

WORK SESSION AND REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL
September 7, 2022 – 7:00 pm.

Meeting called to order

Opening Announcement

Pledge of Allegiance & Moment of Silence

Roll Call & Determination of Quorum

Work Session

Presentation of Retirement Plaque to David Lepor

Oath of Office – Sergeant James McNulty

Oath of Office – Patrolman Mathew Reilly

Consent Agenda

Approval of Minutes - August 15, 2022

Res. #2022-272 Authorization for the Payment of Vouchers \$972,858.02

Res. #2022-273 Approval of an Alcoholic Beverage Control License Place-to-Place Transfer – Expansion of Licensed Premises – License #0505-31—031-002; Greater Cape May Elks, Lodge #2839

Res. #2022-274 A Resolution Extending Resolution #2021-197 Relaxing the Procedures Associated with Site Plan Review and Approval for Existing Restaurants in Relation to the Ongoing Coronavirus Pandemic

Res. #2022-275 A Resolution Requesting Release of Demolition Bond for Block 127, Lot 28

Res. #2022-276 Approval of Change Order #1 to Axon Enterprises, Inc. for Phase II of the Axon Fleet Camera Project to add ALPR License and Fleet Refresh (\$89,328.)

Res. #2022-277 Approval of Change Order #2 to Axon Enterprises, Inc Phase II of the Axon Body 3 Cameras to add Auto Tagging License, Signal Sidearm Kit and Respond Devise Licenses (\$59,679.)

Res. #2022-278 A Resolution Supporting A Grant Application to the Cape May County Division of Open Space and Farmland Preservation Trust for Historic Cold Spring Village

Res. #2022-279 A Resolution Approving the Lower Township Children's Fund Concert

Res. #2022-280 Approval of Change Order #1 to Asphalt Paving Systems, Inc. for Unanticipated Supplemental Items for the Sheriff Taylor Boulevard & Roadway Striping Program (\$14,120.00)

Res. #2022-281 Authorizing the Pay Out of Terminal Leave (D.Lepor \$59,535.60)

Res. #2022-282 Authorizing the Pay Out of Terminal Leave (M.Loper \$276.61)

Res. #2022-283 Approval of Change Order #1 to DeBlasio & Associates for Additional Engineering Services for the Reconstruction of Miami Avenue from Peters Road to the Dead End

Res. #2022-284 Approval for Run the Vineyards – Down the Shore 5K Run

Res. #2022-285 Approval for Beach to Brewery 10K Run Scheduled for September 17, 2022

Res. #2022-286 Authorization for Refund of Taxes

Res. #2022-287 A Resolution Establishing an Emergency for the Ohio Avenue Pumping Station

Res. #2022-288 Insertion of Special Item of Revenue Pursuant to NJSA 40A:4-87, Chapter 159 (Emergency Management Performance Grant \$10,000)

Res. #2022-289 Resolution for Special Emergency Appropriation as per NJSA 40A:4-53 Authorizing Preparation of an Approved Tax Map

Res. #2022-290 Approval of Change Order #1 for Additional Tax Years 2018 through 2022 for Preparation and Delivery of Approved Tax Map

Ord. #2022-10 An Ordinance Amending Chapter 592, Taxation of the Code of the Township of Lower, To Impose a Municipal Occupancy Tax of 3% on Hotels, Motels and other Transient Accommodations. This is the first reading of this Ordinance. The second reading and public hearing is scheduled for October 3, 2022.

Ord. #2022-11 An Ordinance for Special Emergency Appropriation as per NJSA 40A:4-53 Authorizing the Preparation of An Approved Tax Map This is the first reading of this Ordinance. The second reading and public hearing is scheduled for October 3, 2022.

Regular Agenda

Ord. #2022-09 An Ordinance Amending Chapter Seven Entitled "Traffic" of the General Ordinances of the Township of Lower This is the second reading and public hearing of this Ordinance. This ordinance has been posted, published and made available to the public.

Manager's Report

Monthly Reports

Finance

Public Comment

Council Comments

Adjourn

COUNCIL MEETING MINUTES – August 15, 2022

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on August 15, 2022 at 5:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

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

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

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

Also present: Michael Laffey, Township Manager, Robert Belasco, Township Solicitor and Karen Fournier, Deputy Township Clerk

Work Session

Proclamation - Supporting the Drive Sober or Get Pulled Over 2022 Statewide Labor Day Crackdown
 Mayor Sippel read the Proclamation pledging Lower Township's support of Drive Sober or Get Pulled Over 2022 Statewide Labor Day Crackdown from August 19th to September 5th, 2022.

Consent Agenda

- Approval of State Firemen's Association Membership Application: Mathew V. Franco, Town Bank
- Approval of Minutes - August 1, 2022
- Res. #2022-259 Authorization for the Payment of Vouchers \$ 690,227.16
- Res. #2022-260 Authorizing Payment of 2022 County Taxes (Third Quarter)
- Res. #2022-261 Award National Cooperative Purchasing Agreement with Sourcewell to Allegiance Trucks, LLC for One (1) New 2022 International CV515 SFA Box Truck with Liftgate (\$103,591.)
- Res. #2022-262 Certification to Local Finance Board of Receipt and Review of Audit Sections General Comments & Recommendations
- Res. #2022-263 A Resolution Requesting Release of Maintenance Guarantee for Cape May Landing, Inc.; Block 510, Lot(s) 14.01, 15.01 & 16; Escrow P16-10-03
- Res. #2022-264 A Resolution Authorizing the Continued Use of Thirty (30) Google Chromebook Laptop Computers by the Lower Township Elementary School District
- Res. #2022-265 Body Armor Replacement Program
- Res. #2022-266 Appointment to Position of Lower Township Police Chaplain
- Res. #2022-267 Insertion of Special Item of Revenue Pursuant to N.J.S.A.40A:4-87, Chapter 159
- Res. #2022-268 Approval of Contribution to Lower Township Chamber of Commerce
- Res. #2022-269 Approving Change Order #7 to Fred M Schiavone Construction for Additional Drainage and Fencing Configuration at Clem Mulligan Sports Complex Renovation Project (LT-C-020)
- Res. #2022-270 Approving Change Order #1 to Fred M Schiavone Construction for Additional Drainage for 2022 NJDCA Small Cities Program; Cloverdale Avenue, Evergreen Avenue and Spruce Avenue Storm Sewer Improvements (LT-C-026)
- Ord. #2022-09 An Ordinance Amending Chapter Seven Entitled "Traffic" of the General Ordinances of the Township of Lower. This is the first reading of this Ordinance. The second reading and public hearing is scheduled for September 7, 2022.

Mayor Sippel commented on Resolution #2022-262, commending all departments on a favorable Audit.

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

Engineer's Report

Cody Stanford gave Council an update on the Township engineering projects being handled by DeBlasio & Associates, including: NJDEP CAFRA Permit; Cloverdale, Evergreen and Spruce Storm Sewer Improvements; Clem Mulligan Renovations; Reconstruction of Mowery Ave., Harvard St., Peters Rd. and Howland Ave.; Diamond Beach Park Improvements; Reconstruction of Fire Lane; Replacement of Various Pavilions; and Municipal Pool Renovations.

Manager's Report

Manager Laffey informed that the Cloverdale, Evergreen and Spruce Storm Sewer Improvements project will be starting sooner than anticipated.

Monthly Report -

Clerk, Construction, Dog, Vital

Public Comment – no comments

Council Comments

Councilmember Conrad reminded residents to be cautious of school kids at bus stops.

Councilmember Roy – no comments

Deputy Mayor Perry voiced pleasure with infrastructure projects getting completed.

Mayor Sippel recognized the LT Police Department on a great Youth Camp and reminded about Family Fun Night and the next Council Meeting at 7:00 p.m.

Closed Session

Res. #2022-271 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. **Personnel, Attorney-Client Privilege**

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

Council adjourned to Closed Session at 5:10 p.m.

Council returned to Open Session at 6:13 p.m.

Adjournment

There being no further business to address, motion to adjourn moved by Councilmember Conrad, seconded by Deputy Mayor Perry. Motion to adjourn was unanimous. Meeting adjourned at 6:14 p.m.

Mayor

Township Clerk

Approved:

P.O. Type: All Include Project Line Items: Yes Open: N Paid: N Void: N
 Range: First to Last Rcvd: Y Held: Y Aprv: N
 Format: Condensed Bid: Y State: Y Other: Y Exempt: Y

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00110	ANCO HOME CENTER*								
		22-00723	03/24/22	DNE \$250 TOWNHALL SUPPLIES	Open	7.59	0.00		B
00153	ATLANTIC CITY ELECTRIC*								
		22-02158	08/31/22	AUGUST 2022 ELECTRIC	Open	23,289.27	0.00		
00179	AVERY TEITLER*								
		22-00904	04/07/22	PB SOLICITOR SALARY	Open	625.00	0.00		
00194	ADVANCED VIDEO & SOUND LLC*								
		22-01817	07/19/22	4G-LTE ROUTERSW/5 YEAR NETCLOU	Open	3,180.00	0.00		
00301	BELMONT AND CRYSTAL SPRINGS*								
		22-02004	08/10/22	MONTHLY- AUGUST	Open	24.37	0.00		
		22-02026	08/15/22	Fs Crystal Springs 08.01.22	Open	17.24	0.00		
		22-02039	08/17/22	BOTTLED WATER/DPW	Open	29.49	0.00		
		22-02047	08/17/22	WATER DPS - JULY	Open	170.43	0.00		
						241.53			
00454	KEVIN LEWIS								
		22-02019	08/10/22	2022 LTPD SUMMER CAMP REIMBURS	Open	410.00	0.00		
00509	CAPE REGIONAL MEDICAL CENTER								
		22-02035	08/16/22	NEW HIRE EXAMS	Open	410.00	0.00		
00611	COUNTY OF CAPE MAY (FUEL)								
		22-02103	08/24/22	FUEL/DPW 7/1/22-7/31/22	Open	33,874.66	0.00		
00651	MUNICIPAL UTIL AUTH DUMP FEES								
		22-02119	08/30/22	TIPPING FEES/DPW JULY	Open	88,203.15	0.00		
00784	CAPE MAY STAR & WAVE								
		22-02027	08/15/22	LEGALS - 08/10/2022	Open	133.75	0.00		
00825	COMCAST*								
		22-02112	08/24/22	INTERNET(ALL) 8/15-9/14/22	Open	956.54	0.00		
01125	MARGARET CROMPTON								
		22-00072	01/10/22	22 CONTRACTUAL REIMBURSMENT M	Open	100.00	0.00		B
01139	CORELOGIC CENTRALIZED REFUNDS								
		22-02154	08/31/22	REFUND 3RD QUARTER TAX	Open	826.98	0.00		
		22-02155	08/31/22	REFUND 3RD QUARTER TAX	Open	783.39	0.00		
		22-02156	08/31/22	REFUND 3RD QUARTER TAX	Open	419.40	0.00		
		22-02157	08/31/22	REFUND 3RD QUARTER TAX	Open	433.31	0.00		
		22-02160	08/31/22	REFUND 3RD QUARTER TAX	Open	1,768.12	0.00		
		22-02161	08/31/22	REFUND 3RD QUARTER TAX	Open	1,046.22	0.00		

Vendor #	Name	Status	Amount	Void Amount	Contract	PO Type
PO #	PO Date Description					
01139	CORELOGIC CENTRALIZED REFUNDS	Continued				
22-02162	08/31/22 REFUND 3RD QUARTER TAX	Open	1,288.86	0.00		
			6,566.28			
01200	DELTA DENTAL PLAN OF NJ					
22-02130	08/30/22 DENTAL ADMIN AUG 2022	Open	1,348.30	0.00		
01220	DRAEGER, INC*					
22-01598	06/21/22 ALCHOTEST CERTIFICATION	Open	179.00	0.00		
01340	EAGLE POINT GUN*					
22-02083	08/22/22 AMMO	Open	5,542.62	0.00		
01480	E-Z PASS					
22-02109	08/24/22 EZ PASS REPLENISH 7/27 PCARD	Open	200.00	0.00		PC1
01653	GENTILINI FORD*					
22-01656	06/27/22 MATERIALS FOR VEHCES/DPW/SEP	Open	1,509.71	0.00		
01873	HOME DEPOT*					
22-01338	06/01/22 SUPPLIES/DPW	Open	6.98	0.00		
22-01809	07/15/22 WEED TRIMMER & HEADS	Open	364.96	0.00		
22-01974	08/08/22 BENNETT'S FIELD - LEAKY PIPE	Open	53.09	0.00		
			425.03			
02025	HUNTER JERSEY PETERBILT*					
22-01914	08/02/22 SUPPLIES FOR TRUCKS/DPW/SEPT	Open	2,468.58	0.00		
02027	JESCO INC*					
22-01781	07/13/22 HYDRAULIC THUMB	Open	8,828.57	0.00		
02183	KLENSWITE POOL SPA SUP.CO INC*					
22-02024	08/15/22 NON-CHLORINATED SHOCK & CHLORI	Open	696.80	0.00		
02245	DAVID LEPOR					
22-02031	08/16/22 CONTRACTUAL REIMBURSEMENT V	Open	465.00	0.00		
02247	LAWSON PRODUCTS, INC.*					
22-01229	05/16/22 UPPLIES FOR GARAGE/DW/JULY	Open	699.29	0.00		
02248	LAWMEN SUPPLY*					
22-01730	07/06/22 NAME PANNEL FOR BP VEST	Open	20.00	0.00		
02334	LOWER TWP CHAMBER OF COMMERCE					
22-02052	08/17/22 MEMBERSHIP DUES 10/22-10/23	Open	160.00	0.00		
22-02053	08/17/22 RES 22-268 ANNUAL CONTRIBUTION	Open	3,800.00	0.00		
			3,960.00			
02418	MAJESTIC SEWER AND DRAIN*					
22-02003	08/10/22 LT POOL- CLEAN MAIN SEWER	Open	205.00	0.00		
02538	MARSH & MCLENNAN AGENCY, LLC*					
22-00069	01/10/22 RES 2022-12 MONTHLY DNE\$43517.	Open	3,626.41	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02632	N J PLANNING OFFICIALS*								
		22-02106	08/24/22	Mandatory Brd Member Training	Open	85.00	0.00		
02811	JAMES MOY								
		22-02032	08/16/22	CONTRACTUAL REIMBURSEMENT M	Open	129.06	0.00		
03008	NJ DEPT OF TREASURY/FEES								
		22-01979	08/08/22	CLEM MULLIGAN COMPLEX	Open	650.00	0.00		
		22-01980	08/08/22	REC. CENTER- AIR QUALITY PROGR	Open	885.00	0.00		
						1,535.00			
03026	NJ STATE HEALTH BENEFITS								
		22-02121	08/30/22	NJSHBP ACTIVE SEPT 2022	Open	206,067.80	0.00		
		22-02122	08/30/22	NJSHBP RETIREE SEPT 2022	Open	105,340.41	0.00		
						311,408.21			
03109	TRU GREEN CHEMLAWN								
		22-01023	04/20/22	AERATION & SLICE SEEDING	Open	312.00	0.00		B
03158	NYSCA*								
		22-01972	08/08/22	RENEWAL OF FOOTBALL COACHES	Open	80.00	0.00		
03160	OFFICE BASICS, INC*								
		22-01404	06/07/22	PODIUM COUNCIL ROOM	Open	470.66	0.00		
03280	PARAMOUNT SANITARY SUPPLY*								
		22-01916	08/02/22	PAPER PRODUCTS FOR BAY RUN	Open	136.28	0.00		
03321	PATRICK MARTIN, ESQ								
		22-01932	08/02/22	CONFLICT PROSECUTOR 7/19/22	Open	325.00	0.00		
03518	RIGGINS, INC.*								
		22-02048	08/17/22	OFF HIGHWAY DIESEL/DPW 8/3/22	Open	1,272.42	0.00		
		22-02129	08/30/22	OFF HIGHWAY DIESEL/DPW 8/17/22	Open	1,281.38	0.00		
						2,553.80			
03608	SEAWAVE CORPORATION*								
		22-00590	03/03/22	Help wanted Ad Assessor's Off	Open	75.00	0.00		
03613	SEA ISLE ICE CO. INC.*								
		22-01644	06/27/22	ICE /DPW	Open	192.00	0.00		
03692	SOUTH JERSEY GAS CO*								
		22-02153	08/31/22	7/21-8/23/22 NATURAL GAS	Open	456.08	0.00		
03775	LISA A. SCHUBERT								
		22-02114	08/26/22	CONTRACTUAL REIMBURSEMENT V	Open	450.00	0.00		
03810	MUNICIPAL UTIL AUTH USAGE COST								
		22-02076	08/22/22	SEWER PD 4/15/21 - 7/15/22	Open	773.72	0.00		
		22-02077	08/22/22	WATER 4/15-7/15/22	Open	2,668.88	0.00		
						3,442.60			

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03820	MUNICIPAL UTIL. AUTH ON CALL								
		22-02049	08/17/22	REIM HALF TOTAL BIL 8/8/22	Open	233.08	0.00		
03904	LOWE'S HOME CENTER INC*								
		22-01911	08/02/22	SUPPLIES FOR BUILDINGS/DPW	Open	68.72	0.00		
		22-01912	08/02/22	SUPPLIES FOR BUILDINGS/SEPT	Open	642.77	0.00		
		22-01973	08/08/22	JONATHAN HOFFMAN-CAMERA WORK	Open	847.31	0.00		
						<u>1,558.80</u>			
03915	TURF EQUIPMENT & SUPPLY CO*								
		22-01986	08/08/22	MOWER PARTS/DPW	Open	618.08	0.00		
03958	DEBORAH VAN MOURIK								
		22-02069	08/17/22	CONTRACTUAL REIMBURSEMENT M	Open	235.36	0.00		
		22-02117	08/29/22	CONTRACTUAL REIMBURSEMENT M	Open	101.05	0.00		
						<u>336.41</u>			
03969	VERIZON								
		22-02110	08/24/22	LANDLINES 8/13-9/12/22	Open	44.60	0.00		
04030	WEST PUBLISHING PAYMENT *								
		22-01771	07/11/22	NJ STATUTES ANNO TITLE 2C	Open	1,783.00	0.00		
04037	DOUGLASS WHITTEN								
		22-02030	08/16/22	CONTRACTUAL REIMBURSEMENT V	Open	591.31	0.00		
04075	BARBER CONSULTING SERVICES LLC								
		22-02009	08/10/22	UPGRADE PHONE SWITCH FOR TWP	Open	6,124.80	0.00		
		22-02104	08/24/22	COMPUTER SERVICES - LAPTOPS	Open	1,160.00	0.00		
						<u>7,284.80</u>			
04085	CHRISTOPHER WINTER								
		22-02033	08/16/22	CONTRACTUAL REIMBURSEMENT M	Open	195.00	0.00		
04097	CINTAS FIRST AID AND SAFETY*								
		22-02034	08/16/22	FIRST AID SUPPLIES BOCA 8/2/22	Open	33.15	0.00		
		22-02102	08/24/22	RE-STOCK CABINETS	Open	134.63	0.00		
		22-02111	08/24/22	TOWNHALL FIRST AID 8/18/22	Open	59.87	0.00		
		22-02132	08/30/22	FIRST AID SUPPLIES/DPW	Open	88.56	0.00		
						<u>316.21</u>			
04122	JIM CONROY								
		22-02013	08/10/22	LACROSSE OFFICIAL	Open	65.00	0.00		
04158	HUFFMAN'S FLOOR COVERING*								
		22-02006	08/10/22	CARPET @ PUBLIC SAFETY BLDG	Open	1,302.32	0.00		
05066	MICHAEL REEB								
		22-01937	08/03/22	DJ FOR COOMBS/DOUGLASS RUN	Open	250.00	0.00		
5057	JEFF HURLEY								
		22-02012	08/10/22	LACROSSE OFFICIAL	Open	130.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
6059	USABLE LIFE	22-02148	08/31/22	SEPT 2022 LIFE INS	Open	809.60	0.00		
6063	CAPE MINING & RECYCLING, LLC*	22-00112	01/11/22	SUPPLIES FOR TWP. ROADS	Open	263.40	0.00		B
6071	UNITED UNIFORMS LIMITED LIAB*	22-01375	06/06/22	UNIFORMS	Open	204.48	0.00		B
7012	Y-PERS, INC*	22-01971	08/08/22	RAGS FOR GARAGE	Open	337.50	0.00		
7098	SHORE VETERINARIAN ANIMAL *	22-00071	01/10/22	RES #22-29 ANIMAL CONT DNE\$57K	Open	4,750.00	0.00		B
7119	ENGINEERING DESIGN ASSOC*	22-01960	08/08/22	Acting Engineer Voucher PL Brd	Open	123.00	0.00		
7196	LAUREN HUGGINS SUIT*	22-00068	01/10/22	RES22-09 PUBLIC INFO DNE\$16280	Open	1,356.67	0.00		B
7199	STAPLES CREDIT PLAN-INSTORE PU	22-01904	07/29/22	OFFICE SUPPLIES	Open	65.08	0.00		
7354	FLEETPRIDE INC.*	22-02041	08/17/22	MATERIAL FOR VEHICLES/DPW	Open	111.16	0.00		
		22-02133	08/30/22	PARTS FOR TRUCKS/DPW	Open	1,121.20	0.00		
						1,232.36			
7457	SERVPRO OF CAPE MAY COUNTY*	22-00054	01/07/22	SERVE-PRO CLEANUP	Open	200.00	0.00		
		22-01277	05/24/22	SERVE-PRO CLEANUP	Open	25.00	0.00		B
						225.00			
7475	SUZANNE M SCHEID	22-02021	08/12/22	CONTRACTUAL REIMBURSEMENT M	Open	922.49	0.00		
		22-02068	08/17/22	CONTRACTUAL REIMBURSEMENT M	Open	19.74	0.00		
		22-02086	08/22/22	CONTRACTUAL REIMBURSEMENT M	Open	108.22	0.00		
		22-02113	08/25/22	CONTRACTUAL REIMBURSEMENT M	Open	21.00	0.00		
						1,071.45			
7482	MUNICIPAL MAINTENANCE CO *	22-01259	05/20/22	EMERGENCY PUMP DIAGN.-OHIO AVE	Open	5,453.91	0.00		B
7507	STEFANKIEWICZ & BELASCO LLC*	22-00061	01/10/22	RES 2022-01 DNE \$150k EXPENSES	Open	14,187.50	0.00		B
		22-00062	01/10/22	RES 2022-01 DNE\$34k MONTHLY	Open	2,833.33	0.00		B
						17,020.83			
7636	MOTT MACDONALD LLC*	22-01958	08/08/22	Macdonald Vouchers Plan. Brd.	Open	422.75	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7636	MOTT MACDONALD LLC*				Continued				
		22-01996	08/09/22	Mott MacDonald Pl Brd. Voucher	Open	567.79	0.00		
						990.54			
7714	MACH JACKSON								
		22-02014	08/10/22	LACROSSE OFFICIAL	Open	65.00	0.00		
7751	HOFFMAN'S EXTERMINATING*								
		22-00974	04/12/22	PEST CONTROL	Open	125.00	0.00		
		22-01246	05/19/22	PEST CONTROL - CANAL PARK	Open	125.00	0.00		
		22-02020	08/10/22	PEST CONTROL - CANAL PARK	Open	125.00	0.00		
						375.00			
7772	PIONEER ATHLETICS*								
		22-01918	08/02/22	PAINT FOR FIELDS	Open	1,889.00	0.00		
7820	DEBLASIO & ASSOCIATES, P.C.*								
		22-01999	08/09/22	Planning Brd Engineer Vouchers	Open	857.40	0.00		
7836	AXON ENTERPRISE, INC*								
		22-01993	08/09/22	BWC MOUNTS	Open	2,254.20	0.00		
7888	ASPHALT PAVING SYSTEMS, INC*								
		22-01250	05/19/22	RECONST. SHERIFF TAYLOR BLVD	Open	379,158.90	0.00		B
7929	AMAZON CAPITAL SERVICES, INC*								
		22-01795	07/14/22	ASSESSOR CABINETS	Open	4,232.89	0.00		
		22-01894	07/26/22	OFFICE SUPPLIES	Open	53.87	0.00		
		22-02015	08/10/22	FS ink & NFPA 2022 book	Open	143.99	0.00		
		22-02025	08/15/22	OFFICE SUPPLIES 8/10/22	Open	64.02	0.00		
		22-02029	08/15/22	16OZ CUPS TOWNHALL 8/12/22	Open	106.70	0.00		
						4,601.47			
7959	ALL PRO TEAM SPORTS								
		22-01962	08/08/22	VINYL CHIN STRAPS	Open	140.00	0.00		
8072	JOHNSONS CONTROL SECURITY *								
		22-00549	02/28/22	FINGERPRINT MAINT 03/1/22-3/23	Open	110.90	0.00		B
8087	COOL POOLS CONSTRUCTION LLC *								
		22-01724	07/06/22	MONTHLY- JULY	Open	217.85	0.00		
8211	CONFIRE FIRE PROT SERV LLC*								
		22-00794	03/30/22	Fire Protection All Bldgs	Open	5,524.00	0.00		
8259	CLAUDIA PEREZ								
		22-02170	08/31/22	CONTRACTUAL REIMBURSEMENT V	Open	285.00	0.00		
8403	ANDREA IAPALUCCI *								
		22-02005	08/10/22	PAINTING @ OUBLIC SAFETY BLDG	Open	620.00	0.00		
8439	J&D SERVICES LLC *								
		22-00851	04/06/22	FERTILIZING SERVICES RES22-107	Open	2,502.90	0.00		B

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type	
8448	STAR GENERAL CONTRACTING *	22-02036	08/16/22	TRAILER FOR BAYRUN	Open	948.00	0.00			
8721	BLANEY, DONOHUE, & WEINBERG PC	22-00067	01/10/22	RES 2022-06 PROSECUT DNE\$42500	Open	3,541.66	0.00		B	
8722	LAW OFFICE OF KARAVAN &	22-00419	02/10/22	MORREL & HANSEN TAX APPEAL	Open	412.50	0.00		B	
8823	STAY TUNED BAND	22-01785	07/13/22	JULY 3RD FESTIVAL BAND	Open	800.00	0.00			
8833	BAYSHORE LAUNDRY & LINEN LLC	22-02028	08/15/22	LAUNDERED FOOTBALL EQUIPMENT	Open	163.50	0.00			
8835	NJ ACTB	22-02075	08/22/22	NJACTB Conference- Ross	Open	650.00	0.00			
8837	REBECCA BLANDA	22-02087	08/22/22	CONTRACTUAL REIMBURSEMENT V	Open	274.75	0.00			
8840	JEFFREY & KELLI HARKINS	22-02159	08/31/22	REFUND TAX- 100% DISABLED VET	Open	250.00	0.00			
8841	JONATHON MUNSON	22-02163	08/31/22	REFUND 3RD QUARTER TAX	Open	1,255.98	0.00			
8842	THOMAS & SUSAN SWIDER	22-02165	08/31/22	REFUND 3RD QUARTER TAX	Open	3,750.81	0.00			
8843	PATRICIA HEATHCOTE	22-02166	08/31/22	REFUND 3RD QUARTER TAX	Open	1,929.95	0.00			
8844	THOMAS PEACOCK	22-02167	08/31/22	REFUND 3RD QUARTER TAX	Open	561.64	0.00			
8845	JAMES YERK & TRACEY MAKINS	22-02168	08/31/22	REFUND 3RD QUARTER TAX	Open	737.41	0.00			
NJAFM	NJ ASSOC FOR FLOODPLAIN MANAGE	22-02078	08/22/22	NJAFM MEMBERSHIP DUES JEN DOWE	Open	40.00	0.00			
		22-02079	08/22/22	NJAFM MEMBERSHIP -ROSS	Open	40.00	0.00			
						80.00				
SWANK	SWANK MOTION PICTURES, INC*	22-01757	07/08/22	LICENSE FOR MOVIE NIGHTS	Open	465.00	0.00		B	
Total Purchase Orders: 137					Total P.O. Line Items:	0	Total List Amount:	972,858.02	Total Void Amount:	0.00

RESOLUTION #2022-272

Authorization for the Payment of Vouchers

Total Bill List: 972,858.02

	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 September 7, 2022.

Julie A Picard, Township Clerk

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

RESOLUTION #2022-273

Title: **APPROVAL OF AN ALCOHOLIC BEVERAGE CONTROL LICENSE PLACE TO PLACE
TRANSFER – EXPANSION OF LICENSED PREMISES – LICENSE #0505-31-031-002;
GREATER CAPE MAY ELKS, LODGE #2839**

WHEREAS, an application has been filed for a Place-to-Place Transfer **Expansion of Premises of** Plenary Retail Consumption License 0505-31-031-002, issued to Greater Cape May Elks, Lodge #2839 for premises located at 917 Bayshore Road, Lower Township, New Jersey, for purposes of expanding the premises under license wherein the sale, service and storage of alcoholic beverages are authorized; and

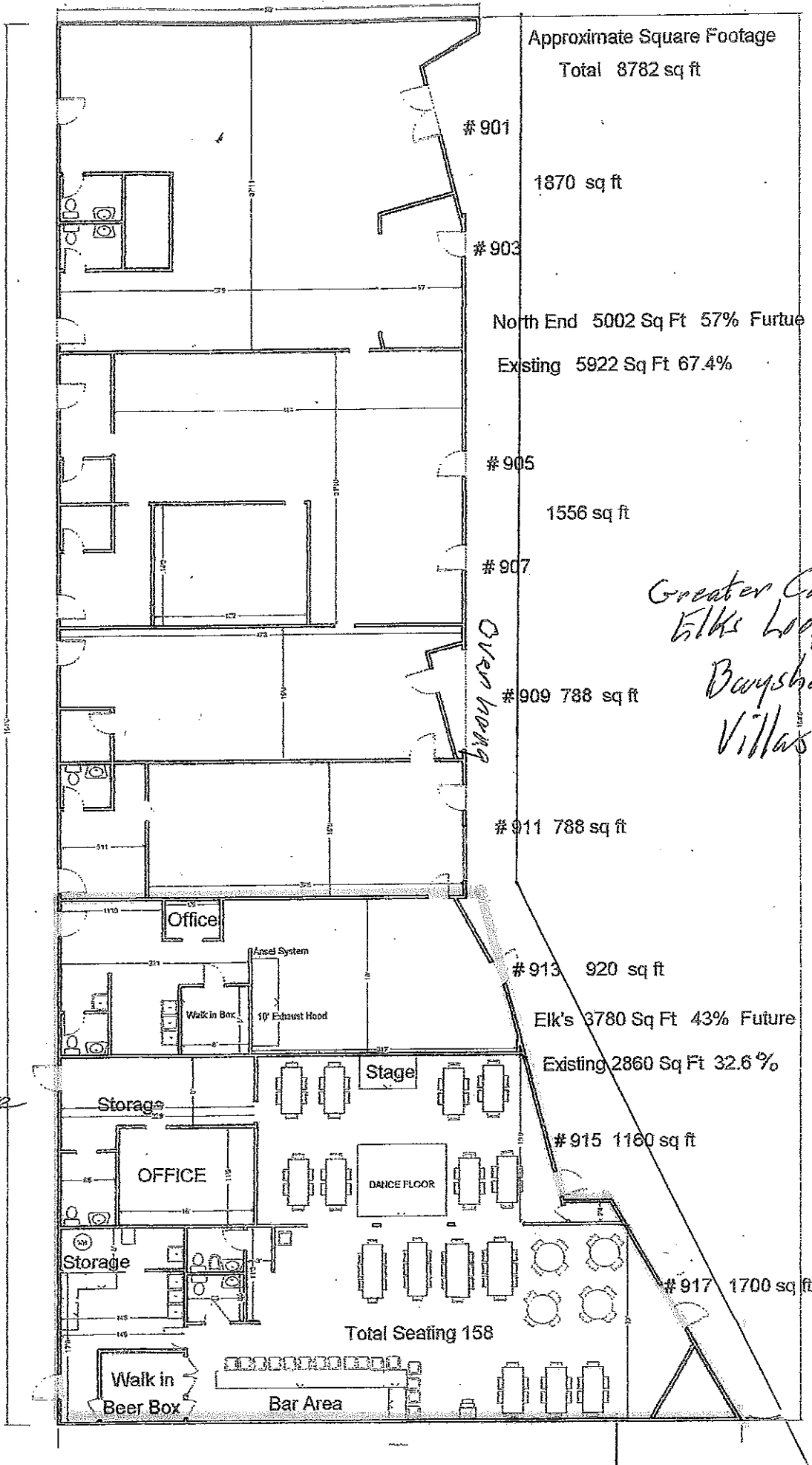
WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term.

NOW, THEREFORE, BE IT RESOLVED that the Lower Township Council does hereby approve effective September 8, 2022, the expansion of the aforesaid Club licensed premises located at 917 Bayshore Road, Lower Township New Jersey, to place under license the area delineated in the application form and the sketch of the licensed premises attached hereto.

	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 September 7, 2022.

Julie A Picard, Township Clerk



Approximate Square Footage
Total 8782 sq ft

#901
1870 sq ft

#903

North End 5002 Sq Ft 57% Future
Existing 5922 Sq Ft 67.4%

#905
1556 sq ft

#907

#909 788 sq ft

#911 788 sq ft

#913 920 sq ft

Elk's 3780 Sq Ft 43% Future
Existing 2860 Sq Ft 32.6%

#915 1160 sq ft

*Greater Cape May
Elk's Lodge 2839
Baysshore Rd
Villas NJ 0825.*

#917 1700 sq ft

*Current
license*
*Proposed
New license*

Office

Fired System
Walk in Box
10' Exhaust Hood

Stage

Storage

OFFICE

DANCE FLOOR

Storage

Total Seating 158

Walk in
Beer Box

Bar Area

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

RESOLUTION #2022-274

Title: A RESOLUTION EXTENDING RESOLUTION #2021-197 RELAXING THE PROCEDURES ASSOCIATED WITH SITE PLAN REVIEW AND APPROVAL FOR EXISTING RESTAURANTS IN RELATION TO THE ONGOING CORONAVIRUS PANDEMIC

WHEREAS, in accordance with Resolution 2020-173, Resolution 2020-321, and Resolution 2021-197, the Township of Lower temporarily relaxed the procedures associated with site plan review and approval in order to permit restaurants and bars to locate tables out-of-doors, in the Township right-of-way and/or in other locations on site, subject to the requirements and restrictions set forth within Resolution 2020-321, until the State of New Jersey rescinded Executive Order 107 and/or eliminated social distancing requirements and the restrictions imposed on indoor and outdoor capacities; and

WHEREAS, on February 5, 2021, the State of New Jersey enacted P.L. 2021, c.15 which, among other things, expanded opportunities for restaurants, bars, distilleries, and breweries to provide outdoor dining, in response to the Covid-19 public health emergency, subject to municipal regulations, review, and approval, to extend their business premises to sell food and beverages in adjacent outdoor spaces and on public sidewalks until November 30, 2022; and

WHEREAS, on August 3, 2022, the State of New Jersey enacted P.L. 2022, c.85 which effectively amended P.L. 2021, c.15 in order to extend the ability of businesses to sell food and beverages in adjacent outdoor spaces and on public sidewalks, subject to municipal regulations, review, and approval, through November 30, 2024; and

WHEREAS, the Township of Lower recognized, and continues to recognize, that despite the significant progress made in the ongoing fight against Covid-19, members of the public and restaurants and bars have expressed a desire to continue to facilitate outdoor dining; and

WHEREAS, the Township of Lower also recognizes the financial and economic impacts that the Covid-19 Pandemic had on restaurants and bars due in large part to the limitations imposed on indoor and outdoor capacities and finds that allowing restaurants and bars to take advantage of outdoor seating opportunities is appropriate through November 30, 2024;

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

1. All of the statements of the Preamble are repeated and are incorporated herein by this reference thereto and are made a part hereof as if each and every statement were set forth fully herein.
2. The temporary relaxation of site plan review and approval outlined with Resolutions 2020-173 and 2020-321, which are incorporated herein by reference, are hereby extended through November 30, 2024, at which time said Resolutions shall automatically expire unless extended by subsequent Resolution.
3. Establishments are specifically reminded that no increase in the total number of tables/seats will be permitted. Any newly approved exterior tables/seats, when added to existing table/seats, cannot exceed the total number of tables/seats approved prior to the issuance of any temporary site plan approval pursuant to the aforementioned Resolutions.
4. As outlined within Resolutions 2020-173 and 2020-321, the Township of Lower reserves the right to amend, terminate, or repeal this resolution, and accordingly no property rights are granted to any person(s) or entities by virtue of this resolution. All person(s) and/or entities electing to pursue temporary relief in accordance with the provisions of this resolution are hereby given notice that the expenditure of any funds, or the incurrence of any costs, in reliance upon the provisions of this resolution shall be at their sole and exclusive expense. All persons and/or entities are hereby given notice that the risk of loss for any expenditure and/or costs incurred shall be their sole and exclusive responsibility.

5. Upon the expiration of this Resolution, any temporary approval granted by the Zoning Officer in accordance with the terms and conditions of said Resolutions shall be deemed void, and Applicants shall be required to immediately return tables/seats to their previously approved locations.

	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 September 7, 2022.

Julie A Picard, Township Clerk

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

RESOLUTION #2022-275

Title: A RESOLUTION REQUESTING RELEASE OF DEMOLITION BOND
FOR BLOCK 127, LOT 28

WHEREAS, Carrie Stumpf posted a Demolition Bond with the Township of Lower, in the amount of \$4000;
and

WHEREAS, the Township Building Inspector made a final inspection and the Certificate of Occupancy was
issued August 5, 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 \$4000.00 plus any accrued interest 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 September 7,
2022.

Julie A Picard, Township Clerk

MEMORANDUM

TO: Mayor Frank Sippel &
Council Members

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

DATE: August 17, 2022

RE: Release of Demolition Bond
Carrie Stumpf
90 W Hudson Ave.
Block 127, Lot 28
Resolution #2022-275

Please release to the applicant the demolition bond that the Township is hold in trust, to assure the required demolition. A certificate of occupancy was issued August 5, 2022.
Thank you.

WJG:plw

att.

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

RESOLUTION #2022-276

Title: APPROVAL OF CHANGE ORDER #1 TO AXON ENTERPRISES INC. FOR PHASE II OF THE AXON FLEET CAMERA PROJECT TO ADD ALPR LICENSE AND FLEET REFRESH

WHEREAS, Axon Enterprise, Inc. was awarded on December 6, 2021 by Resolution #2021-362 for the purchase of (16) Sixteen Police Axon Fleet 3 Camera's for \$117,879.99; and

WHEREAS, Axon Enterprise has provided a proposal for Change Order #1 to add the ALPR License and Fleet Refresh Program to the original contract for \$89,328.00; and

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

Appropriation: Ord #22-06 C-04-55-434-820

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 net increase amount of \$89,328.00 to Axon Enterprises Inc. and the contract total is now increased to \$207,207.99.

	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 September 7, 2022.

Julie A Picard, Township Clerk



Axon Enterprise, Inc.
 17800 N 85th St.
 Scottsdale, Arizona 85255
 United States
 VAT: 86-0741227
 Domestic: (800) 978-2737
 International: +1.800.978.2737

Q-395871-44790.686RE

Issued: 08/17/2022

Quote Expiration: 09/14/2022

EST Contract Start Date: 12/01/2022

Account Number: 458068

Payment Terms: N30
 Delivery Method: Fedex - Ground

SHIP TO	BILL TO
Invoice-2600 Bayshore Rd 2600 Bayshore Rd Villas, NJ 08251-1300	Lower Township Police Dept. - NJ 2600 Bayshore Rd Villas, NJ 08251-1300
USA	USA Email:

SALES REPRESENTATIVE	PRIMARY CONTACT
Raleigh Edwards Phone: (480) 905-2067 Email: redwards@axon.com	Donald Vanaman Phone: (609) 886-1619 Email: Vanaman@LowerTownshipPolice.com
Fax:	Fax: (609) 8896664

Program Length	60 Months
TOTAL COST	\$89,328.00
ESTIMATED TOTAL W/ TAX	\$89,328.00

Bundle Savings	\$0.00
Additional Savings	\$0.00
TOTAL SAVINGS	\$0.00

PAYMENT PLAN		
PLAN NAME	INVOICE DATE	AMOUNT DUE
Capital Purchase	Oct, 2022	\$89,328.00

Quote Details

Bundle: Dynamic Bundle Quantity: 1 Start: 12/1/2022 End: 11/30/2027 Total: 89328 USD

Category	Item	Description	QTY	List Unit Price	Net Unit Price	Total(USD)
Other	80401	FLEET 3, ALPR LICENSE, 1 CAMERA	16	\$49.00	\$49.00	\$47,040.00
Other	72040	FLEET REFRESH, 2 CAMERA KIT	16	\$2,643.00	\$2,643.00	\$42,288.00

Tax is estimated based on rates applicable at date of quote and subject to change at time of invoicing. If a tax exemption certificate should be applied, please submit prior to invoicing.

Contract State of New Jersey T0106/17-FLEET-00738 is incorporated by reference into the terms and conditions of this Agreement. In the event of conflict the terms of Axon's Master Services and Purchasing Agreement shall govern.

Standard Terms and Conditions

Axon Enterprise Inc. Sales Terms and Conditions

Axon Master Services and Purchasing Agreement:

This Quote is limited to and conditional upon your acceptance of the provisions set forth herein and Axon's Master Services and Purchasing Agreement (posted at www.axon.com/legal/sales-terms-and-conditions), as well as the attached Statement of Work (SOW) for Axon Fleet and/or Axon Interview Room purchase, if applicable. In the event you and Axon have entered into a prior agreement to govern all future purchases, that agreement shall govern to the extent it includes the products and services being purchased and does not conflict with the Axon Customer Experience Improvement Program Appendix as described below.

ACEIP:

The Axon Customer Experience Improvement Program Appendix, which includes the sharing of de-identified segments of Agency Content with Axon to develop new products and improve your product experience (posted at www.axon.com/legal/sales-terms-and-conditions), is incorporated herein by reference. By signing below, you agree to the terms of the Axon Customer Experience Improvement Program.

Acceptance of Terms:

Any purchase order issued in response to this Quote is subject solely to the above referenced terms and conditions. By signing below, you represent that you are lawfully able to enter into contracts. If you are signing on behalf of an entity (including but not limited to the company, municipality, or government agency for whom you work), you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, please do not sign this Quote.

Signature

Date Signed

8/17/2022

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

RESOLUTION #2022-277

Title: APPROVAL OF CHANGE ORDER #2 TO AXON ENTERPRISES INC. PHASE II OF THE AXON BODY 3 CAMERA TO ADD AUTO TAGGING LICENSE, SIGNAL SIDEARM KIT AND RESPOND DEVISE LICENSES

WHEREAS, Axon Enterprise, Inc. was awarded on December 6, 2021 by Resolution #2021-363 for the purchase of Police Axon Body 3 Camera's for Lower Township Police Departments for \$277,560.14, Change Order #1 was approved on May 2, 2022 by Resolution 2022-153 for \$15,128.00 to adjust the Pro and Basic Licenses and to add Refresh and TAP Warranty program; and

WHEREAS, Axon Enterprise has provided a proposal for Change Order #2 to the original contract for Phase II of the Axon Enterprises Police Body 3 Camera Project to add (57) Auto Tagging License, (57) Signal Sidearm Kit and (57) Respond Devise Licenses for \$59,679.00; and

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

Appropriation: Ord #22-06 C-04-55-434-820

Signature: Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Change Order #2 attached hereto in the net increase amount of \$59,679.00 for Phase II of the Axon Enterprises Inc. and the contract total is now increased to \$352,367.14.

Table with 8 columns: MOTION, SECOND, AYE, NAY, RECUSE, ABSTAIN, ABSENT and 5 rows: 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 September 7, 2022.

Julie A Picard, Township Clerk



Axon Enterprise, Inc.
 17800 N 85th St.
 Scottsdale, Arizona 85255
 United States
 VAT: 86-0741227
 Domestic: (800) 978-2737
 International: +1.800.978.2737

Q-386899-44790.688RE

Issued: 08/17/2022

Quote Expiration: 09/14/2022

EST Contract Start Date: 11/01/2022

Account Number: 458068

Payment Terms: N30

Delivery Method: Fedex - Ground

SHIP TO	BILL TO
Invoice-2600 Bayshore Rd 2600 Bayshore Rd Villas, NJ 08251-1300	Lower Township Police Dept. - NJ 2600 Bayshore Rd Villas, NJ 08251-1300
USA	USA Email:

SALES REPRESENTATIVE	PRIMARY CONTACT
Raleigh Edwards Phone: (480) 905-2067 Email: redwards@axon.com	Donald Vanaman Phone: (609) 886-1619 Email: Vanaman@LowerTownshipPolice.com
Fax:	Fax: (609) 8896664

Program Length	57 Months
TOTAL COST	\$59,679.00
ESTIMATED TOTAL W/ TAX	\$59,679.00

Bundle Savings	\$0.00
Additional Savings	\$0.00
TOTAL SAVINGS	\$0.00

PAYMENT PLAN		
PLAN NAME	INVOICE DATE	AMOUNT DUE
Capital Purchase	Oct, 2022	\$59,679.00

Quote Details

Bundle: Dynamic Bundle Quantity: 1 Start: 11/1/2022 End: 7/31/2027 Total: 59679 USD						
Category	Item	Description	QTY	List Unit Price	Net Unit Price	Total(USD)
Other	73682	AUTO TAGGING LICENSE	57	\$9.00	\$9.00	\$29,241.00
Other	75015	SIGNAL SIDEARM KIT	57	\$249.00	\$249.00	\$14,193.00
Other	79999	AUTO TAGGING / PERFORMANCE IMPLEMENTATION SERVICE	1	\$0.00	\$0.00	\$0.00
Other	73449	RESPOND DEVICE LICENSE	57	\$5.00	\$5.00	\$16,245.00

Tax is estimated based on rates applicable at date of quote and subject to change at time of invoicing. If a tax exemption certificate should be applied, please submit prior to invoicing.

Contract State of New Jersey T0106/17-FLEET-00738 is incorporated by reference into the terms and conditions of this Agreement. In the event of conflict the terms of Axon's Master Services and Purchasing Agreement shall govern.

Standard Terms and Conditions

Axon Enterprise Inc. Sales Terms and Conditions

Axon Master Services and Purchasing Agreement:

This Quote is limited to and conditional upon your acceptance of the provisions set forth herein and Axon's Master Services and Purchasing Agreement (posted at www.axon.com/legal/sales-terms-and-conditions), as well as the attached Statement of Work (SOW) for Axon Fleet and/or Axon Interview Room purchase, if applicable. In the event you and Axon have entered into a prior agreement to govern all future purchases, that agreement shall govern to the extent it includes the products and services being purchased and does not conflict with the Axon Customer Experience Improvement Program Appendix as described below.

ACEIP:

The Axon Customer Experience Improvement Program Appendix, which includes the sharing of de-identified segments of Agency Content with Axon to develop new products and improve your product experience (posted at www.axon.com/legal/sales-terms-and-conditions), is incorporated herein by reference. By signing below, you agree to the terms of the Axon Customer Experience Improvement Program.

Acceptance of Terms:

Any purchase order issued in response to this Quote is subject solely to the above referenced terms and conditions. By signing below, you represent that you are lawfully able to enter into contracts. If you are signing on behalf of an entity (including but not limited to the company, municipality, or government agency for whom you work), you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, please do not sign this Quote.

Signature

Date Signed

8/17/2022

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

RESOLUTION #2022-278

Title: A RESOLUTION SUPPORTING A GRANT APPLICATION TO THE CAPE MAY COUNTY DIVISION OF OPEN SPACE AND FARMLAND PRESERVATION TRUST FOR HISTORIC COLD SPRING VILLAGE

WHEREAS, Historic Cold Spring Village has applied for an Open Space and Farmland Preservation Trust Grant for Cold Spring Grange Hall; and

WHEREAS, the proposed project includes replacing the roof of the Cold Spring Grange Hall, a project essential to the long-term preservation of the historic building; and

WHEREAS, a requirement of the grant application is to provide a Resolution of Support from the governing body in which the applicant is located; and

WHEREAS, Lower Township Council is proud to have Historic Cold Spring Village located within the Township of Lower.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Lower Township is pleased to support this grant application and the continued preservation of Historic Cold Spring Village.

	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 September 7, 2022.

Julie A Picard, Township Clerk

TOWNSHIP OF LOWER

2600 Bayshore Road
Villas, New Jersey 08251



Incorporated 1798
(609) 886-2005

August 25, 2022

Leslie Gimeno, Planning Director
Cape May County Planning Department
4 Moore Road, DN 309
Cape May Court House, NJ 08210

Re: Cape May County Open Space; Farmland and Historic Preservation
Historic Cold Spring Village

Dear Ms. Gimeno:

On behalf of the Lower Township Mayor and Council, please accept this letter of support for Historic Cold Spring Village's application to the Cape May County Open Space Board requesting grant funds to address a critical preservation project.

The Village is applying for funds to replace the roof of the Cold Spring Grange Hall, a project essential to the long-term preservation of the historic building. Cold Spring Grange #132 was built in 1912 to serve as the local meeting hall of the National Grange of the Patrons of Husbandry. The organization was formed in 1867 to help address the social, economic needs and political concerns of farmers throughout the nation. The Grange was semi-secret; it was one of the few groups that permitted women to become members. Cold Spring Grange #132 is listed on the New Jersey and National Registers of Historic Places. It is the one structure at Historic Cold Spring Village that was built on its current site and an important part of the entire complex.

The Village is extremely important to the Township not only for the preservation of historic buildings and heritage tourism, but for the many other benefits they offer. The Village opened in 1981 and is the largest outdoor living history museum in New Jersey with a mission of historic preservation, history education and heritage tourism. The Village offers a variety of other programs, festivals, entertainment and fun, not only for Lower Township and Cape May County, but for families in the tri-state area. A trip to the shore is not complete without visiting the Village to see the many wonderful things that are a part of this Early American History Museum.

Thank you for considering Historic Cold Spring Village's grant application to preserve this very important Cold Spring building. A resolution of Township Council will be forthcoming upon passage at the next meeting.

Very truly yours,

A handwritten signature in black ink that reads "Michael Laffey". The signature is written in a cursive style with a long, sweeping tail on the letter "y".

Michael Laffey
Township Manager



Don't Call Me
FRANCIS

www.francisband.com

Office (856) 986-6749

Entertainment Contract

This contract made this 15th day of August 2022 between the undersigned purchase and the undersigned musical organization for the engagement described below.

1. Name and Address of Place of Engagement:	Freeman Douglass Memorial Park 677 US-9 Cape May, NJ 08204
2. Name of Band or Group:	<i>The Don't Call Me Francis Band</i>
3. Number of Musicians: Crew Members	9 2 Full Production
4. Date(s) of Engagement, Start and Finish Time of Engagement:	Sunday, October 16th 2022 4:00pm – 7:00pm (3) 50 min sets)
5. Type of Engagement:	Lower Township Children's Fund Concert
6. Agreed Price for Engagement:	\$4,000.00
7. Purchaser will make payments as follows: Deposit of \$2,000.00 due with signed contract. Balance due the day of the event.	Payable to: "Adoleo, Inc." Mail to: Don't Call Me Francis Band 58 Lake Dr. Beverly, NJ 08010

8. *The Don't Call Me Francis Band* shall at all times have complete supervision, direction and control over the services of it's personnel on the engagement and expressly reserve the right to control the manner, means and details of the performance of services.
9. It is understood that *The Don't Call Me Francis Band* executes this contract as an independent contractor and that the musicians are not employees of the Purchaser.
10. *The Don't Call Me Francis Band* acts only as the Musical Organization and assumes no liability hereunder.
11. **Weather Clause: 12 noon rain cancellation deadline. In the event of inclement weather, the deposit will be applied to a future performance in 2022 or 2023. If the band begins their performance and there is threat of thunder and lightning, the performance must end and full payment is due.**
12. Other conditions: Case of bottled water on stage and food/ beverage for band. Band merchandise may be sold at performance.

Contact: Bruce Fournier bfournier@townshipoflower.org
609-425-6596

Purchaser's Name

Purchaser's Signature

The Don't Call Me Francis Band
Musical Organization

Carmelita Orsini
Musical Organization Representative Signature

Date: _____

Date: 8/15/22

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

RESOLUTION #2022-280

Title: APPROVAL OF CHANGE ORDER #1 TO ASPHALT PAVING SYSTEMS INC FOR UNANTICIPATED SUPPLEMENTAL ITEMS FOR THE SHERIFF TAYLOR BOULEVARD & ROADWAY STRIPING PROGRAM

WHEREAS, Asphalt Paving Systems, Inc. was awarded the bid for the Reconstruction of Sheriff Taylor Blvd and Roadway Striping Program on May 16, 2022 by Resolution #2022-174 in the amount of \$395,800.00; and

WHEREAS, Remington & Vernick have provided a proposal for Change Order #1 for Unanticipated Supplemental Items for \$14,120.00; and

WHEREAS, the Township Council desires to approve Change Order #1 in the amount of \$14,120.00; and the CFO has certified the availability of funds as evidenced by her signature below:

Appropriation: C-04-55-432-100

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 that Change Order #1 attached hereto in the amount of \$14,120.00 for Asphalt Paving Systems Inc is hereby approved and the contract total is now increased to \$409,920.00.

	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 September 7, 2022.

Julie A Picard, Township Clerk



**REMINGTON
& VERNICK
ENGINEERS**

4907 New Jersey Avenue
Wildwood, NJ 08260
O: (609) 522-5150
F: (609) 522-5313

August 25, 2022

Via Email & Hand Delivery

Gary Douglass, Superintendent
Lower Township Department of Public Works
771 Seashore Road
Cold Springs, New Jersey 08204

**RE: Reconstruction of Sheriff Taylor Boulevard & Roadway Striping Program
Change Order #1
RVE File No. 0505U016**

Dear Mr. Douglass:

Enclosed please find four (4) executed originals of **CHANGE ORDER NO. 1** regarding the above captioned project for review and approval. Upon execution, please return three (3) originals of Change Order No. 1 to our office.

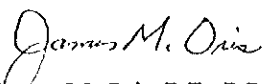
Please note that this Change Order reflects the following:

1. Unanticipated Supplemental Items

The Change Order will result in an increase of \$14,120.00 to the original contract amount of \$395,800.00 for an amended contract amount of \$409,920.00. This is approximately a 3.579% increase to the original contract amount.

If you should have any questions or need further information, please contact Stefanie Thonsen at our Wildwood office.

Sincerely,
REMINGTON & VERNICK ENGINEERS, INC.


James M. Oris, P.E., P.P., C.M.E., C.P.F.M., C.P.W.M.
Regional Manager

JMO/srt/dss

Enclosure

cc: Margaret Vitelli, QPA (via email)
John Constantine, Asphalt Paving Systems (via email)
Stefanie Thonsen, RVE (via email)
Anthony Donofrio, RVE (via email)

www.rve.com



CONTRACTOR:
 Asphalt Paving Systems, Inc.
 PO Box 530
 Hammonton, NJ 08037
 609-561-4161

08/18/22

CHANGE ORDER #/

NAME OF PROJECT:
 RECONSTRUCTION OF SHERIFF TAYLOR BLVD AND ROADWAY STRIPING PROGRAM
 PROJECT NUMBER:
 05-05-U-016
 CLIENT:
 TOWNSHIP OF LOWER
 REASON FOR CHANGE:
 SUPPLEMENTAL ITEMS

TYPE OF CHANGE	ITEM #	DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	AMOUNT
SUPPLEMENTAL	S-1	INLET, TYPE A	1	UNITS	\$5,000.00	\$5,000.00
	S-2	12" HDPE CULVERT PIPE	76	LF	\$120.00	\$9,120.00
					SUBTOTAL	\$14,120.00
EXTRA						\$0.00
						\$0.00
					SUBTOTAL	\$0.00
REDUCTION						\$0.00
						\$0.00
					SUBTOTAL	\$0.00

<u>PREVIOUS CHANGE ORDERS</u>			<u>CURRENT CHANGE ORDER</u>	
No.	AMOUNT	REASON FOR CHANGE		
1			+ SUPPLEMENTAL	\$14,120.00
2			+ EXTRA	\$0.00
3				
4			-REDUCTION	\$0.00
5				
6				
7				
8				
9				
			NET CONTRACT CHANGE THIS CHANGE ORDER	\$14,120.00

<u>OVERALL CHANGE ORDER SUMMARY</u>	
ORIGINAL CONTRACT AMOUNT:	\$ 395,800.00
AMENDED CONTRACT AMOUNT:	\$ 409,920.00
TOTAL CONTRACT CHANGE (AMOUNT):	\$ (14,120.00)
TOTAL CONTRACT CHANGE (PERCENT):	3.57%

<u>CONTRACT LENGTH SUMMARY</u>	
THE TIME PROVIDED FOR COMPLETION OF THIS PROJECT IS:	<u> X </u> UNCHANGED <u> </u> INCREASED <u> </u> DECREASED
	BY <u> </u> CALENDAR DAYS IN THIS CHANGE ORDER
ORIGINAL CONTRACT LENGTH:	45
PREVIOUS CONTRACT LENGTH AMENDMENTS:	
TOTAL CONTRACT LENGTH CHANGE:	45

ACCEPTED BY:

[Signature] 8/19/22
Asphalt Paving Systems, Inc. Date

[Signature] 8/23/22
Chief Inspector Date

[Signature] 8/28/22
Municipal Engineer/Project Manager Date

APPROVED BY:

Client Date

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

RESOLUTION #2022-281

Title: AUTHORIZING PAY OUT OF TERMINAL LEAVE

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

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

WHEREAS, it has been determined by the Township Treasurer as evidenced by her signature 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 that a revised payment due to David Lepor in the amount of \$ 59,535.60 is authorized and chargeable to the Reserve for Accumulated Absences.

BE IT FURTHER RESOLVED that the funds shall be disbursed in one payment of \$20,000.00 in 2022 and one payment of \$39,535.60 in 2023.

	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 September 7, 2022.

Julie A Picard, Township Clerk

Lepor David

TOWNSHIP OF LOWER
 RETIREMENT PAYOUT ANALYSIS
 DATE:

EMPLOYEE: Lepor, David
 DATE OF RETIREMENT 9/1/2022
 DATE OF PAYMENT:
 RESOLUTION #:

Annual Salary:	\$95,319.00
Hourly Rate:	\$45.8264
Longevity	\$0.00

TERMINAL LEAVE:			
	Hours	Rate	Total
Comp	0.00	45.83	0.00
Personal	53.54	45.83	2,453.48
Sick	960.00	45.83	43,993.38
Vacation	285.62	45.83	13,088.74
Terminal Leave Payout			\$59,535.60

2022 \$20,000.00
 2023 \$39,535.60

	(A)	(B)	(C)	(B * C) (D)	(E)	A + D - E (F)	
	Carryover	Annual	35/ 52 weeks	Prorated Time Due	Time Used	Hours to be paid	
Comp				0.00		0.00	
Personal	32.00	32.00	0.67	21.54	0.00	53.54	contract max
Sick	2,667.00	120.00	0.67	80.77	48.00	960.00	960 hours
Vacation	200.00	200.00	0.67	134.62	49.00	285.62	
Holidays							
Total	2,899.00	352.00	2.02	236.92	97.00	1,299.15	

Accrual and time used are current to 07/30/22 subject to change if time is used or not currently reported.

Employee Signature: _____

Date: _____

Treasurer's Signature: _____

Date: _____

ccrippen

From: Dave <dlepor217@comcast.net>
Sent: Sunday, August 21, 2022 12:18 PM
To: ccrippen; Mike Laffey
Subject: External Terminal leave

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

Collen.

In reference to my terminal leave I would like to have the amount due paid out to me as follows. Based on the information provided to me.

\$20000.00 paid at retirement or as soon as practical.

\$39535.60 paid January 2023.

Thank you.

Dave Lepor

Sent from Mail for Windows

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

RESOLUTION # 2022-282

Title: AUTHORIZING THE PAYOUT 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 that a payment due to Mark Loper in the amount of \$276.61 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 September 7, 2022.

Julie A Picard, Township Clerk

Loper Mark

TOWNSHIP OF LOWER
RETIREMENT PAYOUT ANALYSIS
DATE:

EMPLOYEE: Loper, Mark
DATE OF RETIREMENT 8/12/2022
DATE OF PAYMENT: _____
RESOLUTION #: _____

Annual Salary:	\$41,669.00
Hourly Rate:	\$20.0332
Longevity	\$0.00

TERMINAL LEAVE:			
	Hours	Rate	Total
Comp	0.00	20.03	0.00
Personal	(5.19)	20.03	(104.02)
Sick	0.00	20.03	0.00
Vacation	19.00	20.03	380.63
Terminal Leave Payout			\$276.61

	(A)	(B)	(C)	(B * C) (D)	(E)	A + D - E (F)	
	Carryover	Annual	33/52 weeks	Prorated Time Due	Time Used	Hours to be paid	
Comp				0.00		0.00	
Personal	0.00	32.00	0.63	20.31	25.50	(5.19)	contract max
Sick	209.00	120.00	0.63	76.15	148.00	0.00	960 hours
Vacation	38.50	104.00	0.63	66.00	85.50	19.00	
Holidays							
Total	247.50	256.00	1.90	162.46	259.00	13.81	

Accrual and time used are current to 07/30/22 subject to change if time is used or not currently reported.

Employee Signature: _____

Date: _____

Treasurer's Signature: _____

Date: _____

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

RESOLUTION #2022-283

Title: APPROVAL OF CHANGE ORDER #1 TO DEBLASIO AND ASSOCIATES FOR ADDITIONAL ENGINEERING SERVICES FOR THE RECONSTRUCTION OF MIAMI AVENUE FROM PETERS ROAD TO THE DEAD END

WHEREAS, DeBlasio & Associates was awarded on September 8, 2021 by Resolution #2021-285 for the Survey and Engineering the Design Phase of Reconstruction Of Atlantic Avenue, Howland Avenue, Millman Lane And Mowery Avenue, at a total fee of \$298,000.00 includes: Survey and Base Mapping, Roadway Coring for Pavement Design and Design Plans Specifications; and

WHEREAS, DeBlasio & Associates provided a proposal for additional engineering services for Miami Avenue from Peters Road to Dead End to include: Survey and Base Mapping, Design Plans and Specifications, Contract Administration, Shop Drawings, Submittal Review and Full Time Construction Observation for an additional \$17,000.00; and

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

Appropriation: Ord #21-17 C-04-55-432-910

Signature: Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that Change Order #1 attached hereto in the net increase amount of \$17,000.00 to DeBlasio and Associates and the contract total is now increased to \$315,000.00.

Table with 8 columns: MOTION, SECOND, AYE, NAY, RECUSE, ABSTAIN, ABSENT and rows for 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 September 7, 2022.

Julie A Picard, Township Clerk

DEBLASIO & ASSOCIATES

CONSULTING ENGINEERS AND PLANNERS

4701 NEW JERSEY AVENUE • WILDWOOD, NJ 08260

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

August 18, 2022

VIA EMAIL

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

Re: Township of Lower, Cape May County, NJ
Additional Services – Reconstruction of Miami Avenue
(Part of Reconstruction of Mowery Avenue, Harvard Street, Peters Road and Howland Avenue)
D&A File #: LT-C-024

Dear Mr. Douglass:

As requested by the Township, DeBlasio & Associates, P.C. is pleased to provide this proposal to provide our professional services for the **Reconstruction of Miami Avenue** (Part of Reconstruction of Mowery Avenue, Harvard Street, Peters Road and Howland Avenue). The work shall consist of the following roadway:

1. Miami Avenue – From Peters Road to Dead End

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

Construction Phase Cost:	\$17,000.00
• Survey and Base Mapping	
• Design Plans and Specifications	
• Contract Administration	
• Shop Drawing and Submittal Review	
• Full Time Construction Observation	
Based on a 10 Day Construction Contract	
Total Professional Service Fee	\$17,000.00

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

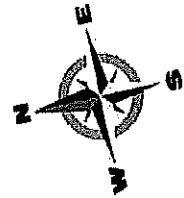
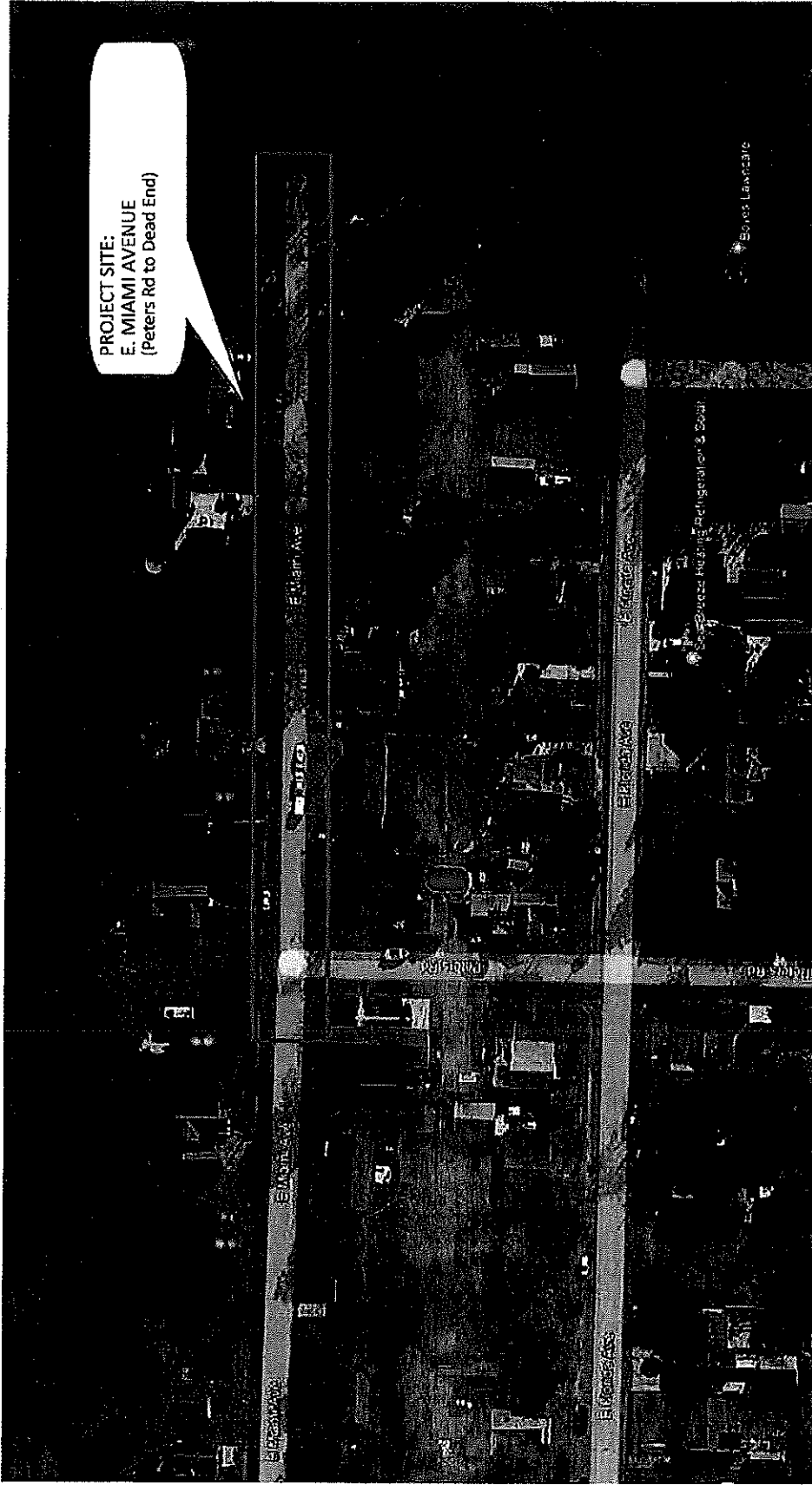
Upon your authorization, we are prepared to begin work immediately on the Township's **Reconstruction of Miami Avenue**. Should you have any questions or require any additional information, please do not hesitate to contact me or Cody Stanford at our office. Thank you for the opportunity to submit this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

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



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

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



PROJECT LOCATION MAP

RECONSTRUCTION OF MOWERY AVENUE, HARVARD STREET,
PETERS ROAD AND HOWLAND AVENUE
Township of Lower, Cape May County, New Jersey

Date: 8/10/2022

**DEBLASIO &
ASSOCIATES**

CONSULTING ENGINEERS AND PLANNERS

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

RESOLUTION #2022-284

Title: APPROVAL FOR RUN THE VINEYARDS- DOWN THE SHORE 5K RUN

WHEREAS, an application has been received from Kenneth Culbertson of Good Day for a Run to host a 5K Run on October 16, 2022; and

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

WHEREAS, the Lower Township Police Department has reviewed the application and found the paperwork to be in is in order.

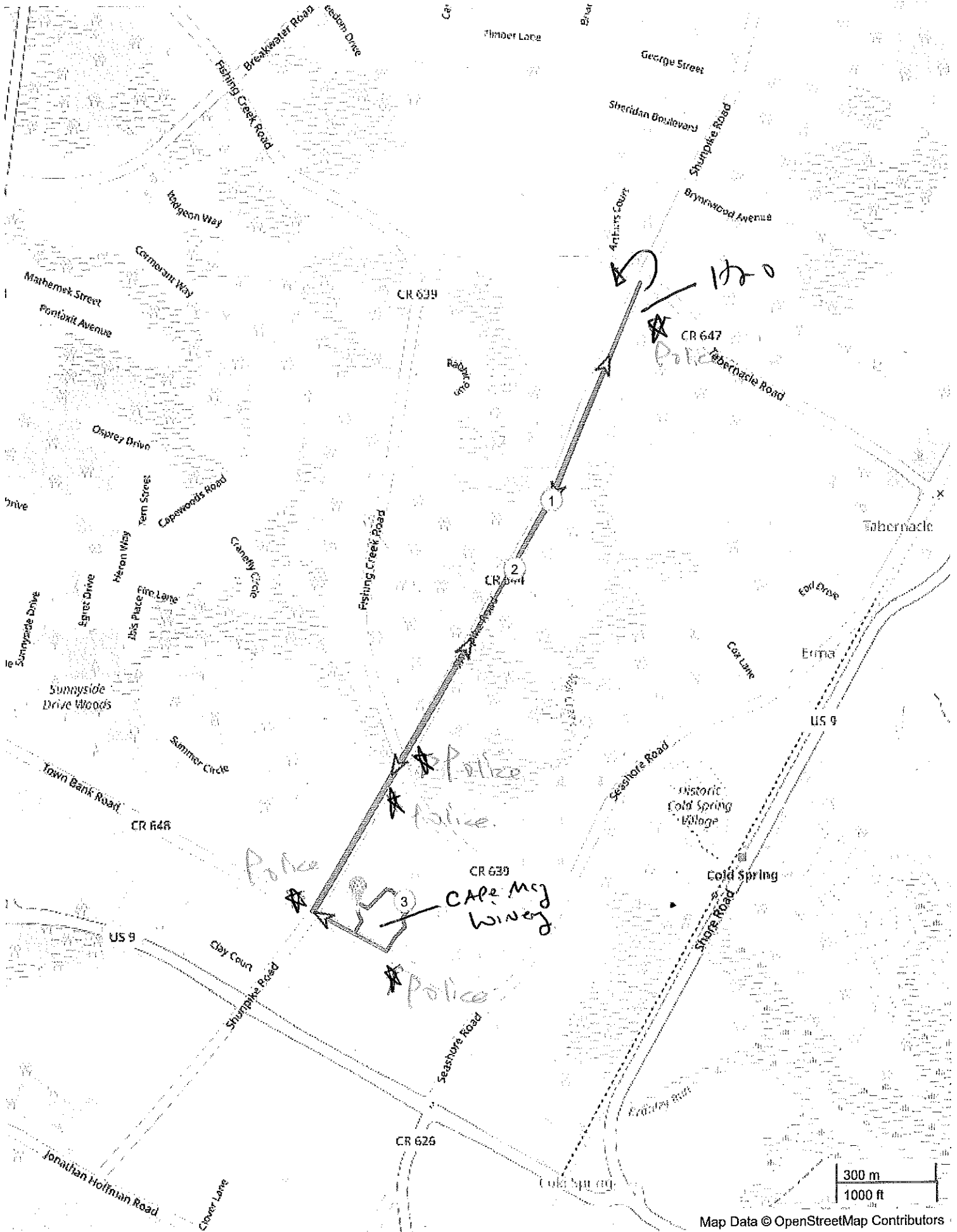
NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that permission is hereby granted for the above stated event to take place.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on September 7, 2022.

Julie A Picard, Township Clerk

Run The Vineyards Down The Shore 5K 2021



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

RESOLUTION #2022-285

Title: APPROVAL FOR BEACH TO BREWERY 10K RUN SCHEDULED FOR SEPTEMBER 17, 2022

WHEREAS, Cape May Running, LLC has requested permission to host Beach to Brewery, a 10K run, on September 17, 2022; and

WHEREAS, Cape May Running, LLC has provided the proper Certificate of Insurance, naming the Township of Lower as a Certificate Holder; and

WHEREAS, the County of Cape May has provided a Resolution approving the street closures for this event; and

WHEREAS, Cape May Running, LLC has met with the Lower Township Police Department and they have approved the proposed event route.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that permission is hereby granted for the above stated event to take place.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on September 7, 2022.

Julie A Picard, Township Clerk

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

No. 563-22

**RESOLUTION AUTHORIZING AN INDEMNIFICATION AGREEMENT WITH
CAPE MAY RUNNING CO. FOR ITS BEACH TO BREWERY 10K
ON SEPTEMBER 17, 2022**

WHEREAS, Cape May Running Co. seeks authorization and permission to conduct the Beach to Brewery 10K on Saturday, September 17, 2022; and

WHEREAS, a request has been made to utilize portions of Beach Avenue (County Road No. 604), Broadway/Seashore Road (County Road No. 626), Tabernacle Road (County Road No. 647), and Shunpike Road (County Road No. 649) in the City of Cape May and Township of Lower beginning at 9 a.m.; and

WHEREAS, in consideration for said authorization and permission, Cape May Running Co. executed an Indemnification Agreement in favor of the County of Cape May and submitted the required Certificate of Insurance.

NOW, THEREFORE, BE IT RESOLVED by the Cape May County Board of County Commissioners that permission is hereby granted to Cape May Running Co. to utilize portions of Beach Avenue (CR604), Broadway/Seashore Road (CR626), Tabernacle Road (CR647), and Shunpike Road (CR649) beginning at 9 a.m. on Saturday, September 19, 2020; and

BE IT FURTHER RESOLVED that permission is conditional for the Cape May Running Co., and providing to the County:

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

STATEMENT

This Resolution gives permission to Cape May Running Co. to utilize County roads for a 10K.

cc: Cape May Running Co. Lower Township
Cape May City Police Department City of Cape May
Lower Township Police Department File: Events

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

I, Kevin Lare, Clerk of the Board of County Commissioners of the County of Cape May, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Board at a meeting duly held on the _____ 23rd _____ day of

August _____ 20 22.

Signed,  Clerk of the Board /ac

RECORD OF VOTE						
Commissioners	Ayes	Nays	Abstain	Absent	Moved	Second
Mr. Desiderio	✓					
Ms. Hayes	✓					
Mr. Morey	✓				✓	
Mr. Pierson	✓					✓
Mr. Thornton				✓		

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

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

RESOLUTION #2022-286

Title: AUTHORIZATION FOR REFUND OF TAXES

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

WHEREAS, a refund is due.

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

<u>Block</u>	<u>Lot</u>	<u>Refund To</u>	<u>Reason</u>	<u>Tax</u>
494.05	16	Corelogic 3506 Bayshore Road	100% Disabled Vet	\$ 1,288.86
501	33.01	Corelogic 723 Shunpike Road	100% Disabled Vet	433.31
501	33.01	Jeffrey & Kelli Harkins 723 Shunpike Road	Veteran Deduction	250.00
362	14	Thomas Peacock 7 Sprucewood Ave	Veteran Ded & 100% Disabled	561.64
823.01	3	Thomas Swider 902 Ocean Drive #806	100% Disabled Vet & Vet Deduction	3,750.81
280	8	Corelogic 215 Pinetree Drive	100% Disabled Vet	1,768.12
505	18.13	Corelogic 8 Harvest Court	100% Disabled Vet	1,046.22
742.01	18.09	Patricia Heathcote 926 Clover Lane	100% Disabled Vet	1,929.95
282	19	James Yerk & Tracey Makins 47 Pinetree Drive	Paid by Corelogic & ACH	737.41
739	27	Jonathon Munson 794 Academy Road	Property Sold 6/22 never took off ACH	1,255.99
108	1.06	Corelogic 103 E Washington Ave	Paid by Corelogic & Title Company	419.40
508.01	2.02	Corelogic 806 Cresse Ave	Paid by Corelogic & Title Company	783.39
497.01	24	Corelogic 430 Sheridan Ave	Paid by Corelogic & Title Company	826.98

	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 September 7, 2022.

Julie A Picard, Township Clerk

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

RESOLUTION #2022-287

Title: **A RESOLUTION ESTABLISHING AN EMERGENCY FOR THE OHIO AVENUE PUMPING STATION**

WHEREAS, as per N.J.S.A.40A:11-6 Emergency Contracts, any contract may be negotiated or awarded for a contracting unit without public advertising for bids when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, an emergency occurred in the Township of Lower on August 12, 2022 at the Stormwater Pumping Station located at Ohio Avenue in Villas: this pumping station handles most of the upper part of the Villas; The main pump ceased working and it was necessary to immediately procure a pump due to this pumping station controls stormwater for that area and would affect the health, safety and welfare of Lower Township residents in the event of heavy rains; and

WHEREAS, Municipal Maintenance immediately responded and it was determined the pump was beyond repair and new pump would have to be installed and provided an estimate of \$85,083.91. Due to the supply chain issues the delivery of the equipment the Township Public Works Department will also have to rent an emergency Portable Pump to ensure the safety of our residents if a storm occurs, estimated cost is to be \$100,000.00; and

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

Appropriation #2-01-56-750-762 American Rescue Plan

Signature: *Lauren Read*
Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED that effective immediately, the Township Council of the Township of Lower, County of Cape May, State of New Jersey hereby establishes an emergency in the Township of Lower and authorizes Gary Douglass, CPWM to take any necessary steps to resolve the situation.

	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 September 7, 2022.

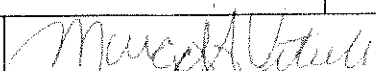
Julie A Picard, Township Clerk

N.J. Division of Local Government Services

EMERGENCY PROCUREMENT REPORT

This report is to be filed by the contracting agent of the public agency with the Director of the Division of Local Government Services within 30 days of the date the emergency contract was issued. Please provide the necessary information to satisfactorily complete the report. Refer to the Instructions accompanying this form and the statutory and regulatory citations on the reverse of this form.

This form is designed to be completed using Microsoft Word; if not completed that way, please print it out.

1. Name of Public Agency:	Township of Lower	County:	Cape May
2. Date Emergency occurred:	8-12-2022	Time emergency occurred:	10:30 a.m.
3. Date emergency declared:	8-12-2022	Time emergency declared:	same
4. Agency/department responsible for determining there was an emergency:	Department of Public Works		
5. Name and title of the official in charge of that agency:	Gary Douglass CPWM Superintendent of Public Works		
6. Describe the condition or circumstance pertaining to the emergency (attach additional sheets if necessary): Stormwater Pumping Station located at Ohio Avenue in Villas: This pumping station handles most of the upper part of the Villas. The Pump ceased working and was necessary to be replaced immediately due to the heavy rainfall forecast and the pump station controls stormwater. Municipal Maintenance immediately responded and it was determined the pump was beyond repair and new pump would have to be ordered upon delivery installed. Due to the supply chain issues the delivery the Township will also have to rent an emergency Portable Pump to ensure the safety of our residents if a storm occurs, cost to be determined.			
7. Name and title of the individual who determined the matter was an emergency and authorized award of contract(s):	Gary Douglass, CPWM		
8. The total (or estimated) cost of providing the goods or performing services was:	\$100,000.00		
9. List the names the contractors/suppliers receiving 25% or more of the contracts awarded under the emergency:			
Municipal Maitenance Inc.			
10. When was the notification reduced to writing and filed with the purchasing agent?	8-12-2022		
11. Has the public agency adopted a "chain of command" procedure pursuant to N.J.A.C.5:34-6.1?	Yes		
This report was completed by (name and title):		Margaret Vitelli, QPA	
Name and Address of agency contact person:		Margaret Vitelli, QPA	
Signature:		Date:	8-12-2022

Submit by mail or fax to:
 Director, Division of Local Government Services
 P.O. Box 803
 Trenton, New Jersey 08625-0803
 Fax: 609-633-6243

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

RESOLUTION #2022-288

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

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

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

SECTION 1.

NOW, THEREFORE BE IT RESOLVED that the Township of Lower, County of Cape May, hereby requests the Director of the Division of Local Government Services to approve the increase of \$10,000 for an item of revenue in the budget of the year 2022 as follows:

Miscellaneous Revenues –
 Revenue Offset with Appropriations - **Emergency Management Performance Grant**
 Total with increase to be **\$ 10,000.00**

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$10,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations –
 Public & Private Programs Offset by Revenues - **Emergency Management Performance Grant**
 State/Federal Share \$ 10,000.00
 Non State Share \$
 Total with increase to be \$ 10,000.00

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

	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 September 7, 2022.

Julie A Picard, Township Clerk

STATE OF NEW JERSEY
 Department of the Treasury
 New Jersey Comprehensive Financial System
 PO BOX 221
 Trenton, NJ 08625-0221

Payment Details

Vendor Name:	LOWER TWP TREASURER
Vendor Code:	XXXXX5700(99)
Payment Type:	ACH
Check Number:	1208180308
Payment Date:	Thursday, August 18, 2022
Check Total:	\$10,000.00

Payment Line Details

Trans Code:	UA
Voucher Agency:	LAW AND PUBLIC SAFETY
Voucher Number:	1200DG14636
Payee Reference:	EMAA2021PW505-EMPG-EMAA21
Line Number:	01
Line Amount:	\$10,000.00
Disbursed Amount:	\$10,000.00

Additional Information

Budget Fiscal Year:	2021
Fund:	100
Agency:	LAW AND PUBLIC SAFETY
Organization:	NEW JERSEY STATE POLICE
Appr Unit:	726
Object:	6120
Revenue Source:	N/A
Purchase Order #:	N/A
Contract Number:	N/A
CFDA Number:	97.042
CFDA Description:	EMERGENCY MANAGEMENT PERFORMANCE GRANTS

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

RESOLUTION #2022-289

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

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

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

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

1. An emergency appropriation is hereby made for the preparation of approved tax maps in the Township of Lower in the total amount of \$120,000.
2. That the emergency appropriation shall be provided for in the budgets of the next five (5) succeeding years by the inclusion of not less than \$24,000.
3. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services; however, no approval is required from the Division.

	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 September 7, 2022.

Julie A Picard, Township Clerk

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

RESOLUTION #2022-290

Title: APPROVAL OF CHANGE ORDER #1 FOR ADDITIONAL TAX YEARS 2018 THROUGH 2022 FOR PREPARATION AND DELIVERY OF APPROVED TAX MAP

WHEREAS, Van Note Harvey and Associates has been approved by Resolution #2017-281 on October 16, 2017 to provide Professional Services for the Preparation of an Approved Tax Map to year end of 2017 for \$731,000.00; and

WHEREAS, Van Note Harvey and Associates provided a proposal for \$120,000.00 for the additional Tax Years 2018 through 2022 to the Digital Tax Map; and

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

Appropriation: 2-01-56-910-226

Signature: *Lauren Read*
Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Change Order #1 for Van Note Harvey and Associates is hereby approved to increase the contract total to \$851,000.00.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on September 7, 2022.

Julie A Picard, Township Clerk

van note - harvey

211 Bayberry Drive, Suite 2-E
Cape May Court House, New Jersey 08210
609-465-2600 Fax: 609-465-8028
NJ Authorization #24GA28271300
www.vannoteharvey.com



Since 1894

August 24, 2022

VNHA File: 43227-070-10

Jennifer Dowe, CTA, CFM, Tax Assessor
Lower Township
2600 Bayshore Road
Villas, NJ 08251

RE: Proposal for additional services for Preparation and Delivery of Approved Tax Maps for Lower Township through Calendar Year 2022

Dear Ms. Dowe:

We are pleased to submit this proposal to Lower Township for the additional services necessary for preparation of new digital format tax map which includes submission to and approval by the New Jersey Division of Taxation, Property Administration, Local Assessment Compliance (hereafter the Division) through and including calendar year 2022.

PROJECT UNDERSTANDING

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

Van Note-Harvey Associates currently has a contract with Lower Township to prepare this new tax map based upon tax years thru 2017. While this tax map was being prepared, an excessive amount of anomalies such as title around the Cape May Canal and historic South Cape May streets have expanded the time to complete the original mapping, coupled with the COVID-19 pandemic created new procedures and processes added within the New Jersey Division of Taxation which has caused the original mapping to extend into 2022. This proposal is to continue the original services to include tax years 2018 through and including 2022 thereby providing a new tax map that is current through tax year 2022.

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

QUALIFICATIONS

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

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

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

DELIVERABLES

The deliverables for the new digital tax map are:

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

FEE

The fee to complete the original New Digital Tax Map, was and is seven hundred thirty-one thousand dollars (\$731,000.00) through tax year 2017, but does not include the tax years 2018 through 2022. There is still \$8,107.29 of work in process to be invoiced.

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

The fee for the additional tax years 2018 through 2022 to the Digital Tax Map is a not to exceed fee of one hundred twenty thousand dollars (\$120,000.00) based upon the map maintenance changes information that you provide to me covering tax years 2018 through 2021 and a best guess as to what will be needed for 2022. All deliverables, coordination and progress copies are included in the not to exceed fee.

ASSUMPTIONS

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

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

BILLING RATE SCHEDULE

(Effective January 1, 2022)

<u>JOB CLASSIFICATION</u>	<u>BILLING RATE</u>
Sr. Principal	\$185.00
Principal	\$184.00
Sr. Project Coordinator	\$179.00
Project Coordinator	\$168.00
Sr. Project Manager	\$153.00
Project Manager	\$152.00
Sr. Project Engineer	\$147.00
Project Engineer	\$145.00
Engineer	\$120.00
Sr. Designer	\$118.50
Designer	\$112.50
Sr. Drafter	\$108.50
Drafter	\$ 95.00
Drafting Technician	\$ 70.50
Sr. Environmental Specialist	\$120.50
Environmental Specialist	\$114.00
Environmental Technician	\$ 79.00
Sr. Construction Observer	\$106.00
Construction Observer	\$100.00
Survey Supervisor	\$143.00
Chief of Survey Party	\$122.00 *
Transitperson	\$ 87.00 *
Rodperson	\$ 66.00 *
Sr. Survey Technician	\$127.00

Survey Technician	\$123.50
Survey D/P Technician	\$122.00
Landscape Architect	\$105.50
Sr. Hydrogeologist	\$138.00
Hydrogeologist	\$134.50
Sr. GIS Specialist	\$142.50
GIS Specialist	\$112.50
Executive Secretary	\$ 83.00
Sr. Technical Typist/Secretary	\$ 82.00
Technical Typist/Secretary	\$ 73.00
Admin. Assistant	\$ 73.00
Data Process. Supervisor	\$ 83.00
Data Process. Tech	\$ 82.00

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

b) Costs of plan reproduction will be provided on a direct charge basis in addition to the fees quoted, If plans are reproduced in this office, representative reproduction costs are:

- \$ 3.00 for a 24" X 36" blue line print
- \$ 20.00 for a 24" X 36" reproducible plastic
- \$ 3.00 for a 30" X 42" blue line print
- \$ 20.00 for a 30" X 42" reproducible plastic
- \$ 0.10 for an 8 1/2" X 11" (letter size) copy

c) Coordination prints between owner, and Van Note-Harvey Associates are included in the fees quoted.

d) The fees quoted and schedule indicated assume that this proposal will be accepted and returned within 30 days. If the proposal is accepted after this 30-day period, the fee and schedule may be subject to change.

e) The services provided will address the regulatory requirements in effect on this date, services required by new rules and regulations shall be considered additional services.

f) The services provided do not anticipate any identification, delineation, mapping, nor involvement with New Jersey Saltwater, Freshwater Wetlands or transition areas.

g) The fees assume that all correspondence, plans, etc., relative to the project will be transmitted utilizing regular postal mail or e-mail. Express mail, airborne, overnight mail or hand deliveries will be provided was a direct charge without markup.

h) Application fees and filing fees, if any, will be the responsibility of the applicant.

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

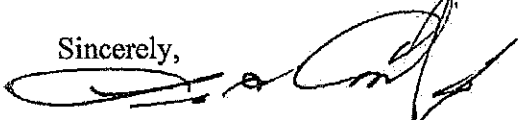
TIME FOR COMPLETION

It is difficult to estimate a time for completion (certification of the maps) at this time as we have no control over the time for review by the Division of Taxation. Van Note-Harvey Associates anticipates the completion of their work by the end of 2022.

The team that has been selected for this project will be headed by myself as overall project coordinator with the direct support and assistance of Donald E. Fetzer, P.E., President and CEO of Van Note-Harvey Associates as Principal in Charge to dedicate the resources of the firm, Thomas B. Park, P.L.S., a 40-year veteran licensed land surveyor in our Court House Office will be the Tax Map Manager for the project.

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

Sincerely,



Lewis H. Conley, Jr. P.L.S., P.P.
Vice President

LHC:lhc

- c: Lauren Read, CFO Lower Twp. (via email)
- Tom Park, PLS, (via email)
- Jim Verna, (via email)

- Camille Fitzmartin (via email)

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

ORDINANCE #2022-10

Title: **AN ORDINANCE AMENDING CHAPTER 592, TAXATION, OF THE CODE OF THE TOWNSHIP OF LOWER, TO IMPOSE A MUNICIPAL OCCUPANCY TAX OF 3% ON HOTELS, MOTELS AND OTHER TRANSIENT ACCOMMODATIONS**

WHEREAS, on August 9, 2019, pursuant to N.J.S.A. 40:48F-1, the State of New Jersey enacted legislation authorizing municipalities to impose a municipal occupancy tax of not to exceed 3% for the rental of hotel and motel rooms and other transient accommodations; and

WHEREAS, the Township Council of the Township of Lower recognizes the exponential growth of the transient rental marketplace over the course of the past several years and the impact that same has had on Township resources and on the public; and

WHEREAS, the Township Council of the Township of Lower has evaluated the applicable municipal occupancy tax regulations and has determined that it is appropriate, and in the best interests of the Township, that the Township of Lower impose a municipal occupancy tax of 3% on all hotel, motel, and other transient accommodations rentals in accordance with the provisions of N.J.S.A. 40:48F-1 et seq.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Chapter 592, Taxation, of the Code of the Township of Lower, be and hereby is amended as follows:

Section 1. Chapter 592, Taxation, Article III, Municipal Occupancy Tax, is hereby enacted as follows:

§ 592-18 Purpose; Statutory Authority.

It is the purpose of this section to implement the provisions of P.L. 2003, c. 114, as amended by P.L. 2018, c. 49,[1], which authorizes the governing body of a municipality to adopt an Ordinance imposing a tax at a uniform percentage rate not to exceed 3% on charges of rent for every occupancy of a room or rooms in a hotel, motel, or transient accommodation subject to taxation pursuant to Subsection (d) of N.J.S.A. 54:32B-3, which shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon the occupancy of a hotel or motel room or transient accommodation.

§ 592-19 Definitions.

The definitions set forth within N.J.S.A. 54:32B-2 are incorporated herein by reference.

§ 592-20 Tax imposed.

There is hereby established a hotel and motel and transient accommodation municipal occupancy tax in the Township of Lower which shall be fixed at a uniform percentage rate of 3% on charges of rent for every occupancy of a hotel or motel room or transient accommodation in the Township of Lower that is subject to taxation pursuant to Subsection (d) of Section 3 of P.L. 1966, c. 30, N.J.S.A. 54:32B-3 (sales tax).

§ 592-21 Tax is in addition to other taxes and fees.

The hotel and motel room and transient accommodation occupancy tax shall be in addition to any other tax or fee imposed pursuant to state statute or local ordinance or resolution by any governmental entity upon the occupancy of a hotel or motel room or transient accommodation.

§ 592-22 Exemptions.

The hotel and motel room and transient accommodation municipal occupancy tax authorized herein shall not be imposed on the rent collected in connection with the occupancy of a hotel, motel, or transient accommodation if the purchaser, user or consumer is an entity exempt from the tax imposed on an occupancy under the Sales and Use Tax Act pursuant to Subsection (a) of Section 9 of P.L. 1966, c. 30 (N.J.S.A. 54:32B-9). Furthermore, a "transient accommodation" subject to this tax shall include those entities defined as "transient accommodations" and rentals which are obtained through a "transient space marketplace" as set forth within N.J.S.A. 40:48E-2 and shall not include those entities which are specifically excluded by definition.

§ 592-23 Regulations pertaining to vendors; violations and penalties.

In accordance with the requirements of P.L. 2003, c. 114:

- A. All taxes imposed by this article shall be paid by the purchaser.
- B. A vendor shall not assume or absorb any tax imposed by this article.
- C. A vendor shall not in any manner advertise or hold out to any person or to the public in general, in any manner, directly or indirectly, that the tax will be assumed or absorbed by the vendor, that the tax will not be separately charged and stated to the customer, or that the tax will be refunded to the customer.
- D. Each assumption or absorption by a vendor of the tax shall be deemed a separate offense, and each representation or advertisement by a vendor for each day that the representation or advertisement continues shall be deemed a separate offense.
- E. The penalty for violation of the foregoing provisions shall be as set forth in Chapter 1, Article III, General Penalty, for each offense.

§ 592-23 Collection of Tax.

The tax imposed by this article shall be collected on behalf of the Township by the person collecting the rent from the hotel or motel or transient accommodation customer. Each person required to collect the tax herein imposed shall be personally liable for the tax imposed, collected or required to be collected hereunder. Any such person shall have the same right in respect to collecting the tax from a customer as if the tax were a part of the rent and payable at the same time; provided that the Chief Financial Officer of the Township shall be joined as a party in any action or proceeding brought to collect the tax.

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. A copy of this Ordinance shall be transmitted upon adoption or amendment to the New Jersey Division of Taxation, Office of Legislative Analysis, P.O. Box 240, Trenton, New Jersey 08695-0240. The tax provisions of this Ordinance shall take effect on the first day of the first full month following 90 days after the Division has received the adopted Ordinance.

Thomas Conrad, Councilmember

Kevin Coombs, Councilmember

Roland Roy, Jr., Councilmember

Dave Perry, Deputy Mayor

Frank Sippel, Mayor

First Reading: September 7, 2022

Adopted:

Attest: _____
Julie A Picard, Township Clerk

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

ORDINANCE #2022-11

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

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Township of Lower as follows:

1. Pursuant to N.J.S.A. 40A:4-53, the sum of \$731,000 is hereby appropriated for the purpose of preparing an approved tax map.
2. Such appropriation qualifies as a special emergency as defined and provided for in N.J.S.A: 4-53.
3. That the emergency appropriation shall be provided for in the annual budgets of the next succeeding five (5) years by the inclusion of an amount of not less than \$146,200 (N.J.S.A. 40A: 4-55).
4. That two copies of this Ordinance and any Resolution passed pursuant to N.J.S.A. 40A:4-53 shall be filed with the Director of the Division of Local Government Services.
5. This Ordinance shall take effect immediately upon final passage and publication.

First Reading: September 7, 2022

Thomas Conrad, Councilmember

Adoption:

Kevin Coombs, Councilmember

Attest: _____

Roland Roy, Jr.

David Perry, Deputy Mayor

Frank Sippel, Mayor

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

ORDINANCE #2022-09

AN ORDINANCE AMENDING CHAPTER SEVEN ENTITLED "TRAFFIC" OF
THE GENERAL ORDINANCES OF THE TOWNSHIP OF LOWER

BE IT ORDAINED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Chapter 7, Traffic of the General Ordinances of the Township of Lower is hereby amended and supplemented as follows:

SECTION 1. Schedule XVIII of Section 7 -13 No-Passing Zones is hereby amended to include the following streets:

<u>Name of Street</u>	<u>Location</u>
New England Road	from Bayshore Road to Higbee Beach

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 immediately upon final passage and publication, according to law after approval by the Commissioner of Transportation.

Thomas Conrad, Councilmember

1st Reading: August 15, 2022

Kevin Coombs, Councilmember

2nd Reading:

Roland Roy, Councilmember

Attest: _____
Julie A Picard, Township Clerk

David Perry, Deputy Mayor

Frank Sippel, Mayor

