

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

RESOLUTION #2023-77

Title: A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LOWER EVIDENCING LOCAL SUPPORT OF AN APPLICATION FOR A CLASS 5 CANNABIS RETAIL LICENSE WITHIN THE TOWNSHIP OF LOWER BY SEA & LEAF, LLC

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, on January 4, 2022, Township Council adopted Ordinance #2022-15 which enacted revisions to the GB-1 zone and the conditions associated with Class 5 Cannabis Retail Licenses and Class 6 Cannabis Delivery Licenses in order to establish an overlay zoning district to ensure that these uses are confined to specific areas of the GB-1 zone; and

WHEREAS, in order to operate a cannabis business in the state of New Jersey, Applicant's must obtain both state and local approval; and

WHEREAS, on January 24, 2023, Sea & Leaf, LLC submitted an application to the Township of Lower seeking approval of a license to operate a Class 5 Cannabis Retail Facility at 3860 Bayshore Road, Unit 7, North Cape May, New Jersey 08204, a/k/a Block: 690, Lot: 1.01, and provided evidence that they received Conditional License Approval from the New Jersey Cannabis Regulatory Commission on September 12, 2022; and

WHEREAS, the Township of Lower's Zoning Office issued a Zoning Permit to Sea & Leaf, LLC on January 24, 2023 confirming the suitability of and compliance with all applicable zoning regulations associated with the proposed Cannabis Retail Use to be operated at 3860 Bayshore Road, Unit 7, North Cape May, New Jersey 08204, a/k/a Block: 690, Lot: 1.01; and

WHEREAS, N.J.A.C. 17:30-5.1 requires that a municipality with a governing body provide evidence of local support for a cannabis license applicable through the adoption of a Resolution; and

WHEREAS, pursuant to N.J.A.C. 17:30-5.1(g), the Resolution from the governing body must indicate that the proposed cannabis business location is appropriate and/or otherwise suitable for the operation of the proposed cannabis business; and

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

1. The aforementioned recitals are incorporated herein as if full set forth at length.
2. The Township Council of the Township of Lower has determined that Cannabis License Applicants that receive Cannabis Regulatory Commission approval first in time shall be deemed approved by the municipality until the local license limit is reached.
3. The Township Council of the Township of Lower has determined that approving the municipal Class 5 Cannabis License Application filed by Sea & Leaf, LLC would not exceed the municipal license limit of two (2) Class 5 Retail Licenses within the Township of Lower.
4. The Township of Lower recognizes that Sea & Leaf will be operating a Class 5 Cannabis Retail Business and that same will be located at 3860 Bayshore Road, Unit 7, North Cape May, New Jersey 08204, a/k/a Block: 690, Lot: 1.01, if approved by the New Jersey Cannabis Regulatory Commission.
5. The proposed location of Sea & Leaf, LLC's Class 5 Cannabis Business, 3860 Bayshore Road, Unit 7, North Cape May, New Jersey 08204, a/k/a Block: 690, Lot: 1.01, is in compliance with the Township's Zoning Ordinance and Cannabis Regulations as evidence by the January 24, 2023 Zoning Permit, and the Township Council of the Township of Lower hereby determines that the aforementioned location is appropriate and suitable for the operation of a Class 5 Cannabis Retail Business, and that a municipal Class 5 Cannabis Retail License is hereby issued to Sea & Leaf, LLC.
6. Sea & Leaf, LLC must continue to comply with any applicable state and/or local regulations/ordinances governing cannabis operations and the operation of a Class 5 Cannabis Retail Business and any future modifications made to same.
7. In the event Sea & Leaf, LLC is not in compliance at any time with the Township's Cannabis Ordinances and any future modifications made to same, the Township of Lower reserves the right to rescind/withdraw its support of its application and suspend and/or revoke its municipal cannabis license.
8. The Mayor, Township Manager, and Township Clerk are hereby authorized to execute any and all documents and to take any and all actions necessary to effectuate the purpose and intent of this Resolution.
9. This Resolution shall take effect immediately.

	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 February 6, 2023.

Julie A Picard, Township Clerk

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

RESOLUTION # 2023-78

Title: **APPROVING CHANGE ORDER #1 FOR THE AWARD OF NATIONAL COOPERATIVE PURCHASING AGREEMENT WITH SOURCEWELL TO HUNTER JERSEY PETERBILT FOR (1) ONE 2023 PETERBILT 548 TANDEM AXLE CAB AND CHASSIS**

WHEREAS, National Cooperative Purchasing agreement Bid #2021-11 was awarded on July 6, 2021 by Resolution #2021-233 under the Sourcewell National Cooperative Contract #060920-PMC Class 6, 7, and 8 Chassis with related equipment, accessories, and services; for (1) One 2021 Peterbilt 348 Tandem axle cab & chassis; and

WHEREAS, due to Hunter Jersey Peterbilt no longer manufactures the 2021 Peterbilt 348 Tandem Axle Cab and Chassis, Hunter Jersey Peterbilt replaced it with a new (1) 2023 Peterbilt 548 Tandem Axle Cab and Chassis for a total of \$123, 543.00 a net increase of \$13,158.00; and

WHEREAS, the Township Council desires to approve Change Order #1 in the amount of \$13,158.00 and the CFO has certified the availability of funds as evidenced by her signature below:

Appropriation: Ord #21-16 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 Change Order #1 attached hereto in the amount of \$13,158.00 is hereby approved increasing the contract total to \$123,543.00.

	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 February 6, 2023.

Julie A Picard, Township Clerk

HUNTER TRUCK

CLARKSBURG

January 30, 2023

Township of Lower
2600 Bayshore Rd.
Villas, NJ 08251

As per the request of your salesman, Chris Turk, we are pleased to offer the following for your consideration. In accordance with Sourcewell Contract# 060920-PMC:

One (1) 2022 or newer model year Peterbilt 548 Tandem axle cab & chassis 60,000 lb. GVW:

20,000 lb. front axle & front suspension
46,000 lb. rear axle & rear suspension
Paccar PX-9 300 HP Diesel Engine
Allison 3500RDS-P Automatic transmission

Basic One (1) year standard warranty
Cab & frame rails to have standard 3 year, 300,000 mile warranty
Engine Standard warranty to be 2 years, 200,000 miles
Transmission standard warranty to be 3 years, unlimited miles

Total Peterbilt List Price	\$155,907.00
32% Sourcewell Contract discount.....	(\$49,890.00)
Total Sourcewell price for Peterbilt 548.....	\$106,017.00

Options:

Pre-delivery detail.....	\$500.00
Delivery cost.....	\$1000.00
Floor plan cost.....	\$1,200.00
Training.....	\$500.00
Manuals.....	\$750.00
ECM Programming for body.....	\$1,500.00
Extended Engine & Aftertreatment Warranty 5 years, 100,000 miles & 1 year towing.....	\$3,595.00

Total cost of options.....	\$9,045.00
Total Price with options.....	\$115,062.00
Global Supply Chain Surcharge 8%.....	\$8,481.00

Total Delivered Price after Surcharge.....	\$123,543.00
--	--------------

Date of Acceptance _____
By: _____

Hunter Jersey Peterbilt
Chris Turk

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

RESOLUTION # 2023-79

Title: APPROVING CHANGE ORDER #1 FOR AMENDMENTS TO THE AWARD OF NATIONAL COOPERATIVE PURCHASING AGREEMENT WITH SOURCEWELL TO HUNTER JERSEY PETERBILT FOR (1) ONE 2023 PETERBILT 548 TANDEM AXLE CAB AND CHASSIS

WHEREAS, National Cooperative Purchasing Agreement Bid #2021-18 was awarded on September 20, 2021 by Resolution #2021-293 under the Sourcewell National Cooperative Contract #060920-PMC Class 6, 7, and 8 Chassis with related equipment, accessories, and services; for (1) One 2021 Peterbilt 348 Tandem axle cab & chassis; and

WHEREAS, due to amendments in the Peterbilt National Contract, additional surcharges were added to the new 2023 Peterbilt 548 Tandem Axle Cab and Chassis 60,000 lb. GVW for a net increase of \$8,481.00; and

WHEREAS, the Township Council desires to approve Change Order #1 in the amount of \$8,481.00 and the CFO has certified the availability of funds as evidenced by her signature below:

Appropriation: Ord #21-16 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 Change Order #1 attached hereto in the amount of \$8,481.00 is hereby approved increasing the contract total to \$123,543.00.

	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 February 6, 2023.

Julie A Picard, Township Clerk

HUNTER TRUCK

CLARKSBURG

January 30, 2023

Township of Lower
2800 Bayshore Rd.
Villas, NJ 08251

As per the request of your salesman, Chris Turk, we are pleased to offer the following for your consideration. In accordance with Sourcewell Contract# 060920-PMC:

One (1) 2022 or newer model year Peterbilt 548 Tandem axle cab & chassis 60,000 lb. GVW:

20,000 lb. front axle & front suspension
46,000 lb. rear axle & rear suspension
Paccar PX-9 300 HP Diesel Engine
Allison 3500RDS-P Automatic transmission

Basic One (1) year standard warranty
Cab & frame rails to have standard 3 year, 300,000 mile warranty
Engine Standard warranty to be 2 years, 200,000 miles
Transmission standard warranty to be 3 years, unlimited miles

Total Peterbilt List Price	\$155,907.00
32% Sourcewell Contract discount.....	(\$49,890.00)
Total Sourcewell price for Peterbilt 548.....	\$106,017.00

Options:

Pre-delivery detail.....	\$500.00
Delivery cost.....	\$1000.00
Floor plan cost.....	\$1,200.00
Training.....	\$500.00
Manuals.....	\$750.00
ECM Programming for body.....	\$1,500.00
Extended Engine & Aftertreatment Warranty 5 years, 100,000 miles & 1 year towing.....	\$3,595.00
Total cost of options.....	\$9,045.00
Total Price with options.....	\$115,062.00
Global Supply Chain Surcharge 8%.....	\$8,481.00
Total Delivered Price after Surcharge.....	\$123,543.00

Date of Acceptance _____
By: _____

Hunter Jersey Peterbilt
Chris Turk

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

RESOLUTION #2023-80

Title: VARIOUS APPOINTMENTS TO THE RECREATION ADVISORY BOARD

WHEREAS, the Recreation Advisory Board currently has seven (7) vacancies; and

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

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

<u>NAME</u>	<u>TYPE</u>	<u>TERM EXP</u>
Jennifer Elwell	Regular Member	February, 2026
Jessica Donohue	Regular Member	February, 2025
Gregory Douglass	Alternate Member	February, 2025
Jeff Wunder	Alternate Member	February, 2025
Neil Young	Regular Member	February, 2026
Robert Bonner	Regular Member	February, 2025
JoAnn McLaughlin	Regular Member	February, 2026

	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 February 6, 2023.

Julie A Picard, Township Clerk

FOR TOWNSHIP USE ONLY

Res. # _____ Board/Comm./Auth. _____

Term Exp. _____ Replaced _____ or Reappointed _____

*Rec'd
1/19/23*

TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

NAME Jennifer Elwell

CITY AND STATE North Cape May, NJ

YEARS OF RESIDENCY IN TOWNSHIP 8 OCCUPATION Police Officer

Please number in order of preference which ones you wish to be considered for.

- | | |
|---|---|
| <input type="checkbox"/> Cable Television Advisory Board | <input type="checkbox"/> Municipal Utilities Authority |
| <input type="checkbox"/> Environmental Commission | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Historic Preservation Commission | <input checked="" type="checkbox"/> Recreation Advisory Board |
| <input type="checkbox"/> Citizen Advisory Board | <input type="checkbox"/> Zoning Board of Adjustment |

I hereby apply to perform public service on the following municipal authority, boards or commissions. List any education, prior volunteer experience or work related experience, or other civic involvement which could be of use to the authority, board or commission you have listed above.

I have been coaching for 29 years. I coached basketball for the LT Rec for 4 years and summer league.

I am currently the Assistant/JV coach for LCMR. I am the director for the LTPD Youth Kids camp.

I am LEAD (Law Enforcement Against Drugs) instructor for LTPD. Which also teaches goal and decision making.

Date: 1/19 Signature: J Elwell (VALID FOR ONE YEAR FROM DATE OF RECEIPT)
/23

Return to: Clerk's Office, 2600 Bayshore Road, Villas, NJ 08251

Rec'd
1/20/23

FOR TOWNSHIP USE ONLY

Res. # _____ Board/Comm./Auth. _____

Term Exp. _____ Replaced _____ or Reappointed _____

**TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM**

NAME Jessica Donohue

CITY AND STATE Villas, NJ

YEARS OF RESIDENCY IN TOWNSHIP 35 OCCUPATION LTE's teacher

Please **number in order of preference** which ones you wish to be considered for.

- | | |
|---|---|
| <input type="checkbox"/> Cable Television Advisory Board | <input type="checkbox"/> Municipal Utilities Authority |
| <input type="checkbox"/> Environmental Commission | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Historic Preservation Commission | <input checked="" type="checkbox"/> Recreation Advisory Board |
| <input type="checkbox"/> Citizen Advisory Board | <input type="checkbox"/> Zoning Board of Adjustment |

I hereby apply to perform public service on the following municipal authority, boards or commissions. List any education, prior volunteer experience or work related experience, or other civic involvement which could be of use to the authority, board or commission you have listed above.

- LCRB high school graduate 2004 • Salisbury University B.S. Elementary Education 2008
- Rowan University M.A. Reading Education 2012 • Rutgers University MA Lib. Science 2018
- LTE's teacher since 2008 - present • LTE's PTA

I have 2 children, son (10 yrs old) and daughter (6 yrs old) both of whom are currently involved in basketball, hockey, football, lacrosse and soccer. I would love the opportunity to serve on the Lower Twp. Rec. Advisory Board to contribute to the department that has given so much to our children.

Date: 1-19-23 Signature: Jessica Donohue (VALID FOR ONE YEAR FROM DATE OF RECEIPT)

Return to: Clerk's Office, 2600 Bayshore Road, Villas, NJ 08251

FOR TOWNSHIP USE ONLY

Res. # _____

Board/Comm./Auth. _____

Term Exp. _____

Replaced _____ or Reappointed

RCVD JAN 6 '23
1/6/23 Sent to:
Mayor, Council, Manager,
2018.11.11

TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

NAME Gregory Douglass

CITY AND STATE Lower Township N.J.

YEARS OF RESIDENCY IN TOWNSHIP 59 yrs. OCCUPATION Teachers Aide/Coach 1992 - Present
Lower Cape May Regional

Please number in order of preference which ones you wish to be considered for.

- Cable Television Advisory Board
- Environmental Commission
- Historic Preservation Commission
- Citizen Advisory Board

- Municipal Utilities Authority
- Planning Board
- Recreation Advisory Board
- Zoning Board of Adjustment

I hereby apply to perform public service on the following municipal authority, boards or commissions. List any education, prior volunteer experience or work related experience, or other civic involvement which could be of use to the authority, board or commission you have listed above.

Attended Lower Twp. Public Schools and Lower Cape May Regional High School.

3 sport Athlete at LCMR,

4 yr. Collegiate Tennis Player (Longwood University/Glassboro St.)

Intramural Director (LCMR) 17 years

Tennis/Basketball Coach (LCMR) 25+ years

Lower Twp. Optimist Club Member 15+ years, Currently

Optimist Club President (4 years)

Date: 1/6/2023

Signature: Gregory Douglass

(VALID FOR ONE YEAR FROM DATE OF RECEIPT)

Return to: Clerk's Office, 2600 Bayshore Road, Villas, NJ 08251

FOR TOWNSHIP USE ONLY

Res. # _____ Board/Comm./Auth. _____

Term Exp. _____ Replaced _____ or Reappointed _____

Rec'd 1/5/23

TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

NAME Jeff Wunder

CITY AND STATE North Cape May, NJ

YEARS OF RESIDENCY IN TOWNSHIP 32 OCCUPATION Retired Teacher/Grounds Cape May National

Please number in order of preference which ones you wish to be considered for.

- | | |
|---|---|
| <input type="checkbox"/> Cable Television Advisory Board | <input type="checkbox"/> Municipal Utilities Authority |
| <input type="checkbox"/> Environmental Commission | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Historic Preservation Commission | <input checked="" type="checkbox"/> Recreation Advisory Board |
| <input type="checkbox"/> Citizen Advisory Board | <input type="checkbox"/> Zoning Board of Adjustment |

I hereby apply to perform public service on the following municipal authority, boards or commissions. List any education, prior volunteer experience or work related experience, or other civic involvement which could be of use to the authority, board or commission you have listed above.

Teacher of Physical Education 31 years, Head Football Coach
Lower Cape May Regional 12 years, Head Golf Coach Lower Cape May
Regional 22 years, Asst Baseball Coach 8 year Lower Cape May Regional.
Volunteer Girl Basketball 8 years. Did the Score book /Clock
for Basketball Boys and Girls, and Wrestling Matches 30 years at
Lower Cape May Reg. Member of Lower Township Optimist Club 8 years.

Date: 1/4/23 Signature: Jeff Wunder (VALID FOR ONE YEAR FROM DATE OF RECEIPT)

Return to: Clerk's Office, 2600 Bayshore Road, Villas, NJ 08251

FOR TOWNSHIP USE ONLY

Res. # _____

Board/Comm./Auth. _____

*Rec'd
1/9/23*

Term Exp. _____

Replaced _____ or Reappointed _____

TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

NAME Neil Young

CITY AND STATE ERMA, NJ

YEARS OF RESIDENCY IN TOWNSHIP 42 OCCUPATION CHIEF FINANCIAL OFFICER

Please number in order of preference which ones you wish to be considered for.

- N/A Cable Television Advisory Board
- N/A Environmental Commission
- N/A Historic Preservation Commission
- N/A Citizen Advisory Board

- 2 Municipal Utilities Authority
- 3 Planning Board
- 1 Recreation Advisory Board
- 4 Zoning Board of Adjustment

I hereby apply to perform public service on the following municipal authority, boards or commissions. List any education, prior volunteer experience or work related experience, or other civic involvement which could be of use to the authority, board or commission you have listed above.

- I've worked in or with local governments for the last 15 years, particularly in the financial sector.
- Vast knowledge of various functions of Government.
- Volunteer Soccer Coach
- Resident of Lower Twp for 42 years
- MANAGED a \$7million WATER/SEWER UTILITY.

Date: 1/3/23 Signature: *Neil Young*

(VALID FOR ONE YEAR FROM DATE OF RECEIPT)

Return to: Clerk's Office, 2600 Bayshore Road, Villas, NJ 08251

FOR TOWNSHIP USE ONLY

Res. # _____

Board/Comm./Auth. _____

Term Exp. _____

Replaced _____ or Reappointed _____

Rec'd 1/12/23

TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

NAME Robert Bonner

CITY AND STATE Villas NJ

YEARS OF RESIDENCY IN TOWNSHIP 57 OCCUPATION Retired Teacher / Accountant

Please number in order of preference which ones you wish to be considered for.

- Cable Television Advisory Board
- Environmental Commission
- Historic Preservation Commission
- Citizen Advisory Board

- Municipal Utilities Authority
- Planning Board
- Recreation Advisory Board
- Zoning Board of Adjustment

I hereby apply to perform public service on the following municipal authority, boards or commissions. List any education, prior volunteer experience or work related experience, or other civic involvement which could be of use to the authority, board or commission you have listed above.

American International College, Springfield, MA Business Degree Accounting

Played college football 4 years

Coached basketball 19 years LCMR High School / Teitelman Jr High

Coached Lower Twp Football programs 7 years

Coached Lower Twp Travel basketball 5 years

Date: 1/6/23 Signature: Robert Bonner

(VALID FOR ONE YEAR FROM DATE OF RECEIPT)

Return to: Clerk's Office, 2600 Bayshore Road, Villas, NJ 08251

FOR TOWNSHIP USE ONLY

Res. # _____

Board/Comm./Auth. _____

Term Exp. _____

Replaced _____ or Reappointed

TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

NAME John McLaughlin

CITY AND STATE Emma New Jersey

YEARS OF RESIDENCY IN TOWNSHIP 22 OCCUPATION 6th Grade Teacher / High School Coach

Please number in order of preference which ones you wish to be considered for.

- Cable Television Advisory Board
- Environmental Commission
- Historic Preservation Commission
- Citizen Advisory Board

- Municipal Utilities Authority
- Planning Board
- Recreation Advisory Board
- Zoning Board of Adjustment

I hereby apply to perform public service on the following municipal authority, boards or commissions. List any education, prior volunteer experience or work related experience, or other civic involvement which could be of use to the authority, board or commission you have listed above.

Education

- Kutztown University 2014 (B.S. Middle School Education; Math & Science)
- NCAA Division 2 Lacrosse; Student Advisory Committee (Athletes)

Work Experience

- Lower University May 2003 (Masters in School Administration)
- 6th Grade Teacher - Sandman Consolidated
- Head Girls Lacrosse Coach - Lower Cape May Regional
- Assistant Field Hockey Coach - Lower Cape May Regional
- Youth Field Hockey and Lacrosse Coach

↳ multiple club teams/camps/clinics

Date: 1.19.23

Signature: John McLaughlin

VALID FOR ONE YEAR FROM DATE OF RECEIPT

Return to: Clerk's Office, 2600 Bayshore Road, Villas, NJ 08251

9

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

RESOLUTION #2023-81

Title: APPROVAL OF CHANGE ORDER #3 WITH DeBLASIO & ASSOCIATES FOR ADDITIONAL ARCHITECTURAL SERVICES FOR DIAMOND BEACH PARK

WHEREAS, DeBlasio & Associates were awarded a professional service contract in the amount of \$4,800.00 on March 15, 2021 by Resolution #2021-118; Change Order #1 was awarded on April 18, 2022 in the amount of \$42,000.00; Change Order#2 was awarded on January 4, 2023 in the amount of \$8,500.00; and

WHEREAS, DeBlasio & Associates have provided a proposal for additional architectural Services including; Provide schematic design and construction documents for single use ADA bathroom, all mechanical, plumbing and electrical design for building, coordinate structural design of the foundation with the building design at a fee of \$13,000.00; and

WHEREAS, the Township Council desires to approve Change Order #3, and the CFO has certified the availability of funds by her signature in the budget as follows:

Appropriation: C-04-55-434-910

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 Change Order #3 in the form attached hereto in the amount of \$13,000.00 to DeBlasio & Associates is hereby approved, increasing the contract total to \$68,300.00.

	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 February 6, 2023.

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

January 24, 2023

VIA EMAIL

Mr. Michael Laffey, Township Manager
Township of Lower
2600 Bayshore Road
Villas, NJ 08251

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

Dear Mr. Laffey:

As a follow up to our previous conversation, **DeBlasio & Associates, P.C.** respectfully requests an additional \$13,000.00 to perform the architectural and structural design for the **Diamond Beach Park-Bathroom Building**.

The additional scope of work will require our office to contract with an architect to complete the following design services:

- Provide a schematic design and construction documents for the single use ADA bathrooms required on site.
- Provide all mechanical, plumbing and electrical design for the building.
- Coordinate the structural design of the foundation with the building design.

Should you have any questions or require additional information, please do not hesitate to contact me in our Wildwood office at (609) 854-3311. We thank you for the opportunity to submit this proposal.

Sincerely,
DeBlasio & Associates, P.C.



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

T: 609-854-3311

Marc@deblasioassoc.com

cc: Mitchell B. Plenn, Superintendent of Parks and Recreation (via email)
Margaret Vitelli, QPA (via email)
Julie Picard, Clerk (via email)

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

RESOLUTION #2021-82

Title: **APPROVING A PROFESSIONAL SERVICE CONTRACT WITH DeBLASIO & ASSOCIATES FOR THE ENGINEERING AND ARCHITECTURAL AND CONSTRUCTION PHASE OF THE LINCOLN BOULEVARD RESTROOM FACILITY PROJECT (LT-C-035)**

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 provided a proposal for the Engineering, Architectural and Construction of the Lincoln Boulevard Restroom Facility at a total fee of \$40,000.00; 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: Ord #17-10 C-04-55-420-100

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, 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 the amount of \$40,000.00 is hereby approved.

Engineering and Architectural Phase:

Survey and Base Mapping/Foundation Design/Design Plans and Specifications/Electrical, Mechanical and Plumbing Design \$30,000.00

Construction Phase:

Contract Administration/Shop Drawing, Submittal Review/
Part time Construction Observation \$10,000.00
Total \$40,000.00

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

	MOTION	SECOND	AYE	NAY	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 February 6, 2023.

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

January 24, 2023

VIA EMAIL

Mitchell B. Plenn, Superintendent of Parks and Recreation
Township of Lower
2600 Bayshore Road
Villas, NJ 08251

**Re: Township of Lower, Cape May County, NJ
Lincoln Boulevard Restroom Facility - Revised
D&A File #: LT-C-035**

Dear Mr. Plenn:

As per your request, **DeBlasio & Associates, P.C.** is pleased to provide our revised proposal for professional engineering, architectural and construction phase services for the **Lincoln Boulevard Restroom Facility**.

As you are aware, the NJDEP issued a CAFRA Individual Permit on August 8, 2022 approving the construction of a permanent public restroom facility at the end of Lincoln Boulevard. The proposed restroom facility shall be designed to accommodate the following comments from the NJDEP and requests from the Township:

1. Construction of a 13' x 21.5' restroom facility as shown on the attached permit plan.
2. All foundations, slabs, footing, and walls shall be designed to resist uplift due to possible hydrostatic and hydrodynamic forces.
3. The minimum lowest horizontal member elevation shall be a minimum of 10.0'.
4. All requirements set forth by the National Flood Insurance Program (NFIP) design standards shall be followed, since the proposed building is located within a V Zone.

To complete the above referenced scope of work, our professional service fee is listed below:

➤ Engineering and Architectural Phase Cost:	\$30,000.00
• Survey and Base Mapping	
• Foundation Design	
• Design Plans and Specifications	
• Electrical, Mechanical, Plumbing Design	
➤ Construction Phase Cost:	\$10,000.00
• Contract Administration	
• Shop Drawing and Submittal Review	
• Part Time Construction Observation	
Total Professional Service Fee	\$40,000.00

Upon your authorization, we are prepared to begin work immediately on the Township's **Lincoln Boulevard Restroom Facility**.

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

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



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

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

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

RESOLUTION #2023--83

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 February 6, 2023.

Julie A Picard, Township Clerk

1/27/2023

GOV DEALS RES 2023- 83

LOCATION	DESCRIPTION /DISPOSAL	FA#
TOWNHALL	SAVIN C5050 COPIER	N/A
SIGN SHOP	SAW RADIAL CRAFTSMAN	#0842
SIGN SHOP	JET BAND SAW	N/A
POLICE	2 DOOR MEDIUM METAL CABINET	#3467
POLICE	(QTY-11) BLACK CHAIRS	N/A
POLICE	BROWN DESK	#1807
POLICE	BROWN DESK	#1825
POLICE	4 DRAWER FILE CABINET	N/A
POLICE	CLASSROOM TABLE	#3443
POLICE	CLASSROOM TABLE	#3444
POLICE	GBS SHREDDER	#1514
POLICE	GBS SHREDDER	#2272
POLICE	FELLOWS POWERSHRED SHREDDER	#3601
POLICE	FELLOWS POWERSHRED SHREDDER	#1280
POLICE	KEURIG COFFEE MAKER	#3350

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

RESOLUTION #2023-84

Title: APPOINTMENT TO THE PLANNING BOARD

WHEREAS, A vacancy exists on the Lower Township Planning Board because of the resignation of Andrew Bulakowski; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the following appointment be made to fill the unexpired term of Andrew Bulakowski:

<u>NAME</u>	<u>TYPE</u>	<u>TERM EXP</u>
Steve Morris	Class 4	June, 2025

	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 February 6, 2023.

Julie A Picard, Township Clerk

FOR TOWNSHIP USE ONLY

Res. # _____ Board/Comm./Auth. _____

Term Exp. _____ Replaced _____ or Reappointed _____

Rec'd
1/9/23

TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

NAME STIEVE MORRES

CITY AND STATE NCM, NJ

YEARS OF RESIDENCY IN TOWNSHIP 15 OCCUPATION ATTORNEY

Please number in order of preference which ones you wish to be considered for.

- Cable Television Advisory Board
- Environmental Commission
- Historic Preservation Commission
- Citizen Advisory Board

- Municipal Utilities Authority
- Planning Board
- Recreation Advisory Board
- Zoning Board of Adjustment

I hereby apply to perform public service on the following municipal authority, boards or commissions. List any education, prior volunteer experience or work related experience, or other civic involvement which could be of use to the authority, board or commission you have listed above.

- MUNICIPAL ATTORNEY - 5 YRS.
- JD / MBA
- LTIES & LCMR GRAD

Date: 1/6/22 Signature: [Signature] (VALID FOR ONE YEAR FROM DATE OF RECEIPT)

Return to: Clerk's Office, 2600 Bayshore Road, Villas, NJ 08251

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

RESOLUTION # 2023-85

Title: **BID REJECTION FOR REPLACEMENT OF VARIOUS PAVILIONS IN THE TOWNSHIP OF LOWER (LT-C-027)**

WHEREAS, the Notice to Bidders for the Replacement of Various Pavilions in the Township of Lower (LT-C-027) was advertised on January 11, 2023 and accepted on February 1, 2023 at 10:00 a.m. prevailing time; and

WHEREAS, Four (4) sealed bids were submitted and reviewed by the Township's Purchasing Agent, Township Manager, Recreation Superintendent and Township Engineer; and

WHEREAS, the Four (4) sealed bids are hereby rejected as per: LPCL 40A:11-13.2 (b) the lowest bid substantially exceeds the contracting unit's appropriation for the goods or services.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that all bids are hereby rejected.

	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 February 6, 2023.

Julie A Picard, Township Clerk

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

RESOLUTION #2023-86

Title: A RESOLUTION IN SUPPORT OF THE NEW JERSEY DEPARTMENT OF TRANSPORTATION'S RECOMMENDATION TO REDUCE SPEED LIMITS ALONG ROUTE 109

WHEREAS, on January 30, 2023, the Township of Lower received correspondence from the New Jersey Department of Transportation outlining various findings and recommendations in response to inquiries submitted by the Township of Lower seeking approval of a reduction of the posted speed limit along Route 109 between mileposts 1.34 and 1.54; and

WHEREAS, the New Jersey Department of Transportation reports that it collected traffic speed data during the month of February 2022 and conducted a field visit on Route 109 during the month of June 2022; and

WHEREAS, based upon the information obtained in connection with the aforementioned studies, the Department of Transportation found that the posted speed limit of 30mph between mileposts 1.34 and 1.54 is appropriate during off-season months; however, it was determined that, due to summertime changes to the traffic patterns, increases in vehicular and pedestrian traffic volumes, and increased business activity, that a reduced summer seasonal speed limit of 25mph between mileposts 1.34 and 1.54 is appropriate and will create a safer environment for the general public; and

WHEREAS, the New Jersey Department of Transportation further found and recommended that the posted speed limit between mileposts 1.54 and 3.05 should also be reduced seasonal to 40mph in order to maintain a consistent speed differential during the summer months along this portion of Route 109; and

WHEREAS, the Township Council of the Township of Lower is in agreement with the findings and recommendations received from the New Jersey Department of Transportation as the seasonal reduction of posted speed limits in this area of Route 109 will improve the safety and general welfare of vehicle and pedestrian traffic during the busy summer months.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Lower, County of Cape May, State of New Jersey, recommend and support the New Jersey Department of Transportation's proposed seasonal reduction of posted speed limits along Route 109 as follows:

Rates of Speed along Route 109 in Lower Township:

For both directions of traffic from May 1 to September 30 annually:

- (A) Zone 1: 25 MPH between the New Jersey Department of Transportation – Cape May County jurisdictional line (Cape Island Creek Bridge) and Third Avenue (northernmost intersection) (approximate mileposts 1.34 to 1.54); thence
- (B) Zone 2: 40 MPH between Third Avenue (northernmost intersection) and Route US 9 (approximate mileposts 1.54 to 3.06).

For both directions of traffic from October 1 to April 30 annually:

- (A) Zone 1: 30 MPH between the New Jersey Department of Transportation – Cape May County jurisdictional line (Cape Island Creek Bridge) and Third Avenue (northernmost intersection) (approximate mileposts 1.34 to 1.54); thence
- (B) Zone 2: 45 MPH between Third Avenue (northernmost intersection) and Route US 9 (approximate mileposts 1.54 to 3.06).

	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 February 6, 2023.

Julie A Picard, Township Clerk

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

ORDINANCE #2023-02

Title: AN ORDINANCE AMENDING CHAPTER 106, RECREATION ADVISORY BOARD, SUBSECTION 2, MEMBERSHIP; ORGANIZATION; TERMS; ALTERNATES; VACANCIES, IN ORDER TO INCREASE THE TOTAL NUMBER OF BOARD MEMBERS APPOINTED TO THE RECREATION ADVISORY BOARD

WHEREAS, pursuant to N.J.S.A. 40:81-13, municipal governing bodies are permitted to establish advisory boards with the power to make recommendations on matters associated with the services and operations of the municipality; and

WHEREAS, pursuant to Lower Township Ordinance 1987-01, the Township of Lower established and created a Recreation Advisory Board to make recommendations to the Manager concerning or relating to the operation and administration of the recreation function, and to advise and make recommendations to the Council concerning the recreation program and the policies and the use of recreation areas in the Township; and

WHEREAS, in accordance with § 106-2, Membership; organizations; terms; alternates; vacancies, the Recreation Advisory Board consists of seven (7) regular members and two (2) alternate members; and

WHEREAS, in an effort to advance the purpose and duties of the Recreation Advisory Board, the Township Council of the Township of Lower deems it necessary and appropriate to increase the number of regular members permitted to serve on the Board in an effort to advance and expand the offerings of the Township's Recreation Department to better serve the needs of all Township residents.

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

Section 1. Chapter 106, Subsection 2, Membership; organization; terms; alternates; vacancies, is hereby repealed and replaced with:

106-2 Membership; organization; terms; vacancies.

The Recreation Advisory Board shall consist of nine citizens and residents of the Township of Lower appointed by the Township Council for three-year staggered terms. The Board shall designate its own Chairman and a Vice Chairman. The Vice Chairman shall serve as Acting Chairman in the absence or event of disability of the Chairman. Each member shall serve for three years except that, of those first appointed, one shall serve for one year, two for two years, and two for three years. All appointments shall be made to take effect upon the first of July of each year for the term of three years.

Section 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 3. 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 4. 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

David Perry, Deputy Mayor

Frank Sippel, Mayor

First Reading: February 6, 2023

Adopted:

Attest: _____
Julie A Picard, Township Clerk

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

ORDINANCE #2023-03

BOND ORDINANCE PROVIDING FOR VARIOUS ROADWAY AND DRAINAGE IMPROVEMENTS, BY AND IN THE TOWNSHIP OF LOWER, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY; APPROPRIATING \$2,700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,500,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LOWER, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Township of Lower, in the County of Cape May, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$2,700,000, said sum being inclusive of \$200,000 as the amount of down payment for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). Said down payment is now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$2,700,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$2,500,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$2,500,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued are various roadway and drainage improvements in and throughout the Township, said improvements to include, but not be limited to, all or portions, as applicable, of the following roadways: Carriage Lane, Timber Lane; Trotter Way, Bridle Path, Saddle Court, Paddock Lane and Briarwood Drive; Arctic Avenue (from Lincoln Boulevard to Rosehill Parkway (including intersections); Weeks Landing Road (from Rossi Drive to Route 9); Corson Lane; Atlantic Avenue (Diamond Beach) (from Seapointe Boulevard to Township line); Onondago Avenue (from 8th Avenue to Route 109); 8th Avenue (from Wissahickon Avenue to Route 109); Lincoln Boulevard (from Adriatic Avenue to Beach Drive); Yale Street (from Atlantic Avenue to Pacific Avenue); Beachhurst Drive; Deepwater Road; Edgewater Road; Wildwood Avenue; and Bay Drive (from Wildwood Avenue to Tahoe Drive), which improvements shall include, as applicable, excavation, milling, paving, reconstruction and boxing out and resurfacing or full depth pavement replacement, and where necessary, the sealing of pavement cracks, drainage improvements, resetting utility castings, the repairing and/or installation of curbs, sidewalks and driveway aprons, installation of curb ramps in compliance with ADA, striping and/or pedestrian improvements, landscaping and aesthetic improvements; and also including all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$2,500,000.

(c) The estimated cost of said improvement or purpose is \$2,700,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the down payment for said improvement or purpose in the amount of \$200,000.

SECTION 4. In the event the United States of America, the State of New Jersey, the County of Cape May and/or a private entity make a contribution or grant in aid to the Township, for the improvements and purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, the County of Cape May and/or a private entity. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, the County of Cape May and/or a private entity, shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$2,500,000 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$200,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township hereby declares the intent of the Township to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 10 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The Township Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Township Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Township covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after final adoption, and approval by the Mayor, as provided by the Local Bond Law.

Adopted on First Reading
Dated: February 6, 2023

Thomas Conrad, Councilman

Julie Picard, Township Clerk

Kevin Coombs, Councilman

Roland Roy, Councilman

Adopted on Second Reading
Dated: February 22, 2023

David Perry, Deputy Mayor

Julie Picard, Township Clerk

Frank Sippel, Mayor

Approval by the Mayor on this _____ day of _____, 2023

FRANK SIPPEL, Mayor

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

RESOLUTION #2023-87

Title: A RESOLUTION IN SUPPORT OF THE LOWER TOWNSHIP POLICE DEPARTMENT REAFFIRMING THE TOWNSHIP OF LOWER'S COMMITMENT TO PUBLIC SAFETY IN LIGHT OF RECENT INCIDENTS INVOLVING JUVENILE DELINQUENCY

WHEREAS, over the course of the past several months, the Township of Lower has received several complaints from residents in relation to alleged acts of juvenile delinquency and unruly behavior; and

WHEREAS, in light of recent legislation enacted by the State of New Jersey and the promulgation of Attorney General Directive 2020-12, the ability of local municipalities to enforce existing Laws and Ordinances in response to actions involving juveniles has been curtailed; and

WHEREAS, in response to the concerns raised by Township residents, the Township Council of the Township of Lower directed the Township Solicitor to contact the Cape May County Prosecutor's Office and to research and discuss what actions can be taken by the Township, in response to the recent legislation and Attorney General directive, to address the unruly behavior that has been impacting the Township and its residents; and

WHEREAS, based upon the findings of the Township Solicitor, the Township has determined that it has the legal authority and ability to enforce its curfew Ordinance, set forth within Chapter § 260 of the Code of the Township of Lower, provided the Township complies with the requirements of Attorney General Directive 2020-12; and

WHEREAS, based upon discussions with the Lower Township Police Department, the Township Council and the Township of Lower believes that the ability to enforce a curfew will have a significant impact on curtailing the number of incidents involving juveniles; and

WHEREAS, the Township Council of the Township of Lower is committed to ensuring the health, safety, and general welfare of all residents and visitors, and will continue to evaluate any and all other options available in an effort to prevent future acts of juvenile delinquency within the Township.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Lower, County of Cape May, State of New Jersey, that the Lower Township Police Department has its full support and is committed to ensuring the public safety of all residents and visitors to 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 February 6, 2023.

Julie A Picard, Township Clerk

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

ORDINANCE #2023-01

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-15.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of Lower in the County of Cape May finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township of Lower hereby determines that a 3.5% increase in the budget for said year, amounting to \$829,726.63 in excess of the increase in final appropriations otherwise permitted by the Local Government Cape Law is advisable and necessary; and,

WHEREAS, the Township Council hereby determines that any amount authorized hereinabove that is not appropriated, as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Lower, in the County of Cape May, a majority of the full authorized membership of this governing body affirmatively concurring, that in the CY 2023 budget year, the final appropriation of the Township of Lower shall, in accordance with this ordinance and N.J.S.A. 40A: 4-15.14, be increased by 3.5 % amounting to \$829,729.63, and the CY 2023 municipal budget for the Township of Lower be approved and adopted in accordance with this ordinance.

BE IT FURTHER ORDAINED, that any amount authorized hereinafter that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Thomas Conrad, Councilmember

Kevin Coombs, Councilmember

Roland Roy, Councilmember

David Perry, Deputy Mayor

Frank Sippel, Mayor

Introduced: Jan 4, 2023

Adopted:

Attest: _____
Julie A Picard, Township Clerk

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

RESOLUTION #2023-88

Title: **A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12**

WHEREAS, the Township Council of the Township of Lower is subject to certain requirements of the Open Public Meetings Act, N.J.S.A 10:4-6, et seq.; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Council of the Township of Lower to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

_____ (1) Matters Required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

_____ (2) Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

_____ (3) Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information, relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

_____ (4) Matters Relating to Collective Bargaining Agreement: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

_____ (5) Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

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

X (7) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer. **Attorney/Client Privilege**

_____ (8) Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, assembled in public session on February 6, 2023 that an Executive Session closed to the public shall be held on this date at approximately _____ P.M. in the Conference Room of the Township Hall, 2600 Bayshore Road, Villas for the discussion of matters relating to the specific items designated above.

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

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 6, 2023

Julie A Picard, Township Clerk