

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

**Meeting called to order**

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

**Work Session**

Presentations - Doctor Joseph Salvatore; Annie Salvatore – Mayor Sippel

Presentation to Council – Fire District #2 – Fire Commissioner Lew Conley

**Consent Agenda**

Approval of Minutes – Jan 19, 2021 Regular & Closed

- Res. #2022-73 Authorization for the Payment of Vouchers \$ 960,830.58
- Res. #2022-74 Re-Appointment to the Municipal Utilities Authority Board (M.Lambert)
- Res. #2022-75 Transfer of 2021 Appropriations
- Res. #2022-76 Authorization for the Payout of Accumulated Compensatory Time (M.Harkin \$4,892.04)
- Res. #2022-77 A Resolution Addressing the Local Disaster/Emergency Declaration in the Township of Lower In Response to Winter Storm Kenan
- Res. #2022-78 Approving a Professional Service Contract with DeBlasio & Associates for the Construction Phase of Reconstruction of Delaware Bay Drive, Millman Lane, Delaware Avenue and Atlantic Avenue (\$48,000)
- Res. #2022-79 Approving a Professional Service Contract with DeBlasio & Associates for the Construction Phase of the Reconstruction of Wilson Drive, 1<sup>st</sup> Avenue, 2<sup>nd</sup> Avenue and 3<sup>rd</sup> Avenue Project in the amount of \$29,000
- Res. #2022-80 A Resolution Authorizing the Execution of a Mutual Release and Settlement Agreement and the Payment of Funds to Settle a Property Damage Claim
- Res. #2022-81 Authorizing the Transfer of a Limousine Vehicle License
- Res. #2022-82 Approval of 2022 Rotary Towing Licenses
- Res. #2022-83 Authorization for Refund of Taxes

**Regular Agenda**

Ordinance #2022-01 – An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.S.40A:4-15:14). This is the second reading and public hearing of this Ordinance. This Ordinance has been published, posted and made available to the public.

- Res. #2022-84 Approval of An Alcoholic Beverage Control License Place to Place Transfer – Expansion of Licensed Premises – License #0505-33-004-005 Spicer Creek North, Inc t/a Mayer's

**Manager's Report**

**Public Comment**

**Council Comments**

**Adjourn**

## COUNCIL MEETING MINUTES – January 19, 2022

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on January 19, 2022 at 7:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

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

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

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

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

### Work Session

#### Consent Agenda

Approval of Minutes – January 3, 2022

- Res. #2022-61 Authorization for the payment of vouchers \$234,874.13
- Res. #2022-62 Authorizations for Refund of Taxes
- Res. #2022-63 Authorizing Payment of 2022 County Taxes (First Quarter) and 2021 Added Taxes
- Res. #2022-64 Appointment of Keith Bonchi, Esq. as Tax Foreclosure Attorney for the Township of Lower as a Professional Service Contract without Public Bidding
- Res. #2022-65 A Resolution Awarding a Professional Service Contract without Public Bidding to Surenian, Edwards & Nolan, LLC to Serve as Special Counsel to the Township of Lower for Affordable Housing Matters/Litigation (NTE \$25,000)
- Res. #2022-66 Approval of a Secondhand Merchant and Dealer of Precious Metals License
- Res. #2022-67 A Resolution Awarding a Professional Service Contract without Bidding to Thomas Planning Associates, LLC to serve as the Professional Planner to the Township of Lower for Affording Housing Matters/Litigation (NTE \$16,000)
- Res. #2022-68 Final Year Contract Award to Provide the 2022 Fireworks Show Including the Barge to S. Vitale Pyrotecnico Industries, Inc. (\$53,100 w Rain Delay Terms \$7,685.)
- Res. #2022-69 A Resolution Awarding a Contract to Cape Mining and Recycling, LLC for the Removal and Disposal of Woodchips Located at the Municipal Utility Authority on an As Needed Basis
- Res. #2022-70 Authorization for 2021 Incentive Award for Insurance Waiver (C.Vanaman \$1,825.)
- Res. #2022-71 Issuance of 2022 Taxi, Limousine and Operator Licenses

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

### Regular Agenda

#### Engineer Report

Cody Stanford gave Council an update on the current engineering projects being handled by DeBlasio & Assoc., including: Reconstruction of Wilson Drive; NJDEP CAFRA permit application; Cloverdale, Evergreen and Spruce Avenues Storm Sewer Improvements; Clem Mulligan Sports Complex Renovations; Reconstruction of Atlantic, Howland, Millman and Mowery Avenues; Millman Center Improvements; and Reconstruction of Fire Lane.

Manager Laffey gave Council an update on the status of the Seaview Avenue Drainage Improvements.

**Manager's Report** – no further comments

**Monthly Report**

Clerk, Construction, Dog, Tax, Vital  
Annual Report on Variances heard by Zoning Board – 2021  
2021 Tax Collector Year End Report

**Public Comment** – no comments

**Council Comments**

Councilmember Conrad pointed out that projects are being delayed due to weather and encouraged everyone to stay safe.

Councilmember Coombs inquired about fencing around Clem Mulligan Sports Complex and expressed a desire to do the same for Jonathan Hoffman Park. Cody Stanford responded. Manager Laffey agreed to look into the matter.

Councilmember Roy encouraged residents to stay safe and healthy.

Mayor Sippel commented on the 2021 Tax Collector Year End Report and commended the Tax Collector for an outstanding collection rate. Manager Laffey agreed.

Deputy Mayor Perry commented on infrastructure projects throughout the Township.

Manager Laffey commented on the positive trend with Inspira as the Township's EMS provider.

**Closed Session**

Res. #2022-72 Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12. **Attorney-Client Privilege**

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

Council adjourned to Closed Session at 7:14 p.m.

Council returned to Open Session at 7:53 p.m.

**Adjournment**

There being no further business to address, motion to adjourn moved by Councilmember Conrad, seconded by Councilmember Roy. Motion to adjourn was unanimous. Meeting adjourned at 7:54 p.m.

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Mayor

\_\_\_\_\_  
Township Clerk

Approved:



Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00784	CAPE MAY STAR & WAVE				Continued				
		22-00321	02/01/22	Legals 1/26/2022	Open	<u>159.50</u>	0.00		
						443.16			
00825	COMCAST*								
		22-00171	01/18/22	FS Comcast 12.28 1.27	Open	121.26	0.00		
		22-00285	01/28/22	INTERNET(ALL) 1/15-2/14/22	Open	<u>1,068.14</u>	0.00		
						1,189.40			
01125	MARGARET CROMPTON								
		22-00072	01/10/22	22 CONTRACTUAL REIMBURSMENT M	Open	100.00	0.00		B
01170	VERIZON WIRELESS* F/S								
		22-00176	01/18/22	FS verizon 11.27 12.28	Open	167.76	0.00		
01200	DELTA DENTAL PLAN OF NJ								
		22-00319	02/01/22	Jan 2022 Dental Admin	Open	1,362.20	0.00		
01201	DELL CORPORATION*								
		22-00266	01/25/22	OFFICE 2021 10 LICENSES	Open	2,324.90	0.00		
01239	DIANA L DeNOTE								
		22-00225	01/20/22	CONTRACTUAL REIMBURSEMENT M	Open	1,782.00	0.00		
01267	EDWARD DONOHUE								
		22-00324	02/01/22	CONTRACTUAL REIMBUSREMENT M	Open	55.99	0.00		
01480	E-Z PASS								
		22-00178	01/18/22	Balance refresh FS	Open	100.00	0.00		
		22-00282	01/26/22	BOCA REPLENISH 1/12/22	Open	<u>200.00</u>	0.00		PCI
						300.00			
01653	GENTILINI FORD*								
		22-00116	01/11/22	PARTS FOR TRUCKS/DPW/FEB	Open	504.60	0.00		
		22-00259	01/24/22	PARTS FR VECHICLES/DPW	Open	<u>2,113.88</u>	0.00		
						2,618.48			
01685	W.W GRAINGER, INC.*								
		22-00091	01/11/22	UV LIGHTS	Open	64.26	0.00		
01741	GENTILINI CHEVROLET, LLC*								
		22-00115	01/11/22	PARTS FOR TRUCKS/FEB	Open	22.67	0.00		
01806	ANTHONY J HARVATT, II, ESQ								
		22-00094	01/11/22	ZBA SOLICITOR SALARY	Open	625.00	0.00		
01974	I.A.C.P MEMBERSHIP*								
		22-00274	01/25/22	IACP MEMBERSHIP	Open	190.00	0.00		
02025	HUNTER JERSEY PETERBILT*								
		22-00121	01/11/22	PARTS FOR TRUCKS/DPW /JAN	Open	2,879.02	0.00		

Vendor #	Name	Status	Amount	Void Amount	Contract	PO Type
PO #	PO Date Description					
02097	LACAL EQUIPMENT INC					
21-03254	12/30/21 LEAF VAC PARTS	Open	4,020.29	0.00		
02247	LAWSON PRODUCTS, INC.*					
22-00127	01/11/22 SUPPLIES FOR GARAGE	Open	699.94	0.00		
02248	LAWMEN SUPPLY*					
21-03224	12/28/21 SLINGS	Open	181.00	0.00		
02349	ROBERT LUBBERMAN					
22-00164	01/14/22 ELKS/BEHELER TOURNAMENT	Open	240.00	0.00		
02402	MGL PRINTING SOLUTIONS					
21-03203	12/22/21 OFFICE SUPPLIES	Open	1,597.00	0.00		
02538	MARSH & MCLENNAN AGENCY, LLC*					
22-00069	01/10/22 RES 2022-12 MONTHLY DNE\$43517.	Open	3,626.41	0.00		B
02632	N.J PLANNING OFFICIALS*					
22-00028	01/06/22 MEMBERSHIP DUES	Open	440.00	0.00		
02661	KENNETH J. MCGURK					
22-00227	01/20/22 CONTRACTUAL REIMBURSEMENT M	Open	2,163.06	0.00		
02677	KAREN F. WOLF					
22-00302	01/28/22 CONTRACTUAL REIMBURSEMENT V	Open	202.00	0.00		
02714	MITCHELL HUMPHREY*					
22-00307	02/01/22 MAINT FEE 2/1/22-1/31/23	Open	4,480.00	0.00		
02725	THOMAS MILLS					
21-03207	12/23/21 Inspections Performed 12/20/21	Open	84.69	0.00		
22-00314	02/01/22 INSPECTIONS 1/25 & 1/27/22	Open	<u>225.84</u>	0.00		
			310.53			
02800	MURPHY FENCE COMPANY*					
21-02488	10/12/21 REPAIR FENCING ROSEANN PUMP	Open	1,336.77	0.00		
02991	NJ CONFERENCE OF MAYORS					
22-00097	01/11/22 2022 MEMBERSHIP DUES	Open	510.00	0.00		
03026	NJ STATE HEALTH BENEFITS					
22-00317	02/01/22 FEB 2022 NJSHBP ACTIVE	Open	206,646.12	0.00		
22-00318	02/01/22 FEB 2022 NJSHBP RETIREE	Open	<u>106,473.69</u>	0.00		
			313,119.81			
03086	NJ STATE ASSN CHIEFS OF POL*					
22-00083	01/11/22 ACCREDITATION 2 OF 3	Open	1,667.00	0.00		
22-00092	01/11/22 ANNUAL DUES & APPLICATION FEE	Open	<u>475.00</u>	0.00		
			2,142.00			
03104	NORTHEAST IND.&MARINE SUPPLY*					
22-00199	01/19/22 MATERIAL/DPW	Open	580.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03280	PARAMOUNT SANITARY SUPPLY*	22-00101	01/11/22	LYSOL SPRAY AND DISINFECTANT	Open	157.33	0.00		
03293	BLAINE PAYNTER	22-00323	02/01/22	CONTRACTUAL REIMBURSEMENT M	Open	25.00	0.00		
03305	PEDRONI FUEL*	22-00262	01/24/22	NO LEAD GAS	Open	1,097.71	0.00		
03321	PATRICK MARTIN, ESQ	22-00026	01/06/22	CONFLICT PROSECUTOR	Open	250.00	0.00		
03365	LYNN JEFFERIS	22-00284	01/27/22	CONTRACTUAL REIMBURSEMENT M	Open	515.50	0.00		
03387	POGUE INC. *	22-00118	01/11/22	SAFETY AND HEALTH CONSORTIUM	Open	2,784.00	0.00		
03427	POLAR BEAR MECHANICAL SERVICES	22-00165	01/18/22	TOWNHALL HVAC REPAIRS/BLANKET	Open	270.00	0.00		B
		22-00166	01/18/22	SEMI ANNUAL 11/1/21-10/31/22	Open	779.50	0.00		
						1,049.50			
03449	EUROFINS QC INC*	21-01071	05/11/21	2021 SEASONAL POOL CONTRACT	Open	2,000.00	0.00		
03537	RUTGERS, THE STATE UNIVERSITY*	22-00099	01/11/22	Property Tax Admin 2	Open	760.00	0.00		
03608	SEAWAVE CORPORATION*	22-00135	01/11/22	FS mail in ballots	Open	302.72	0.00		
03611	SERVICE TIRE TRUCK CENTERS*	22-00143	01/12/22	TIRES/RDS/SANT/RECY/DPW/JAN	Open	6,546.04	0.00		
03637	SHOPPE	21-03023	12/01/21	Vet Parade Advertise	Open	165.00	0.00		
03688	SOUTHERN NJ CHAPTER NIGP*	22-00095	01/11/22	2022 MEMBERSHIP SJNIGP	Open	100.00	0.00		
03692	SOUTH JERSEY GAS CO*	22-00315	02/01/22	12/18-1/20/22 NATURAL GAS	Open	10,005.89	0.00		
03764	TCTANJ	22-00040	01/07/22	2022 ANNUAL MEMBERSHIP-CFO	Open	100.00	0.00		
		22-00263	01/24/22	BROWN, BREWSTER MEMBERSHIP	Open	200.00	0.00		
						300.00			
03765	TAX COLL&TREAS ASSN OF C M C*	22-00185	01/18/22	Tax Collector & Treasurer Asso	Open	100.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03785	TOM THALER SIGNS*	21-03093	12/10/21	4X6 FISHING CREEK SCHOOL SIGN	Open	3,995.00	0.00		
03810	MUNICIPAL UTIL AUTH USAGE COST	22-00152	01/14/22	SEWER 1/1-12/31/22	Open	4,960.00	0.00		
03820	MUNICIPAL UTIIL. AUTH ON CALL	21-03143	12/15/21	REIMBURSE HALF BI/ENCUMBER/DEC	Open	169.63	0.00		
03904	LOWE'S HOME CENTER INC*	22-00128	01/11/22	SUPPLIES FOR BUILDING/DPW/JAN	Open	475.30	0.00		
		22-00232	01/20/22	CALCIUM CHLORIDE	Open	199.30	0.00		
						674.60			
03947	VFIS*	22-00146	01/12/22	FS Insurance	Open	12,172.60	0.00		
03969	VERIZON	22-00203	01/19/22	LANDLINES 1/13/22-2/12/22	Open	42.66	0.00		
03992	VAL-U AUTO PARTS LLC*	22-00141	01/12/22	RDS/SANT/RECY/DPW/JAN	Open	2,318.44	0.00		
03995	VITAL COMMUNICATIONS, INC.*	22-00187	01/18/22	Estimated Billing Update	Open	100.00	0.00		
04057	ELLEN WILL	22-00340	02/02/22	CONTRACTUAL REIMBURSEMENT M	Open	830.00	0.00		B
		22-00341	02/02/22	CONTRACTUAL REIMBURSEMENT M	Open	110.54	0.00		
						940.54			
04059	THOMAS WILL	22-00338	02/02/22	CONTRACTUAL REIMBURSEMENT M	Open	127.04	0.00		B
		22-00339	02/02/22	CONTRACTUAL REIMBURSEMENT M	Open	830.00	0.00		
						957.04			
04075	BARBER CONSULTING SERVICES LLC	22-00137	01/11/22	FS BCS contract	Open	1,750.00	0.00		
		22-00201	01/19/22	FS icloud backup 2022	Open	125.00	0.00		
						1,875.00			
04085	CHRISTOPHER WINTER (EMPLOYEE)	22-00235	01/21/22	CONTRACTUAL REIMBURSEMENT M	Open	23.14	0.00		
04097	CINTAS FIRST AID AND SAFETY*	22-00169	01/18/22	FIRST AID SUPPLIES/DPW	Open	135.71	0.00		
		22-00175	01/18/22	MEDICAL CABINET REFILL JAN '22	Open	21.85	0.00		
		22-00188	01/18/22	TOWNHALL FIRST AID 1/13/22	Open	43.90	0.00		
						201.46			
04204	ZACHARY ZELWAK	22-00226	01/20/22	CONTRACTUAL REIMBURSMENT M	Open	468.00	0.00		B

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04280	G.F.O.A. OF NJ	22-00041	01/07/22	2022 ANNUAL MEMBERSHIP-CFO	Open	90.00	0.00		
04301	SEASHORE ASPHALT CORPORATION*	22-00184	01/18/22	HP PATCH/HMA 9.5/DPW 2021invs	Open	978.13	0.00		
5013	HARBOURTOWN MARINA	21-03097	12/10/21	RETURN OF UNUSED ESCROW	Open	2,024.04	0.00		
		21-03098	12/10/21	RETURN OF UNUSED ESCROW	Open	342.52	0.00		
		21-03099	12/10/21	RETURN OF UNUSED ESCROW	Open	2,959.72	0.00		
		21-03100	12/10/21	RETURN OF UNUSED ESCROW	Open	200.00	0.00		
		21-03101	12/10/21	RETURN OF UNUSED ESCROW	Open	538.37	0.00		
						<u>6,064.65</u>			
5032	JAX LLC	22-00090	01/11/22	IN HOUSE BASKETBALL SHIRTS	Open	2,302.50	0.00		
6059	USABLE LIFE	22-00306	01/31/22	FEB 2022 LIFE INS	Open	783.20	0.00		
7079	SUBURBAN PROPANE L P*	22-00257	01/24/22	PROPANE-FREEMAN DOUGLASS	Open	799.13	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
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	21-03133	12/14/21	END OF YEAR BOXES 12/13/21	Open	107.45	0.00		
		21-03194	12/22/21	OFFICE SUPPLIES	Open	328.17	0.00		
						<u>435.62</u>			
7207	MOTOROLA SOLUTIONS	21-02452	10/05/21	PORTABLE RADIO CHARGERS	Open	760.00	0.00		
7354	FLEETPRIDE INC.*	22-00198	01/19/22	GASKET/VALVE/DPW	Open	268.67	0.00		
7456	SOUTH JERSEY WATER COND*	22-00194	01/18/22	YEARLY CHECK ON WATER SOFTENER	Open	165.00	0.00		
7475	SUZANNE M SCHEID	22-00267	01/25/22	CONTRACTUAL REIMBURSMENT M	Open	63.68	0.00		
7478	WINDSTREAM COMMUNICATION INC*	22-00204	01/19/22	1/8/22 INV 4 CLEARWATER	Open	52.52	0.00		
7483	MATT SCHELLING	22-00192	01/18/22	REIMBURS-EMPLOY FINGER 1/12/22	Open	57.38	0.00		

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7507	STEFANKIEWICZ & BELASCO LLC*								
		21-00010	01/05/21	2021-01 DNE \$116K EXPENSES	Open	5,828.29	0.00		B
		22-00062	01/10/22	RES 2022-01 DNE\$34K MONTHLY	Open	2,833.33	0.00		B
						8,661.62			
7512	DIANA LILLO								
		22-00248	01/24/22	ELKS/BEHELER TOURNAMENT	Open	80.00	0.00		
7636	MOTT MACDONALD LLC*								
		20-02222	09/23/20	ROTARY PARK IMPROVEMENT PROJEC	Open	226.00	0.00		B
		22-00251	01/24/22	PB VOUCHERS	Open	1,285.43	0.00		
						1,511.43			
7689	GOVERNMENT FORMS AND SUPPLIES*								
		21-02482	10/07/21	2022 Yard Sale Permits	Open	153.00	0.00		
7715	JOE ENGLEHERT								
		22-00157	01/14/22	ELKS/BEHELER TOURNAMENT	Open	320.00	0.00		
7751	HOFFMAN'S EXTERMINATING*								
		21-01115	05/18/21	FOLLOW UP PEST CONTROL ISSUE	Open	345.00	0.00		
		21-01116	05/18/21	FOLLOW UP- PEST -CANAL PARK	Open	470.00	0.00		
						815.00			
7772	PIONEER ATHLETICS*								
		21-03102	12/10/21	REPLACED PARTS FOR HONDA	Open	156.89	0.00		
7820	DEBLASIO & ASSOCIATES, P.C.*								
		20-01870	08/10/20	WILS DR,1ST,2ND,3RD RES 20-212	Open	5,760.00	0.00		B
		21-00694	03/22/21	RES 2021-115 CONSTRUCTION HVAC	Open	780.00	0.00		B
		21-01413	06/11/21	CLEM MULLIGAN RENOVATIONS	Open	5,991.15	0.00		
		21-01733	07/09/21	ROCHESTER AVE SURVEY/STAKEOUT	Open	187.50	0.00		B
		21-02257	09/10/21	#21-285 DESIGN ATLANTIC-HOWLAD	Open	55,700.00	0.00		B
		21-02889	11/17/21	ENGI SERVICES/MILLMAN 2021-353	Open	2,237.50	0.00		
		21-02904	11/17/21	ENGINEERING FIRE LANE 2021-351	Open	5,407.50	0.00		B
		21-02917	11/18/21	ENGIN. CLOVERDALE/EVERGREEN/SP	Open	937.50	0.00		B
		22-00250	01/24/22	PB BD. ENG. VOUCHER	Open	124.60	0.00		
						77,125.75			
7871	PLANET TECHNOLOGIES, INC*								
		21-03173	12/21/21	2022 email license renewal	Open	2,365.44	0.00		
7929	AMAZON CAPITAL SERVICES, INC*								
		21-03018	12/01/21	I-PHONE SE OTTER BOX/MITCH	Open	312.17	0.00		
		21-03222	12/28/21	AIR FILTERS	Open	810.97	0.00		
		21-03236	12/29/21	FS amazon order	Open	97.35	0.00		
		22-00096	01/11/22	SUPPLIES	Open	1,499.90	0.00		
		22-00168	01/18/22	OFFICE SUPPLIES	Open	166.91	0.00		
		22-00177	01/18/22	FS Printer,scanner	Open	699.00	0.00		
		22-00181	01/18/22	COURT OFFICE SUPPLIES	Open	93.17	0.00		
		22-00207	01/19/22	DOOR LOCKS	Open	197.93	0.00		
		22-00255	01/24/22	LACROSSE ITEMS	Open	1,544.62	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7929	AMAZON CAPITAL SERVICES, INC*				Continued				
		22-00260	01/24/22	SYLVANIA BULBS	Open	193.83	0.00		
						5,615.85			
8012	FRED LAHM								
		22-00156	01/14/22	ELKS/BEHELER TOURNAMENT	Open	120.00	0.00		
8087	COOL POOLS CONSTRUCTION LLC *								
		21-03242	12/30/21	CLOSING OF TOWNSHIP POOL	Open	600.00	0.00		
8128	SCOTT FIORE								
		22-00304	01/31/22	REIMBURSEMENT- EMPLOYEE	Open	57.38	0.00		
8168	CMRS-FP ACTT# 106000865324								
		22-00313	02/01/22	REPLENISH POSTAGE 1/28/22	Open	10,000.00	0.00		
8198	JSYWL								
		21-03241	12/30/21	2021-2022 LEAGUE FEES	Open	500.00	0.00		
8211	CONFIRE FIRE PROT SERV LLC*								
		22-00131	01/11/22	REC DEPT. - REPAIR ALARM	Open	284.00	0.00		
8240	TOM HAAS								
		22-00245	01/24/22	WRESTLING OFFICIAL 12/17/21	Open	170.00	0.00		
8253	FREDERICK PLENN								
		22-00155	01/14/22	ELKS/BEHELER TOURNAMENT	Open	360.00	0.00		
8271	QUADIENT INC								
		21-02853	11/10/21	FOLDING MACHINE REPAIR	Open	310.00	0.00		
8431	GAUDELLI BROS INC*								
		21-00478	02/22/21	RES 2021-86 HVAC UPGRADE PROJ	Open	4,968.00	0.00		
8448	STAR GENERAL CONTRACTING *								
		22-00258	01/24/22	CANAL PARK-RENTAL/CLEAN	Open	220.00	0.00		
		22-00303	01/31/22	SEPTIC PUMPING-EMERGENCY	Open	480.00	0.00		
						700.00			
8450	MIKE STRICKLAND								
		22-00154	01/14/22	ELKS/BEHELER TOURNAMENT	Open	200.00	0.00		
8459	BATTERIES PLUS BULBS #636 *								
		22-00106	01/11/22	RDS/SANT/RECY/DPW/JAN	Open	556.00	0.00		
8460	RE BUSINESS SOLUTIONS *								
		22-00268	01/25/22	POOLED 4TH QTR PRINTER MAINT	Open	1,566.29	0.00		
8517	STEWART BUSINESS SYSTEMS *								
		22-00170	01/18/22	FIRE COPIER 1/01/22-3/31/22	Open	113.85	0.00		
		22-00189	01/18/22	BOCA COPIER 1/1/22-12/31/22	Open	451.85	0.00		
		22-00190	01/18/22	1/1-12/31/22 POOLED COPIERS	Open	1,353.25	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
8517	STEWART BUSINESS SYSTEMS *				Continued				
		22-00191	01/18/22	COPIER 40373 1/3/22-1/2/23	Open	432.00	0.00		
						2,350.95			
8706	GOLDENBERG, MACKLER & SAYEGH								
		21-03118	12/13/21	RES#2021-371 TAX FORECLOSURES	Open	237.95	0.00		B
8708	GROFF TRACTOR & EQUIPMENT LLC								
		21-03089	12/09/21	PARTS FOR COUNTY BAC K HOE	Open	697.77	0.00		
8714	J.F. KIELY CONSTRUCTION CO								
		21-03205	12/23/21	RETURN OF UNUSED ESCROW	Open	7,676.91	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
8723	HOFFMAN INTERNATIONAL INC*								
		22-00035	01/06/22	PARTS FOR COUNTY EQUIPMENT	Open	1,338.17	0.00		
8728	BROOKDALE COMMUNITY COLLEGE								
		22-00172	01/18/22	TECHNICAL ASSISTANT SEMINAR	Open	519.00	0.00		
8729	BILL FIFE								
		22-00246	01/24/22	WRESTLING OFFICIAL 12/17/21	Open	170.00	0.00		
8733	EDWARD KENNEDY								
		22-00276	01/26/22	Refund Veterans Deduction	Open	250.00	0.00		
8738	RESIDENCE INN BY MARRIOTT								
		22-00310	02/01/22	HOTEL STAY FOR TRAINING	Open	250.00	0.00		
BAILEYL	LANCE BAILEY								
		22-00247	01/24/22	ELKS/BEHELER TOURNAMENT	Open	80.00	0.00		
BASILE	FRANK BASILE								
		22-00153	01/14/22	ELKS/BEHELER TOURNAMENT	Open	80.00	0.00		
BLAUE	BLAUER ASSOCIATES INC*								
		19-02385	08/28/19	SCPF ROTARY PARK RES 2019-246	Open	405.00	0.00		B
BOSNA	KAREN MANETTE BOSNA								
		22-00316	02/01/22	YOGA- MONTH OF JANUARY	Open	110.00	0.00		
CARTYW	WALLACE CARTY								
		22-00160	01/14/22	ELKS/BEHELER TOURNAMENT	Open	200.00	0.00		
EMAGAN	ED MAGAN								
		22-00161	01/14/22	ELKS/BEHELER TOURNAMENT	Open	280.00	0.00		
		22-00179	01/18/22	REFEED IN-HOUSE BASKETBALL	Open	80.00	0.00		
						360.00			
FAIR	JOHN FAIR								
		22-00163	01/14/22	ELKS/BEHELER TOURNAMENT	Open	80.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
FOURNIER	KAREN FOURNIER	22-00236	01/21/22	CONTRACTUAL REIMBURSEMENT V	Open	254.56	0.00		
G-UNITED	UNITED UNIFORMS OF NEW JERSEY	22-00309	02/01/22	ACADEMY UNIFORM - ELAM HAMPTON	Open	700.97	0.00		
HALLK	KERRY HALL	22-00159	01/14/22	ELKS/BEHELER TOURNAMENT	Open	160.00	0.00		
NATUR	THE NATURE CONSERVANCY	21-03138	12/15/21	RETURN OF PERFORMANCE BOND	Open	70,871.23	0.00		
NJPSAC	NJPSAC	22-00174	01/18/22	CALEA - DUES	Open	300.00	0.00		
REID	JOHN E REID & ASSOCIATES, INC*	21-03055	12/07/21	TRAINING JANUARY 25, 2022	Open	600.00	0.00		
ROSSIS	STEVEN ROSSI	22-00158	01/14/22	ELKS/BEHELER TOURNAMENT	Open	200.00	0.00		
SEAGE	SEAGEAR MARINE SUPPLY*	21-03238	12/29/21	JACKETS/DPW	Open	499.97	0.00		
SIXSM	LLOYD SIXSMITH*	21-03108	12/10/21	REC SHIRTS/NEW EMPLOYEE	Open	70.90	0.00		
SWD	SMITH'S WELL DRILLING	22-00173	01/18/22	INSTALLED TANK AND CONTROL BOX	Open	2,500.00	0.00		
TREE BAR	THE TREE BARBER	21-03086	12/09/21	HOLIDAY/CHRISTMAS LIGHTING	Open	3,600.00	0.00		
Total Purchase Orders: 193					Total P.O. Line Items: 0	Total List Amount: 958,567.06	Total Void Amount: 0.00		

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

RESOLUTION #2022- 73

Title: **AUTHORIZING THE PAYMENT OF VOUCHERS**

<u>Vendor</u> LYNN SCALI	<u>Description</u> PAID WRONG LOT	<u>Amount</u> \$2263.52
-----------------------------	--------------------------------------	----------------------------

TOTAL Manual Checks                      \$2263.52

TOTAL Computer Generated                \$958,567.06

TOTAL BILL                                      \$960,830.58

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
COOMBS						
ROY						
PERRY						
SIPPEL						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on FEB ,07 2022.

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

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

RESOLUTION #2022-74

Title: REAPPOINTMENT TO THE MUNICIPAL UTILITIES AUTHORITY BOARD

WHEREAS, Marc Lambert's term on the Municipal Utilities Authority Board expired on February 1, 2022 and he has requested to be re-appointed; and

WHEREAS, Council has reviewed the applications on file with the Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the following individual is hereby re-appointed to serve on the Municipal Utilities Authority Board:

<u>Name</u>	<u>Type</u>	<u>Term Exp.</u>
Marc Lambert	Regular Member	February, 2027

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

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

Julie A Picard, Township Clerk

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

**RESOLUTION #2022-75**

Title: **TRANSFER OF 2021 APPROPRIATIONS**

**WHEREAS**, N.J.S.A. 40A: 4-59 provides for appropriation transfers during the first three months of the succeeding year when it has been determined that any appropriation reserve for the immediately preceding fiscal year is insufficient to pay the claims authorized or incurred during the preceding year, which were chargeable to said appropriation, and there is an excess in any appropriation reserve over and above the amount deemed to be necessary to fulfill its purpose.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Lower, State of New Jersey that the following transfers, and totaling \$4,000.00 be made between the 2021 budget appropriation reserves:

LINE ITEM		ACCT. NUMBER	TO	FROM
BOCA	S&W	1-01-22-195-101	4,000.00	
BOCA	OE	1-01-22-195-200		4,000.00
			4,000.00	4,000.00

	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 February 7, 2022.

Julie A Picard, Township Clerk

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

RESOLUTION # 2022-76

Title: AUTHORIZATION FOR THE PAYOUT OF ACCUMULATED COMPENSATORY TIME

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that payment to Michael Harkin in the amount of \$4892.04 is authorized and chargeable to the 2022 Budget account 1-01-25-240-124.

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

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

Julie A Picard, Township Clerk

LOWER TOWNSHIP POLICE DEPARTMENT

SPECIAL REPORT

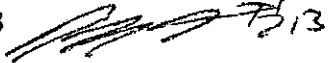
TO: Chief Kevin Lewis  
THRU: Sgt. Anthony Greto  
FROM: Patrolman Michael Harkin #213  
DATE: 01/20/2022  
SUBJECT: Comp Time Buy Out

Chief,

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

Respectfully Submitted,

Michael Harkin  
Patrolman Badge 213



200 x  
24.4602 =  
4,892.04 \*+

C	File		
Date		Officer	Comments
	ATG 184	- Lt Ryan	
1-21-22		Lt Ryan - 184	Fwd to Chief
1-21-22		184	APPROVED FWD TO TOWNSHIP HALL

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

RESOLUTION #2022-77

Title: A RESOLUTION ADDRESSING THE LOCAL DISASTER/EMERGENCY DECLARATION IN THE TOWNSHIP OF LOWER IN RESPONSE TO WINTER STORM KENAN

WHEREAS, on January 28, 2022, in advance of Winter Storm Kenan, Governor Philip Murphy issued a State of Emergency throughout the State of New Jersey; and

WHEREAS, on that same date, the Township of Lower and the Lower Township Office of Emergency Management issued an Emergency Proclamation declaring a local Disaster/Emergency throughout Lower Township in advance of Winter Storm Kenan as it was determined that the impending Blizzard Warning would have significant effects on the health, safety and general welfare of Lower Township residents; and

WHEREAS, the anticipated extreme weather conditions associated with Winter Storm Kenan, in and around the County of Cape May, and within the boundaries of the Township of Lower, did in fact have a significant impact on the people and residents of the Township of lower; and

WHEREAS, the aforesaid conditions constituted an imminent hazard that threatened and endangered the health, safety and welfare of the residents of Lower Township and significantly impacted the resources of the Township of Lower; and

WHEREAS, the Lower Township Council and the Lower Township Office of Emergency Management declared a Local Disaster/Emergency in an effort to ensure that appropriate precautionary measures were taken in order to prevent further destruction to the Township.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lower hereby recognizes that an emergency situation existed in the Township of Lower in relation to Winter Storm Kenan and that the issued emergency proclamation was warranted and required in order to address the impact of Winter Storm Kenan on the Township and its residents.

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

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

Julie A Picard, Township Clerk

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

RESOLUTION #2022-78

Title: **APPROVING A PROFESSIONAL SERVICE CONTRACT WITH DEBLASIO & ASSOCIATES FOR THE CONSTRUCTION PHASE OF RECONSTRUCTION OF DELAWARE BAY DRIVE, MILLMAN LANE, DELAWARE AVENUE AND ATLANTIC AVENUE**

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

WHEREAS, DeBlasio & Associates have provided the attached proposal in the amount of \$48,000.00 for the Construction Phase of the Reconstruction of Delaware Bay Drive, Millman Lane, Delaware Avenue and Atlantic Avenue:

Construction Phase                      \$ 48,000.00

and the CFO has certified the availability of funds in the following budget lines as evidenced her signature:

Appropriation:      C-04-55-432-910

Signature:            Lauren Read  
Lauren Read, CFO

WHEREAS, DeBlasio & Associates have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political candidate or committee in the Township of Lower in the previous year and will prohibit him from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that a Professional Service Contract without public bidding is awarded to DeBlasio & Associates for the Reconstruction of Delaware Bay Drive, Millman Lane, Delaware Avenue and Atlantic Avenue Project in the amount of \$48,000, copy of proposal attached hereto; with the Superintendent of Public Works being the sign-off for this Purchase Order.

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

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

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

January 24, 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  
Reconstruction of Delaware Bay Drive, Millman Lane, Delaware Avenue  
and Atlantic Avenue – Construction Phase Services  
D&A File #: LT-C-024**

Dear Mr. Douglass:

DeBlasio & Associates, P.C. is pleased to provide this proposal to provide our professional services for the Reconstruction of Delaware Bay Drive, Millman Lane, Delaware Avenue and Atlantic Avenue- Construction Phase Services which shall consist of the following roadways:

1. Delaware Bay Drive – Maryland Avenue to end of Delaware Avenue
2. Millman Lane – Maryland Avenue to end of Delaware Avenue
3. Delaware Avenue – Maryland Avenue to end of Delaware Avenue
4. Atlantic Avenue – Millman Lane to Bayshore Road

**Construction Phase Cost:** \$48,000.00

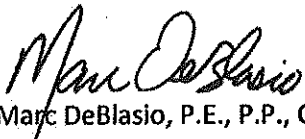
- Contract Administration
- Shop Drawing and Submittal Review
- Full Time Construction Observation  
Based on a 90 Day Construction Contract

**Total Professional Service Fee** \$48,000.00

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 Delaware Bay Drive, Millman Lane, Delaware Avenue and Atlantic Avenue-Construction Phase Services**. Should you have any questions or require any additional information, please do not hesitate to contact me at our office. Thank you for the opportunity to submit this proposal.

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



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

President

T: 609-854-3311

Marc@deblasioassoc.com

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

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

RESOLUTION #2022-79

Title: **APPROVING A PROFESSIONAL SERVICE CONTRACT WITH DEBLASIO & ASSOCIATES FOR THE CONSTRUCTION PHASE OF RECONSTRUCTION OF WILSON DRIVE, 1<sup>ST</sup> AVENUE, 2<sup>ND</sup> AVENUE AND 3<sup>RD</sup> AVENUE PROJECT**

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

WHEREAS, DeBlasio & Associates have provided the attached proposal in the amount of \$29,000 for the Construction Phase of Reconstruction of Wilson Drive, 1<sup>st</sup> Avenue, 2<sup>nd</sup> Avenue and 3<sup>rd</sup> Avenue Project:

Construction Phase Cost                      \$ 29,000

and the CFO has certified the availability of funds in the following budget lines as evidenced her signature:

Appropriation:      C-04-55-432-910

Signature:            Lauren Read  
Lauren Read, CFO

WHEREAS, DeBlasio & Associates have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political candidate or committee in the Township of Lower in the previous year and will prohibit him from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that a Professional Service Contract without public bidding is awarded to DeBlasio & Associates for the Construction Phase of the Reconstruction of Wilson Drive, 1<sup>st</sup> Avenue, 2<sup>nd</sup> Avenue and 3<sup>rd</sup> Avenue Project in the amount of \$29,000, copy of proposal attached hereto; with the Superintendent of Public Works being the sign-off for this Purchase Order.

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

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

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

January 24, 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  
FY2021 NJDOT State Aid Program:  
Reconstruction of Wilson Drive, 1<sup>st</sup> Avenue, 2<sup>nd</sup> Avenue and 3<sup>rd</sup> Avenue  
Construction Phase Services  
D&A File #: LT-C-014**

Dear Mr. Douglass:

DeBlasio & Associates, P.C. is pleased to provide this proposal to provide our construction phase services for the **Reconstruction of Wilson Drive, 1<sup>st</sup> Avenue, 2<sup>nd</sup> Avenue and 3<sup>rd</sup> Avenue** which shall consist of the following roadways:

1. Wilson Drive – N.J.S.H. Route 109 to end
2. 1<sup>st</sup> Avenue – N.J.S.H. Route 109 to Wilson Drive
3. 2<sup>nd</sup> Avenue – N.J.S.H. Route 109 to Wilson Drive
4. 3<sup>rd</sup> Avenue – N.J.S.H. Route 109 to Wilson Drive

**Construction Phase Cost:** \$29,000.00

- Contract Administration
  - Shop Drawing and Submittal Review
  - Full Time Construction Observation
- Based on a 60 Day Construction Contract

**Total Professional Service Fee** \$29,000.00

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 Wilson Drive, 1<sup>st</sup> Avenue, 2<sup>nd</sup> Avenue and 3<sup>rd</sup> Avenue - Construction Phase Services**. Should you have any questions or require any additional information, please do not hesitate to contact me at our office. Thank you for the opportunity to submit this proposal.

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



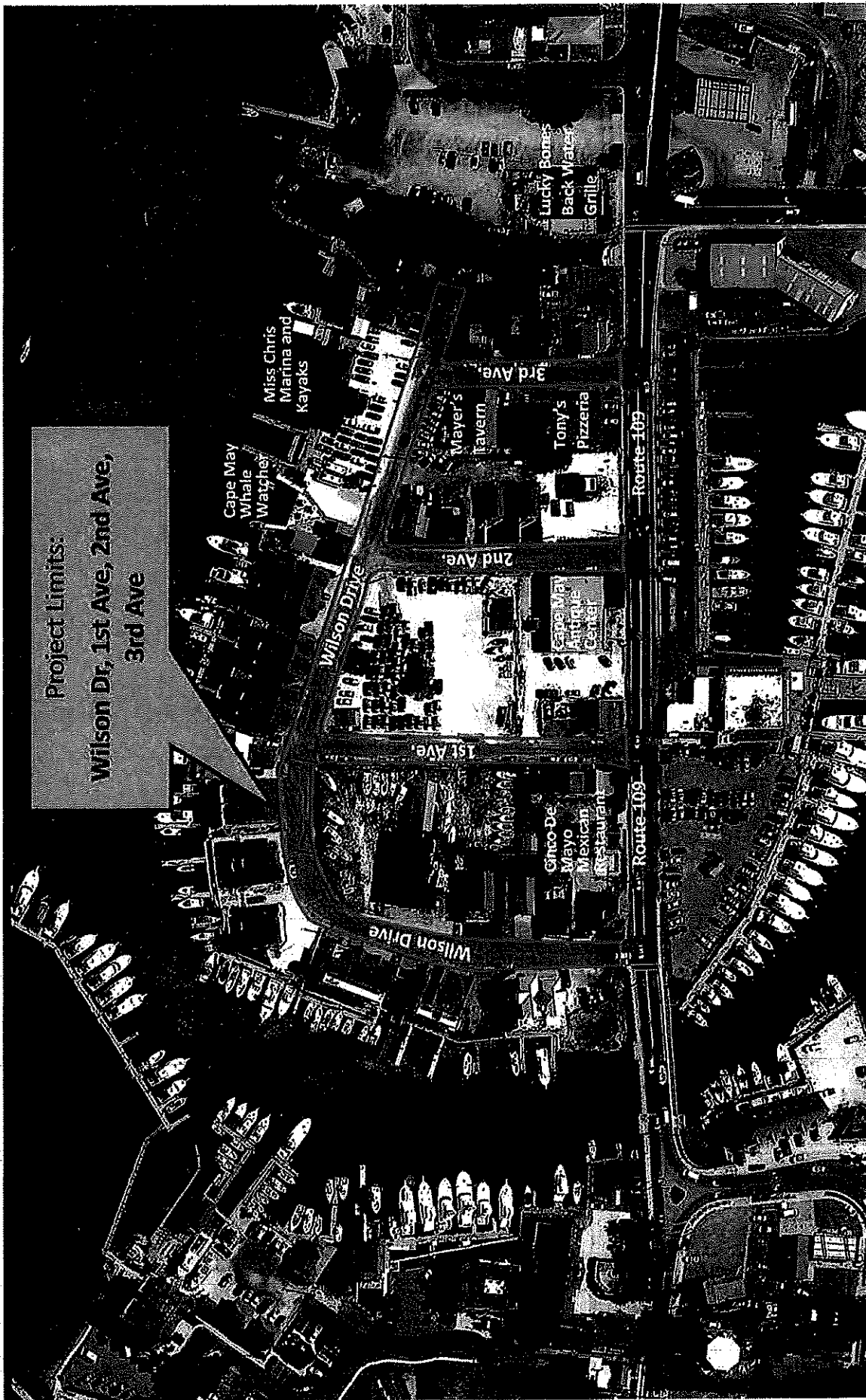
Marc DeBlasio, P.E., P.P., C.M.E.

President

T: 609-854-3311

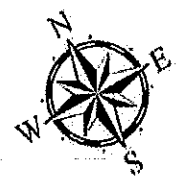
Marc@deblasioassoc.com

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



Project Limits:  
Wilson Dr, 1st Ave, 2nd Ave,  
3rd Ave

**PROJECT LOCATION MAP**  
Reconstruction of Wilson Drive, 1st Avenue, 2nd Avenue and  
3rd Avenue  
Township of Lower, Cape May County, New Jersey



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

**RESOLUTION #2022-80**

**Title: A RESOLUTION AUTHORIZING THE EXECUTION OF A MUTUAL RELEASE AND SETTLEMENT AGREEMENT AND THE PAYMENT OF FUNDS TO SETTLE A PROPERTY DAMAGE CLAIM**

**WHEREAS**, in May of 2018, the Township of Lower awarded a contract to Agate Construction Co., Inc. in connection with the Phase 1 reconstruction of Roseann Avenue which involved the reconstruction of the roadway in an effort to remediate ongoing flooding and water ponding issues (hereinafter the "Project");

**WHEREAS**, shortly after the completion of Phase 1, Lawrence M. Shillington, owner of the property located at 320 Roseann Avenue, North Cape May, New Jersey 08204, contacted the Township in an effort to address damage which he contended his house sustained during the completion of Phase 1 of the Project; and

**WHEREAS**, Mr. Shillington provided photographs of his home prior to and subsequent to the completion of the Project which depict cracks and paint chips which he contends were caused by vibrations associated with Phase 1 of the Project and an estimate from a third part contractor, 'Painting by Larry,' outlining the anticipated costs to repair said damage; and

**WHEREAS**, in an effort to resolve this claim, the Township of Lower and Mr. Shillington have negotiated the terms of a mutual release and settlement agreement, a copy of which is annexed hereto, which resolves the claim the Mr. Shillington maintains against the Township.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the Township Council of the Township of Lower hereby authorizes and approves the settlement of the above referenced property damage claim, in accordance with the terms and conditions set forth within the attached Mutual Release and Settlement Agreement.

**BE IT FURTHER RESOLVED** that the Mayor and/or Township Manager are hereby authorized to execute the attached Mutual Release and Settlement Agreement and the Township CFO is hereby authorized to tender payment in accordance with the terms of same.

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

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

Julie A Picard, Township Clerk

MUTUAL RELEASE AND SETTLEMENT AGREEMENT

THIS MUTUAL RELEASE (“Release”) is made this \_\_\_\_\_ day of April, 2021, by and between **TOWNSHIP OF LOWER (HEREINAFTER “LOWER”)**, a municipal corporation of the State of New Jersey whose administrative offices are located at 2600 Bayshore Road, Villas, New Jersey 08251 and **LAWRENCE M. SHILLINGTON AND KATHY SHILLINGTON (HEREINAFTER “SHILLINGTON”)**, residing at 320 Roseann Avenue, North Cape May, New Jersey 08204, who may collectively be denominated as the “Parties” in this Release and each may be called, separately, a “Party.”

RECITALS

WHEREAS, in approximately May of 2018, Lower awarded a contract to Agate Construction Co., Inc. in connection with the Phase 1 reconstruction of Roseann Avenue which involved the reconstruction of the roadway in an effort to remediate ongoing flooding and water ponding issues (hereinafter the “Project”);

WHEREAS, the Project was completed in approximately three phases; and

WHEREAS, Phase 1 of the Project was completed at or around the end of the 2018 calendar year; and

WHEREAS, shortly after the completion of Phase 1, Shillington contacted the Township in an effort to address damage which he contended his house sustained during the completion of Phase 1 of the Project; and

WHEREAS, Shillington has provided photographs of his home prior to and subsequent to the completion of the Project which depict cracks and paint chips which he contends were caused by vibrations associated with Phase 1 of the Project and an estimate from a third part contractor, ‘Painting by Larry,’ in the amount of TWO THOUSAND THREE HUNDRED (\$2,300.00) DOLLARS to repair said damage, a copy of said estimate is annexed hereto; and

WHEREAS, the Parties have agreed to settle their dispute in order to avoid the time and expenses associated with protracted litigation. Accordingly, Lower agrees pay to Shillington a lump sum of **TWO THOUSAND THREE HUNDRED (\$2,300.00) DOLLARS** on or before close of business on Friday, February 25, 2022. In consideration for said payment, Shillington hereby agrees waive any and all past, present, and future claims he may have against Lower, in connection with the completion of the Project, and Lower hereby agrees waive any and all past, present, and future claims it may have against Shillington.

WITNESSETH

Now Therefore, in consideration of the representations and covenants set forth in this Release and for the releases mutually made by each of the Parties below, and for other good and valuable consideration, the receipt of which the Parties hereto acknowledge, the Parties intending to be legally bound, hereby AGREE as follows:

1. Recitals. The recitals set forth above in this Release are incorporated into this paragraph as though set forth in verbatim.

2. Release. The Parties, each to the other, hereby specifically mutually release, acquit, and forever discharge the other Party and give up any and all claims, demands, causes of actions, debts, liabilities, lawsuits, and rights of whatsoever nature, which each of the Parties may have against each other, whether known or unknown, asserted or unasserted, liquidated or unliquidated, contingent or fixed, whether in contract or tort, such as all claims for bodily injuries; property damage; loss and expense which heretofore has been paid or which hereafter may be sustained or suffered; pain and suffering, past present and future, for the entire work life expectancy of the Releasor, which have accrued, may accrue, or could accrue from the beginning of time until the date of this Release, relating to all claims and demands and causes of action, or otherwise, which Lower could have, should have, may have or was required to have asserted with regards to the above Project against Shillington, or which Shillington may have asserted against Lower. The Parties hereby do and by this Release further waive, remise, release, and forever discharge each other and their predecessors, successors, assigns, executors, administrators, heirs, affiliates, and legal representatives, and their officers, directors, employees, and agents from and against such claims, demands, liabilities, actions, causes of actions, lawsuits, accounts, covenants and damages whatsoever of every name and nature they may each have against the other.

The fulfillment of the requirements set forth within Paragraph 3 below shall constitute a full accord and satisfaction and be in complete compromise of all disputed claims by and between the Parties, their predecessors, successors, executors, administrators, heirs, assigns, affiliate, and legal representatives, provided, however, that payment of the aforesaid sum is not an admission of liability, but is made for the purpose of settling and resolving such disputes, demands, causes of action, claims, and related matters between the Parties as set forth in this Release.

3. Requirements. In accordance with the recitals set forth above, Lower hereby agrees to pay to Shillington a one-time lump sum of **TWO THOUSAND THREE HUNDRED (\$2,300.00) DOLLARS** in order to resolve any and all outstanding disputes between parties pertaining to damage which Shillington contends his home sustained in connection with the completion of the Project.

4. Binding Effect. This Release shall be binding upon and may be enforced by each Party hereto and their respective heirs, executors, administrators, successors, assigns, affiliates, and legal representatives.

5. Third Party Beneficiary. This Release shall not expand the rights of any persons who are not parties to this Release and no person or entity which is not a party to this Release shall acquire any rights hereunder, whether as a purported third-party beneficiary or otherwise.

6. No Oral Changes. This Release may be amended or changed only by a written document executed by all of the Parties hereto.

7. Effective Date. This Release shall be effective only after each of the Parties shall have duly executed at least two (2) originals for distribution to each of the respective Parties. This Release may be signed by the Parties in multiple counterparts, each of which once executed, shall be deemed an original, but all of which together shall constitute one and the same Release.

8. Representation. Lower was represented by Robert T. Belasco, Esquire of the Law Offices of Stefankiewicz & Belasco, LLC, 111 East 17th Avenue, Suite 100, North Wildwood, New Jersey 08260 with respect to the drafting and execution of this Mutual Release. Lower specifically indicates that they are satisfied with the services of counsel, and further represents that they have had an adequate opportunity to discuss this Mutual Release, its provisions, and the effects thereof with counsel and that all questions regarding it have been answered to her satisfaction. Shillington was self-represented in connection with this matter. Shillington understands that he had the right to have counsel of his own choosing represent him and review this agreement but he has knowingly, voluntarily and intelligently elected not to engage counsel. Shillington acknowledges that he has read this Agreement in its entirety prior to signing same. Shillington further acknowledges that he fully understands his legal rights and obligations in connection with this Agreement. Each Party certifies that no pressure or duress has been executed by anyone to accept the terms of this Release, to settle this matter, and the parties expressly acknowledge that this settlement is being done freely, willingly, and voluntarily.

9. Headings. The headings in this Release are for the purpose of reference only and shall not limit or otherwise affect the meaning hereof.

10. Governing Law. This Release shall be construed and interpreted in accordance with the Laws of the State of New Jersey, without applying or giving effect to conflicts of law rules.

[SIGNATURES BEGIN ON THE NEXT PAGE]

IN WITNESS WHEREOF, the Parties hereto have set their hands and seals on the day and date first above written.

**TOWNSHIP OF LOWER**

WITNESS:

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

\_\_\_\_\_  
Frank Sippel, Mayor

WITNESS:

\_\_\_\_\_

\_\_\_\_\_  
Lawrence M. Shillington

WITNESS:

\_\_\_\_\_

\_\_\_\_\_  
Kathy Shillington

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

RESOLUTION #2022-81

Title: **AUTHORIZING THE TRANSFER OF A LIMOUSINE VEHICLE LICENSE**

**WHEREAS**, High Roller Limousine Inc. has applied for and received a limousine license for a 2010 Chrysler Town & Country, Vin #2A4RR5D13AR105291; and

**WHEREAS**, High Roller Limousine Inc. has replaced the above vehicles with a 2010 Chrysler Town & Country, Vin #2A4RR8D11AR381017 and have requested the license be transferred to the new vehicles; and

**WHEREAS**, Cape May Limousine Inc. has paid the required twenty-five dollars (\$25) transfer fee and provided the required Certificate of Liability Insurance showing the new vehicle.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the above limousine license vehicle transfer is hereby approved.

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

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

Julie A Picard, Township Clerk

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

RESOLUTION #2022-82

Title: APPROVAL OF 2022 ROTARY TOWING LICENSES

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the following applicants shall be issued a Rotary Towing License for the year 2022:

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

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

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Julie A Picard, Township Clerk

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

RESOLUTION #2022-83

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>
223	14	Edward Kennedy 30 Maryland Avenue	Exempt Veteran 10/19/21	\$ 250.00

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

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

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

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

ORDINANCE #2022-01

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

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

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

WHEREAS, the Township Council of the Township of Lower in the County of Cape May finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township of Lower hereby determines that a 3.5% increase in the budget for said year, amounting to \$814,685.08 in excess of the increase in final appropriations otherwise permitted by the Local Government Cape Law is advisable and necessary; and,

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

**NOW THEREFORE BE IT ORDAINED**, by the Township Council of the Township of Lower, in the County of Cape May, a majority of the full authorized membership of this governing body affirmatively concurring, that in the CY 2022 budget year, the final appropriation of the Township of Lower shall, in accordance with this ordinance and N.J.S.A. 40A: 4-15.14, be increased by 3.5 % amounting to \$814,685.08, and the CY 2022 municipal budget for the Township of Lower be approved and adopted in accordance with this ordinance.

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

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

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

\_\_\_\_\_  
Thomas Conrad, Councilmember

\_\_\_\_\_  
Kevin Coombs, Councilmember

\_\_\_\_\_  
Roland Roy, Councilmember

\_\_\_\_\_  
David Perry, Deputy Mayor

\_\_\_\_\_  
Frank Sippel, Mayor

Introduced: January 3, 2022

Adopted:

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

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

RESOLUTION #2022-84

Title: APPROVAL OF AN ALCOHOLIC BEVERAGE CONTROL LICENSE PLACE TO PLACE  
TRANSFER – EXPANSION OF LICENSED PREMISES – LICENSE #0505-33-004-005;  
SPICER CREEK NORTH, INC t/a MAYERS

WHEREAS, an application has been filed for a Place to Place Transfer Expansion of Premises of Plenary Retail Consumption License 0505-33-004-005, issued to Spicer Creek North, Inc. t/a Mayer's for premises located at 1216 Route 9, Lower Township, New Jersey, for purposes of expanding the premises under license wherein the sale, service and storage of alcoholic beverages are authorized; and

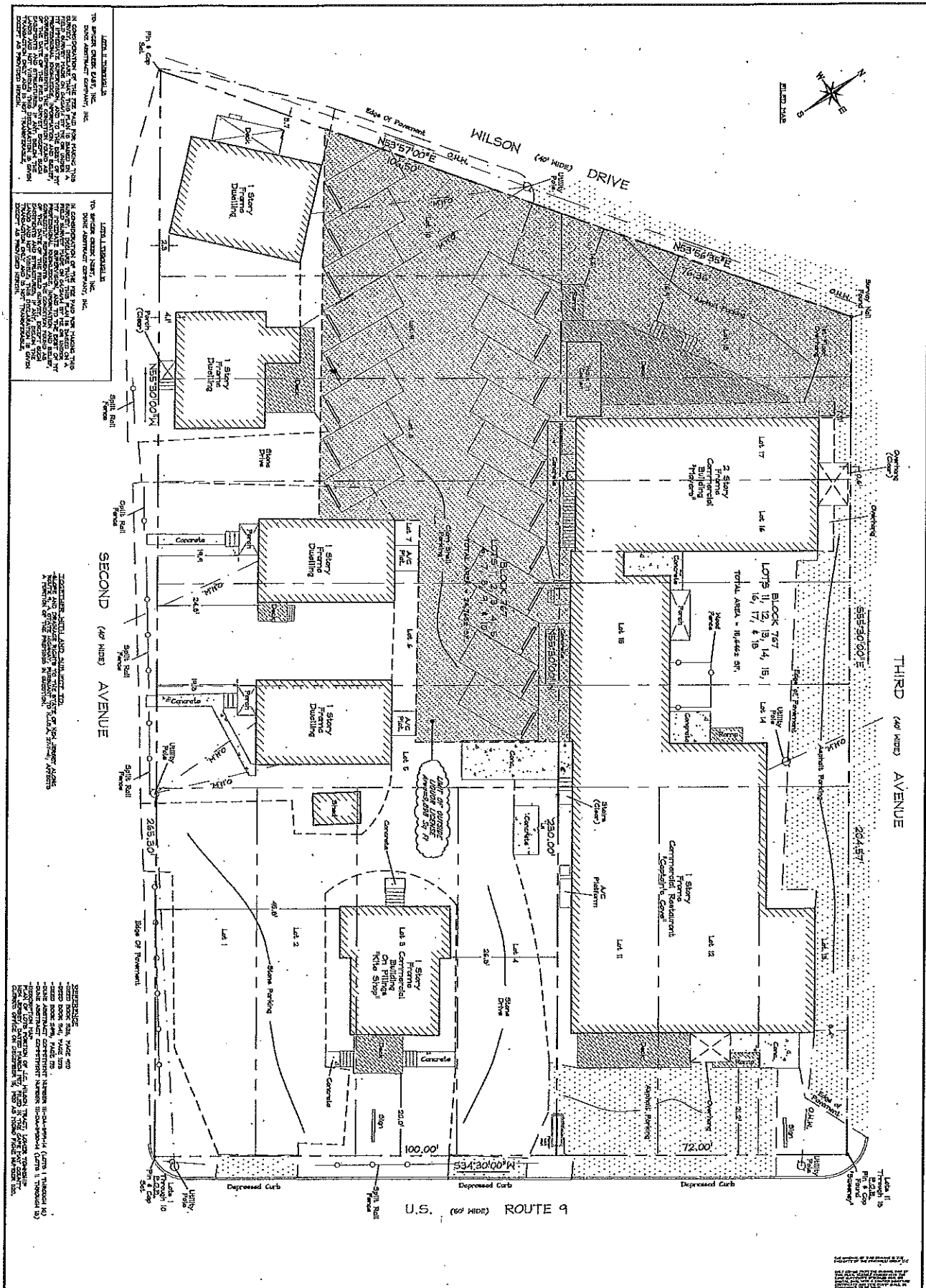
WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term.

NOW, THEREFORE, BE IT RESOLVED that the Lower Township Council does hereby approve effective February 8, 2022, the expansion of the aforesaid Plenary Retail Consumption license #0505-33-004-005, licensed premises located at 1216 Route 9, Lower Township New Jersey, to place under license the area delineated in the application form and the sketch of the licensed premises attached thereto.

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

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Julie A Picard, Township Clerk



LOTS 1 THROUGH 18  
 TO: BRUCE CHASE PART, INC.  
 FROM: DONIC ARCHITECT COMPANY, INC.

LOTS 1 THROUGH 18  
 TO: BRUCE CHASE PART, INC.  
 FROM: DONIC ARCHITECT COMPANY, INC.

LOTS 1 THROUGH 18  
 TO: BRUCE CHASE PART, INC.  
 FROM: DONIC ARCHITECT COMPANY, INC.

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 FROM: DONIC ARCHITECT COMPANY, INC.

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 FROM: DONIC ARCHITECT COMPANY, INC.

LOTS 1 THROUGH 18  
 TO: BRUCE CHASE PART, INC.  
 FROM: DONIC ARCHITECT COMPANY, INC.

U.S. (60' WIDE) ROUTE 9

SHEET	SCALE	REVISIONS	PLAN OF SURVEY	<b>THE MARTINELLI GROUP</b> UIC PROFESSIONAL LAND SURVEYING CERTIFICATE OF AUTHORIZATION NUMBER 24628137600 PHONE + (609) 482-9818 FAX + (609) 482-9819 1217 S. SHORE ROAD, SUITE 108 OCEAN VIEW, NEW JERSEY 08235	
	DATE				
DATE	11-25-2020 Shoring out of liquor license	DATE 09-01-2014	DRAWN BY: A.52021	PROJ NO: 15,958	PROJECT NO: 15,958