

WORK SESSION AND REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL

February 5, 2024 – 5:00 pm.

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

Work Session

New Jersey Dept. of Military and Veterans Affairs (DMAVA) Presentation – We Value Our Veterans Community Award

Consent Agenda

Approval of Minutes – January 17, 2024

- Res. #2024-65 Authorization for the Payment of Vouchers \$890,317.45
- Res. #2024-66 Appointment to the Zoning Board of Adjustment (G.Bostard)
- Res. #2024-67 Authorization for the Payout of Accumulated Compensatory Time (M.Reilly \$1,809.89)
- Res. #2024-68 Authorization for the Payout of Accumulated Compensatory Time (R.Fessler \$4,062.78)
- Res. #2024-69 Approval of 2024 Rotary Towing Licenses
- Res. #2024-70 A Resolution Awarding a Professional Service Contract without Public Bidding to Triad Advisory Services, Inc. to Provide Consulting Services in connection with the pursuit of Federal, State, Regional and Foundation Grants and/or Financial Resources
- Res. #2024-71 Authorization for Waiver of Fees for the Nature Conservancy Associated with the Construction Permit Fees
- Res. #2024-72 Approval of Change Order #1 for Engineering Services for the Construction Phase for the Beach Access Paths (LT-C-038) (\$30,000)
- Res. #2024-73 Authorization for Refund of Taxes
- Res. #2024-74 Authorizing the Sale of Township of Lower Surplus No Longer Needed for Public Use on GOVDEALS Online Auction Website
- Res. #2024-75 Authorizing the Disposal of Township of Lower Surplus No Longer Needed for Public Use
- Res. #2024-76 Approval of Change Order #2 with Marcus H. Karavan, P.C. for Special Counsel for Two Contested Tax Matters (NTE \$10,000)
- Res. #2024-77 Local Recreation Improvement Grant Application for \$100,000; Rotary Park, ADA Improvements
- Res. #2023-78 Bid Acceptance and Contract Award of Beach Access Paths Installation (LT-C-038)

Regular Agenda

Ordinance 2024-01 An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-15.14)
This is the Second reading and public hearing of this Ordinance. This Ordinance has been posted, published and made available to the public.

Administrative Reports

Treasurer – Year end Report

Public Comment

Council Comments

Closed Session

Res. #2024-79 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/Negotiation Updates**

Return to Open Session:

Res. #2024-80 A Resolution Authorizing the Repayment of the sum of \$350,000 to Achristavest Diamond Beach, LLC in connection with the Reacquisition of Real Property located at 9600 Seaview Avenue, Block 703, Lot 1

Adjourn

COUNCIL MEETING MINUTES – January 17, 2024

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on January 17, 2024 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 Kevin Coombs
Councilmember Roland Roy, Jr.
Deputy Mayor David Perry
Mayor Frank Sippel

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

Work Session

Oath of Office – Officer Andrew DiDonato

Police Chief, Kevin Lewis, shared Andrew DiDonato's biography.

Mayor Sippel administered the Oath of Office to Officer DiDonato as his father, John DiDonato, held the Bible and his mother, Carla DiDonato, pinned his badge.

Oath of Office – Officer Thomas Girard

Police Chief, Kevin Lewis, shared Thomas Girard's biography.

Mayor Sippel administered the Oath of Office to Officer Girard while his mother, Daria Girard, held the Bible and his father, Tom Girard, pinned his badge.

State of the Township Address - Mayor Frank Sippel

Mayor Sippel presented a power point of the State of the Township Address highlighting 2023 points of interest, department snapshots, and future projects and events. The power point presentation is available on the Township website, www.townshipoflower.org.

Paul Burgin Presentation - Fulling Mill Road Project

John Kornick, K2 Consulting Engineers, gave Council an update on the proposed subdivision project on Fulling Mill Road, explaining the revisions to the scope of the project. See subdivision site rendering attached.

Councilmember Conrad inquired about an Affordable Housing aspect.

Mr. Kornick explained the fair share contribution.

Consent Agenda

Approval of Minutes – January 3, 2024

Res. #2024-55 Authorization for the Payment of Vouchers \$ 172,153.23

Res. #2024-56 Authorization for the Refund of Taxes

Res. #2024-57 Transfer of 2023 Appropriations

Res. #2024-58 A Resolution Approving the Flashing Beacon Pedestrian Crossing Sign Agreement between the Township of Lower and the New Jersey Department of Transportation – Rt 109 & Second Avenue and Route 109 & Schellengers Landing Road

Res. #2024-59 Amending Contract to Axon Enterprises Inc. for Trade In and Fixed Asset Removal of Twenty-four (24) Taser X2

Res. #2024-60 Authorization for the Payout of Accumulated Compensatory Time (K.Walker \$10,093.14)

Res. #2024-61 Authorization for the Payout of Accumulated Sick Time

Res. #2024-62 Approval of a Secondhand Merchant and Dealer of Precious Metals License

Res. #2024-63 Bid Acceptance and Contract Award of Diamond Beach Park Improvements (LT-C-016)

Res. #2024-64 Approving a Professional Service Contract with DeBlasio & Associates for the Concept Design and Site Remediation Investigation Phase of Public Works Administration Building (LT-C-048)

On the Consent:

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

Regular Agenda

Public Works Department Update - Superintendent Gary Douglass

Mr. Douglass gave Council an update on recent flooding throughout the Township and explained the factors contributing to the problem. He urged residents to keep the leaves from clogging the intakes and shutting down the drainage system. He assured he will work with management and Council to come up with a solution.

Councilmember Conrad attested that his area floods due to leaves clogging the storm drains.

Deputy Mayor Perry suggested residents take some responsibility by keeping the leaves out of the storm drains.

Mayor Sippel communicated that changes to the leaf pick-up process may be necessary.

Engineer Report

Will Hanson gave Council an update on the following engineering projects being handled by DeBlasio & Associates including: Diamond Beach Park Improvements; Reconstruction of Wildwood Avenue and Bay Drive; Beach Access Paths Survey and Installation; Rotary Community Park Renovations; Bay Outfall Extensions; Reconstruction of Ridgewood Avenue; 2023 Stormwater GIS Mapping Services; Frances Ave. Storm Sewer Evaluation; Ohio Ave. Pump Station Emergency Storm Sewer Replacement; and David Douglass Sr. Memorial Park Renovations.

Councilmember Conrad asked about a timeframe for the Bay Outfall Extensions.

Mr. Hanson offered a timeframe for permits and bidding.

Administrative Reports

Clerk, Construction, Tax, Treasurer, Vital Statistics

2023 Zoning Board's Annual Variance Report

2023 Tax Collector's Annual Report

Personnel Action Report

Public Comment

Ed Sherretta, 306 Roseann Ave., thanked Deputy Mayor Perry for his efforts with the pump station and voiced concern about the flooding issues on Roseann Ave. He suggested a preemptive approach with regard to the leaf pick-up process.

Joe Thomas, 307 Roseann Ave., commended the Public Works Department for the work they do and stressed the need for Council to rethink the leaf pick-up process.

Gary Douglass addressed the above-mentioned concerns and validated the decisions made by the Public Works Department.

Ray Flickinger, 1700 Washington Blvd., commended Mayor and Council on the presentation and voiced favor with the anticipated tax rate. He also suggested nylon leaf containers to alleviate the problem with leaves.

Larry Shillington, 320 Roseann Ave., addressed Council to voice discontent about the leaves and flooding and proposed a monthly leaf pick-up schedule.

Mayor Sippel clarified the intent of the Township to correct the problem rather than issue violations.

Ed Sherretta addressed Council with concern about speeding on Bayshore Road in the area of Roseann Avenue.

Deputy Mayor Perry communicated his efforts with speed limit reduction and suggested the manager reach out to the County Engineer about a solution.

Councilmember Conrad suggested a speed limit of 35 along the entirety of Bayshore Road.

Eileen Kreis, Evergreen Ave., addressed Council to defend the Public Works Department and thank them for doing a great job.

Councilmember Conrad agreed.

Ed Sherretta reiterated the problem and urged the Township to come up with a solution. Mayor Sippel assured that the Township will come up with a plan.

Council Comments

Councilmember Conrad – no additional comments

Councilmember Coombs agreed that flooding on Roseann is a concern and that leaves need to be contained. Mr. Shillington voiced concern with containing leaves on account of the elderly.

Councilmember Roy – no comments

Deputy Mayor Perry requested Manager Laffey reach out to the County Engineer regarding the speed limit/signage on Bayshore Road. He also reminded residents to check on their neighbors during the cold winter months.

Mayor Sippel communicated that the next meeting agenda will include the *We Value our Veterans Award* and the Budget Introduction will be on the March 4th agenda.

Adjournment

There being no further business to address, motion to adjourn moved by Councilmember Coombs, seconded by Councilmember Roy. Motion to adjourn was unanimous. Meeting adjourned at 6:19 p.m.

Frank Sippel, Mayor

Township Clerk

Approved:

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00784	CAPE MAY STAR & WAVE								
		24-00200	01/17/24	Legals - 1/10/2024	Open	221.00	0.00		
		24-00285	01/22/24	Legals - 1/17/2024	Open	63.50	0.00		
		24-00390	01/31/24	legals - 1/24/24	Open	<u>173.00</u>	0.00		
						457.50			
00825	COMCAST*								
		24-00386	01/30/24	INTERNET(ALL) 1/15 -2/14/24	Open	1,420.19	0.00		
01125	MARGARET CROMPTON								
		24-00097	01/08/24	CONTRACTUAL REIMBURSEMENT M	Open	100.00	0.00		B
01200	DELTA DENTAL PLAN OF NJ								
		24-00387	01/30/24	JAN 2024 DENTAL ADMIN	Open	1,372.80	0.00		
01201	DELL CORPORATION*								
		24-00314	01/22/24	COMPUTER COLLEEN	Open	1,580.64	0.00		
01239	DIANA L DeNOTE								
		24-00381	01/30/24	CONTRACTUAL REIMBURSEMENT M	Open	68.00	0.00		
01267	EDWARD DONOHUE								
		24-00214	01/17/24	CONTRACT REIMB	Open	78.99	0.00		
01389	EDDIE'S AUTO BODY								
		24-00143	01/11/24	FRONT END ALIGNMENT/DPW	Open	334.90	0.00		
01390	EDMUNDS & ASSOCIATES, INC.*								
		24-00195	01/17/24	1095 C Filing	Open	531.10	0.00		PC1
01480	E-Z PASS								
		24-00332	01/25/24	REPLENISH PD EZ PASS 1/10/24	Open	300.00	0.00		PC1
01657	GOPHER SPORT								
		23-03074	11/30/23	BASKETBALL SUPPLIES	Open	510.39	0.00		
01690	GRANTURK EQUIPMENT CO*								
		24-00067	01/05/24	PARTS FOR RECYCLING/DPW	Open	1,130.62	0.00		
		24-00357	01/29/24	PARTS FOR RECYCLING/DPW	Open	<u>1,118.32</u>	0.00		
						2,248.94			
01703	HARBOR SALES COMPANY*								
		24-00056	01/05/24	VINYL FILM/DPW	Open	559.12	0.00		
01730	GTBM INC.*								
		24-00142	01/11/24	ICOP BACKTRACE RENEWAL	Open	1,776.00	0.00		
01873	HOME DEPOT*								
		24-00071	01/05/24	SUPPLIES FOR BLD/DPW	Open	173.59	0.00		
01964	INTERNATIONAL ASSOC ARSON INVS								
		23-03267	12/22/23	Belles NJIAAI 2024 conference	Open	625.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01974	I.A.C.P MEMBERSHIP*	24-00130	01/11/24	IACP MEMBERSHIP 2024	Open	190.00	0.00		
02025	HUNTER JERSEY PETERBILT~	24-00073	01/05/24	PARTS FOR TRUCKS/DPW	Open	300.40	0.00		
02027	JESCO INC~	24-00085	01/05/24	PARTS FOR BACKHOE/DPW	Open	513.32	0.00		
02045	LIBERTY PARKS AND PLAYGROUNDS*	23-02415	09/25/23	TRASH CANS	Open	16,590.00	0.00		
02097	LACAL EQUIPMENT INC	24-00272	01/22/24	BROOM/SWEEPER/DPW	Open	866.08	0.00		
02223	LANDSMAN UNIFORMS*	23-03245	12/22/23	NEW OFFICERS UNIFORM PANTS	Open	599.70	0.00		
02247	LAWSON PRODUCTS, INC. ~	24-00284	01/22/24	RESUPPLY GARAGE PARTS/DPW	Open	1,189.09	0.00		
02334	LOWER TWP CHAMBER OF COMMERCE	24-00159	01/11/24	Luncheon 1/11/2024	Open	70.00	0.00		
02349	ROBERT LUBBERMAN	24-00131	01/11/24	ELKS TOURNAMENT OFFICIAL	Open	360.00	0.00		
02402	MGL PRINTING SOLUTIONS ~	23-03023	11/22/23	FS MGL stationary supplies	Open	1,514.00	0.00		
02538	MARSH & MCLENNAN AGENCY, LLC	24-00009	01/02/24	RES#24-42 DNE\$40K MNTHLY	Open	3,333.33	0.00		B
02800	MURPHY FENCE COMPANY*	23-03128	12/06/23	REPAIR FENCE GATES @ POOL	Open	583.10	0.00		
03008	NJ DEPT OF TREASURY/FEES	24-00217	01/22/24	WATER ALLOCATION FEES/BENNETTS	Open	235.00	0.00		
		24-00218	01/22/24	AIR QUALITY -GENERATOR REC DEP	Open	190.00	0.00		
		24-00219	01/22/24	AIR QUALITY-BOILER-REC.DEPT.	Open	885.00	0.00		
						<u>1,310.00</u>			
03026	NJ STATE HEALTH BENEFITS	24-00331	01/25/24	FEB 2024 NJSHBP RETIREE	Open	124,038.55	0.00		
		24-00337	01/26/24	FEB 2024 NJSHBP ACTIVE	Open	258,339.12	0.00		
						<u>382,377.67</u>			
03086	NJ STATE ASSN CHIEFS OF POL*	24-00145	01/11/24	ACCREDITATION - 1 OF 3	Open	1,667.00	0.00		
03296	PARISH OF ST. JOHN NEUMANN	24-00125	01/11/24	RETURN UNUSED ESCROW	Open	337.50	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03305	PEDRONI FUEL*								
		24-00207	01/17/24	NO LEAD GAS/DPW 1/3/24	Open	1,185.08	0.00		
		24-00279	01/22/24	NO LEAD GAS/DPW	Open	<u>964.61</u>	0.00		
						2,149.69			
03354	PERNA FINNIGAN, INC*								
		24-00171	01/16/24	RETURN UNUSED ESCROW	Open	5,390.56	0.00		
03365	LYNN JEFFERIS								
		24-00317	01/23/24	CONTRACTUAL REIMBURSEMENT M	Open	210.00	0.00		
03506	MARK RIDGWAY								
		24-00361	01/29/24	REIMBURSEMENT-COACH	Open	66.98	0.00		
03518	RIGGINS, INC.*								
		24-00124	01/11/24	OFF HIGHWAY DIESEL	Open	1,193.96	0.00		
		24-00348	01/26/24	OFF HIGHWAY DIESEL/DPW 1/17/24	Open	<u>939.76</u>	0.00		
						2,133.72			
03611	SERVICE TIRE TRUCK CENTERS								
		24-00360	01/29/24	TIRES/RDS/SANT/REC/DPW	Open	5,956.79	0.00		
03692	SOUTH JERSEY GAS CO*								
		23-02945	11/14/23	NATURAL GAS DEC ENCUMBER	Open	10,929.56	0.00		
03727	EDWARD STRING								
		24-00318	01/23/24	CONTRACTUAL REIMBURSEMENT M	Open	1,788.00	0.00		
03731	BRYAN STEERE								
		24-00288	01/22/24	REIMBURSEMENT-BASKETBALL COACH	Open	25.00	0.00		
03764	TCTANJ								
		24-00152	01/11/24	2024 ANNUAL MEMBERSHIP - CFO	Open	100.00	0.00		
		24-00326	01/25/24	TCTA NJ MEMBERSHIP -BROWN	Open	<u>100.00</u>	0.00		
						200.00			
03765	TAX COLL&TREAS ASSN OF C M C*								
		24-00163	01/11/24	2024 MEMBERSHIP	Open	375.00	0.00		
03820	MUNICIPAL UTIL. AUTH ON CALL								
		24-00283	01/22/24	REIMBURSE HALF OF TOTAL BILL	Open	161.22	0.00		
03904	LOWE'S HOME CENTER INC*								
		23-02919	11/14/23	SUPPLEIS/DPW	Open	15.66	0.00		
		24-00058	01/05/24	MATERIALS/DPW	Open	<u>28.49</u>	0.00		
						44.15			
03969	VERIZON								
		24-00057	01/05/24	FS Verizon 11.27 12.26	Open	168.24	0.00		
03971	VERIZON WIRELESS MDT POLICE								
		24-00146	01/11/24	VERIZON PD & TWP 11/21- 12/20	Open	1,196.65	0.00		

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03985	VILLAS NAPA AUTO PARTS	23-03202	12/13/23	RDS/RECY/SANT/DPW	Open	1,031.27	0.00		
04085	CHRISTOPHER WINTER	24-00336	01/25/24	CONTRACTUAL REIMBURSEMENT M	Open	198.00	0.00		
04097	CINTAS FIRST AID AND SAFETY*	24-00211	01/17/24	FIRST AID SUPPLIES/DPW	Open	84.00	0.00		
		24-00215	01/17/24	DPS - REFILL MEDICAL BOX	Open	64.00	0.00		
		24-00343	01/26/24	FIRST AID SUPPLIES 12/18/2023	Open	63.04	0.00		
						<u>211.04</u>			
04105	PITNEY BOWES GLOBAL FINANCIAL~	24-00193	01/17/24	RELOCATION AND ASSEMBLY	Open	1,744.00	0.00		
04125	WALTERS MARINE CONSTRUCTION*	23-00889	04/18/23	RES#23-127 REPLACE 3 PAVILIONS	Open	5,540.00	0.00		
04150	BARRY, CORRADO, GRASSI &	24-00098	01/09/24	ACTING ZBA SOLICITOR VOUCHER	Open	250.00	0.00		
04204	ZACHARY ZELWAK	24-00202	01/17/24	MEDICARE SUPPLEMENT	Open	564.00	0.00		B
04261	STATE OF NEW JERSEY	24-00362	01/29/24	4TH QTR 2023 UNEMPLOYMENT	Open	9,485.32	0.00		
04280	G.F.O.A. OF NJ	24-00151	01/11/24	2024 ANNUAL MEMBERSHIP - CFO	Open	100.00	0.00		
04300	W B MASON CO INC*	24-00271	01/22/24	FS paper & ink	Open	284.61	0.00		
5022	INSTITUTE FOR FORENSIC PSYCHO*	24-00140	01/11/24	NEW HIRE EXAM	Open	525.00	0.00		
6059	USABLE LIFE	24-00405	01/31/24	FEB 2024 LIFE INS	Open	972.00	0.00		
6071	UNITED UNIFORMS LIMITED LIAB*	23-03177	12/12/23	WRESTLING SINGLETS	Open	961.00	0.00		
		23-03185	12/12/23	UNIFORMS	Open	3,686.50	0.00		
		24-00141	01/11/24	NEW HIRE ACADEMY UNIFORM	Open	1,090.48	0.00		
						<u>5,737.98</u>			
6080	OMAHA STANDARD, LLC*	24-00093	01/08/24	TARPING SYSTEM TK8	Open	2,643.34	0.00		
7074	J & B LOCKSMITHS*	23-03260	12/22/23	CLEM MULLIGAN FIELD BATHROOMS	Open	102.00	0.00		
7079	SUBURBAN PROPANE L P*	24-00222	01/22/24	PROPANE- FREEMAN DOUGLASS	Open	1,094.04	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7098	SHORE VETERINARIAN ANIMAL	24-00007	01/02/24	RES#24-27 DNE\$62K	Open	5,166.67	0.00		B
7119	ENGINEERING DESIGN ASSOC*	21-00150	01/13/21	RES 21-49 SCHELLENGERS-TRAFFIC	Open	125.59	0.00		B
7181	JENNIFER KELLY, PHD, LLC*	24-00134	01/11/24	NEW HIRE EXAMS 2022	Open	1,350.00	0.00		
7196	LAUREN HUGGINS SUIT	24-00006	01/02/24	RES#24-06 DNE\$16280 MNTHLY	Open	1,356.67	0.00		B
7475	SUZANNE M SCHEID	24-00156	01/11/24	CONTRACTUAL REIMBURSEMENT M	Open	91.00	0.00		
		24-00319	01/25/24	CONTRACTUAL REIMBURSEMENT M	Open	98.50	0.00		
		24-00407	01/31/24	CONTRACTUAL REIMBURSEMENT M	Open	523.00	0.00		
						<u>712.50</u>			
7507	STEFANKIEWICZ & BELASCO LLC	23-00035	01/06/23	RES#2023-01 EXPENSES DNE\$116K	Open	8,196.50	0.00		B
		24-00001	01/02/24	RES#24-01 DNE\$40K MTHLY	Open	3,333.33	0.00		B
						<u>11,529.83</u>			
7521	SOUTHERN COMPUTER WHSE INC*	23-03317	12/29/23	LAUREN HP M528DN PRINTER	Open	1,951.90	0.00		
7544	DAVE FAIRMAN	24-00290	01/22/24	REIMBURSEMENT-BASKETBALL COACH	Open	25.00	0.00		
7556	ATLANTIC ENVELOPE COMP, INC*	23-03296	12/28/23	COURT ENVELOPES	Open	122.45	0.00		
7577	GARY'S AUTOMOTIVE	24-00352	01/29/24	NJ STATE INSPECTION SMOKE TEST	Open	127.50	0.00		
7618	MEGONIGAL ELECTRIC LLC	24-00224	01/22/24	LIGHTS @ RECREATION CENTER	Open	925.00	0.00		
7711	LORETTA MURPHY	24-00132	01/11/24	ELKS TOURNAMENT OFFICIAL	Open	405.00	0.00		
7715	JOE ENGLEHERT	24-00347	01/26/24	BBALL TOURNAMENT OFFICIAL	Open	360.00	0.00		
7747	KENNETH WALKER	24-00212	01/17/24	CONTRACT REIMBURSEMENT V	Open	285.00	0.00		
7749	WILLIAM KOCIS	24-00157	01/11/24	CONTRACTUAL REIMBURSEMENT V	Open	447.40	0.00		
7751	HOFFMAN'S EXTERMINATING	23-00053	01/06/23	PEST AGREEMENT-CANAL PARK 2023	Open	132.60	0.00		

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7820	DEBLASIO & ASSOCIATES, P.C								
		22-03181	12/22/22	SURVEY/DSGN RECONS WILDWOOD AV	Open	1,815.00	0.00		
		23-00052	01/06/23	RES #2023-49 CO#2 DIAMONDBEACH	Open	1,654.10	0.00		B
		23-00404	02/10/23	LIN BLVD RESTROOM RES#2021-82	Open	71.25	0.00		B
		23-00784	04/10/23	#2023-137 BEACH ACCESS PATHS	Open	7,420.00	0.00		B
		23-01029	05/05/23	CHANGE ORDER #1 RES#2023-162	Open	2,832.50	0.00		B
		23-01585	06/15/23	RES#23-199 ROTARY PARK	Open	2,712.50	0.00		B
		23-02342	09/14/23	2023 STORMWATER GIS MAPPING	Open	980.00	0.00		B
		23-02635	10/20/23	RESOLUTION 2023-337 OHIO AVE	Open	2,948.70	0.00		B
		23-02636	10/20/23	RES 2023-340 FRANCES AVE SEWER	Open	4,140.00	0.00		
		23-02637	10/20/23	RES 2023-344 SHADELAND/ SPRUCE	Open	140.00	0.00		B
		23-03045	11/28/23	RES 23-389 SURFACING RIDGEWOOD	Open	5,462.50	0.00		
		23-03206	12/14/23	RES#23-380 DOUGLASS PARK RENO	Open	6,773.75	0.00		B
		24-00166	01/11/24	PB ENGINEER VOUCHERS	Open	1,838.48	0.00		
		24-00303	01/22/24	RES#23-413 POOL EVALUATION	Open	5,000.00	0.00		
						43,788.78			
7872	GO DADDY								
		24-00384	01/30/24	MISSED AMPOUNT ON PO 24-00061	Open	0.36	0.00		PC1
7929	AMAZON CAPITAL SERVICES, INC ~								
		23-03077	11/30/23	OFFICE SUPPLIES	Open	370.19	0.00		
		23-03097	12/01/23	POLE SAW & CEILING SUPPLIES	Open	643.33	0.00		
		23-03186	12/12/23	HEDGE TRIMMER & COFFEE	Open	79.74	0.00		
		23-03213	12/18/23	Printer - Clerks Office	Open	199.99	0.00		
		23-03308	12/29/23	SUPPLIES	Open	789.96	0.00		
		23-03311	12/29/23	OFFICE SUPPLIES 12/29/23	Open	212.89	0.00		
		23-03318	12/29/23	OFFICE SUPPLIES	Open	320.92	0.00		
		24-00053	01/05/24	HARDWARE	Open	162.80	0.00		
		24-00091	01/08/24	COURT OFFICE SUPPLIES	Open	159.73	0.00		
		24-00116	01/09/24	Laser Beam Pointer	Open	17.99	0.00		
		24-00170	01/11/24	CHAINSAW CHAIN SHARPENER	Open	229.97	0.00		
		24-00172	01/16/24	POLICE SUPPLIES	Open	995.02	0.00		
		24-00175	01/16/24	BAGS FOR TOWNSHIP	Open	1,249.24	0.00		
		24-00177	01/16/24	ICE PACKS	Open	59.80	0.00		
		24-00192	01/17/24	SPACE HEATER	Open	32.88	0.00		
		24-00213	01/17/24	COLOR COPIER PAPER	Open	290.79	0.00		
		24-00315	01/22/24	COLLEEN/HR CHRISTINA MONITOR	Open	830.46	0.00		
		24-00321	01/25/24	OFFICE SUPPLIES	Open	482.04	0.00		
		24-00338	01/26/24	BATH FANS FOR DPW	Open	265.78	0.00		
		24-00350	01/26/24	OFFICE SUPPLIES 1/26/24	Open	95.68	0.00		
						7,489.20			
8012	FRED LAHM								
		24-00129	01/11/24	ELKS TOURNAMENT OFFICIAL	Open	90.00	0.00		
8175	INTEGRITY INTERPRETING LLC *								
		24-00092	01/08/24	COURT INTERPRETING 12/2023	Open	85.50	0.00		
8195	JEFFREY LINDSAY								
		24-00292	01/22/24	REIMBURSEMENT-BASKETBALL COACH	Open	30.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
8211	CONFIRE FIRE PROT SERV LLC*	24-00349	01/26/24	2024 Fire Alarm Monitoring	Open	2,880.00	0.00		
8223	DAN ORTIZ	24-00133	01/11/24	ELKS TOURNAMENT OFFICIAL	Open	135.00	0.00		
8229	ASPLUNOH TREE EXPERT LLC	24-00158	01/11/24	RETURN UNUSED ESCROW	Open	25,053.44	0.00		
8450	MIKE STRICKLAND	24-00136	01/11/24	ELKS TOURNAMENT OFFICIAL	Open	225.00	0.00		
8460	RE BUSINESS SOLUTIONS	24-00333	01/25/24	POOLED PRINTER MAINT 4TH QTR	Open	1,633.77	0.00		
8486	DON ARNDT	24-00316	01/23/24	CONTRACTUAL REIMBURSEMENT V	Open	441.95	0.00		
8524	FRED M SCHIAVONE CONSTRUCTION	23-02479	09/29/23	RES #23-299 ROTARY \$710,059.25	Open	169,803.57	0.00		B
8672	LOGMEIN INC.	24-00280	01/22/24	2024 GO TO MEETINGS	Open	19.00	0.00		PC1
8676	GPANJ	24-00122	01/10/24	M VITELLI MEMBERSHIP 2024	Open	100.00	0.00		
8721	BLANEY, DONOHUE, & WEINBERG PC	24-00004	01/02/24	RES#24-03 PROSECUTOR DNE\$45K	Open	3,750.00	0.00		B
		24-00005	01/02/24	RES#24-03 WW CREST DNE\$10K	Open	833.33	0.00		B
						4,583.33			
8723	HOFFMAN INTERNATIONAL INC*	24-00210	01/17/24	PARTS/DPW	Open	413.15	0.00		
8726	APEX INSURANCE AGENCY LLC	24-00310	01/22/24	Pacific Outdoor QM-2747 Inv#8	Open	2,528.00	0.00		
8752	VALARIE CUEVAS	24-00289	01/22/24	REIMBURSEMENT- BASKETBALL COAC	Open	25.00	0.00		
8761	DEUCE GREANEY	24-00287	01/22/24	REIMBURSEMENT-BASKETBALL COACH	Open	25.00	0.00		
8848	COMFORT NOW LLC	24-00216	01/22/24	RENEWAL-COMMERICAL HVAC 2024	Open	1,735.00	0.00		
8908	COMCAST BUISNESS	24-00335	01/25/24	VOICE PHONES 1/1-1/31/23	Open	1,433.26	0.00		
8916	TYLER DESHIELDS	24-00286	01/22/24	REIMBURSEMENT- WRESTLING COACH	Open	51.98	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
9029	JEFFREY THORNTON	24-00329	01/25/24	Return of Unused Escrow	Open	150.00	0.00		
9086	ELAINE MARRO	24-00291	01/22/24	REIMBURSEMENT-BASKETBALL COACH	Open	15.00	0.00		
9103	GARRETT AND BATASTINI PA	23-03264	12/22/23	PB CONFLICT SOLICITOR VOUCHERS	Open	725.00	0.00		
9104	DR. JOHN F STANOCH	24-00194	01/17/24	Return of unused escrow	Open	695.60	0.00		
9105	EFURNITUREMAX LLC	23-03312	12/29/23	SQUADROOM CHAIRS	Open	3,254.93	0.00		
9111	MICHAEL SHANK	24-00137	01/11/24	ELKS BASKETBALL OFFICIAL	Open	450.00	0.00		
9114	FRANCIS X MEEHAN	24-00204	01/17/24	Return of unused escrow	Open	55.00	0.00		
9117	JOSEPH GAMBLE	24-00305	01/22/24	REIMBURSEMENT-WRESTLING COACH	Open	41.98	0.00		
9118	MICHAEL PEIRSON	24-00306	01/22/24	RETURN OF UNUSED ESCROW	Open	51.52	0.00		
9121	MECA INVESTMENTS LLC	24-00323	01/25/24	RETURN OF UNUSED ESCROW	Open	157.15	0.00		
9122	CHRIS HINES	24-00351	01/29/24	BB TOURNAMENT OFFICIAL	Open	135.00	0.00		
9125	PHILIP KELLY	24-00406	01/31/24	8-410.04 L-2	Open	525.40	0.00		
BAILEYL	LANCE BAILEY	24-00344	01/26/24	BB TOURNAMENT OFFICIAL	Open	180.00	0.00		
BIRCH	BIRCH'S COMMUNICATIONS LLC*	23-02607	10/17/23	2 WAY RADIOS	Open	3,509.95	0.00		
BLAUE	BLAUER ASSOCIATES INC*	22-02882	11/17/22	2023 SCPF APPLICATION CONSULT	Open	450.00	0.00		B
BOSNA	KAREN MANETTE BOSNA	24-00150	01/11/24	YOGA- MONTH OF DECEMBER '23	Open	160.00	0.00		
CARROT	CARROT-TOP INDUSTRIES, INC*	24-00176	01/16/24	FLAGS FOR TOWNSHIP	Open	850.49	0.00		
CARTYW	WALLACE CARTY	24-00139	01/11/24	ELKS TOURNAMENT OFFICIAL	Open	225.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
DOUGHERT	GEORGIA DOUGHERTY	24-00408	01/31/24	CONTRACTUAL REIMBURSEMENT M	Open	321.32	0.00		
DSTEFANK	DAN STEFANKIEWICZ	24-00346	01/26/24	BBALL TOURNAMENT OFFICIAL	Open	180.00	0.00		
EMAGAN	ED MAGAN	24-00345	01/26/24	BBALL TOURNAMENT OFFICIAL	Open	315.00	0.00		
HALLK	KERRY HALL	24-00138	01/11/24	ELKS TOURNAMENT OFFICIAL	Open	180.00	0.00		
NJPSAC	NJPSAC	24-00282	01/22/24	CALEA - DUES - 2024	Open	400.00	0.00		
PRESS	PRESS OF ATLANTIC CITY	24-00366	01/29/24	JAN 2024 DIGITAL SUBSCRIPTION	Open	10.99	0.00		PC1
ROSSIS	STEVEN ROSSI	24-00135	01/11/24	ELKS TOURNAMENT OFFICIAL	Open	90.00	0.00		
SEAGE	SEAGEAR MARINE SUPPLY*	23-01002	05/05/23	SUPPLIES FOR RDS/DPW	Open	719.81	0.00		B
VALDO	VALDO'S	24-00328	01/25/24	HEATING ISSUES	Open	125.00	0.00		
Total Purchase Orders:		198	Total P.O. Line Items:		0	Total List Amount:	889,707.45	Total Void Amount:	0.00

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

RESOLUTION #2024- 65

Title: AUTHORIZING THE PAYMENT OF VOUCHERS

<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
INSTITUTE FOR PROF DEVELOP	11/1/23 RECORDS INFO	\$50.00
GREAT AMERICAN FINANCIAL	1/10-2/9/24 MAIL MACHINE	\$560.00

TOTAL Manual Checks \$610.00

TOTAL Computer Generated \$889,707.45

TOTAL BILL \$890,317.45

	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,05,2024.

Julie A Picard, Township Clerk

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

RESOLUTIUN #2024-66

Title: APPOINTMENT TO THE ZONING BOARD OF ADJUSTMENT

WHEREAS, there currently exist a vacancy on the Zoning Board of Adjustment Board and an application has been received from Geoffrey Bostard; and

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

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

<u>NAME</u>	<u>TYPE</u>	<u>TERM EXP</u>
Geoffrey Bostard	Alt Member #4	February, 2026

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 5, 2024.

Julie A Picard, Township Clerk

FOR TOWNSHIP USE ONLY

Res. # _____

Board/Comm./Auth. _____

Term Exp. _____

Replaced _____ or Reappointed

TOWNSHIP OF LOWER
CITIZEN LEADERSHIP FORM

NAME Geoffrey Bostard

CITY AND STATE N. Cape May, NJ

YEARS OF RESIDENCY IN TOWNSHIP 3 OCCUPATION Superintendent -
(Heavy Highway South State)

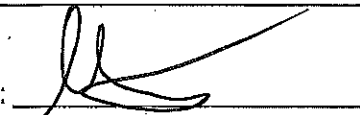
Please number in order of preference which ones you wish to be considered for.

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

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

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

- Bachelor's Degree in Construction Management
- current 12 yrs Superintendent Heavy Highway
- Headed 100 million dollar project over 4 yrs

Date: 11/26 Signature: 

(VALID FOR ONE YEAR FROM DATE OF RECEIPT)

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

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

RESOLUTION # 2024-67

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 Beard 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 Matthew Reilly in the amount of 1,809.89 is authorized and chargeable to the 2024 Budget account 4-01-25-240-124.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
COOMBS						
ROY						
PERRY						
SIPPEL						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held February 5, 2024.

Julie A Picard, Township Clerk

LOWER TOWNSHIP POLICE DEPARTMENT

SPECIAL REPORT

TO: Chief Kevin Lewis
FROM: Ptl. Reilly #222
DATE: January 18, 2024
SUBJECT: Comp Time Buyout

Chief Lewis,

I am asking to submit this letter to payroll requesting a buyout of 80 hours of accrued comp time. Thank you in advance for your time and attention to this request.

Respectfully Submitted,

Matthew Reilly #222

Matthew Reilly
Patrolman Badge 222

C	File	Date	Officer	Comments
		ATG 1st	FWD JA 190	
		1/18/24	LJ-190	FWD: DC Vannaman
		1/18/24	DC Vannaman #74	FWD: CHIEF LEWIS TCOED APPROVAL
		1-18-24	BY (RED)	SENT TO TOWN HALL

1,809.89

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

RESOLUTION # 2024-68

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 Robert Fessler in the amount of 4,062.78 is authorized and chargeable to the 2024 Budget account 4-01-25-240-121.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
COOMBS						
ROY						
PERRY						
SIPPEL						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held February 5, 2024.

Julie A Picard, Township Clerk

LOWER TOWNSHIP POLICE DEPARTMENT

SPECIAL REPORT

TO: Chief Kevin Lewis
FROM: Cpl. Fessler #176
DATE: January 18, 2024
SUBJECT: Comp Time Buyout

Chief Lewis,

I am asking to submit this letter to payroll requesting a buyout of 80 hours of accrued comp time. Thank you in advance for your time and attention to this request.

Respectfully Submitted,

X *[Signature]*
Robert Fessler
Corporal #176

C	File	Date	Officer	Comments
		ATG 157	FWD	JA 170
		1/18/24	Lt. #190	FWD: DC Vanaman
		1/18/24	TK Vanaman #174	FWD: CHIEF LEWIS REC'D APPROVAL
		1-18-24	1231 (REC)	SENT TO TOWN HALL

11,062.78

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

RESOLUTION #2024-69

Title: APPROVAL OF 2024 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 2024:

John D Snyder – John’s Auto Body
John Harron – Offshore Getty Inc.
Barney Linn - Cape May Exxon
Thomas Manna – D.A.D.’s Towing Service, LLC

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 5, 2024.

Julie A Picard, Township Clerk

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

RESOLUTION #2024-70

Title: A RESOLUTION AWARDING A PROFESSIONAL SERVICE CONTRACT WITHOUT PUBLIC BIDDING TO TRIAD ADVISORY SERVICES, INC. TO PROVIDE CONSULTING SERVICES IN CONNECTION WITH THE PURSUIT OF FEDERAL, STATE, REGIONAL AND FOUNDATION GRANTS AND/OR FINANCIAL RESOURCES

WHEREAS, the Township of Lower has a need to acquire/retain the services of a consultant to assist the Township with the pursuit of financial resources for capital, infrastructure, programmatic and related needs, and desires to authorize this appointment using a non-fair and open contract pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, the Township has determined and certified in writing that the value of the acquisition will not exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, Triad Advisory Services, Inc. has submitted a proposal to serve as a consultant to the Township of Lower at a rate set forth in the attached proposal; not to exceed \$15,000.00; and

WHEREAS, the Township CFO has determined sufficient funds will be available in the current budget as follows:

Appropriation #: C-04-55-422-910 SECTION 20

CFO Signature: Lauren Read, CFO

WHEREAS, Triad Advisory Associates, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political candidate or committee in the Township of Lower in the previous year, and that the contract will prohibit them from making any reportable contributions during 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 services contract without public bidding be awarded to Triad Advisory Services, Inc. to serve as a consultant to the Township of Lower in connection with the pursuit of financial resources for capital, infrastructure, programmatic and related needs at the rate attached hereto; for a total price not to exceed \$15,000.00 for the year.

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and the Determination of Value be placed on file with this Resolution.

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

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 5, 2024

Julie A Picard, Township Clerk

PROFESSIONAL SERVICE AGREEMENT

This Professional Service Agreement ("Agreement") made December 27, 2023 between **TRIAD ADVISORY SERVICES, INC.** (trading as **TRIAD ASSOCIATES**), 1301 W. Forest Grove Road, Vineland, New Jersey 08360 ("Consultant") and **TOWNSHIP OF LOWER**, 2600 Bayshore Road, Villas, New Jersey 08251 ("Principal").

The Principal desires to engage the professional services of Consultant as described in "Exhibit A – Project Description and Scope of Services" (the "Services"), attached and made a part of this Agreement, for the term January 1, 2024 through December 31, 2024, and

The Consultant is willing to perform the Services for the Principal upon the terms and conditions stated below.

In consideration of the mutual covenants and agreements set forth below, Consultant and Principal agree as follows:

1. The Principal shall provide to the Consultant information and documentation that the Consultant may require to render properly the services provided for in this Agreement. Such information or documentation may include planning, economic and engineering studies, reports or analyses, codes and ordinances, environmental assessments, property appraisals, capital improvement and other development plans and programs, data on housing conditions and current community development activities, maps, correspondence and other pertinent materials.
2. Performance of the Services in a timely manner by Consultant is expressly conditioned upon the furnishing to Consultant by the Principal of information and documentation pursuant to Paragraph 1 of this Agreement and the timely performance of all other obligations required of the Principal in this Agreement. Notwithstanding anything elsewhere to the contrary in this Agreement, the Consultant shall not be responsible for any delays in performance of the Services caused by the failure or delay of the Principal in performance of its obligations under this Agreement, actions or inaction of any governmental agency, or any other cause beyond the control of the Consultant.
3. The Principal and Consultant each agree at all times to exert their best efforts to complete the Services (as described in Exhibit A) in a professional and timely manner.
4. In the event that the Consultant is prevented from performing this Contract by circumstances beyond its control, then any obligations owing by the Consultant to the Principal shall be suspended without liability for the period during which the Consultant is so prevented.
5. In the event that the Principal claims that Consultant is in default of this Agreement or has failed to fulfill in a timely and proper manner its obligations under this Agreement, then the Principal agrees that it will not exercise any right or remedy for default unless it shall have first given written notice thereof to Consultant, and Consultant shall have failed, within fifteen (15) days thereafter to actively and diligently, in good faith, proceed with the Contract and the correction of the default. Consultant reserves the right to terminate this Agreement at any time by providing Principal with 30 days written notice.

6. This Agreement constitutes the entire Agreement between parties and supersedes all prior or contemporaneous agreements and understandings (either oral or written).
7. No covenant or condition not expressed in this Agreement shall be effective to interpret, change or restrict this Agreement.
8. Except as otherwise provided in this Agreement, no change, termination or attempted waiver of any of the provisions of this Agreement shall be binding on their respective heirs, administrators, executors, personal representatives, successors and assigns.
9. Nothing in this Agreement, expressed or implied, shall be construed to confer upon or to give to any person or entity, other than the Principal and the Consultant, their respective heirs, administrators, executors, personal representatives, successors and assigns, and their respective shareholders, or any of them, any rights or remedies under this Agreement.
10. This Agreement shall be construed and interpreted according to the laws of the **STATE OF NEW JERSEY**.
11. Consultant shall comply with all federal, state, county and municipal laws, regulations and ordinances applicable to Consultant or the work in the states and municipalities where the work is to be performed.
12. As compensation for the Services to be performed under this Agreement, Principal agrees to pay Consultant and Consultant agrees to accept for the Services, the compensation not to exceed \$15,000.00, outlined in "Exhibit B – Compensation and Method of Payment" that is attached and made a part of this Agreement.
13. This contract may not be assigned by the Principal in whole or in part, without the prior written consent of Consultant.
14. Consultant reserves the right to cease performance under this Agreement due to:
 - a. Principal's nonpayment of compensation as required by Exhibit B;
 - b. Principal's failure to pay invoices within 45 days of receipt;
 - c. Failure of Principal to provide information and documentation outlined in Section 1 of the Professional Services Agreements.
15. Except for the non-payment of Consultant's compensation under this Agreement, Principal and Consultant agree to submit any dispute under this Agreement to binding arbitration. Principal and Consultant shall bear their own costs for presentation of their case to the arbitration.
16. Consultant reserves the right to institute legal proceedings to collect unpaid compensation for services rendered under this Agreement. In the event that Consultant is successful in obtaining a judgment against Principal, the Principal shall also be responsible for the Consultant's legal fees and costs related to the collection action.
17. Except to the extent caused by the negligence or willful misconduct of Consultant, Principal shall indemnify, defend and hold Consultant, its principals, officers, directors, employees and agents harmless against and from all losses which may be imposed upon, incurred by or asserted against

Consultant by any third party and arising out of or in connection with bodily injury or property damage resulting from (a) force majeure, (b) acts of third parties, (c) the acts or omissions (including violations of Law) of Principal, or (d) any matter not within the reasonable control of Consultant.

18. The chief financial officer (or equivalent) of the government entity shall certify that the funds are available to pay the compensation of this Agreement.
19. A resolution approving this Agreement from the governing body shall be attached to this Agreement as the next lettered Exhibit.
20. All subsequent modifications or amendments to this Agreement shall be attached to this Agreement as the next lettered Exhibit. In the event that the Principal is the state, county or municipal government, or a state, county or municipally created entity, a resolution approving the amendment or modification to this Agreement from the governing body shall be attached to this Agreement as the next lettered Exhibit. The chief financial officer of the applicable government entity shall also certify that funds are available to pay the compensation required by the modification or amendment to this Agreement.
21. Failure of Consultant to enforce any provision of this Agreement is not a waiver by Consultant of that provision in the Agreement.
22. Notices and payments pursuant to this Agreement shall be given in writing by ordinary mail to the parties of the following addresses:

To the Consultant:	To the Principal(s):
TRIAD ASSOCIATES 1301 W. Forest Grove Road Vineland, New Jersey 08360	TOWNSHIP OF LOWER 2600 Bayshore Road Villas, New Jersey 08251
Attn: Carolyn P. Zumpino President	Attn: Michael Laffey Township Manager

or to such other address as the parties may hereafter designate by notice given in accordance with the terms of this Paragraph. Notice or payments sent through courier service, or private overnight delivery service also comply with the terms of this paragraph.

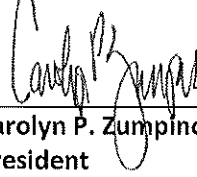
[SIGNATURE PAGE FOLLOWS]

The Consultant and Principal executed this Agreement as of the date first above written.

TRIAD ASSOCIATES



Witness/Attest



Carolyn P. Zumpino
President
Date: December 27, 2023

TOWNSHIP OF LOWER

Witness/Attest

By:

Date:

BILLING CONTACT INFORMATION:

Triad Associates will submit all invoices associated with this Agreement to the Principal's designated department staff member identified below.

Please Print

Name/Title: _____
Billing Address: _____
Email Address: _____
Phone No. _____
Fax No. _____

CERTIFICATION OF FUNDS

I am the Chief Financial Officer (or equivalent) for the Principal and I certify that funds are available and set aside to pay for the services under this Agreement.

Signature

Date

Print Name & Title

EXHIBIT A PROJECT DESCRIPTION AND SCOPE OF SERVICES

Attached to and made a part of the Agreement dated December 27, 2023 between TRIAD ASSOCIATES (“Consultant”), and TOWNSHIP OF LOWER (“Principal”).

For the following project, Principal agrees to retain Consultant to provide these services:

PROJECT DESCRIPTION: Principal has a need for Consultant to pursue financial resources for capital, infrastructure, programmatic and related needs of the Principal. Consultant shall (1) recommend federal, state, regional and foundation grant and/or financing resources and/or programs available to meet Principal’s needs, (2) apply for the applicable programs upon Principal’s approval of Consultant’s recommendations, and (3) other services as authorized.

SCOPE OF SERVICES: The Consultant shall, as authorized, undertake the necessary analyses, applications and related activities, which are broken down into tasks:

- Task 1:** Conduct grants investigation, research and evaluation.
- Task 2:** Preliminary program and financial analysis and strategy development, informal and formal communications with prospective funding agencies, development of project profiles and other descriptive documents outlining proposed projects with the purpose of securing an invitation to apply for funding. This task shall also include negotiations with other municipal, county and regional agencies, foundations and the private sector to the extent necessary to carry forth the development goals of the Principal. This includes attending meetings when necessary, and providing sufficient support for all services required by the Principal.
- Task 3:** Preparation of pre-application and/or application documents as specified by and required for submission to state, federal and regional agencies and foundations/philanthropies.
- Task 4:** Provision of program implementation and project administrative services in order to ensure that programs approved are carried out in accordance with contractual terms and conditions and in compliance with all applicable federal and/or state statutes, regulations and executive orders, etc.
- Task 5:** Special technical support services including, but not limited to, planning and implementation strategies, innovative financing strategies, economic development initiatives, Project and Funding Matrices, objective/third party review with recommendations of applications prepared in-house by the Principal, and other services supporting the overall objectives of the Principal.
- Task 6:** As a value-added service, Triad can prepare a wide range of media materials including press releases concerning successful applications, media advisories, weekly columns and more.

EXHIBIT B COMPENSATION AND METHOD OF PAYMENT

Attached to and made a part of the Agreement dated December 27, 2023 between TRIAD ASSOCIATES ("Consultant"), and TOWNSHIP OF LOWER ("Principal").

Principal agrees to pay the Consultant as follows:

COMPENSATION: The Principal shall provide compensation not to exceed \$15,000.00 for services provided in accordance with Exhibit A as follows:

- Task 1 of Exhibit A shall be conducted by the Consultant without charge.
- Services under Task 2, will be provided on an hourly basis in accordance with Exhibit C.
- For services under Tasks 3 and 4 of Exhibit A, the amount shall be determined based on the specific program or project for which state, federal, regional or other funds are derived. An estimate of cost will be provided by Consultant for preparation of required application(s) for review and authorization by the Principal.
- For services under Tasks 5 and 6 of Exhibit A, the amount shall be determined based on the specific program or project identified and or requested by the Principal. An estimate of cost will be provided by Consultant for review and authorization by the Principal.

METHOD OF PAYMENT:

- For Task 2: Consultant shall provide an invoice commensurate with the level of work completed.
- For Tasks 3, 4, 5 or 6: Consultant shall provide an Authorization to Proceed letter to Principal, which stipulates the cost for services. Upon receipt of the executed Authorization to Proceed letter from Principal, Consultant shall provide the services and Invoice accordingly.
- Principal shall process all invoices for payment upon receipt.
- **Payment Address:** All payments must be remitted to Triad Associates, 1301 W. Forest Grove Road, Bldg. 3A, Vineland, NJ 08360

UNSPECIFIED TECHNICAL SERVICES: For services outside the scope of this contract, Consultant shall invoice at the hourly rate effective at the time of service. These rates include all clerical and related services. Unspecified technical services will be performed upon prior authorization from the Principal and/or Principal's staff. Our current hourly rates are shown on Exhibit C.

OVERNIGHT DELIVERY AND CERTIFIED MAIL SERVICES: Consultant's compensation excludes charges for sending items via overnight delivery services (e.g., UPS, FedEx, USPS Express Mail Service, USPS Certified mail, or other similar services) to the Principal or on behalf of the Principal to other parties. Consultant will charge the Principal the actual cost of these services.

COPIES: Consultant shall provide the appropriate number of copies of applications/study/ work product necessary to meet submission requirements of the funding source. Consultant will also provide one (1) complimentary hard copy and one (1) PDF copy of final application, study or final work product for the Principal's file.

EXHIBIT C HOURLY RATE CHART

HOURLY RATES: The following chart includes the hourly rates that are effective as of the signing of this Agreement. These rates are subject to change annually. Services provided on an hourly basis will be invoiced at the hourly rate effective at the time of service. These rates include all clerical and related expenses.

STAFF CATEGORY	RATE
Chief Executive Officer	\$225 per hour
President/Vice President/COO/Technical Specialist	\$200 per hour
Senior Associate	\$175 per hour
Associate	\$150 per hour
Housing Technician	\$135 per hour
Junior Associate	\$135 per hour

This includes all expenses for which the Consultant will seek reimbursement for the tasks as outlined in this Agreement.

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

RESOLUTION #2024-71

Title: **AUTHORIZATION FOR WAIVER OF FEES FOR THE NATURE CONSERVANCY ASSOCIATED WITH THE CONSTRUCTION PERMIT FEES**

WHEREAS, The Nature Conservancy, located at 4245 North Fairfax Drive, Arlington, VA, will be making application to the Township for a Construction Permits for the South Cape May Meadows Preserve Enhancements project at the Nature Conservancy including an Elevated Wetland Boardwalk and Site Improvements; and

WHEREAS, The Nature Conservancy is a non- profit corporation and has requested the Township waive any and all permit fees associated with the project; and

WHEREAS, the Township Council has reviewed their request and deems it appropriate to support local charitable organizations and non-profit organizations that support and enhance the township and its community.

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

	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 5, 2024.

Julie A Picard, Township Clerk

MEMORANDUM

To: Lower Township
Attn: Julie Picard
From: Cory Speroff, PLA, Princeton Hydro
Date: 1/23/2024
Project: South Cape May Meadows Preserve Enhancements: The Nature Conservancy
Re: Elevated Wetland Boardwalk and Site Improvements Permit Fee

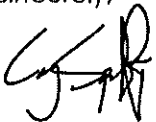
Dear Ms. Picard

On behalf of The Nature Conservancy (TNC), Princeton Hydro is requesting that fees associated with Lower Township Construction Office Permit application be waved on account of TNC's non-profit status. TNC is a tax-exempt organization under U.S. Title 26, Section 501(c)(3) and a public charity described in Section 509(a)(1) of the U.S. Internal Revenue Code (IRS). The most recent confirmation of their tax exempt status was provided by the IRS in 2021. (See attached correspondence from the IRS from March 16, 2021 and December 19, 1968). The Nature Conservancy's U.S. tax identification number is 53-0242652.

The Nature Conservancy, incorporated in 1951, is a nonprofit D.C. corporation with a principle place of business at 4245 North Fairfax Drive, Arlington, Virginia 22203. In addition, it is registered and operates as a charity in all U.S. states and has a presence in more than 30 countries throughout the world. The Conservancy's New Jersey Chapter office is located at 200 Pottersville Rd., Chester, NJ 07930. The finances of The Nature Conservancy in New Jersey are included in The Nature Conservancy's audited financial statements and their IRS Form 990 Report to the IRS. The mission of The Nature Conservancy is to conserve the land and waters on which all life depends.

Should you have any questions regarding The Nature Conservancy's non-profit status or require any additional clarification regarding the South Cape May Meadows project and its proposed features, please don't hesitate to contact me directly via email at csperoff@princetonhydro.com or by phone at (484)947-7711. Thank you for your time.

Sincerely,



Cory Speroff, PLA, CBLP, ASLA
Landscape Architect

cc: Geoffery Goll, P.E. Princeton Hydro
Damon Noe, Critical Lands Manager, The Nature Conservancy

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

RESOLUTION #2024-72

Title: APPROVAL OF CHANGE ORDER #1 FOR THE ENGINEERING SERVICES FOR THE CONSTRUCTION PHASE FOR THE BEACH ACCESS PATHS (LT-C-038)

WHEREAS, DeBlasio & Associates have been approved by Resolution #2023-137 on April 3, 2023 to provide Professional Services for the Design and Specifications for the Beach Access Paths Installation (LT-C-038) for \$20,000.00; and

WHEREAS, DeBlasio & Associates have provided a proposal for \$30,000.00 for Construction Phase for the Beach Access Paths (LT-C-038) including Contract Administration, Shop Drawing and Submittal Review and Part Time Construction Observation (250 Hours); and

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

Appropriation: C-04-55-420-910 \$ 7,033.97 ORD #21-18
C-04-55-420-100 \$22,966.03 ORD #21-18

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 DeBlasio & Associates is hereby approved to increase the contract total to \$50,000.00.

	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 5, 2024.

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 23, 2024

VIA EMAIL

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

**Re: Township of Lower, Cape May County, NJ
Beach Access Paths Installation - Construction Phase Services
D&A File #: LT-C-038**

Dear Mr. Douglass:

As requested by the Township, **DeBlasio & Associates, P.C.** is pleased to provide this proposal to provide our construction phase services for the **Beach Access Paths Installation at Delaware Bay.**

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

Construction Phase Cost: \$30,000.00

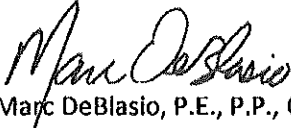
- Contract Administration
- Shop Drawing and Submittal Review
- Part Time Construction Observation
Based on 250 Hours

Total Professional Service Fee \$30,000.00

Upon your authorization and should the project be awarded successfully, we are prepared to begin work on the Township's **Beach Access Paths Installation – 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.

A handwritten signature in black ink, appearing to read "Marc DeBlasio". The signature is written in a cursive, flowing style.

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

President

T: 609-854-3311

Marc@deblasioassoc.com

cc: Mayor Frank Sippel (via email)
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 #2024-73

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>
499.20	4	Lereta, LLC : Florio 9 Egret Drive	Property Sold	\$ 1009.94
410.04	2	Phillip & Barbara Kelly 24 Iowa Avenue	Property Sold/did not cancel ACH	\$ 525.40

	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 5, 2024

Julie A Picard, Township Clerk

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

RESOLUTION #2024-74

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

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

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

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

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

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 5, 2024.

Julie A Picard, Township Clerk

2/5/2024

GOV DEALS RES 2024

LOCATION	DESCRIPTION /DISPOSAL	FA#
TOWNHALL	OFFICE CHAIRS	1620
TOWNHALL	OFFICE CHAIRS	1395
TOWNHALL	LAPTOP	2159
TOWNHALL	OFFICE CHAIRS	1616
TOWNHALL	GUEST CHAIRS	1669
TOWNHALL	GUEST CHAIRS	1639
TOWNHALL	HP PRINTER	3092
TOWNHALL	OPTIPLEX TOWER	4279
TOWNHALL	OPTIPLEX 3050 TOWER	4258
TOWNHALL	OPTIPLEX 3050 TOWER	3161
TOWNHALL	DELL LAPTOP	2159
TOWNHALL	OPTIPLEX 3050 TOWER	4271

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

RESOLUTION #2024-75

Title: AUTHORIZING THE DISPOSAL OF TOWNSHIP OF LOWER SURPLUS NO LONGER NEEDED FOR PUBLIC USE

WHEREAS, the Township of Lower has determined that the property described below is no longer needed for public use

<u>ITEM</u>	<u>FIXED ASSET #</u>	<u>REASON</u>
2 Broken Computer Chairs	3787 and 4538	BROKEN BEYOND REPAIR
3 Filing Cabinets	1370 1371 N/A	BROKEN BEYOND REPAIR
2 Stools	4415 and 4416	BROKEN BEYOND REPAIR

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the Township of Lower is hereby authorized to dispose of said item.

	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 5, 2024.

Julie A Picard, Township Clerk

2/5/2024

SCRAP RES 2024-

LOCATION	DESCRIPTION /DISPOSAL	FA#
POLICE	COMPUTER CHAIR (BROKEN)	3787
POLICE	COMPUTER CHAIR (BROKEN)	4538
TOWNHALL	FILE CABINET	1370
TOWNHALL	FILE CABINET	1371
TOWNHALL	FILE CABINET	N/A
TOWNHALL	STOOL	4415
TOWNHALL	STOOL	4416

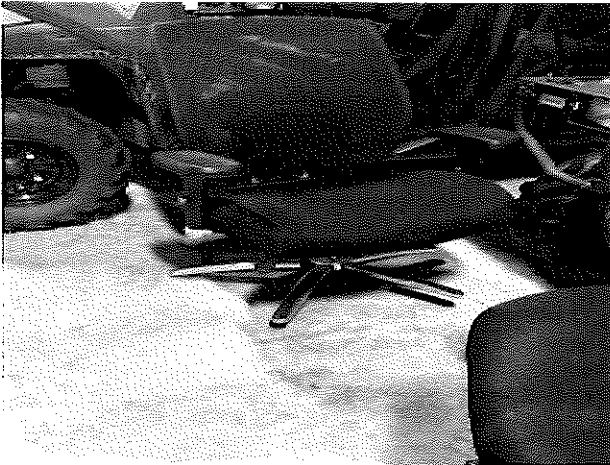
Dawn Bailey

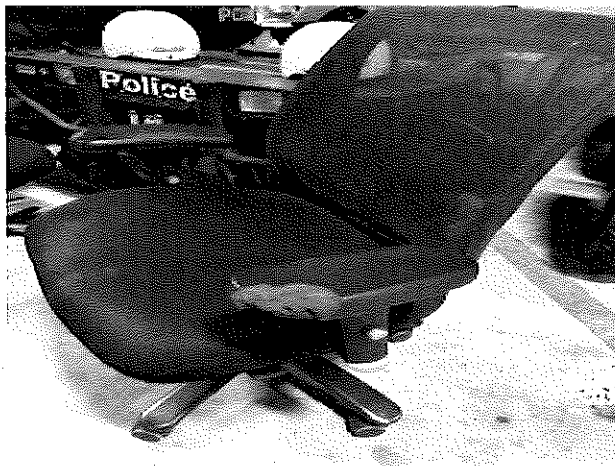
From: Karen Wolf <wolf@lowertownshipolice.com>
Sent: Friday, January 12, 2024 12:35 PM
To: Dawn Bailey
Subject: External FW:

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.

Here are the two chairs

FA# 3787 & 4538





Sent from my iPhone

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

RESOLUTION #2024-76

Title: APROVAL OF CHANGE ORDER #2 WITH MARCUS H. KARAVAN, P.C. FOR SPECIAL COUNSEL FOR TWO CONTESTED TAX MATTERS

WHEREAS, Marcus Karavan, Esq was awarded a professional service contract on June 1, 2020 by Resolution #2020-162 in the amount not to exceed \$10,000.00; Change Order #1 was approved on November 2, 2020 by Resolution # 2020-288 in the amount of \$5,000.00; and

WHEREAS, Marcus Karavan, of Marcus H. Karavan, P.C., has provided a proposal for \$10,000.00 to cover the additional Professional legal services related to defending two pending matters before the Tax Court and/or related tax work, to wit: the Morrell and Hansen v Lower Township and Jason Hansen v Lower Township Tax Court Case; and

WHEREAS, the Township Council desires to approve Change Order #2 and the CFO has certified the availability of funds by her signature in the budget as follows:

Appropriation: 4-01-20-155-289 TAX FORECLOSURES/APPEALS

Signature: *Lauren Read*
Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the Change Order #2 for \$10,000.00 to Marcus H. Karavan, P.C. is hereby approved increasing the contract total to \$25,000.00.

	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 5, 2024.

Julie A Picard, Township Clerk

**AGREEMENT & CONTRACT TO SERVE AS
AS SPECIAL COUNSEL IN TWO CONTESTED TAX MATTERS**

The within Agreement by and between MARCUS H. KARAVAN, ESQUIRE of MARCUS H. KARAVAN, P.C. and the TOWNSHIP OF LOWER is as follows:

1. The Township of Lower hereby appoints Marcus H. Karavan, Esquire, of Marcus H. Karavan, P.C. to serve as TAX APPEAL COUNSEL, for the Township of Lower in the matters listed below.
2. Marcus H. Karavan, Esquire, of the Law Offices of Marcus H. Karavan, P.C. shall provide the Township of Lower with copies of monthly billings with fees calculated at hourly rates as set forth below:
 - Professional legal services relative to defending two pending matters before the Tax Court and/or related tax work, to wit:
 - *Morrell and Hansen v Lower Township* (multiple years)
 - *Jason Hansen v. Lower Township* (multiple years)
 - Services shall include but not limited to: Office conferences, court appearances, research, litigation, filing and responding to motions, participation in settlement conferences, etc;
 - One Hundred Seventy-Five (\$175.00) Dollars per hour;
 - Not to Exceed \$ 10,000.00
 - Additional charges to include postage; photocopying, courier services; costs of deposition transcripts; tolls, travel expenses, costs of any and all court transcripts; cost of filing fees, if applicable.
3. The Township shall be responsible for expert fees, Court costs and filing fees.


This agreement shall be effective, January 1, 2024, and shall terminate December 31, 2024.

4. It is the anticipated that these matters will be disposed of by motion or tried in Tax Court in Trenton NJ during this calendar year.

In Witness whereof, we sealed the day and year above first written agreement.

TOWNSHIP OF LOWER

LAW OFFICES OF
MARCUS H. KARAVAN, P.C.



Marcus H. Karavan, Esquire

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

RESOLUTION #2024-77

Title: LOCAL RECREATION IMPROVEMENT GRANT APPLICATION FOR \$100,000, ROTARY PARK, ADA IMPROVEMENTS

WHEREAS, the Township of Lower desires to apply for and obtain a grant from the New Jersey Department of Community Affairs Local Recreation Improvement Grant Program for approximately \$100,000, for Rotary Park ADA Improvements.

NOW THEREFORE, BE IT RESOLVED, that the Township of Lower does hereby authorize the application for such a grant; and, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of the agreement; and also, upon receipt of the fully executed agreement form the Department, does further authorize the expenditure of funds pursuant to the terms of said agreement between the Township of Lower and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, the agreement, and any other documents in connection therewith:

Frank Sippel
Township Mayor

Michael Laffey
Township Manager

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
COOMBS						
ROY						
PERRY						
SIPPEL						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held February 5, 2024.

Julie A Picard, Township Clerk

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

RESOLUTION # 2024-78

Title: BID ACCEPTANCE AND CONTRACT AWARD OF BEACH ACCESS PATHS INSTALLATION (LT-C-038)

WHEREAS, a Notice to Bidders for the Beach Access Paths Installation (LT-C-038) was advertised on January 17, 2024 and accepted on Wednesday, January 31, 2024 at 10:00 a.m. prevailing time; and

WHEREAS, Five (5) sealed bids were submitted and reviewed by the Township Engineer, QPA and Public Works Superintendent; and

WHEREAS, Vulcan Construction Group Inc. was the lowest responsible bidder in the amount of \$257,100.00; and

WHEREAS, on February 1, 2024, the Township received correspondence from Vulcan Construction, Inc. requesting to withdraw its bid due to a significant clerical error omitting substantial costs in Bid Item #1 "Site Clearing," including costs associated with lodging, transportation, and disposal fees resulting in an incorrectly low and inaccurate final bid price; and

WHEREAS, per the New Jersey Local Public contracts Law, N.J.S.A. 40A:11-23.3, the Township acknowledges the ability of bidders to withdraw a submitted bid associated with a public works project, and, under the circumstances, will accept and allow the withdrawal of the bid received from Vulcan Construction Group Inc.; and

WHEREAS, the next lowest qualified responsible bidder is Fred M. Schiavone Construction Inc. in the amount of \$379,810.00, which complied with the specifications, supplied all required bid documents and the CFO has certified the availability of funds as evidenced by her signature below:

Appropriation: C-04-55-420-100 ORD 21-18

Signature: Lauren Read, CFO

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

AWARD TO: FRED M. SCHIAVONE CONSTRUCTION INC.
TOTAL: \$379,810.00

Table with 7 columns: MOTION, SECOND, AYE, NAY, ABSTAIN, ABSENT and 5 rows of names: CONRAD, COOMBS, ROY, PERRY, SIPPEL.

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 5, 2024.

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

February 1, 2024

VIA EMAIL

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

**Re: Township of Lower, Cape May County, NJ
Beach Access Paths Installation
D&A File #: LT-C-038**

Dear Ms. Picard:

We have tabulated the five (5) bids received on January 31, 2024 for the above referenced project. As such, we have determined that the lowest responsible bidder appears to be Vulcan Construction Group, Inc. in the amount of \$257,100.00. Enclosed please find one (1) copy of the bid tabulation for your files.

Please note the following regarding the bid submission:

1. Our office received the enclosed correspondence from Vulcan Construction Group, Inc. dated February 1, 2024, indicating that they are requesting to have their bid withdrawn.

If the Township allows Vulcan Construction Group, Inc.'s bid to be withdrawn, then, in accordance with the New Jersey Local Public Contracts Law, NJSA 40A:11-1 et seq., the contract should be awarded to the lowest responsible bidder, which appears to be Fred Schiavone Construction, P.O. Box 416, Malaga, New Jersey 08328 in the amount of \$379,810.00. The award should be contingent upon approval of your solicitor and monies being available.

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

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



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

cc: Mayor Frank Sippel (via email w/encl.)
Michael Laffey, Manager (via email w/encl.)
Margaret Vitelli, Qualified Purchasing Agent (via email w/encl.)
Gary Douglass, Public Works Superintendent (via email w/encl.)
Robert Belasco, Solicitor (via email w/encl.)

BID TABULATION - BASE BID

Project Name: Beach Access Paths Installation
D&A Project #: LT-C-038
Client: Township of Lower
Bid Opening Date: 01/31/2024

Item #	DESCRIPTION	QUANTITY & UNITS	Vulcan Construction, Inc.		Fred Schiavone Construction		Walters Marine Construction		South State, Inc.		Agate Construction Co., Inc.	
			UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
BASE BID (88TH STREET)												
1	CLEARING SITE	LUMP SUM	\$75,000.00	\$75,000.00	\$35,680.00	\$35,680.00	\$45,000.00	\$45,000.00	\$56,000.00	\$56,000.00	\$215,500.00	\$215,500.00
2	BEACH ACCESS PATH - BROWNING AVENUE	LUMP SUM	\$45,000.00	\$45,000.00	\$71,850.00	\$71,850.00	\$95,000.00	\$95,000.00	\$90,000.00	\$90,000.00	\$91,000.00	\$91,000.00
3	BEACH ACCESS PATH - DELFORD AVENUE	LUMP SUM	\$30,000.00	\$30,000.00	\$60,200.00	\$60,200.00	\$69,000.00	\$69,000.00	\$80,000.00	\$80,000.00	\$63,000.00	\$63,000.00
4	BEACH ACCESS PATH - TOWN BANK AVENUE	LUMP SUM	\$28,000.00	\$28,000.00	\$76,330.00	\$76,330.00	\$87,000.00	\$87,000.00	\$85,000.00	\$85,000.00	\$83,000.00	\$83,000.00
5	BEACH ACCESS PATH - CLIFFSIDE ROAD	LUMP SUM	\$30,000.00	\$30,000.00	\$53,100.00	\$53,100.00	\$64,000.00	\$64,000.00	\$90,000.00	\$90,000.00	\$58,000.00	\$58,000.00
6	BEACH ACCESS PATH - FOLSOM AVENUE	LUMP SUM	\$44,000.00	\$44,000.00	\$70,700.00	\$70,700.00	\$90,000.00	\$90,000.00	\$105,000.00	\$105,000.00	\$92,000.00	\$92,000.00
7	CONSTRUCTION LAYOUT	LUMP SUM	\$3,000.00	\$3,000.00	\$5,750.00	\$5,750.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$15,000.00	\$15,000.00
8	CONCRETE SIDEWALK, 4" THICK (IF & WHERE DIRECTED)	20 S.Y.	\$100.00	\$2,000.00	\$80.00	\$80.00	\$150.00	\$1,500.00	\$500.00	\$500.00	\$650.00	\$650.00
9	TRAFFIC CONTROL	LUMP SUM	\$100.00	\$100.00	\$4,600.00	\$4,600.00	\$10,000.00	\$10,000.00	\$9,000.00	\$9,000.00	\$40,000.00	\$40,000.00
			\$257,100.00		\$379,810.00		\$464,000.00		\$530,000.00		\$674,500.00	
Total Amount Bid Based on Estimated Quantities for Base Bid Items 1 - 9:												



Township of Lower
Attn: Purchasing Department
2600 Bayshore Drive
Villas, NJ 08251

February 1, 2024
Sent via Certified Mail

Re: Beach Access Paths Installation
Bid on January 31, 2024
BID WITHDRAWL

To whom it may concern,

Please accept this letter as the official request to withdraw the bid for the above referenced project on behalf of *Vulcan Construction Group, Inc.*

Due to a clerical error, our firm mistakenly omitted significant costs in Bid Item No.1 "Site Clearing", from our bid, this included costs for lodging, transportation, and disposal fees, resulting in an incorrectly low and inaccurate final bid price.

Should you have any questions, concerns, or need additional information please feel free to contact our office.

Best Regards,

Salvador Munoz, President
Vulcan Construction Inc.

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

ORDINANCE #2024-01

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 2024 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 \$882,730.42 in excess of the increase in final appropriations otherwise permitted by the Local Government Cape Law is advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Lower, in the County of Cape May, a majority of the full authorized membership of this governing body affirmatively concurring, that in the CY 2023 budget year, the final appropriation of the Township of Lower shall, in accordance with this ordinance and N.J.S.A. 40A: 4-15.14, be increased by 3.5 % amounting to \$882,730.42, and the CY 2024 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, 2024

Adopted:

Attest: _____
Julie A Picard, Township Clerk

Township of Lower
Treasurer's Report
2023

	Total	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
BEG. BAL. JAN. 1, 2023	12,076,232.69	12,076,232.69	12,661,122.53	15,608,864.37	10,909,865.89	14,830,006.93	12,692,648.39	10,892,606.84	6,572,862.49	12,178,318.39	7,626,163.60	8,391,685.09	21,742,866.81
RECEIPTS:													
Per Revenue Status	69,019,935.44	6,655,264.88	11,369,873.66	1,422,403.71	9,819,653.03	14,481,388.95	1,476,438.38	3,518,190.51	18,180,020.00	2,105,003.77	6,974,693.01	13,548,712.10	1,458,326.45
less: post cash surplus	(4,360,000.00)					(4,360,000.00)							
Interest due from Capital	(74,057.85)				(5,460.05)	(6,109.10)	(8,211.37)	(8,721.06)	(8,804.54)	(8,850.40)	(9,260.87)	(9,050.26)	(9,390.16)
Interest due from Escrow	0.00	(131.31)	(133.92)	(693.39)	(1,349.84)	(1,291.89)	(894.32)	(680.66)	(456.83)	(516.24)	(625.91)	(847.19)	(8,660.40)
Due from Capital Reserves	(200,000.00)					(200,000.00)							
MUN. RELIEF \$ RECD-2022 GL	70,563.00												
	84,368,834.49	6,635,123.45	11,369,739.74	1,421,510.32	8,812,824.33	8,813,887.38	1,469,358.87	3,431,805.78	16,180,678.63	2,095,717.13	6,364,448.13	13,636,814.65	1,467,015.65
Transfers:													
Capital - Clear Market	11,708,370.11	1,213,605.16	261,376.95	228,074.82							200,000.00	9,602,322.18	
Trans: Due from PD #2 - DP 2022 taxes	7,000.00					7,000.00							
Grants Received:							2,725.69						
AGED \$ RECD	2,725.69												
BOYD ARBOR \$ RECD	3,635.42												3,635.42
BODY CAMERA \$ RECD	99,454.00			99,454.00									
CC \$ RECD	61,560.71					61,560.71							
CIS \$ RECD	1,440.00										1,440.00		
CMC Arts \$ RECD	8,123.25			8,123.25									
CRAK or Ticket	7,000.00							7,000.00					
DOEF	9,379.93											9,379.93	
DRAGGED DRIVING \$ RECD	7,000.00					7,000.00							
DSGPO \$ RECD	12,600.00		9,450.00										
EVAA \$ RECD	10,000.00									10,000.00			
FEAR	31,610.34										31,610.34		
JIF \$ RECD	9,211.85	2,748.65				3,476.00		1,000.00					2,000.00
LEAD BASED PAINT INITIATIVE \$ RECD	22,709.00								22,709.00				
NRF \$ RECD	174,189.36								69,284.70	68,425.60	23,062.28	7,699.30	7,698.30
NJDOT - FIRE	127,500.00	127,500.00											
NJDOT - STAR	46,250.00					46,250.00							
NJDOT - WILSON	46,250.00								46,250.00				
OPEN SPACE \$ RECD	1,229,491.28				1,229,491.28								
Opoid Settlement	23,946.55	8,001.83	1,497.15				4,871.68		6,914.64				1,761.55
Recycling Tonnage \$ RECD	40,755.42		40,755.42										
SC \$ RECD	372,944.45		337,935.11				27,418.34					7,591.00	
STORMWATER ASSISTANCE	15,000.00					15,000.00							
T-392-T88-25													
TOTAL RECEIPTS:	98,416,831.85	7,008,877.39	12,626,764.37	1,787,862.39	11,060,780.61	10,083,217.01	1,476,828.84	3,439,805.78	18,326,727.77	2,205,763.27	6,209,069.32	23,368,698.48	1,488,349.41
DISBURSEMENTS:													
2022 Reserves	601,613.41	281,916.74	159,488.48	7,663.66	10,100.53	5,217.20	5,894.21	64,265.08	62,411.71	1,549.01	1,631.72	1,221.10	883.68
2023 Current	85,886,441.89	5,111,336.78	8,827,859.08	6,232,448.84	7,209,139.61	13,098,830.29	3,149,141.33	8,605,450.67	10,667,206.30	6,114,652.19	5,067,064.69	9,803,000.55	2,612,072.55
2023 Capital	8,297,514.51	1,213,605.16	261,376.95	228,874.82	57,864.76								351,300.43
less: Delinquent TAX MAP	(24,000.00)					(24,000.00)							
less: Due capital bond and payoff	(1,065,000.00)					(1,065,000.00)							
less: Due capital CRF	(200,000.00)					(200,000.00)							
Appropriation Refunds:	(1,300,201.10)	(183,871.13)	(74,811.88)	(111,926.35)	(136,474.53)	(71,459.83)	(147,135.69)	(63,529.69)	(137,499.21)	(139,710.65)	(49,766.57)	(85,978.39)	(68,036.35)
Transfers:													
CAPITAL (CLEAR IF)	6,449,606.55												6,449,606.55
GRAFFTS - CLEAR (S IF)	32,182.08												32,182.08
TRUST - UFSB (V.E. ADJ)	41,031.49												41,031.49
TOTAL DISBURSEMENTS	98,669,289.02	6,423,187.55	9,172,912.53	6,357,060.87	7,140,649.67	12,230,676.55	3,278,569.55	8,169,650.14	11,333,271.87	6,765,908.06	5,443,647.63	9,698,374.78	8,389,240.78
END. BAL. DEC. 31, 2023	13,821,976.42	12,661,122.63	15,608,864.37	10,909,865.89	14,830,006.93	12,692,648.39	10,892,606.84	6,172,262.43	12,178,318.39	7,526,163.60	8,391,685.09	21,742,866.81	13,221,574.51
Total Appropriation Refunds	(1,300,201.10)	(183,871.13)	(74,811.88)	(111,926.35)	(136,474.53)	(71,459.83)	(147,135.69)	(63,529.69)	(137,499.21)	(139,710.65)	(49,766.57)	(85,978.39)	(68,036.35)

CASH RECONCILIATION DECEMBER 31, 2023

	Cash		Less Checks Outstanding	Cash Book Balance
	*On Hand	On Deposit		
Current	510,398.85	20,447,916.33	7,135,739.66	13,822,575.52
Trust - Assessment				
Trust - Dog License	0.00	14,541.96	5,867.56	8,674.40
Trust - Other	76,536.37	4,211,664.50	61,394.00	4,226,806.87
Capital - General	6,449,806.55	2,094,808.10	69.38	8,544,545.27
Water - Operating				0.00
Water - Capital				0.00
Assessment Utility Trust				0.00
Public Assistance**				0.00
Garbage District				0.00
Grant Fund				0.00
Total	7,036,741.77	26,768,930.89	7,203,070.60	26,602,602.06

*Include Deposits In Transit (and change funds)

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

REQUIRED CERTIFICATION

I hereby certify that all amounts shown in the "Cash on Deposit" column on Sheet 9 and 9(a) have been verified with the applicable bank statements, certificates, agreements or passbooks at 31-Dec-23

I also certify that all amounts, if any, shown for Investments in Savings and Loan Association on any trial balance have been verified with the applicable passbook at 31-Dec-23

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

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

Signature:

Lauren Reed

Title: CFO, Township of Lower

OUTSTANDING CHECKS:

DEC 2023

DEPOSITS IN TRANSIT:

TD:

1073	25.00
1162	15.00
1388	50.00
1470	197.94
1477	27.70
1574	50.38
1576	15.00
1806	300.00
1882	408.00
2226	30.00
2402	40.00
2406	227.58
2481	1,343.75
2493	25.00
2732	300.00
2750	93.00
2764	599.99
2776	325.00
2818	300.00
2828	300.00
2889	300.00

2940	180.00
2947	20.00
2962	284.12
2968	17.00
2991	105.75
3010	399.01
3015	40,399.09
3016	190.00
3027	1,231.60
3028	189,437.50
3033	1,604.87
3037	3,697.01
3041	721.00
3044	107.36
3047	1,400.00
3070	525.00
3085	1,535.63
3087	148.05
3091	80.78
3092	319.70
3095	1,769.00
3100	1,264.96
3104	1,088.18
3105	15.00
3111	60.00
3112	900.00
3113	300.00
3116	684.26
3120	802.00
Due Grants	32,182.08
Due Trust	41,031.49
Due Unemployment	0.30
Due Capital	6,449,806.55
Due to Trust	45.00
Subtotal	6,772,352.29

1/3/2024
1/3/2024
1/3/2024
1/2/2024

Subtotal	4,973.34
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TOTAL O/S Checks	6,777,325.63
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684.26	ONLINE TAX
24,651.06	ONLINE TAX
39,239.13	ONLINE TAX
3,705.57	MUA REIM
102,482.51	SRO PAYMENT
5,807.56	Due from Dog Damage
1,963.13	Due from Escrow
8,948.94	Escrow 2023 interest due

69.38	DEC INT - CAPITAL TD
368.54	DEC INT - AGENCY
162.02	DEC INT - PAYROLL
8,331.35	DEC INT - TRUST
9.63	DEC INT - BAIL
23.04	DEC INT - COURT
137.31	DEC INT - TR
694.41	DEC INT - TP

197,277.84	Total DIT's
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RESULTS OF 2023 OPERATIONS
CURRENT FUND

		DEBIT	CREDIT
Excess of Anticipated Revenues		XXXXXXXX	XXXXXXXX
Miscellaneous Revenues anticipated	80013-01	XXXXXXXX	1,399,488.78
Delinquent Tax Collections	80012-02	XXXXXXXX	149,311.85
		XXXXXXXX	
Required Collection of Current Taxes	80013-03	XXXXXXXX	1,477,305.41
Unexpended Balance of 2023 Budget Appropriations	80013-04	XXXXXXXX	110,733.61
Miscellaneous Revenue Not Anticipated	81113-	XXXXXXXX	605,040.60
Miscellaneous Revenue Not Anticipated: Proceeds of Sale of Foreclosed Property (Sheet 27)	81114-	XXXXXXXX	-
Payments in Lieu of Taxes on Real Property	81120-	XXXXXXXX	
Sale of Municipal Assets		XXXXXXXX	587.59
Unexpended Balance of 2022 Appropriation Reserves	80013-05	XXXXXXXX	1,026,960.73
Prior Years Interfunds Returned in 2023	80013-06	XXXXXXXX	1,029,998.39
Void Prior years open purchase orders		XXXXXXXX	3,230.02
		XXXXXXXX	
Refund Overpayment		XXXXXXXX	7,000.00
Deferred School Tax Revenue: (See School Taxes, Sheets 13 & 14)		XXXXXXXX	XXXXXXXX
Balance January 1, 2023	80013-07	7,386,500.00	XXXXXXXX
Balance December 31, 2023	80013-08	XXXXXXXX	7,301,228.50
Deficit in Anticipated Revenues:		XXXXXXXX	XXXXXXXX
Miscellaneous Revenues Anticipated	80013-09		XXXXXXXX
Delinquent Tax Collections	80013-10		XXXXXXXX
			XXXXXXXX
Required Collection on Current Taxes	80013-11		XXXXXXXX
Interfund Advances Originating in 2023	80013-12	0.00	XXXXXXXX
Refund of Prior Year Revenue		3,351.63	XXXXXXXX
YE Adjustment: SC/VET		3,992.42	XXXXXXXX
			XXXXXXXX
Y/E Adjustment: Reserve for Fire Safety		41,031.49	XXXXXXXX
Deficit Balance - To Trial Balance (Sheet 3)	80013-13	XXXXXXXX	
Surplus Balance - To Surplus (Sheet 21)	80013-14	5,676,009.94	XXXXXXXX
		13,110,885.48	13,110,885.48

**SCHEDULE OF MISCELLANEOUS REVENUES
NOT ANTICIPATED**

Source	Amount Realized
REGISTRAR	16,994.00
MLU	83,160.39
POLICE REPORT	22,537.10
ASSESSOR	1,210.00
EMPLOYEE CAR	780.00
INSURANCE REIM	555.00
GOV DEALS	587.59
SC/VET/HOMSTD ADMIN	5,452.22
JIF	197,503.62
TAX PREMIUM FORFEITURE	7,709.71
DOG DAMAGE	5,807.56
MISC	2,637.95
COUNTY RECYCLING REBATE	222,070.15
FEMA REIMBURSEMENTS	1,341.95
REFUNDS	35,853.95
DOJ/US FISH & WILDLIFE	1,427.00
Total Amount of Miscellaneous Revenues Not Anticipated (Sheet 19)	605,628.19
	0.00

SURPLUS - CURRENT FUND
YEAR 2023

			Debit	Credit
1.	Balance January 1, 2023	80014-01	XXXXXXXXXXXX	8,422,356.50
2.			XXXXXXXXXXXX	
3.	Excess Resulting from 2023 Operations	80014-02	XXXXXXXXXXXX	5,676,009.94
4.	Amount Appropriated in the 2023 Budget-Cash	80014-03	4,360,000.00	XXXXXXXXXXXX
5.	Amount Appropriated in the 2023 Budget-with Prior Written Consent of Director of Local Government Services	80014-04	0.00	XXXXXXXXXXXX
6.				XXXXXXXXXXXX
7.	Balance December 31, 2023	80014-05	9,738,366.44	XXXXXXXXXXXX
			14,098,366.44	14,098,366.44

ANALYSIS OF BALANCE DECEMBER 31, 2023
(FROM CURRENT FUND - TRIAL BALANCE)

Cash	80014-06	13,822,575.52
Investments	80014-07	
Investment in General Notes		
Sub Total		13,822,575.52
Deduct Cash Liabilities Marked with "C" on Trial Balance	80014-08	4,209,713.53
Cash Surplus	80014-09	9,612,861.99
Deficit in Cash Surplus	80014-10	
Other Assets Pledged to Surplus:*		
(1) Due from State of N.J. Senior Citizens and Veterans Deduction	80014-16	4,504.45
Deferred Charges #	80014-12	121,000.00
Cash Deficit #	80014-13	
Total Other Assets	80014-14	125,504.45
* IN THE CASE OF A "DEFICIT IN CASH SURPLUS", "OTHER ASSETS"	80014-15	9,738,366.44

WOULD ALSO BE PLEDGED TO CASH LIABILITIES.

MAY NOT BE ANTICIPATED AS NON-CASH SURPLUS IN 2024 BUDGET.

(1) MAY BE ALLOWED UNDER CERTAIN CONDITIONS.

NOTE: Deferred charges for authorizations under N.J.S. 40A: 4-55.13 (Tax Map, etc.), N.J.S. 40A: 4-55 (Flood Damage, etc.), N.J.S. 40A: 4-55.1 (Roads and Bridges, etc.) and N.J.S. 40A: 4-55.13 (Public Exigencies, etc.) to the extent of emergency notes issued and outstanding for such purposes, together with such emergency notes, may be omitted from this analysis.

SURPLUS - CURRENT FUND
YEAR 2023

			Debit	Credit
1.	Balance January 1, 2023	80014-01	XXXXXXXXXXXXX	8,422,356.50
2.			XXXXXXXXXXXXX	
3.	Excess Resulting from 2023 Operations	80014-02	XXXXXXXXXXXXX	5,676,009.94
4.	Amount Appropriated in the 2023 Budget-Cash	80014-03	4,360,000.00	XXXXXXXXXXXXX
5.	Amount Appropriated in the 2023 Budget-with Prior Written Consent of Director of Local Government Services	80014-04	0.00	XXXXXXXXXXXXX
6.				XXXXXXXXXXXXX
7.	Balance December 31, 2023	80014-05	9,738,366.44	XXXXXXXXXXXXX
			14,098,366.44	14,098,366.44

ANALYSIS OF BALANCE DECEMBER 31, 2023
(FROM CURRENT FUND - TRIAL BALANCE)

Cash	80014-06	13,822,575.52
Investments	80014-07	
Investment in General Notes		
Sub Total		13,822,575.52
Deduct Cash Liabilities Marked with "C" on Trial Balance	80014-08	4,209,713.53
Cash Surplus	80014-09	9,612,861.99
Deficit in Cash Surplus	80014-10	
Other Assets Pledged to Surplus:*		
(1) Due from State of N.J. Senior Citizens and Veterans Deduction	80014-16	4,504.45
Deferred Charges #	80014-12	121,000.00
Cash Deficit #	80014-13	
Total Other Assets	80014-14	125,504.45
* IN THE CASE OF A "DEFICIT IN CASH SURPLUS", "OTHER ASSETS"	80014-15	9,738,366.44

WOULD ALSO BE PLEDGED TO CASH LIABILITIES.

MAY NOT BE ANTICIPATED AS NON-CASH SURPLUS IN 2024 BUDGET.

(1) MAY BE ALLOWED UNDER CERTAIN CONDITIONS.

NOTE: Deferred charges for authorizations under N.J.S. 40A: 4-55.13 (Tax Map, etc.), N.J.S. 40A: 4-55 (Flood Damage, etc.), N.J.S. 40A: 4-55.1 (Roads and Bridges, etc.) and N.J.S. 40A: 4-55.13 (Public Exigencies, etc.) to the extent of emergency notes issued and outstanding for such purposes, together with such emergency notes, may be omitted from this analysis.

Treasurer's Report

4th Qtr. 2023

GENERAL REVENUES	FCOA	Anticipated 2023	Realized in Cash in 2023	Excess/ (Shortfall)
1. Surplus Anticipated	08-101	4,360,000.00	4,360,000.00	-
Total Surplus Anticipated	08-100	4,360,000.00	4,360,000.00	-
3. Miscellaneous Revenues - Section A: Local Revenues	XXXXXX			
Licenses:	XXXXXX			
Alcoholic Beverages	08-103	35,000.00	39,020.00	4,020.00
Other (Mercantile, campground, ice cream peddling, bingo, gravel pit)	08-104	115,000.00	274,229.82	159,229.82
Fees and Permits (Yard sale, copying fees, street opening, taxi cab, municipal fees)	08-105			
Fines and Costs:	XXXXXX	72,200.00	93,392.50	21,192.50
Municipal Court	08-110	59,000.00	61,437.36	2,437.36
Interest and Costs on Taxes	08-112	125,000.00	205,880.52	80,880.52
Interest on Investments and Deposits	08-113	45,000.00	554,642.59	509,642.59
Recreation Fees	08-105	25,000.00	63,185.00	38,185.00
Payments in Lieu of Taxes - Conifer	08-105	30,000.00	37,459.92	7,459.92
Payments in Lieu of Taxes - Yorkshire Place	08-105	15,000.00	27,526.80	12,526.80
Payments in Lieu of Taxes - Haven House	08-105	25,000.00	42,127.10	17,127.10
Payments in Lieu of Taxes - Tech Village	08-105	5,000.00	10,010.62	5,010.62
Bulk Trash Receipts	08-105	65,000.00	115,229.19	50,229.19
Occupancy Tax		514,188.00	737,101.81	222,913.81
Cable Franchise Fees	08-105	125,000.00	147,573.99	22,573.99
Total Section A: Local Revenue	08-001	1,255,388.00	2,408,817.22	1,153,429.22
3. Miscellaneous Revenues - Section B: State Aid Without Offsetting Appropriations	XXXXXX	XXXXXX	XXXXXX	
Energy Receipts (PL 1997, Chapters 162 & 167)	09-202	1,485,992.00	1,485,992.00	0.00
Garden State Trust	09-207	87,437.00	87,437.00	0.00
Municipal Relief Fund	09-207	76,983.00	76,983.00	0.00
Total Section B: State Aid Without Offsetting Appropriations	09-001	1,650,412.00	1,650,412.00	0.00
3. Miscellaneous Revenues - Section C: Dedicated Uniform Construction Code Fees Offset with Appropriations (NJSA 40A: 4-36 and NJAC 5:23-4.17)	XXXXXX	XXXXXX	XXXXXX	
Uniform Construction Code Fees	08-160	420,000.00	660,235.00	240,235.00
Total Section C: Dedicated Uniform Construction Code Fees Offset w/Appropriations	08-002	420,000.00	660,235.00	240,235.00
3. Miscellaneous Revenues - Section D: Special Items of General Revenue Anticipated With Prior Written Consent of the Director of Local Government Services - Interlocal Municipal Service Agreements Offset With Appropriations:	XXXXXX	XXXXXX	XXXXXX	
Boards of Education - Special Police	08-105	204,965.02	204,965.02	0.00
County Interlocal - Garage Services	08-105	54,352.98	54,352.98	0.00
Total Section D: Interlocal Municipal Service Agreements Offset With Appropriations	11-001	259,318.00	259,318.00	0.00
3. Miscellaneous Revenues - Section E: Special Items of General Revenue Anticipated With Prior Written Consent of the Director of Local Government Services - Additional Revenues Offset with Appropriations (N.J.S. 40A:4-45.3h)				
Total Section E: Interlocal Municipal Service Agreements Offset With Appropriations	08-003	0.00	0.00	0.00

GENERAL REVENUES		FCOA	Anticipated 2023	Realized in Cash in 2023	Excess/ (Shortfall)
3	Miscellaneous Revenues - Section F: Special Items of General Revenue Anticipated With Prior Written Consent of the Director of Local Government Services - Public and Private Revenues Offset with Appropriations:	XXXXXX	XXXXXX	XXXXXX	
	Alcohol Education and Rehabilitation Fund	10-501	2,725.69	2,725.69	0.00
	Atlantic County JIF	10-881	6,475.00	6,475.00	0.00
	Cape May County Municipal Alliance Funds	10-506	52,430.00	52,430.00	0.00
	Cape May County Infrastructure	10-779	400,000.00	400,000.00	0.00
	Clean Communities Program	10-602	91,560.71	91,560.71	0.00
	Click it or Ticket		7,000.00	7,000.00	0.00
	Cops in Shops		1,440.00	1,440.00	0.00
	Distracted Driving		7,000.00	7,000.00	0.00
	Drive Sober Get Pulled Over	10-509	15,750.00	15,750.00	0.00
	Drunk Driving Enforcement Fund		9,925.07	9,925.07	0.00
	FEMA	10-716	31,610.34	31,610.34	0.00
	CMC Arts Grant		10,831.00	10,831.00	0.00
	NJ Transportation Trust Fund Authority Act	10-559	545,085.00	545,085.00	0.00
	Open Space	10-871	0.00	0.00	0.00
	Lanternfly Control Program		15,000.00	15,000.00	0.00
	Lead Grant Assist		22,700.00	22,700.00	0.00
	Opioid Settlement		23,946.55	23,946.55	0.00
	Over the Limit Under Arrest	10-720		0.00	0.00
	Pedestrian Awareness		5,250.00	5,250.00	0.00
	Recycling Tonnage Grant	10-569	40,755.42	40,755.42	0.00
	OEM EMAA	10-719	10,000.00	10,000.00	0.00
	Small Cities Grant	10-707	400,000.00	400,000.00	0.00
	SJ Gas First Responders Grant	10-540	0.00	0.00	0.00
	Stormwater Assistance		25,000.00	25,000.00	0.00
	Youth Leadership		5,042.45	5,042.45	
	Total Section F: Special Items of General Revenue Anticipated w/Prior Written Consent of the Director of Local Government Services-Public and Private Revenues	10-001	1,729,527.23	1,729,527.23	0.00
3.	Miscellaneous Revenues - Section G: Special Items of General Revenue Anticipated With Prior Written Consent of the Director of Local Government Services - Other Special Items:	XXXXXX	XXXXXX	XXXXXX	
	Uniform Fire Safety Act	08-106	437,689.84	488,514.40	50,824.56
	Fire District Contributions	08-105	45,000.00	0.00	(45,000.00)
	Capital Fund - Reserve for Debt Service	08-109	200,000.00	200,000.00	0.00
	Contribution from MUA	08-114	160,000.00	160,000.00	0.00
	Total Section G: Special Items of General Revenue Anticipated w/Prior Written Consent of the Director of Local Government Services - Other Special Items	08-004	842,689.84	848,514.40	5,824.56

Treasurer's Report

4th Qtr. 2023

GENERAL REVENUES	FCOA	Anticipated 2023	Realized In Cash in 2023	Excess/ (Shortfall)
Summary of Revenues	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	
1. Surplus Anticipated	08-101	4,360,000.00	4,360,000.00	0.00
2. Surplus Anticipated With Consent of Director of Local Gov't Services	08-102	0.00	0.00	
3. Miscellaneous Revenues:				
Total Section A: Local Revenues	08-001	1,255,388.00	2,408,817.22	1,153,429.22
Total Section B: State Aid Without Offsetting Appropriations	09-001	1,650,412.00	1,650,412.00	0.00
Total Section C: Dedicated Uniform Construction Code Fees Offset with Appropriations	08-002	420,000.00	660,235.00	240,235.00
Total Section D: Interlocal Municipal Service Agreements	11-001	259,318.00	259,318.00	0.00
Total Section F: Public and Private Revenues	10-001	1,729,527.23	1,729,527.23	0.00
Total Section G: Other Special Items	08-004	842,689.84	848,514.40	5,824.56
Total Miscellaneous Revenues	13-099	6,157,335.07	7,566,823.85	1,399,488.78
4. Receipts from Delinquent Taxes		369,799.00	519,110.85	149,311.85
5. Subtotal General Revenues (Items 1,2,3 and 4)		10,887,134.07	12,435,934.70	1,548,800.63
6. Amount to be Raised by Taxes for Support of Municipal Budget:	XXXXXX			
a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	07-190	23,021,351.43	XXXXXXXXXX	
b) Addition to Local District School Tax	07-191			
Total Amount to be Raised by Taxes for Support of Municipal Budget (Quarterly reports include the tax liability to County, Schools and Fire Districts less tax revenues received)	07-199	23,021,351.43	24,498,656.84	1,477,305.41
7. Total General Revenues	13-299	33,908,485.50	36,934,591.54	3,026,106.04

8. GENERAL APPROPRIATIONS (A) Operations - within "CAPS"	FCOA	Appropriated			Expended 2023	
		2023	for 2023 by Emergency Appropriation	Total for 2023 as Modified by all Transfers	Paid or Charged	Reserved
GENERAL GOVERNMENT:						
Office of the Township Council	20-110					
Salaries and Wages	20-110-1	90,500.00		90,500.00	90,500.00	0.00
Other Expenses	20-110-2	27,810.76		27,810.76	20,025.87	7,784.89
Office of the Township Clerk	20-120					
Salaries and Wages	20-120-1	254,500.00		254,500.00	234,493.98	20,006.02
Other Expenses	20-120-2	9,675.60		9,675.60	9,173.63	501.97
Elections	20-120-2	7,000.00		7,500.00	7,122.94	377.06
Office of Township Solicitor	20-155					
Other Expenses	20-155-2	263,500.00		263,500.00	262,380.00	1,120.00
Office of Township Manager						
Salaries and Wages	20-100-1	200,000.00		200,000.00	196,010.42	3,989.58
Other Expenses	20-100-2	20,280.00		20,280.00	19,353.86	926.14
Department of Revenue and Finance	20-130					
Salaries and Wages	20-130-1	397,000.00		397,000.00	387,843.28	9,156.72
Other Expenses	20-130-2	45,120.00		45,120.00	43,733.25	1,386.75
Audit Services	20-135					
Other Expenses	20-135-2	33,620.00		33,620.00	33,620.00	0.00
Human Resources	20-140					
Salaries and Wages	20-140-1	70,000.00		70,000.00	0.00	70,000.00
Other Expenses	20-140-2	5,000.00		5,000.00	0.00	5,000.00
Tax Assessor						
Salaries and Wages	20-150-1	178,600.00		175,600.00	161,632.71	13,967.29
Other Expenses	20-150-2	30,600.00		33,600.00	30,807.58	2,792.42

6. GENERAL APPROPRIATIONS	FCOA	Appropriated			Expended 2023	
		2023	for 2023 by Emergency Appropriation	Total for 2023 as Modified by all Transfers	Paid or Charged	Reserved
(A) Operations - within "CAPS"						
GENERAL GOVERNMENT:						
Division of Taxation	20-145					
Salaries and Wages	20-145-1	200,500.00		200,500.00	192,002.57	8,497.43
Other Expenses:						
Liquidation of Tax Title Liens	20-145-2	15,000.00		15,000.00	15,000.00	0.00
Miscellaneous Other Expenses	20-145-2	13,650.00		13,650.00	6,584.10	7,065.90
Department of Planning and Development	20-170					
Salaries and Wages	20-170-1	177,000.00		177,000.00	173,895.62	3,104.38
Other Expenses	20-170-2	22,615.50		22,615.50	3,100.98	19,514.62
Engineering Services and Costs	20-165					
Other Expenses	20-165-2	12,000.00		12,000.00	12,000.00	0.00
Department of Parks and Recreation	28-370					
Salaries and Wages	28-370-1	356,000.00		356,000.00	324,719.68	31,280.32
Other Expenses	28-370-2	203,830.00	25,000.00	233,830.00	233,733.28	96.72
Department of Public Works	26-305					
Salaries and Wages	26-305-1	2,908,000.00		2,908,000.00	2,803,402.99	104,597.01
Other Expenses:	26-305-2					
Sanitary Landfill	26-305-2	825,000.00		809,500.00	769,445.81	40,054.19
Miscellaneous Other Expenses	26-305-2	337,297.02		362,297.02	353,089.89	9,207.13
Public Buildings and Grounds	20-310					
Salaries and Wages	20-310-1	196,000.00		196,000.00	177,324.09	18,675.91
Other Expenses	20-310-2	140,500.00		140,500.00	129,191.25	11,308.75

8. GENERAL APPROPRIATIONS	FCOA	Appropriated			Expended 2023	
		2023	for 2023 by Emergency Appropriation	Total for 2023 as Modified by all Transfers	Paid or Charged	Reserved
(A) Operations - within "CAPS"						
PUBLIC SAFETY:						
Department of Public Safety	25-240					
Salaries and Wages	25-240-1	4,955,034.98		4,955,034.98	4,785,797.14	169,237.84
Other Expenses	25-240-2	309,960.74		309,960.74	302,103.51	7,857.23
DPS Building Lease	25-245-2	167,091.26		167,091.26	167,091.26	0.00
Police 911 Dispatchers	25-250					
Other Expenses	25-250-2	500,000.00		500,000.00	500,000.00	0.00
Uniform Fire Safety Act (P.L. 1983, Ch. 383)	25-265					
Salaries and Wages	25-265-1	266,689.84		266,689.84	242,068.40	24,621.44
Other Expenses	25-265-1	216,000.00		216,000.00	205,929.85	10,070.15
Emergency Management Services	25-252					
Salaries and Wages	25-252-1	35,000.00		35,000.00	34,999.88	0.14
Other Expenses	25-252-2	12,500.00		12,500.00	4,365.20	8,134.80
Contributions to Rescue	25-260-2	36,000.00		36,000.00	36,000.00	0.00
Interlocal Agreement - Fire District #3	25-263-2	22,500.00		22,500.00	22,500.00	0.00
Interlocal Agreement - Wildwood First Response	25-263-2	5,000.00		5,000.00	3,333.34	1,666.66
Demolition	22-195					
Other Expenses	22-195-2	14,500.00		14,500.00	4,093.49	10,406.51
OFFICE OF NON-DEPARTMENTAL BOARDS, AUTHORITIES AND AGENCIES						
Municipal Land Use Law (N.J.S.A. 40: 55 D-1)						
Planning Board	21-180					
Other Expenses	21-180-2	7,950.00		7,950.00	7,857.50	92.50
Zoning Board of Adjustments	21-185					
Other Expenses	21-185-2	7,950.00		7,950.00	7,663.00	287.00
Animal Regulation	27-340					
Other Expenses						
Contractual	27-340-2	172,005.61		172,005.61	159,617.01	12,388.60
Miscellaneous Other Expenses	27-340-2	15,776.34		15,776.34	15,776.34	0.00

8. GENERAL APPROPRIATIONS	FCOA	Appropriated			Expended 2023	
		2023	for 2023 by Emergency Appropriation	Total for 2023 as Modified by all Transfers	Paid or Charged	Reserved
(A) Operations - within "CAPS"						
OFFICE OF NON-DEPARTMENTAL BOARDS, AUTHORITIES AND AGENCIES						
Municipal Court	43-490					
Salaries and Wages	43-490-1	226,000.00		226,000.00	208,549.83	17,450.17
Other Expenses	43-490-2	15,400.00		25,400.00	18,245.10	7,154.90
Public Defender (P.L. 1997, C. 256)	43-495					
Salaries and Wages	43-495-1	16,500.00		16,500.00	16,500.00	0.00
INSURANCE						
General Liability	23-210-2	1,050,800.70		1,050,800.70	993,462.90	57,337.80
Workers Compensation Insurance	23-215-2			0.00		0.00
Employee Group Health	22-220-2	4,502,790.92		4,502,790.92	3,986,867.94	515,922.98
Salaries and Wages	23-220-1	110,000.00		110,000.00	110,000.00	0.00
Uniform Construction Code - Appropriations Offset by Dedicated Revenues						
(N.J.A.C. 5: 23-4.17)						
State Uniform Construction Code						
Construction Official	22-195					
Salaries and Wages	22-195-1	525,000.00		520,000.00	413,073.10	106,926.90
Other Expenses	22-195-2	15,650.00		15,650.00	13,903.56	1,746.44
UNCLASSIFIED:						
OTHER COMMON OPERATING FUNCTIONS						
Terminal Leave						
Salaries and Wages	30-145-1	380,000.00		380,000.00	380,000.00	0.00
Celebration of Public Events or Holidays						
(N.J.S.A. 40: 48-5.4)	30-420-2	118,950.00		118,950.00	114,728.82	4,221.18

8. GENERAL APPROPRIATIONS	FCOA	Appropriated			Expended 2023	
		2023	for 2023 by Emergency Appropriation	Total for 2023 as Modified by all Transfers	Paid or Charged	Reserved
(A) Operations - within "CAPS"						
UNCLASSIFIED:						
OTHER COMMON OPERATING FUNCTIONS						
UTILITY EXPENSES AND BULK PURCHASES:						
Electricity	31-430-2	217,000.00		247,000.00	220,463.27	26,536.73
Street Lighting	31-435-2	480,000.00		458,000.00	446,811.75	11,188.25
Telephone	31-440-2	90,000.00		90,000.00	78,043.66	11,956.34
Water	31-445-2	21,000.00		21,000.00	12,089.64	8,910.36
Natural Gas	31-446-2	150,000.00		122,000.00	84,463.60	37,536.40
Heating Oil	31-447-2	8,500.00		8,500.00	4,250.68	4,249.32
Gasoline	31-460-2	420,000.00		420,000.00	343,915.01	76,084.99
Total Operations within "CAPS"	34-199	22,132,149.27	25,000.00	22,157,149.27	20,634,752.54	1,522,396.73
B. Contingent	35-470	300.00		300.00		300.00
Total Operations Including Contingent - within "CAPS"	34-201	22,132,449.27	25,000.00	22,157,449.27	20,634,752.54	1,522,696.73
Detail:						
Salaries and Wages	34-201-1	11,052,324.82		11,044,324.82	10,442,813.67	601,511.15
Other Expenses	34-201-2	11,080,124.45		11,113,124.45	10,191,938.87	921,185.58
E. Deferred Charges and Statutory Expenditures - Municipal within "CAPS"						
(1) DEFERRED CHARGES						
(2) STATUTORY EXPENDITURES:						
Public Employees' Retirement System	36-471	834,373.00		834,373.00	834,373.00	0.00
Social Security System (O.A.S.I.)	36-472	850,000.00		850,000.00	834,963.80	15,036.20
Police and Firemen's Retirement System of NJ	36-473	1,394,047.00		1,394,047.00	1,394,047.00	0.00
Defined Contribution Retirement Program	36-476	2,000.00		2,000.00	1,295.93	704.07
Unemployment Compensation Insurance (N.J.S.A. 43:21-3 et seq.)	23-225	8,000.00		8,000.00	6,360.40	1,639.60
Total Deferred Charges and Statutory Expenditures - Municipal within "CAPS"	34-209	3,088,420.00	0.00	3,088,420.00	3,071,040.13	17,379.87
(G) Cash Deficit of Preceding Year	46-855					
(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	34-299	25,220,869.27	25,000.00	25,245,869.27	23,705,792.67	1,540,076.60

6. GENERAL APPROPRIATIONS (A) Operations - Excluded from "CAPS"	FCOA	Appropriated		Expended 2023		
		2023	for 2023 by Emergency Appropriation	Total for 2023 as Modified by all Transfers	Paid or Charged	Reserved
Total Other Operations - Excluded from "CAPS"		0.00	0.00	0.00	0.00	0.00
Interlocal Municipal Service Agreements						
Cape May County Interlocal						
Garage Services	28-305	54,352.98		54,352.98	54,352.98	0.00
Special Resource Police	25-240					
Salaries and Wages	25-240-1	204,965.02		204,965.02	204,965.02	0.00
Total Interlocal Municipal Service Agreements	42-999	259,318.00	0.00	259,318.00	259,318.00	0.00
Public and Private Programs Offset by Revenues						
Alcohol Education and Rehabilitation Fund	41-501	2,725.69		2,725.69	2,725.69	0.00
American Rescue Money				0.00	0.00	0.00
Atlantic County JIF	41-714	6,475.00		6,475.00	6,475.00	0.00
Body Armor Grant	41-505			0.00	0.00	0.00
Cape May County Municipal Alliance Funds						0.00
State Share	41-703	52,430.00		52,430.00	52,430.00	0.00
Clean Communities Program	41-602	91,560.71		91,560.71	91,560.71	0.00
CMC Arts		10,831.00		10,831.00	10,831.00	0.00
CMC Infrastructure		400,000.00		400,000.00	400,000.00	0.00
Cops in Shops	41-694	1,440.00		1,440.00	1,440.00	0.00
Click it or Ticket	41-878	7,000.00		7,000.00	7,000.00	0.00
Distracted Driving		7,000.00		7,000.00	7,000.00	0.00
Drunk Driving Enforcement Fund				0.00	0.00	0.00
Salaries and Wages	41-510	9,925.07		9,925.07	9,925.07	0.00
Drive Sober or Get Pulled Over	41-509	15,750.00		15,750.00	15,750.00	0.00
FEMA		31,610.34		31,610.34	31,610.34	0.00
Lanternfly Control		15,000.00		15,000.00	15,000.00	0.00
Lead Grant Assist		22,700.00		22,700.00	22,700.00	0.00
NJ OEM Grant	41-735	10,000.00		10,000.00	10,000.00	0.00
NJ Transportation Trust Fund Authority Act	41-559	545,085.00		545,085.00	545,085.00	0.00
Open Space	41-871	0.00		0.00	0.00	0.00
Opioid Settlement		23,946.55		23,946.55	23,946.55	0.00
Pedestrian Awareness		5,250.00		5,250.00	5,250.00	0.00
Recycling Tonnage Grant	41-569	40,755.42		40,755.42	40,755.42	0.00
Small Cities	41-707	400,000.00		400,000.00	400,000.00	0.00
Stormwater Assistance		25,000.00		25,000.00	25,000.00	0.00
Youth Leadership		5,042.45		5,042.45	5,042.45	0.00

8. GENERAL APPROPRIATIONS	FCOA	Appropriated			Expended 2023	
		2023	for 2023 by Emergency Appropriation	Total for 2023 as Modified by all Transfers	Paid or Charged	Reserved
(A) Operations - Excluded from "CAPS"						
Public and Private Programs Offset by Revenues						
SFSP-Fire Districts	41-725	8,165.00		8,165.00	8,164.00	1.00
Total Public and Private Programs Offset by Revenues	40-999	1,737,692.23		1,737,692.23	1,737,691.23	1.00
Total Operations - Excluded form "CAPS"	34-305	1,997,010.23	0.00	1,997,010.23	1,997,009.23	1.00
Detail:						
Salaries and Wages		204,965.02		204,965.02	204,965.02	0.00
Other Expenses		1,792,045.21		1,792,045.21	1,792,044.21	1.00
8. GENERAL APPROPRIATIONS						
(A) Operations - Excluded from "CAPS"	FCOA	2023	for 2023 by Emergency Appropriation	Total for 2023 as Modified by all Transfers	Paid or Charged	Reserved
(C) Capital Improvements - Excluded from "CAPS"						
Capital Improvement Fund	44-901	250,000.00		250,000.00	250,000.00	0.00
New Jersey Transportation Trust Fund Authority Act	41-865					0.00
Total Capital Improvements Excluded from "CAPS"		250,000.00	0.00	250,000.00	250,000.00	0.00
(D) Municipal Debt Service - Excluded from "CAPS"						
Payment of Bond Principal	45-920	2,710,000.00		2,710,000.00	2,710,000.00	XXXXXXXX
Payment of Bond Anticipation Notes and Capital Notes	45-925	0.00			0.00	XXXXXXXX
Interest on Bonds	45-930	608,000.00		608,000.00	608,000.00	XXXXXXXX
Interest on Notes	45-935	0.00		0.00	0.00	XXXXXXXX
Green Trust Loan Program:						XXXXXXXX
Loan Repayments for Principal and Interest	45-940	125,000.00		125,000.00	125,000.00	XXXXXXXX
Total Municipal Debt Service Excluded from "CAPS"	45-999	3,443,000.00	0.00	3,443,000.00	3,443,000.00	XXXXXXXX

8. GENERAL APPROPRIATIONS	FCOA	Appropriated			Expended 2023	
		2023	for 2023 by Emergency Appropriation	Total for 2023 as Modified by all Transfers	Paid or Charged	Reserved
(E) Deferred Charges - Municipal - Excluded from "CAPS"						
(1) DEFERRED CHARGES:						XXXXXXX
Special Emergency Authorization - 5 Years (N.J.S.A. 40A: 4-55)	46-875	0.00		0.00	0.00	0.00
Deferred Charges - Pay down Ordinance(s)	46-870	1,065,000.00		1,065,000.00	1,065,000.00	0.00
Emergency	46-875	24,000.00		24,000.00	24,000.00	0.00
Total Deferred Charges - Municipal - Excluded from "CAPS"	46-999	1,089,000.00	0.00	1,089,000.00	1,089,000.00	0.00
(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	34-309	6,779,010.23	0.00	6,779,010.23	6,779,009.23	1.00
(L) Subtotal General Appropriations	34-400	31,999,879.50	25,000.00	32,024,879.50	30,484,801.90	1,540,077.60
(M) Reserve for Uncollected Taxes	50-899	1,908,606.00	0.00	1,908,606.00	1,908,606.00	XXXXXXX
9. Total General Appropriations	34-499	33,908,485.50	25,000.00	33,933,485.50	32,393,407.90	1,540,077.60
Summary of Appropriations						
(A) Operations: (a & b) Within "CAPS" - Including Contingent	34-299	25,220,869.27	25,000.00	25,245,869.27	23,705,792.67	1,540,076.60
Other Operations	34-300	0.00		0.00	0.00	0.00
Interlocal Municipal Service Agreements	42-999	259,318.00		259,318.00	259,318.00	0.00
Public & Private Programs Offset by Revenues	40-999	1,737,692.23		1,737,692.23	1,737,691.23	1.00
Total Operations Excluded from "CAPS"	34-305	1,997,010.23	0.00	1,997,010.23	1,997,009.23	1.00
(C) Capital Improvements	44-999	250,000.00		250,000.00	250,000.00	0.00
(D) Municipal Debt Service	45-999	3,443,000.00		3,443,000.00	3,443,000.00	0.00
(E) Deferred Charges - Excluded from "CAPS"	46-999	1,089,000.00	0.00	1,089,000.00	1,089,000.00	0.00
(F) Judgments	37-480					0.00
(G) Cash Deficit	46-885					0.00
(K) Local District School Purposes	29-410					0.00
(N) Transferred to Bd of Education	29-405					0.00
(M) Reserve for Uncollected Taxes	50-899	1,908,606.00		1,908,606.00	1,908,606.00	0.00
Total General Appropriations	34-499	33,908,485.50	25,000.00	33,933,485.50	32,393,407.90	1,540,077.60

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

RESOLUTION #2024-79

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

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

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

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, assembled in public session on September 19, 2022 that an Executive Session closed to the public shall be held on this date at approximately _____ P.M. in the Conference Room of the Township Hall, 2600 Bayshore Road, Villas for the discussion of matters relating to the specific items designated above.

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

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 5, 2024

Julie A Picard, Township Clerk

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

RESOLUTION #2024-80

Title: A RESOLUTION AUTHORIZING THE REPAYMENT OF THE SUM OF \$350,000.00 TO ACHRISTAVEST DIAMOND BEACH, LLC IN CONNECTION WITH THE REACQUISITION OF REAL PROPERTY LOCATED AT 9600 SEAVIEW AVENUE, BLOCK: 703, LOT: 1

WHEREAS, on December 1, 2015, the Township of Lower conducted an open public auction at which certain real property located at 9600 Seaview Avenue, Block: 703, Lot: 1, was offered for lease for a term of five (5) years with a minimum bid of \$10,000 established for annual rent; and

WHEREAS, at said open public auction, Achristavest Pier 6600, LLC was the successful bidder and subsequently entered into a Lease Agreement with the Township to utilize the aforementioned property for a term of five (5) years in exchange for tendering rent in the amount of \$10,000 per year; and

WHEREAS, on June 22, 2016, the Township of Lower conducted an open public auction at which the property located at 9600 Seaview Avenue, Block: 703, Lot: 1, was offered for sale to the general public with a minimum bid of \$400,000.00 established; and

WHEREAS, at said auction Achristavest Diamond Beach, LLC was the sole bidder; they submitted a bid for the aforementioned property in the amount of \$400,000.00, subsequently entered into an Agreement of Sale with the Township of Lower to purchase said property, and the sale of the property was finalized on March 16, 2021; and

WHEREAS, on February 19, 2021, Francis J. McGovern filed a Complaint in Lieu of Prerogative Writ in the Cape May County Superior Court challenging the sale of the aforementioned property to Achristavest Diamond Beach, LLC, specifically alleging that the public notices that were advertised by the Township in advance of the public auction were deficient and did not comply with the requirements outlined within the New Jersey Local Lands and Buildings Law; and

WHEREAS, on January 10, 2024, following a trial that took place on May 1, 2023 through May 3, 2023, the Cape May County Superior Court entered an Order in which it determined that the public notices advertised by the Township were deficient, the Court vacated and voided the sale of the property in question, and ordered the Township to refund the sum of \$350,000.00 to Achristavest Diamond Beach, LLC within forty-five (45) days of the entry of said Order.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that sum of \$350,000.00 shall be refunded to Achristavest Diamond Beach, LLC, and that the Township Manager, Township CFO, and/or Township Clerk are hereby authorized to effectuate the terms of this Resolution.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on February 5, 2024.

Julie A Picard, Township Clerk