

**WORK SESSION AND REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL**  
**October 3, 2022 – 7:00 pm.**

**Meeting called to order**

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

**Work Session**

**Consent Agenda**

Approval of Minutes – September 19, 2022

- Res. #2022-305 Authorization for the payment of vouchers \$ 787,820.34
- Res. #2022-306 Authorization for the Payout of Accumulated Compensatory Time (E.Danze \$2,523.29)
- Res. #2022-307 Local Arts Program Grant (approval of application)
- Res. #2022-308 Authorizing Competitive Contracting for Banking Services for the Township of Lower
- Res. #2022-309 Certification of Lot Clearing Charges to the Tax Collector
- Res. #2022-310 Bid Acceptance and Contract Award of 2022 NJDOT Reconstruction of Fire Lane - Bayshore Road to Sunnyside Drive (LT-C-029)
- Res. #2022-311 Bid Acceptance and Award of Suspended Module Open Grid with Grip Sports Tile for Freeman Douglass Park Hockey Rink
- Res. #2022-312 Insertion of Special Item of Revenue pursuant to N.J.S.A. 40A: 4-87; Chapter 159 (Body Armor \$6,210.)
- Res. #2022-313 Authorization for Refund of Taxes
- Res. #2022-314 Authorizing Payout of Terminal Leave (R.Smith \$10,880.56)
- Res. #2022-315 Authorizing Payout of Terminal Leave (L.Schubert \$42,329.18)
- Res. #2022-316 Authorizing Payment of 2022 County Taxes (Fourth Quarter)

**Regular Agenda**

- Ord. #2022-10 An Ordinance Amending Chapter 592, Taxation of the Code of the Township of Lower, To Impose a Municipal Occupancy Tax of 3% on Hotels, Motels and other Transient Accommodations. This is the second reading and public hearing of this Ordinance. This Ordinance has been published, posted and made available to the public.
- Ord. #2022-11 An Ordinance for Special Emergency Appropriation as per NJSA 40A:4-53 Authorizing the Preparation of An Approved Tax Map This is the second reading and public hearing of this Ordinance. This Ordinance has been published, posted and made available to the public.
- Res. #2022-318 A Resolution Ratifying a Four (4) Year contract agreement between the Township of Lower and the Lower Township Superior Officers

**Administrative Reports**

Floodplain Management Annual Update  
Tax Sale Summary

**Public Comment**

**Council Comments**

**Closed Session**

- Res. #2022-317 Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12. **Attorney-Client Privilege**

**Adjourn**

## COUNCIL MEETING MINUTES – September 19, 2022

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

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

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

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

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

### Work Session

#### Consent Agenda

Approval of Minutes – September 7, 2022

- Res. #2022-292 Authorization for the payment of vouchers \$ 1,959,519.20
- Res. #2022-293 A Resolution Authorizing a Shared Service Agreement with the Cape May County Municipal Utilities Authority for Solid Waste Disposal and Recycling Services
- Res. #2022-294 Authorization for the Payout of Accumulated Compensatory Time (K.Walker \$5,749.18)
- Res. #2022-295 Authorization for the Waiver of Permitting Fees for Naval Air Station Wildwood Associated with the Restoration/Replacement Project of Roof A
- Res. #2022-296 Appointment to the Zoning Board of Adjustments (J.Baker)
- Res. #2022-297 Authorization for the Refund of Taxes
- Res. #2022-298 Knock Out Opioid Abuse Day – October 6, 2022
- Res. #2022-299 Insertion of Special Item of Revenue Pursuant to NJSA 40A:4-87, Chapter 159 (National Opioid Settlement \$7,134.76)
- Res. #2022-300 A Resolution Permitting Eligible Retired Employees to Waive Healthcare Coverage and Receive a Buyout Pursuant to NJSA 40A:10-17.1
- Res. #2022-301 Authorizing the Sale of Township of Lower Surplus No Longer Needed for Public Use on GOVDEALS Online Auction Website
- Res. #2022-302 Authorization for the Payout of Accumulated Compensatory Time (C.Scheid \$2,186.85)
- Res. #2022-303 Approval of Change Order #1 to Asphalt Paving Systems Inc for Addition of Reconstruction of Miami Avenue from Peters Road to the Dead End on the Reconstruction of Mowery Avenue, Harvard Street, Peters Road and Howland Avenue Project LT-C-024 (b) (\$102,477.50)

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

### Regular Agenda

#### Engineer Report

Cody Stanford gave Council an update on the current engineering projects being handled by DeBlasio & Assoc., including: Cloverdale, Evergreen and Spruce Storm Sewer Improvements; Clem Mulligan Sprots Complex Renovations; Reconstruction of Mowery, Harvard, Peters and Howland Ave.; Reconstruction of Miami Ave; Diamond Beach Park Improvements; Reconstruction of Fire Lane; Replacement of Various Pavilions; and Municipal Pool Renovations.

Councilmember Conrad inquired about ramps on Mowery Ave.  
Mr. Stanford affirmed that gravel can be ramped up under the pavement.

Manager Laffey addressed Mr. Stanford regarding comments from the County Open Space Board.

### **Monthly Report**

Clerk, Construction, Dog, Vital

### **Public Comment**

Dean Umscheid, representing Town Bank Property Owners Association, addressed Council regarding the unsafe condition of the beach access paths from Englewood to Avalon Rd. and urged the Township to act quickly. Manager Laffey explained that the Township incurred the cost for the DEP permit and is currently working on a materials list, however, expenses need to be discussed with the POA.

Bud Damminger, 5 Brookdale Rd., voiced concern about the unsafe condition of the beach paths.

Bill Greenfield, New Jersey Ave., voiced concern about erosion and pointed out several paths in the Villas that need attention.

Unknown name, unknown address, thanked Council for their attention to this matter and inquired about a plan of action.

Manager Laffey explained the next steps to include drafting a materials list and meeting with Mr. Umscheid to discuss expenses.

Jim Rose, 103 Town Bank Rd., addressed Council regarding the beach path and sidewalk on Adelphia.

Unknown name, unknown address, questioned the Liability Waiver from the NJ Landowners' Liability Act and inquired about a timeframe for the materials list to be prepared.

Mayor Sippel reminded that information can be obtained from the manager during normal business hours.

Manager Laffey gave an approximate timeframe for the materials list.

Carolynn Occhipinti, 16 Delair Rd., voiced disgust with the condition of the beach paths and asked who makes the decisions.

Mayor Sippel explained the public comment period.

Skip Weber, 604 Clubhouse Dr., shared his understanding that the POA agreed to cover the cost of the beach paths owned by the POA and the Township would provide the labor.

John Shaw, 813 Seashore Road and POA member, stressed the urgency of the beach path improvements before more injuries occur.

### **Council Comments**

Mayor Sippel announced the following upcoming events: National Night Out, Military Appreciation Night, Costume Parade and Pumpkin Festival, Shred Day, Benefit Concert and Free Flu Shots.

Deputy Mayor Perry – no comments

Councilmember Roy – no comments

Councilmember Coombs – no comments

Councilmember Conrad – no comments

**Closed Session**

Res. #2022-304 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. **Contract Negotiations, Attorney-Client Privilege**

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

Council adjourned to Closed Session at 7:31 p.m.

Council returned to Open Session at 7:52 p.m.

**Adjournment**

There being no further business to address, motion to adjourn moved by Mayor Sippel, seconded by Councilmember Roy. Motion to adjourn was unanimous. Meeting adjourned at 7:53 p.m.

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

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

Approved:



Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01807	MARLIN HEDUM	22-02319	09/26/22	CONTRACTUAL REIMBURSEMENT M	Open	83.35	0.00		
01873	HOME DEPOT*	22-01922	08/02/22	MATERIAL FOR BLDG/DPW	Open	176.34	0.00		
		22-02176	09/02/22	DOOR CLOSER- REC. CENTER	Open	<u>74.91</u>	0.00		
						251.25			
01964	INTERNATIONAL ASSOC ARSON INVS	22-02202	09/09/22	Bill Belles Arson course	Open	750.00	0.00		
02025	HUNTER JERSEY PETERBILT*	22-02207	09/09/22	REBUILD MOTOR #32	Open	3,885.81	0.00		
02027	JESCO INC*	22-02237	09/14/22	PARTS FOR TRUCKS/DPW	Open	312.97	0.00		
02334	LOWER THP CHAMBER OF COMMERCE	22-02217	09/13/22	Sept 8 Chamber Luncheon	Open	175.00	0.00		
02517	BRIAN MARKER	22-02311	09/23/22	CONTRACTUAL REIMBURSEMENT V	Open	320.00	0.00		
02538	MARSH & MCLENNAN AGENCY, LLC*	22-00069	01/10/22	RES 2022-12 MONTHLY DNE\$43517.	Open	3,626.41	0.00		
03026	NJ STATE HEALTH BENEFITS	22-02325	09/27/22	NJSBHP ACTIVE OCTOBER 2022	Open	209,885.26	0.00		
		22-02326	09/27/22	NJSBHP RETIREE OCT 2022	Open	<u>104,607.73</u>	0.00		
						314,492.99			
03305	PEDRONI FUEL*	22-02244	09/14/22	NO LEAD GAS/DPW	Open	926.23	0.00		
03321	PATRICK MARTIN, ESQ	22-02215	09/13/22	CONFLICT PROSECUTOR	Open	125.00	0.00		
03607	SEASHORE FOOD SUPPLY*	22-01883	07/25/22	FOOD SUPPLY FOR BAYRUN 8/13/22	Open	1,429.20	0.00		
03660	SIRCHIE FINGERPRINT LAB, INV.*	22-01137	05/03/22	SUPPLIES	Open	961.33	0.00		
03820	MUNICIPAL UTIL. AUTH ON CALL	22-02245	09/14/22	REIMBURSE HALF BILL/DPW	Open	253.10	0.00		
03904	LOWE'S HOME CENTER INC*	22-01976	08/08/22	GAS CRAFTMAN POWER WASHER	Open	388.55	0.00		
		22-02177	09/02/22	PVC REDUCER & CONDUIT	Open	<u>21.51</u>	0.00		
						410.06			
03969	VERIZON	22-02324	09/27/22	LANDLINES 9/13-10/12/22	Open	44.60	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03985	VILLAS NAPA AUTO PARTS	22-02309	09/23/22	FS - gas can, batterys	Open	363.97	0.00		
03995	VITAL COMMUNICATIONS, INC.*	22-02011	08/10/22	SENT TAPE TO EDMUNDS	Open	100.00	0.00		
04075	BARBER CONSULTING SERVICES LLC	22-02279	09/16/22	WIRELESS ASSET POINT/DPW	Open	224.99	0.00		
04097	CINTAS FIRST AID AND SAFETY*	22-02271	09/15/22	TOWNHALL FIRST AID 9/14/22	Open	12.72	0.00		
		22-02288	09/21/22	COURT CABINET SERVICE 9/2022	Open	17.40	0.00		
						30.12			
04266	NJ DEPT OF HEALTH&SENIOR SVCS	22-02218	09/13/22	DOG LICENSES - AUGUST, 2022	Open	69.60	0.00		
05064	CAPE ISLAND GRAPHICS*	22-02206	09/09/22	36" X 24" POOL REGULATION SIGN	Open	84.00	0.00		
		22-02301	09/23/22	SOCCER SPONSOR BANNER	Open	75.00	0.00		
						159.00			
06034	SOUTH JERSEY PAPER PRODUCTS*	22-02054	08/17/22	20" T300E WALK BEHIND SCRUBBER	Open	5,963.37	0.00		
6059	USABLE LIFE	22-02327	09/27/22	OCT 2022 LIFE INS	Open	757.90	0.00		
7098	SHORE VETERINARIAN ANIMAL *	22-00071	01/10/22	RES #22-29 ANIMAL CONT DNE\$57K	Open	4,750.00	0.00		B
		22-02214	09/13/22	AUGUST 2022 ANIMAL CONTROL	Open	525.00	0.00		
						5,275.00			
7196	LAUREN HUGGINS SUIT*	22-00068	01/10/22	RES22-09 PUBLIC INFO DNE\$16280	Open	1,356.67	0.00		B
7199	STAPLES CREDIT PLAN-INSTORE PU	22-02120	08/30/22	Office Supplies	Open	197.02	0.00		
		22-02209	09/12/22	9/9/22 PAPER TOWNHALL	Open	329.90	0.00		
						526.92			
7233	BARBARA HOWELL	22-02280	09/16/22	PONY RIDES FOR NNO OCT 4	Open	650.00	0.00		
7354	FLEETPRIDE INC.*	22-02281	09/16/22	PARTS FOR VEHICLES/DPW	Open	582.27	0.00		
7475	SUZANNE M SCHEID	22-02273	09/16/22	CONTRACTUAL REIMBURSEMENT M	Open	47.11	0.00		
		22-02318	09/26/22	CONTRACTUAL REIMBURSEMENT M	Open	60.00	0.00		
						107.11			

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7507	STEFANKIEWICZ & BELASCO LLC*								
		22-00062	01/10/22	RES 2022-01 DNE\$34K MONTHLY	Open	2,833.33	0.00		B
7636	MOTT MACDONALD LLC*								
		22-02235	09/14/22	Pl. Brd Mott MacDonald Voucher	Open	3,856.14	0.00		
7720	ROBERT MACOM								
		22-02316	09/26/22	FOOTBALL GAME OFFICIAL	Open	50.00	0.00		
7743	SQUARE 1 DISIGN LLC*								
		22-02220	09/13/22	UPDATE & PROGRAMING	Open	47.50	0.00		
		22-02264	09/15/22	UPDATE & PROGRAMING	Open	75.00	0.00		
						122.50			
7820	DEBLASIO & ASSOCIATES, P.C.*								
		22-02238	09/14/22	Planning Brd Engineer Vouchers	Open	953.40	0.00		
7836	AXON ENTERPRISE, INC*								
		21-03052	12/07/21	RES AWARD AXON BODY CAMERA 63	Open	277,560.93	0.00		
		22-01210	05/12/22	AXON BODY CAMERAS C/O#1 22-153	Open	15,128.00	0.00		
						292,688.93			
7929	AMAZON CAPITAL SERVICES, INC*								
		22-01378	06/06/22	TORO KEY IGNITION FOR GOLFCART	Open	29.98	0.00		
		22-02265	09/15/22	OFFICE SUPPLIES	Open	602.40	0.00		
		22-02283	09/19/22	TOWNHALL 9/16/22 SUPPLIES	Open	22.05	0.00		
		22-02286	09/21/22	DPS - SUPPLIES	Open	319.68	0.00		
						974.11			
7959	ALL PRO TEAM SPORTS								
		22-01583	06/16/22	FOOTBALL SUPPLIES	Open	2,510.00	0.00		
8009	MICHAEL NELSON								
		22-02285	09/21/22	REIMBURSEMENT- SOCCER	Open	15.00	0.00		
8131	DOCUVAULT SECURE SHREDDING LC*								
		22-00410	02/10/22	SHREDDING BLANKET 2022	Open	116.85	0.00		
		22-02347	09/28/22	MONTHLY SHREDDING TOWNSHIP	Open	233.70	0.00		B
						350.55			
8147	SEA GEAR INDUSTRIAL SUPPLY *								
		22-02236	09/14/22	JACKETS PER CONTRACT	Open	1,159.75	0.00		
8168	CMRS-FP ACTT# 106000865324								
		22-02304	09/23/22	REPLENISH POSTAGE 9/21/22	Open	10,000.00	0.00		
8241	ADOLEO INC*								
		22-02216	09/13/22	10/16/22 RES #2022-279 BAND	Open	4,000.00	0.00		
8271	QUADIANT INC								
		22-02010	08/10/22	FOLDING MACHINE REPAIR	Open	870.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type	
8322	RAYMOND STOUT	22-02276	09/16/22	CONTRACTUAL REIMBURSEMENT V	Open	188.97	0.00			
8362	ARCHIVESOCIAL *	22-02259	09/15/22	8/13/22-8/13/23	Open	2,988.00	0.00			
8433	ALICIA CELLUCCI	22-02240	09/14/22	REIMBURSEMENT-CHEER	Open	15.00	0.00			
8711	DISC JOCKEY SUPPLY OUTLET LLC	22-01815	07/19/22	MOVIE SCREEN - 7/15 FFN	Open	1,500.00	0.00			
8721	BLANEY, DONOHUE, & WEINBERG PC	22-00067	01/10/22	RES 2022-06 PROSECUT DNE\$42500	Open	3,541.66	0.00		B	
8818	POWERDMS INC	22-02284	09/21/22	PLANIT MOBILE APP 12/22-11/23	Open	2,934.45	0.00			
		22-02299	09/23/22	POWER DMS PROFESSIONAL	Open	4,463.35	0.00			
						<u>7,397.80</u>				
8831	SOUTH JERSEY INTERPRETERS LLC	22-02191	09/08/22	SPANISH INTERPRETER - COURT	Open	150.00	0.00			
8846	WILLIAM CATERINI	22-02212	09/13/22	MUSIC-9/09/22 - FFN	Open	250.00	0.00			
8848	COMFORT NOW LLC	22-02278	09/16/22	DOS-7/25/22 AC UNITS @ REC.	Open	253.50	0.00			
8849	HORNER ENTERPRISES LLC	22-02277	09/16/22	RIDES & INFLATABLES NNO 2022	Open	2,625.00	0.00			
8852	CAROLYN MONGILLO	22-02340	09/28/22	REFUND 3RD QRT TAX	Open	1,507.71	0.00			
8853	AARON & JULIE WAGNER	22-02341	09/28/22	REFUND 3RD QRT TAX	Open	1,684.63	0.00			
8854	CHRISTOPHER COLLINS	22-02342	09/28/22	REFUND 3RD QRT TAX	Open	809.66	0.00			
HOOVER	ROBERT HOOVER & SONS INC*	22-01041	04/21/22	SUPPLIES FOR TRUCKS/DPW/JUNE	Open	344.76	0.00			
Total Purchase Orders:		92	Total P.O. Line Items:		0	Total List Amount:		787,820.34	Total Void Amount:	0.00

**RESOLUTION # 2022-305**

**AUTHORIZATION FOR THE PAYMENT OF VOUCHERS**

TOTAL BILL LIST: \$787,820.34

	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 October 3, 2022.

Julie A Picard, Township Clerk

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

RESOLUTION # 2022-306

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 Beach that adequate funding is available for such payment in the current budget for Salaries and Wages.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that payment to Eric Danze in the amount of \$2,523.29 is authorized and chargeable to the 2022 Budget account 2-01-25-240-124.

	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 October 3, 2022.

Julie A Picard, Township Clerk

LOWER TOWNSHIP POLICE DEPARTMENT

SPECIAL REPORT

TO: Chief Kevin Lewis  
 FROM: Detective Eric Danze  
 DATE: September 14<sup>th</sup>, 2022  
 SUBJECT: Comp Time Cash Out

Sir,

I am respectfully requesting to cash out 75 hours of Comp Time. Thank you for the consideration sir.

Respectfully Submitted,

*Eric Danze #200*  
 Eric Danze  
 Detective Badge 200

C	File	Officer	Comments
	09/16/2022	NS & Lt. Ryan #178	TOT Capt. Ryan #184
	9/19/22	Lt. Ryan #184	TOT Chief Lewis
	9-19-22	(Signature) #184	SENT TO TWP. TO PROCESS

0. \*

75. x

33.6438 =

2,523.29 \*+

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

RESOLUTION #2022-307

Title: LOCAL ARTS PROGRAM GRANT

**WHEREAS**, it is the desire of the governing body of the Township of Lower to apply for and obtain a grant from the New Jersey State Council on the Arts, Cape May County Division of Culture and Heritage, for funding in the amount of \$20,000 to carry out a Local Arts Program to facilitate free youth and adult arts programming at various Family Fun events.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Council of the Township of Lower, County of Cape May, State of New Jersey does hereby authorize the application for and the execution of a contract for the receipt of such a grant from the New Jersey State Council on the Arts, Cape May County Division of Culture and Heritage, and does further, upon the execution of such a contract, authorize the expenditure of such funds pursuant to the terms of said contract between the Township of Lower and the New Jersey State Council on the Arts, Cape May County Division of Culture and Heritage.

**BE IT FURTHER RESOLVED**, that in the event that a grant agreement is executed between the New Jersey State Council on the Arts, Cape May County Division of Culture and Heritage and the Township of Lower, the chief executive officer and the grants officer, are hereby authorized and directed to carry out all functions related to the execution and completion of the grant funded project.

	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 October 3, 2022.

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

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

RESOLUTION # 2022-308

Title: AUTHORIZING COMPETITIVE CONTRACTING FOR BANKING SERVICES FOR THE TOWNSHIP OF LOWER

WHEREAS, PL 1999 c440 amended the Local Public Contract Law creating the category of contracting called Competitive Contracting; and N.J.S.A. 40A:11-4.3(a) requires that in order to initiate competitive contracting, the governing body shall pass a resolution authorizing the use of competitive contracting each time specialized goods or services enumerated in 40A:11-4.1 are desired to be contracted; and

WHEREAS, 40A:11-4.3(b) requires that the competitive contracting process shall be administered by the purchasing agent qualified pursuant to 40A:11-9 and N.J.A.C. 5:34-4 or by legal counsel of the contracting unit, or by an administrator of the contracting unit.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the Purchasing Agent is hereby authorized to initiate the competitive contracting for Banking Services for the Township of Lower.

	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 October 3, 2022.

Julie A Picard, Township Clerk

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

**RESOLUTION #2022-309**

**Title: CERTIFICATION OF LOT CLEARING CHARGES TO THE TAX COLLECTOR**

**WHEREAS**, Ordinance #99-10 establishes the minimum regulations governing the conditions and maintenance of all property, buildings and structures within the Township of Lower, which is also known as the Property Maintenance Code; and

**WHEREAS**, according to Section 302, Exterior Property Areas of the Property Maintenance Code, all premises and exterior property shall be maintained in a clean, safe and sanitary condition; and

**WHEREAS**, the properties listed below contained conditions which violated Section 302 of the Property Maintenance Code; and

**WHEREAS**, the Township of Lower has abated the conditions pursuant to the requirements of the Property Maintenance Code and desires to place a lien on the properties listed below:

<b>Block</b>	<b>Lot</b>	<b>Name</b>	<b>Property Location</b>	<b>Amount</b>	<b>Admin Fee</b>	<b>Lien Amount</b>
766	1.01	Nicholas, Mark C/O Rose Nicholas	1238 Rt 109	\$ 575.00	\$ 500.00	\$ 1,075.00
				<b>TOTAL</b>		<b>\$ 1,075.00</b>

**WHEREAS**, the Code Enforcement Officer of the Township of Lower has certified the costs incurred to abate such conditions to the Township Council, which has examined the certification and has found it to be correct.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the costs and fees set forth above, incurred by the Township of Lower to abate the unlawful conditions on the properties listed above are charged as a lien against such properties, to be added to and become part of the taxes next to be assessed and levied upon such properties, to bear interest at the same rate as taxes, and to be collected and enforced in the same manner as taxes.

	<b>MOTION</b>	<b>SECOND</b>	<b>AYE</b>	<b>NAY</b>	<b>RECUSE</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
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 October 3, 2022

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





**Township of Lower  
Code Enforcement  
2600 Bayshore Road  
Villas NJ 08251  
(609)-886-2624**

**NOTICE OF VIOLATION AND ORDER TO CORRECT  
IDENTIFICATION**

7020 3160 0002 1065 3329

Reference Number: 10017842	Notice Date: 07/25/2022	Comply Date: 08/04/2022
Name: NICHOLAS, MARK co Rose Nicholas Address: 7885 W Flamingo Rd Appt 1113 Las Vegas, NV 89147 Phone:	Block: 766 Site Address: 1238 ROUTE 109 LOWER TOWNSHIP	Lot : 1.01 Qual :

PLEASE TAKE NOTICE that as a result of an inspection of the above referenced property conducted by this agency, a violation of Lower Township codes has been found to exist. You are hereby ordered to correct the violations below within the comply date. Your failure to comply with this Notice of Violation and Order to Correct shall result in the issuance of a summons in the Lower Township Municipal Court and subject you to fines in the possible amount of \$300.00 for each day the violation exists. Further, your failure to correct the violation may also result in the Township of Lower correcting the violation and imposing the cost of such correction as a lien against your property. If you correct this violation by the compliance date and the violation occurs again within 60 days, you will be issued a summons without another notice of violation as a continuing violation of the Lower Township Property Maintenance Code, which will subject you to additional fines of up to \$500.00 per day for a second offense and up to \$1,000.00 per day for a third offense for each day that the violation continues. Further, it may also result in the Township of Lower correcting the violation and imposing the cost of such correction as a lien against your property.

THIS IS THE ONLY NOTICE YOU WILL RECEIVE. IF YOU HAVE ANY QUESTIONS PLEASE CONTACT CODE ENFORCEMENT AT 609-886-2624. Thank you for your cooperation

**VIOLATION LISTINGS**

Violation No.	Violation Date	Corrected Date	Violation Description
185-2	07/25/2022		185-2 Trash, Debris, and Obnoxious Brush, Etc...: It is unlawful to permit trash, debris, obnoxious brush, weeds, dead and dying trees, stumps, roots, and poison growths.
302.4	07/25/2022		PM-302.4 High Grass and Weeds: High grass and weeds on property need to be cut.
617-9	07/25/2022		617-9: Number Prohibition - Not more than one camp car or trailer may be stored on property.
303.1	07/25/2022		PM-303.1 General: The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

Sincerely,

*Walter Fiore*

Walter Fiore, Code Enforcement

Date

7-25-22

☺ Add ↻ Edit ✕ Close 🗑 Delete ⏪ Previous ⏩ Next 🔍 Detail 📄 Letter 🏠 Help

Block: 766

Lot: 1.01

Qualifier:

LOT CLEARING PENDING

Owner: NICHOLAS, MARK

Prop Loc: 1238 ROUTE 109

Account Id: 0001375

Tax Bill PTR Form

General Assessed Value Additional Billing Deductions Balance All Charges Add/Omit Notes

Owner Street 1: c/o ROSE NICHOLAS

Additional Lot 1: L1.02

Street 2: 7885 W FLAMINGO RD APT 1113

Additional Lot 2:

City/St: LAS VEGAS, NV

Property Class: 2

Zip: 89147-

Parcel Key:

Country:

Unpaid Interest: .00

Phone: (702)444-6679

Vendor:

Email:

User Msgs: 020

Bank Code:

Municipal Lien:

Assignment:

Bankruptcy:

Exclude from Tax Sale:

Outside Lien:

Sp Charges:

Install. Plan:

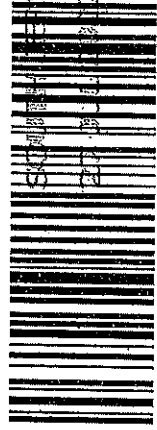
Online Payment Restrictions: None



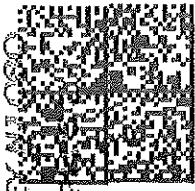


**TOWNSHIP OF LOWER**  
 2600 BAYSHORE ROAD  
 VILLAS, NEW JERSEY 08251

**CERTIFIED MAIL**



7020 3160 0002 1065 3329



**EP** US POSTAGE  
 \$007.82

FIRST-CLASS - INT  
 ZIP 08251

01/27/2022  
 034A 0081801257

NICHOLAS, MARK  
 co Rose Nicholas  
 7885 W Flamingo Rd  
 Apt 1113  
 Las Vegas, NV 89147



NIXIE 591 DE 1 0008/25/22  
 RETURN TO SENDER  
 UNCLAIMED  
 UNABLE TO FORWARD

9327010668324446  
 9400920294235340

INT  
 09147-740000  
 08251-1300

BC: 06231130000 +2502-00000-27-42

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

RESOLUTION #2022-310

Title: **BID ACCEPTANCE AND CONTRACT AWARD OF 2022 NJDOT RECONSTRUCTION OF FIRE LANE - BAYSHORE ROAD TO SUNNYSIDE DRIVE (LT-C-029)**

**WHEREAS**, the Notice to Bidders for the 2022 NJDOT Reconstruction of Fire Lane - Bayshore Road to Sunnyside Drive (Lt-C-029) was advertised on September 7, 2022 and accepted on September 21, 2022 at 10:00 a.m. prevailing time; and

**WHEREAS**, two (2) sealed bids were submitted and reviewed by the Township Engineer, QPA and Gary Douglass, Superintendent of Public Works; and

**WHEREAS**, Asphalt Paving Systems Inc. was the lowest qualified bidder, 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-04-55-432-100

Signature: *Lauren Read*  
Lauren Read, CFO

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

**AWARD TO: ASPHALT PAVING SYSTEMS INC.**  
**TOTAL: \$532,400.00**

	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 October 3, 2022.

Julie A Picard, Township Clerk

# DEBLASIO & ASSOCIATES

CONSULTING ENGINEERS AND PLANNERS

4701 NEW JERSEY AVENUE • WILDWOOD, NJ 08260

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

September 21, 2022

VIA EMAIL

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

**Re: Township of Lower, Cape May County, NJ  
FY2022 NJDOT Reconstruction of Fire Lane - Bayshore Road to Sunnyside Drive  
D&A File #: LT-C-029**

Dear Ms. Picard:

We have tabulated the two (2) bids received on September 21, 2022 for the above referenced project. As such, we have determined that the lowest responsible bidder appears to be Asphalt Paving Systems, Inc., P.O. Box 530, 500 North Egg Harbor Road, Hammonton, NJ 08037 in the amount of \$532,400.00. Enclosed please find one (1) copy of the bid tabulation for your files.

In accordance with N.J.S.A. 40A:11-1 et seq., the award should be made to the lowest responsible bidder which appears to be Asphalt Paving Systems, Inc., P.O. Box 530, 500 North Egg Harbor Road, Hammonton, NJ 08037 in the amount of \$532,400.00. The contractual award should be made contingent upon approval from the New Jersey Department of Transportation, Township Purchasing Agent, Chief Financial Officer and Solicitor.

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: 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.)  
David Stefankiewicz, Solicitor (via email w/encl.)  
Lucero Mendoza, NJDOT (via email w/encl.)

## BID TABULATION

Project Name: FY2022 NJDOT Municipal Aid Program  
Reconstruction of Fire Lane

D&A Project #: LT-C-029

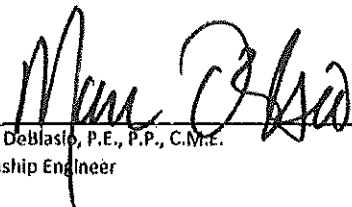
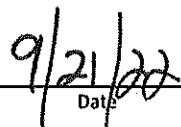
Client: Township of Lower

Bid Opening Date: 9/21/2022

Asphalt Paving Systems, Inc.  
P.O. Box 530  
Hammononton, NJ 08037

South State, Inc.  
P.O. Box 68  
Bridgeton, NJ 08302

Item #	DESCRIPTION	QUANTITY & UNITS		UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
<b>NJDOT PARTICIPATING ITEMS</b>							
1	CONSTRUCTION SIGNS	500	S.F.	\$10.00	\$5,000.00	\$0.02	\$10.00
2	DRUMS	40	UNIT	\$70.00	\$2,800.00	\$0.02	\$0.80
3	BREAK AWAY BARRICADES	8	UNIT	\$125.00	\$1,000.00	\$0.02	\$0.16
4	NO ITEM	0	0	\$0.00	\$0.00	\$0.00	\$0.00
5	FUEL PRICE ADJUSTMENT	500	DOLLAR	\$500.00	\$500.00	\$500.00	\$500.00
6	ASPHALT PRICE ADJUSTMENT	1,400	DOLLAR	\$1,400.00	\$1,400.00	\$1,400.00	\$1,400.00
7	PULVERIZED SOIL AGGREGATE BASE COURSE, ROAD MIXED, 6" THICK	6,010	S.Y.	\$13.45	\$80,834.50	\$15.00	\$90,150.00
8	HOT MIX ASPHALT BASE COURSE, MIX 19M64, 2" THICK	770	TON	\$99.00	\$76,230.00	\$195.00	\$150,150.00
9	HOT MIX ASPHALT SURFACE COURSE, MIX 9.5M64, 2" THICK	770	TON	\$109.00	\$83,930.00	\$242.00	\$186,340.00
10	STABILIZING AGENT, BITUMINOUS MATERIAL	17,815	GALLON	\$3.35	\$59,680.25	\$4.00	\$71,260.00
11	STABILIZING AGENT, CEMENT (IF AND WHERE DIRECTED)	30	TON	\$1.00	\$30.00	\$275.00	\$8,250.00
12	8" x 18" CONCRETE VERTICAL CURB	3,300	L.F.	\$38.00	\$125,400.00	\$50.00	\$165,000.00
13	CONCRETE SIDEWALK, 4" THICK	115	S.Y.	\$110.00	\$12,650.00	\$200.00	\$23,000.00
14	DETECTABLE WARNING SURFACES	16	S.Y.	\$350.00	\$5,600.00	\$1,000.00	\$16,000.00
15	CONCRETE DRIVEWAY, 6" THICK	220	S.Y.	\$120.00	\$26,400.00	\$100.00	\$22,000.00
16	SODDING	1,165	S.Y.	\$28.00	\$32,620.00	\$10.00	\$11,650.00
17	RESET EXISTING STONE MULCHING	20	S.Y.	\$28.00	\$560.00	\$50.00	\$1,000.00
18	RECONSTRUCTED INLET, TYPE "B", USING NEW CASTING	6	UNIT	\$2,400.00	\$14,400.00	\$1,500.00	\$9,000.00
19	RESET EXISTING MANHOLE CASTINGS	6	UNIT	\$100.00	\$600.00	\$500.00	\$3,000.00
20	RESET WATER VALVE BOXES	6	UNIT	\$50.00	\$300.00	\$250.00	\$1,500.00
21	TRAFFIC MARKINGS, LINES, LONG-LIFE, THERMOPLASTIC - 12"	80	L.F.	\$25.00	\$2,000.00	\$50.00	\$4,000.00
22	BICYCLE SAFE GRATES	1	UNIT	\$360.25	\$360.25	\$786.94	\$786.94
23	INLET FILTERS, TYPE 1	105	S.F.	\$1.00	\$105.00	\$0.02	\$2.10
<b>Total Amount Bid Based on Estimated Quantities for Base Bid Items 1 - 23:</b>					<b>\$532,400.00</b>	<b>\$765,000.00</b>	


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

  
 Date
 
  
 Township Engineer

Bidder's Mathematical Error

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

RESOLUTION #2022-311

Title: **BID ACCEPTANCE AND AWARD OF SUSPENDED MODULE OPEN GRID WITH GRIP SPORTS TILE FOR FREEMAN DOUGLASS PARK HOCKEY RINK**

**WHEREAS**, the Notice to Bidders for Suspended Modular Open Grid with Grip Sports Tile Floor for the Hockey Rink located at the Freeman Douglass Park was advertised on 8/24/2022 and accepted on Wednesday, September 14, 2022 at 11:00 a.m. prevailing time; and

**WHEREAS**, two (2) sealed bids were submitted and reviewed by the Township Purchasing Agent and the Recreation Director; T & C Sports Inc. was the lowest qualified responsible bidder; and

**WHEREAS**, T & C Sports Inc. complied with the specifications; the bidder accepts the responsibility to inspect and approve the subsurface at the Freeman Douglass Park Hockey Rink and the subsurface is suitable for the installation; and based on Manufacture approved inspection, if any repairs are necessary to the subsurface it will then be provided and coordinated by the Township Recreation Department; and

**WHEREAS**, T & C Sports Inc. will provide a Manufacture's Product Approved Supervisor of the Suspended Module Open Grid with Grip Sports Tile that will oversee the Volunteers during installation; and

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

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

Signature: *Lauren Read*  
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:** T&C Sports Inc.  
**TOTAL:** \$54,130.00

	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 October 3, 2022.

Julie A Picard, Township Clerk

PROPOSAL FORM

BID #2022-07  
Suspended Modular Tile Sports Floor System  
For Freeman Douglass Hockey Rink

The undersigned proposes to furnish and deliver the above goods/services pursuant to the bid specification and made part hereof:

\$54,130.00  
Amount in numbers

Fifty Four Thousand One Hundred and Thirty  
Amount in words

Estimated Delivery Days: 3 Weeks

Exceptions to Bid:  
\_\_\_\_\_  
\_\_\_\_\_

T&C Sports, Inc  
Company Name

04-3473280  
Federal I.D. #

56 Mead St, PO Box 1066, Leominster MA 01453  
Address

*Chris Housser*  
Signature of Authorized Agent

Chris Housser  
Type or Print Name

Title: President

978-660-8153  
Telephone Number

9/8/22  
Date

978-534-3460  
Fax Number

chousser@aol.com  
E-mail address

The Township of Lower reserves the right to reject any or all bids if it deems it in the best public interest to do so.

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

RESOLUTION #2022-312

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

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

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

SECTION 1.

NOW, THEREFORE BE IT RESOLVED that the Township of Lower, County of Cape May, hereby requests the Director of the Division of Local Government Services to approve the increase of \$6,210.00 for an item of revenue in the budget of the year 2022 as follows:

- Miscellaneous Revenues –
- Revenue Offset with Appropriations - Body Armor
- Total with increase to be \$6,210.00

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$6,210.00 be and the same is hereby appropriated under the caption of:

- General Appropriations –
- Public & Private Programs Offset by Revenues - Body Armor
- State/Federal Share \$ 6,210.00
- Non-State Share \$
- Total with increase to be \$ 6,210.00

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

	MOTION	SECOND	AYE	NAY	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 October 3, 2022.

Julie A Picard, Township Clerk

NJ	HADDONFIELD BOROUGH	\$1,837.50
NJ	HALEDON BOROUGH	\$4,000.00
NJ	HAMILTON TOWNSHIP	\$17,784.98
NJ	HARDYSTON TOWNSHIP	\$2,100.00
NJ	HARVEY CEDARS BOROUGH	\$835.00
NJ	HAZLET TOWNSHIP	\$3,360.00
NJ	HI NELLA BOROUGH	\$1,425.00
NJ	HIGHTSTOWN BOROUGH	\$3,362.49
NJ	HILLSBOROUGH TOWNSHIP	\$7,350.00
NJ	HILLSDALE BOROUGH	\$4,400.00
NJ	HOBOKEN CITY	\$17,082.16
NJ	HOLMDEL TOWNSHIP	\$4,500.00
NJ	HIGHLAND PARK	\$1,500.00
NJ	JACKSON TOWNSHIP	\$31,130.50
NJ	JEFFERSON TOWNSHIP	\$3,029.94
NJ	KEANSBURG BOROUGH	\$8,500.80
NJ	KEARNY TOWN	\$11,687.50
NJ	KENILWORTH BOROUGH	\$1,798.00
NJ	KEYPORT BOROUGH	\$2,672.50
NJ	KINNELON BOROUGH	\$1,359.38
NJ	LACEY TOWNSHIP	\$8,944.74
NJ	LAWRENCE TOWNSHIP	\$4,174.50
NJ	LEONIA BOROUGH	\$2,250.00
NJ	LINWOOD CITY	\$1,504.74
NJ	LITTLE EGG HARBOR TOWNSHIP	\$8,589.00
NJ	LITTLE FALLS TOWNSHIP	\$4,356.00
NJ	LODI BOROUGH	\$10,000.00
NJ	LOGAN TOWNSHIP	\$3,192.00
NJ	LONG BEACH TOWNSHIP	\$7,991.49
NJ	LOWER ALLOWAYS CREEK TOWNSHIP	\$975.00
NJ	LOWER TOWNSHIP	\$6,210.00
NJ	MADISON BOROUGH	\$4,278.40
NJ	MAGNOLIA BOROUGH	\$1,426.62
NJ	MANALAPAN TOWNSHIP	\$6,807.60
NJ	MANCHESTER TOWNSHIP	\$9,541.80
NJ	MANVILLE BOROUGH	\$2,688.00
NJ	MAPLE SHADE TOWNSHIP	\$5,451.66
NJ	MARLBORO TOWNSHIP	\$11,649.40
NJ	MAYWOOD BOROUGH	\$2,470.00
NJ	MEDFORD TOWNSHIP	\$2,794.65
NJ	MENDHAM TOWNSHIP	\$1,551.24
NJ	METUCHEN BOROUGH	\$2,800.00
NJ	MIDDLESEX BOROUGH	\$4,254.53
NJ	MILLTOWN BOROUGH	\$2,145.00
NJ	MILLVILLE CITY	\$4,657.50
NJ	MONROE TOWNSHIP	\$12,140.38
NJ	MONTCLAIR TOWNSHIP	\$7,942.20
NJ	MONTVALE BOROUGH	\$2,800.00
NJ	MOORESTOWN TOWNSHIP	\$2,166.89

**ccrippen**

---

**From:** Chief Kevin Lewis <Lewis@lowertownshippolice.com>  
**Sent:** Thursday, September 22, 2022 10:58 AM  
**To:** manager; lread; ccrippen  
**Subject:** External FW: Bulletproof Vest Partnership (BVP) – FY 2022 Award Announcement

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.

I'm assuming you all received this message as well. Just wanted to pass it along to be sure. When I logged in, I saw that we have funds from previous years that expire next month.

Thanks,

**STAY SAFE - STAY HEALTHY**

Chief Kevin Lewis  
Lower Township Police Department  
(609)886-1619



**CONFIDENTIALITY NOTICE:** If you have received this e-mail message in error, please notify the sender by e-mail immediately at the address shown. This e-mail transmission may contain confidential information. This information is intended only for the use of the individual(s) or entity for whom it is intended even if addressed incorrectly. Please delete it from you files if you are not the intended recipient. Thank you for your compliance.

**From:** BVP Email Account <ojp@public.govdelivery.com>  
**Sent:** Wednesday, September 21, 2022 12:21 PM  
**To:** Chief Kevin Lewis <Lewis@lowertownshippolice.com>  
**Subject:** Bulletproof Vest Partnership (BVP) – FY 2022 Award Announcement

Dear BVP applicant,

The Bureau of Justice Assistance (BJA) is pleased to inform you that your jurisdiction will receive an award under the Fiscal Year (FY) 2022 Patrick Leahy Bulletproof Vest Partnership (BVP) solicitation. These funds have been posted to your account in the **BVP System**. A complete list of FY 2022 BVP awards is available at: <https://www.ojp.gov/program/bulletproof-vest-partnership/overview>.

**Important:** Jurisdictions must be registered in the SAM system (<https://www.sam.gov/SAM/>) in order to be paid for any 2022 BVP funds. Please ensure the banking information in SAM is up to date. For more information about renewing and updating your existing SAM registration, or registering in SAM as a

new entity, please visit <https://sam.gov/content/status-tracker>. The SAM Helpdesk can be reached at 866-606-8220.

The FY 2022 award may be used for National Institute of Justice (NIJ) compliant armored vests which were ordered after April 1, 2022. The deadline to request payments from the FY 2022 award is August 31, 2024, or until all available funds have been requested. Awards will not be extended past that date, and any unused funds will be forfeited.

Please see the following website for a list of NIJ compliant vests: <https://citect.org/compliance-testing-program/compliant-product-lists/>. As a reminder, all jurisdictions that applied for FY 2022 BVP funding certified that a mandatory wear policy was in place for their jurisdiction. BJA will be conducting reviews of the mandatory wear policies as funds are requested from the BVP System. For more information on the BVP mandatory wear policy, please see the BVP Frequently Asked Questions document: <https://www.ojp.gov/sites/g/files/xyckuh241/files/media/document/FAQsBVP MandatoryWearPolicy 0.pdf>.

Finally, please visit the following page for checklists and guides for each step of the BVP process: <https://www.ojp.gov/program/bulletproof-vest-partnership/program-resources>.

For questions regarding the BVP Program or your award, please do not hesitate to contact the BVP Help Desk at [vests@usdoj.gov](mailto:vests@usdoj.gov) or 1-877-758-3787.

In addition, please visit BJA's Officer Robert Wilson III Preventing Violence Against Law Enforcement Officers and Ensuring Officer Resilience and Survivability (VALOR) Initiative website to obtain other information regarding officer safety: [VALOR Officer Safety and Wellness Initiative | Overview | Bureau of Justice Assistance \(ojp.gov\)](#). The VALOR Initiative is a comprehensive set of programs that deliver no-cost officer safety, wellness, resilience training, resources, and technical assistance to law enforcement throughout the country. VALOR brings together the latest research and practices to address current and emerging officer safety and wellness issues/threats. Please see the VALOR Initiative Overview-Booklet for a detailed synopsis of this important initiative: [BJA VALOR INITIATIVE \(ojp.gov\)](#).

Thank you BVP Program Support Team

Bureau of Justice Assistance

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This email was sent to [lewis@lowertownshipolice.com](mailto:lewis@lowertownshipolice.com) using GovDelivery Communications Cloud on behalf of: Department of Justice · Washington, DC

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

RESOLUTION #2022-313

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>
210	12.02	Robert K Makowski 129 Ohio Avenue	Paid by Homeowner & Mortgage Co	\$798.20

	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 October 3, 2022.

Julie A Picard, Township Clerk

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

RESOLUTION # 2022-314

Title: AUTHORIZING PAYOUT OF TERMINAL LEAVE

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that a payment due to Robert Smith in the amount of \$ 10,880.56 is authorized and chargeable to the Reserve for Accumulated Absences.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
COOMBS						
ROY						
PERRY						
SIPPEL						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on October 3, 2022.

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

Smith October Retire

TOWNSHIP OF LOWER  
 RETIREMENT PAYOUT ANALYSIS  
 DATE:

EMPLOYEE: Smith, Robert  
 DATE OF RETIREMENT 10/1/2022  
 DATE OF PAYMENT:  
 RESOLUTION #:

Annual Salary:	\$122,212.71
Hourly Rate:	\$55.9582

TERMINAL LEAVE:			
	Hours	Rate	Total
Comp	18.51	55.96	1,035.79
Personal	15.42	55.96	863.05
Sick	101.96	55.96	5,705.58
Vacation	(5.45)	55.96	(305.19)
Holiday	64.00	55.96	3,581.32
College Credits			
<b>Terminal Leave Payout</b>			<b>\$10,880.56</b>


	(A)	(B)	(C)	(B * C)	(E)	A + D - E
	Carryover	Annual	40 weeks / 52 weeks	Prorated Time Due	Time Used	Hours to be paid
Comp	13.13	38.38		51.51	33.00	18.51
Personal	0.00	48.00	0.77	36.92	21.50	15.42
Sick	119.50	128.00	0.77	98.46	116.00	101.96
Vacation	8.70	200.00	0.77	153.85	168.00	(5.45)
Holidays						64.00
<b>Total</b>	<b>141.33</b>	<b>414.38</b>	<b>2.31</b>	<b>340.74</b>	<b>338.50</b>	<b>130.44</b>

Accrual and time used are current 9/27/2022

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Treasurer's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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

RESOLUTION # 2022-315

Title: AUTHORIZING PAYOUT OF TERMINAL LEAVE

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that a payment due to Lisa Schubert in the amount of \$ 42,329.18 is authorized and chargeable to the Reserve for Accumulated Absences.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
COOMBS						
ROY						
PERRY						
SIPPEL						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on October 3, 2022.

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

TOWNSHIP OF LOWER  
 RETIREMENT PAYOUT ANALYSIS  
 DATE:

EMPLOYEE: Schubert, Lisa  
 DATE OF RETIREMENT 10/1/2022  
 DATE OF PAYMENT:  
 RESOLUTION #:

Annual Salary:	\$63,120.69
Hourly Rate:	\$34.68
Longevity	\$0.00

TERMINAL LEAVE:			
	Hours	Rate	Total
Comp	10.75	34.68	372.83
Personal	49.04	34.68	1,700.74
Sick	840.00	34.68	29,132.63
Vacation	309.62	34.68	10,737.99
Other			385.00
<b>Terminal Leave Payout</b>			<b>\$42,329.18</b>

	(A)	(B)	(C)	(B * C) (D)	(E)	A + D - E (F)	
	Carryover	Annual	40 weeks / 52 weeks	Prorated Time Due	Time Used	Hours to be paid	
Comp	0.75	10.00	1.00	10.00	0.00	10.75	
Personal	27.50	28.00	0.77	21.54	0.00	49.04	
Sick	1,784.00	105.00	0.77	80.77	101.00	840.00	840 Max
Vacation	175.00	175.00	0.77	134.62	0.00	309.62	
						Days	

Accrual and time used are current to \_\_\_\_ subject to change if time is used or not currently reported.

Employee Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_

Treasurer's Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_

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

RESOLUTION #2022-316

Title: AUTHORIZING PAYMENT OF 2022 COUNTY TAXES (Fourth Quarter)

WHEREAS, the amounts listed below are due to Cape May County and it is necessary to receive authorization for the payment of bills, and

WHEREAS, payment of County taxes and fees may be remitted through electronic payment (EFT); and

WHEREAS, it is the recommendation of the Chief Financial Officer that authorization for electronic payments be made through a resolution so that such payments are made in a timely and efficient manner, and

WHEREAS, County Tax payments are charged to non-budget appropriation County Tax 2-01-55-910-015 as certified by the Chief Financial Officer Lauren Reed payable as follows:

\$3,643,444.79 due 11/15/2022

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the aforementioned payments to Cape May County are hereby authorized.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on October 3, 2022.

Julie A Picard, Township Clerk

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

RESOLUTION #2022-318

**Title: A RESOLUTION RATIFYING A FOUR (4) YEAR CONTRACT AGREEMENT BETWEEN THE TOWNSHIP OF LOWER AND THE LOWER TOWNSHIP SUPERIOR OFFICERS**

**WHEREAS**, extensive negotiations were conducted by the Township Manager and Labor Counsel with Lower Township Police Department Superior Officers; and

**WHEREAS**, the parties have reached an agreement which will be utilized to prepare the Collective Bargaining Agreement with Lower Township Superior Officers in accordance with the terms of the attached agreement; and

**WHEREAS**, the Township Manager and Labor Counsel recommend the Township Council's ratification of the Collective Bargaining Agreement.

**NOW, THEREFORE, BE IT RESOLVED**, the attached Memorandum of Agreement is hereby ratified.

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized and directed to execute the ratified Collective Bargaining Agreement, once prepared, in accordance with and under the terms as outlined attached hereto on behalf of the Township.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on October 3, 2022.

Julie A Picard, Township Clerk

**MEMORANDUM OF AGREEMENT  
TOWNSHIP OF LOWER  
and  
POLICEMEN'S BENEVOLENT ASSOCIATION LOCAL 59  
LOWER TOWNSHIP SUPERIOR OFFICERS ASSOCIATION**

WHEREAS, the TOWNSHIP OF LOWER (Town) and PBA LOCAL 59 – LOWER TOWNSHIP SUPERIOR OFFICERS ASSOCIATION (Union), herein collectively referenced as “the Parties”, have negotiated terms to modify the current collective bargaining agreement (CBA) with a term of January 1, 2016 through December 31, 2019; and

WHEREAS, as a result of negotiations, the Union and Town have reached an agreement on changes to terms and conditions of the CBA to be included in a successor contract; and

WHEREAS, the Union and the Town desire to reduce these terms and conditions of agreement to a written Memorandum of Agreement (MOA), the terms of which shall be included in a successor agreement; and

WHEREAS, the Parties understand that the successor agreement needs to be approved and ratified by the Town's governing body and the Union; and the respective bargaining agents of the Parties will recommend ratification and approval of this MOA to the Parties.

NOW THEREFORE, the Parties agree the 2016 – 2019 contract shall be modified consistent with the following:

1. PREAMBLE. The preamble section above is hereby incorporated by reference as if fully set forth herein.
2. DURATION. **The first sentence of the “Term and Renewal” Article on page 41 of the current contract shall be deleted in its entirety and replaced as follows:**

“This Agreement shall be in full force and effect from January 1, 2020 and shall remain in effect to and including December 31, 2023, without any reopening date except as to any provision specifically stated.”

3. GENERAL CHANGES.
  - i. **Article 1, page 4, paragraph B(b) shall be revised to change “Administrative Code” to “Township Code”.** This will avoid confusion with the New Jersey Administrative Code.

ii. **Article 16, Paragraph (B)iii on Page 27** Shall be modified to add the following second sentence to the paragraph:

“PBA 59 (SOA) shall have the exclusive right to decide and act on issues of: filing for arbitration, resolving matters subject to pending arbitration, withdrawing an arbitration matter and filing an appeal of an arbitration decision.”

iii. **Article 17 on page 30, “Awards Committee”** shall be deleted in its entirety.

iv. **Article 21, “Savings Bonds”, on page 34** shall be deleted in its entirety.

v. **Article 23, page 37, paragraph vii** shall be revised to cite the applicable 45 day statute and/or administrative code provision.

vi. **Article 6 paragraph E, section (ii) on page 11** shall be edited to delete the word “not”.

x. **Article 3, page 6** shall be revised to read as follows:

“A. The Township hereby retains and reserves unto itself, without limitation, all powers, rights, authority, duties and responsibilities conferred upon and vested in it prior to and after the signing of this Agreement by the laws and constitution of the State of New Jersey and of the United States, including, but without limiting the generality of the foregoing, the following rights:

1. The executive management and administrative control of the Township’s properties and facilities and the activities of its employees;
2. To hire all employees and subject to the provisions of law, to determine their qualifications and conditions for continued employment or assignment and to promote and transfer employees;
3. To suspend, demote, discharge or take other disciplinary action for good and just cause according to law;
4. To establish a code of rules and regulations for operation of the Township’s police business;
5. To determine the standards of performance for police operations in accordance with the laws, rules and regulations in the State of New Jersey.

6. To change, modify or promulgate police policies, rules and regulations.
7. To maintain the efficiency of employees on the performance of their duties and to maintain the efficiency of its operations.
8. To relieve employees from duty because of lack of work, lack of funding, or legal cause, as permitted by law and in accordance with the rules, regulations, and laws of the State of New Jersey, including but not limited to requirements mandated by the Civil Service Commission.
9. To determine the amount of overtime to be worked.
10. To determine the standards of performance of employees and the content of work assignments.
11. To determine the content of police work assignments.
12. To exercise complete control and discretion over the organization and the technology of performing its work.

B. The exercise of the foregoing powers, rights, authority, duties and responsibilities of the Township, the adoption of policies, rules and regulations in furtherance thereof, and the use of judgment and discretion in connection therewith shall be limited only by the specific and express terms of this Agreement and then only to the extent such specific and express terms hereof are in conformance with the Constitution and Laws of New Jersey and of the United States.

C. Nothing contained herein shall be construed to deny or restrict the Township of its powers, rights, authority, duties and responsibilities under national, state, county or local laws or ordinances.”

4. **WAGES.** Article 19 on page 32, and Schedules A, B and C on pages 42-44, shall be modified as follows:

- i. **Paragraph A** shall be deleted and replaced as follows:

“A. Wages and for Lieutenants and Captains shall be as provided in the guides attached hereto in **Schedule A and B**. In the event an officer was in an “acting” capacity

due to provisional appointment and they subsequently receive the permanent title through an appropriate civil service process, the officer's retro pay for the permanent title shall relate back to the date of the original provisional appointment in which the officer was working in an "acting" capacity.

Backpay under this agreement shall be limited to unit members who actively work in a covered position after the date of ratification of this Agreement and shall not include unit members who retired, are on leave with intent to retire, or for other reasons are not actively employed in a covered position after the date of ratification."

ii. **Article 19, Paragraphs B, C and D on page 32 shall be deleted in their entirety, and Paragraph "E" shall become Paragraph "B".**

iii. The Parties agree that longevity is removed from the agreement between the parties and it shall not apply to the compensation package of the SOA bargaining unit.

iv. **Schedules A, B and C on pages 42-44 shall be deleted and replaced with the attached Schedules A, B and C.**

5. **INSURANCE, HEALTH & WELFARE. Article 12 on pages 18-23, shall be amended as follows:**

i. **Paragraph A on page 18 shall be amended to read as follows:**

"The Township shall provide the following health benefits for all permanent and provisional Employees working 30 hours per week or more, and their dependents (up to and including the age of 26 years for children), beginning on the first day and third month after two months of active employment. For Dental and Vision, dependents shall be defined as set forth in current provider contracts between the Township and applicable dental and vision care providers ."

ii. **Paragraph A (iv) on page 18 shall be deleted and replaced to read as follows:**

"A vision care plan with benefits payable only once every 24 months, except vision analysis which shall be annually (to allow for eye exams annually and contacts, glasses etc.. every two years) as follows:

Vision Analysis	\$145
Single Vision Lenses	\$135
Bifocal Lenses	\$150
Multi-focal Lenses	\$165
Contact Lenses	\$175
Frames	\$150

iv. Paragraph C (ii)(a), on page 21 shall be amended to delete the last two sentences and replace them as follows:

“Such amounts shall be adjusted annually as follows:

2020 - \$1,133.50  
 2021 - \$1,144.83  
 2022 - \$1,156.28  
 2023 - \$1,167.84 ”

vi. Paragraph “H” on page 22 shall be amended to “...provide a \$25,000 life insurance policy....”

vii. Schedule “D” on page 45 shall become Schedule “C” attached, with references in the current agreement to be edited accordingly. New Schedule “C” shall be amended to include the attached document to memorialize current coverages under the State Health Benefits Program. The Parties understand the plans may change under the State Health Benefits Program. This change to the new Schedule “C” is not intended to prevent a member from selecting available coverage(s) under the State Health Benefits Program, pursuant to the terms of this contract and applicable law. Additionally, this change to new Schedule “C” is not intended to preclude a member or retiree from continuing to use a plan or level of coverage available under the State Health Benefits Program, pursuant to the terms of this contract and applicable law.

Nothing herein is intended to change the language of health insurance provisions set forth in the CBA between the parties and related practices that may exist between the parties, including contract provisions and/or practices applicable to the payment of costs for employees electing an insurance plan that is more expensive than the New Jersey State Health Plan NJ Direct 2030.

6. UNIFORMS. Article 14 paragraph A, page 25 shall be amended to add the following sentence to the end of the paragraph:

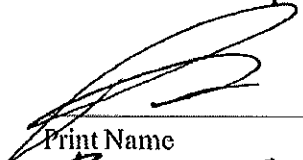
“Upon proof of the need for replacement or repair, the Township shall immediately act to repair or replace the item within a reasonable amount of time. In the event the item needing repair or replacement is critical to officer safety and/or officer performance, the item shall be immediately replaced by the Township.”

7. **SUBSTANTIVE CHANGES.** The changes provided above contain all substantive modifications to be made to the successor CBA between the Parties. All other language in the January 1, 2016 through December 31, 2019 agreement that is not affected by this document shall remain in the new agreement.
8. **MODIFICATION OF ALL TERMS INCONSISTENT WITH THIS MOA.** All other provisions in the January 1, 2016 – December 31, 2019 CBA that are inconsistent with the substantive changes noted above shall be modified for consistency with the terms of this MOA in the successor agreement spanning from January 1, 2020 to December 31, 2023.
9. **WITHDRAWAL AND WAIVER OF TERMS NOT PROVIDED HEREIN.** All proposals and terms not provided in this MOA are hereby withdrawn and waived by the parties.
10. **PARTIES’ GOOD FAITH TO FINALIZE CONTRACT.** The Town acknowledges it will process retroactive payments resulting from this executed MOA as expeditiously as possible, and the Parties agree they will act to have the amended successor agreement executed in an expeditious manner upon receipt.
11. **CONSTRUCTION.** This Agreement shall be construed and interpreted in accordance with the laws of the State of New Jersey. However, since each party to this Agreement and their counsel have reviewed and negotiated this Agreement, the general rule of construction that any ambiguity or uncertainty in a writing shall be interpreted against the party drafting the writing shall not apply to any action relating to this Agreement.
12. **RATIFICATION.** The union and the Town acknowledge the terms of this MOA need to be ratified by the Union and need to be approved by the Town’s governing body.


Subject to the ratification provisions set forth above, the union and the Town signify and acknowledge their agreement to the terms listed above, by the signatures of their duly authorized representatives.

PBA 59 Lower Twp SOA


Lower Township

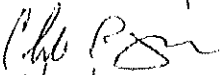
  
\_\_\_\_\_  
Print Name  
Brian McEwing  
Date: 9/30/22

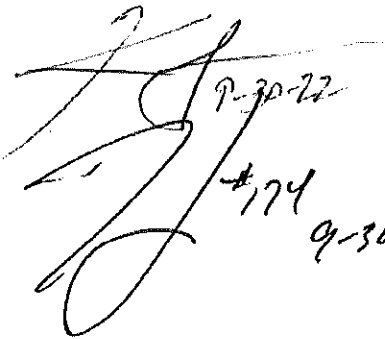
\_\_\_\_\_  
Print Name  
  
Date:

  
\_\_\_\_\_  
Print Name John Arambroster  
Date: 9/30/22

\_\_\_\_\_  
Print Name  
Date:

Michael Magee  
9-30-22  


Charles Ryan  
  
9/30/2022

  
9-30-22  
#174  
9-30-22

## Schedule A

	2020	2021	2022	2023
<b>Lt</b>	\$ 131,389.50	\$ 132,703.40	\$ 136,020.98	\$ 139,421.50
<b>Cpt</b>	\$ 142,373.66	\$ 143,797.40	\$ 147,392.33	\$ 151,077.14

## Schedule B – Officer Specific Salaries

	2020	2021	2022	2023
<b>Cptns</b>				
Vanaman (Acting Cpt 1-1-21)		\$ 143,797.40	\$ 147,392.33	\$ 151,077.14
Lewis (Acting Cpt 8-17-20)	\$ 142,373.66	\$ 143,797.40	\$ 147,392.33	\$ 151,077.14

	2020	2021	2022	2023
<b>Lts</b>				
Vanaman	\$ 131,389.50			
Lewis	\$ 131,389.50			
Majane			\$ 136,020.98	\$ 139,421.50
McEwing			\$ 136,020.98	\$ 139,421.50
Ryan (Acting Lt 9-8-20; Acting Cpt 1-1-22)	\$ 131,389.50	\$ 132,703.40	\$ 147,392.33	\$ 151,077.14
Armbrust (Acting Lt 1-11-21)		\$ 132,703.40	\$ 136,020.98	\$ 139,421.50

**\*Employees with multiple salaries in the same year set forth above reflect the new annual salary that will increase rates of pay upon promotion to an acting and/or permanent position.**

**\*Back pay (“retro pay”) shall continue to apply to unit members actively working immediately after ratification of this agreement, as set forth in the last paragraph of Article 19, page 32, Section “A”.**

# Schedule C

## 2022 NJ State Health Benefits Program (SHBP) Local Government Employee Plans<sup>1</sup>

HorizonBlue.com/shbp 1-800-414-SHBP (7427)	PPO Plan Options			
	NJ DIRECT15	NJ DIRECT1825	NJ DIRECT2010	NJ DIRECT2015
<b>IN-NETWORK (IN)</b>				
Service Area Available	Nationwide	Nationwide	Nationwide	Nationwide
Specialist Referral	No referral required	No referral required	No referral required	No referral required
Deductible <sup>1</sup>				
Individual	\$0	\$0	\$0	\$200
Family	\$0	\$0	\$0	\$500
Coinsurance	10% <sup>1</sup>	10% <sup>1</sup>	10% <sup>1</sup>	20% after deductible
Coinsurance Out-of-Pocket Maximum				
Individual	\$400	\$400	\$800	\$2,000
Family	\$1,000	\$1,000	\$2,000	\$5,000
Total Out-of-Pocket Maximum (Copay + Deductible + Coinsurance)				
Individual	\$6,960	\$6,960	\$6,960	\$6,960
Family	\$13,920	\$13,920	\$13,920	\$13,920
<b>HEALTH CARE SERVICES</b>				
Primary Care Office Visit	\$15	\$15	\$20	\$20
Annual Routine Physical (In-Network Only)	\$0	\$0	\$0	\$0
Direct Primary Care (DPC) Doctors Office	\$0	\$0	\$0	\$0
Horizon CareOnline (Telemedicine)	Cost share may apply	Cost share may apply	Cost share may apply	Cost share may apply
Specialist Office Visit	\$15	\$25	\$30/adult, \$20/child <sup>1</sup>	\$35
Annual Routine Visitation (In-Network Only)	\$15	\$25	\$30/adult, \$20/child <sup>1</sup>	\$35
Chiropractic <sup>1</sup>	\$15	\$25	\$30/adult, \$20/child <sup>1</sup>	\$35
Physical/Occupational/Speech Therapy <sup>1</sup>	\$15	\$25	\$30/adult, \$20/child <sup>1</sup>	\$35 office visit/ 20% after deductible at an outpatient facility
<b>DIAGNOSTIC LABORATORY<sup>1</sup>/RADIOLOGY/ADVANCED IMAGING</b>				
Outpatient Laboratory/Radiology/Advanced Imaging	\$0	\$0	\$0	20% after deductible
Freestanding Laboratory/Radiology/Advanced Imaging	\$0	\$0	\$0	20% after deductible
<b>EMERGENCY/URGENT MEDICAL SERVICES</b>				
Urgent Care Center	\$15	\$25	\$30/adult, \$20/child <sup>1</sup>	\$35
Emergency Room	\$100 <sup>11</sup>	\$100 <sup>11</sup>	\$125	\$300
Ambulance	10%	10%	10%	20% after deductible
<b>OTHER SERVICES</b>				
Inpatient Facility	\$0	\$0	\$0	20% after deductible
Outpatient Facility	\$0	\$0	\$0	20% after deductible
Outpatient Behavioral Health	\$15	\$25	\$30/adult, \$20/child <sup>1</sup>	\$35 office visit/ 20% after deductible at an outpatient facility
Durable Medical Equipment (DME)	10%	10%	10%	20% after deductible
<b>OUT-OF-NETWORK (OON)<sup>12</sup></b>				
Deductible - Individual	\$100	\$100	\$200	\$800
Deductible - Family	\$250	\$250	\$500	\$2,000
Coinsurance after Deductible	30%	30%	30%	40%
Out-of-Pocket Coinsurance Maximum - Individual	\$2,000	\$2,000	\$5,000	\$6,500
Out-of-Pocket Coinsurance Maximum - Family	\$5,000	\$5,000	\$12,500	\$13,000
Inpatient Hospital Deductible	\$200/stay	\$200/stay	\$500/stay	\$600/stay

<sup>1</sup> Lower copay/coinsurance rates apply to in-network providers.  
<sup>11</sup> \$100 maximum is based on a 24-hour period of time. Emergency services are not billable for the emergency service.  
<sup>12</sup> Out-of-network rates for DIRECT and DIRECT1825 of CMS (Policy for Medicare & Medicaid Enrollment) are used for 50% of the total bill. The remaining 50% is paid by the member. For more information, see the SHBP Local Government Employee Plan Summary of Benefits and Description of Coverage (SBC).  
<sup>13</sup> Out-of-network deductibles are based on a calendar year.  
 For more information on the SHBP Local Government Employee Plan, please refer to the SHBP Local Government Employee Plan Summary of Benefits and Description of Coverage (SBC).  
 The SHBP Local Government Employee Plan is subject to the terms, conditions, limitations and exclusions contained in the SHBP Local Government Employee Plan Summary of Benefits and Description of Coverage (SBC).  
 The SHBP Local Government Employee Plan is subject to the terms, conditions, limitations and exclusions contained in the SHBP Local Government Employee Plan Summary of Benefits and Description of Coverage (SBC).  
 The SHBP Local Government Employee Plan is subject to the terms, conditions, limitations and exclusions contained in the SHBP Local Government Employee Plan Summary of Benefits and Description of Coverage (SBC).

LOCAL GOVERNMENT ACTIVE EMPLOYEES — MEDICAL PLAN DESIGNS — PLAN YEAR 2017

HA-0094-1016

	AETNA PLANS and HORIZON PLANS									
	Aetna Freedom10 NJ DIRECT10	Aetna Freedom15 NJ DIRECT15	Aetna Freedom1525 NJ DIRECT1525	Aetna Freedom2030 NJ DIRECT2030	Aetna Freedom2035 NJ DIRECT2035	Aetna HMO Horizon 1800	Aetna Liberty Horizon OMNIA	Aetna Value HD4000 NJ DIRECT HD4000	Aetna Value HD1500 NJ DIRECT HD1500	
Medical Cost Sharing							TIER 1/TIER 2			
Primary Care Copayment	\$10	\$15	\$15	\$20	\$20	\$10				
Specialist Care Copayment	\$10	\$15	\$25	\$30 and \$20 chg**	\$35	\$10	\$15.00/\$30.00			
Emergency Room Copayment	\$75	\$100	\$100	\$125	\$100	\$95	\$100.00/\$100.00			
In-Network Deductible <sup>1</sup>					\$200 <sup>1</sup>	\$100 <sup>1</sup>	None/\$150.00***	\$4,000	\$1,500	
In-Network Coinsurance <sup>2</sup>	10%	10%	10%	10%	20% after deductible		None/20%	20% after deductible	20% after deductible	
In-Network Coinsurance Maximum (Individual/Family)		\$400/\$1,000	\$400/\$1,000	\$600/\$2,000	\$200/\$5,000		None/None	\$1,000/\$2,000	\$1,000/\$2,000	
In-Network Out-of-Pocket Maximum (Individual/Family)	\$400/\$1,000	\$5,720/\$11,440	\$5,720/\$11,440	\$5,720/\$11,440	\$5,720/\$11,440	\$5,720/\$11,440	\$2,500**/\$4,500***	\$5,000/\$10,000	\$2,500/\$5,000	
Out-of-Network Deductible (Individual)	\$100/\$250	\$100/\$250	\$100/\$250	\$200/\$500	\$200/\$200		N/A/N/A	See In-Network Deductible <sup>1</sup>	See In-Network Deductible <sup>1</sup>	
Out-of-Network Coinsurance <sup>2</sup>	20%	30%	30%	30%	40%		N/A/N/A	40%	40%	
Out-of-Network Out-of-Pocket Maximum (Individual/Family)	\$2,000/\$5,000	\$2,000/\$5,000	\$2,000/\$5,000	\$2,000/\$2,500	\$4,500/\$12,000		N/A/N/A	\$2,000/\$2,000	\$3,500/\$7,000	
Out of Network (Inpatient) Hospital Deductible	\$200/day	\$200/day	\$200/day	\$300/day	\$600/day		N/A/N/A			
Employer Health Savings Account Funding <sup>4</sup>							N/A/N/A		\$500	
Prescription Drug Copayments <sup>5</sup>										
Retail Generic Copayments	\$3.00	\$3.00	\$7.00	\$3.00	\$7.00 <sup>6</sup>	\$3.00	\$7.00			
Retail Preferred Copayments	\$10.00	\$10.00	\$16.00	\$18.00	\$21.00 <sup>6</sup>	\$10.00	\$16.00			
Mail: Non-Preferred Copayments	member pays difference <sup>7</sup>	member pays difference <sup>7</sup>	member pays difference <sup>7</sup>	member pays difference <sup>7</sup>	member pays difference <sup>7</sup>	member pays difference <sup>7</sup>	member pays difference <sup>7</sup>	Subject to deductible and coinsurance	Subject to deductible and coinsurance	
Mail: Generic Copayments	\$5.00	\$5.00	\$18.00	\$5.00	\$18.00	\$5.00	\$18.00			
Mail: Preferred Copayments	\$15.00	\$15.00	\$40.00	\$35.00	\$52.00	\$15.00	\$40.00			
Mail: Non-Preferred Copayments	member pays difference <sup>7</sup>	member pays difference <sup>7</sup>	member pays difference <sup>7</sup>	member pays difference <sup>7</sup>	member pays difference <sup>7</sup>	member pays difference <sup>7</sup>	member pays difference <sup>7</sup>			
Prescription Drug Annual Out-of-Pocket Maximum (Individual/Family)	\$1,430/\$2,860	\$1,430/\$2,860	\$1,430/\$2,860	\$1,430/\$2,860	\$1,430/\$2,860	\$1,450/\$2,860	\$1,430/\$2,860			

<sup>1</sup> HD = High Deductible Health Plan  
<sup>2</sup> 20% and under  
<sup>3</sup> Family maximum is two \$1 per member dollar to total  
<sup>4</sup> Maximum amount for member HSA contributions is limited to New Jersey New Castle County (in Children, and dependent on other New Jersey plans) and New York  
<sup>5</sup> For generic drugs  
<sup>6</sup> Mail: Preferred Copayments for Aetna Freedom1525, Aetna Freedom2030, Aetna Freedom2035, Aetna Liberty and Horizon OMNIA as shown in chart above. For High Deductible Health Plans, prescription drug coverage will be through the HDHP out-of-pocket and are subject to the plan's deductible and coinsurance amounts.  
<sup>7</sup> For generic drug copayments, \$5.00 per month for the 2017 plan year. For non-generic, see chart above.  
<sup>8</sup> Applied to individual members only.  
<sup>9</sup> Applied to applicable employees only. See chart above for more information between the brand drug and generic drug.  
 The information and materials provided are for informational purposes only. Although every effort is made to ensure the accuracy of the information, the information is not intended to constitute an offer of insurance. The information is not intended to constitute an offer of insurance. The information is not intended to constitute an offer of insurance. The information is not intended to constitute an offer of insurance.

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

ORDINANCE #2022-10

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

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

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

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

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

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

**§ 592-18 Purpose; Statutory Authority.**

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

**§ 592-19 Definitions.**

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

**§ 592-20 Tax imposed.**

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

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

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

**§ 592-22 Exemptions.**

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

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

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

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

**§ 592-23 Collection of Tax.**

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

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

**Section 3.** Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provision of this Ordinance are hereby declared to be severable.

**Section 4.** A copy of this Ordinance shall be transmitted upon adoption or amendment to the New Jersey Division of Taxation, Office of Legislative Analysis, P.O. Box 240, Trenton, New Jersey 08695-0240. The tax provisions of this Ordinance shall take effect on the first day of the first full month following 90 days after the Division has received the adopted Ordinance.

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

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

\_\_\_\_\_  
Roland Roy, Jr., Councilmember

\_\_\_\_\_  
Dave Perry, Deputy Mayor

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

First Reading: September 7, 2022

Adopted:

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

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

ORDINANCE #2022-11

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

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

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

First Reading: September 7, 2022

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

Adoption:

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

Attest: \_\_\_\_\_

\_\_\_\_\_  
Roland Roy, Jr. Councilmember

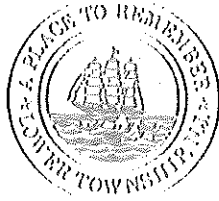
\_\_\_\_\_  
David Perry, Deputy Mayor

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

# TOWNSHIP OF LOWER

Frank Sippel, Mayor  
Dave Perry, Deputy Mayor

Township Council:  
Thomas Conrad, Ward 1  
Kevin Coombs, Ward 2  
Roland Roy, Jr., Ward 3



Office of the CRS Coordinator

609.886.2005  
[assessor@townshipoflower.org](mailto:assessor@townshipoflower.org)  
2600 Bayshore Road, Villas NJ 08251  
[www.townshipoflower.org](http://www.townshipoflower.org)

## Floodplain Management 2022 Annual Progress Report September 26, 2022

### 1. Background

In January 2009, the Cape May County Multi-Jurisdictional All Hazards Mitigation plan was prepared in response to the Disaster Mitigation Act of 2000 (DMA 2000). DMA 2000 requires states and local governments to prepare all hazard mitigation plans in order to remain eligible to receive pre-disaster mitigation funds that are annually appropriated or made available in the wake of federally declared disasters. This plan was updated in May 2016 by the County to include a jurisdictional annex for each municipality in the County. The Annex was put together by the Cape May County Office of Emergency Management and approved by the State of New Jersey OEM and FEMA Region II, which expires June 9, 2021.

On June 20, 2016, the Township of Lower adopted the "Cape May County Multi-Jurisdictional Hazard Mitigation Plan," by Resolution #2016-192 and resolved to execute the actions identified in this plan. The Township agreed to utilize the Plan as an integral part of the Flood Prevention Ordinance and to review and implement additional strategies to reduce long-term risk and flood losses.

The Plan reviews a variety of measures that can help reduce property loss and protect citizens when flooding occurs. Measures include retrofitting and flood proofing structures located in hazard prone areas where appropriate, support purchase or relocation of structures in particular repetitive loss properties where appropriate, dune beach replenishment, continuous development, enhancement and implementation of existing and future emergency plans, building regulations and public information.

Cc: Frank Sippel/Township Mayor  
Michael Laffey/ Township Manager  
Township Council  
file

## 2. Purpose

The purpose of this report is to provide an update on the initiatives identified in the Floodplain Management Plan for the Township of Lower. The goal of the plan is to ensure that there is regular and continuous progress in the mitigation planning and execution, so that the Township of Lower and its residents are well prepared for any future flooding events. The plan was prepared in accordance with the National Flood Insurance Program (NFIP) Community Rating System (CRS) floodplain management planning requirements.

CRS is a voluntary program that encourages floodplain management activities that exceed the minimum requirements of the NFIP in exchange for flood insurance premium discounts for policy holders within participating communities. The Township is currently a member of the CRS program with a Class 7 rating. The class 7 rating indicates that flood insurance policy holders within special flood hazard areas receive a 15% discount on flood insurance premiums.

Under the CRS program, there are 15 activities that are recognized as measures that reduce or eliminate exposure to floods and flooding, with each of the 15 activities having assigned credit points. The activities fall under four categories: Public Information, Flood Damage Reduction, Mapping and Regulation and Flood Preparedness. Initiatives developed by the township fall under at least one of these categories.

## 3. Review of the Plan's Initiatives

**TL-1a:** Where appropriate, support retrofitting of structures located in hazard-prone areas to protect structures from future damage, with repetitive loss and sever repetitive loss properties as a priority. Identify facilities that are viable candidates for retrofitting based on cost-effectiveness versus relocation. Where retrofitting is determined to be a viable option, consider implementation of that action based on available funding.

**Status:** This initiative is long term and will continue for the foreseeable future. The Township currently provides information on flood-proofing existing buildings to our residents and mails out flood protection information each year. There is also additional flood hazard mitigation information on display located in the township's municipal building for residents to take home.

**TL-1b:** Where appropriate, support purchase, relocation of structures located in hazard-prone areas to

Cc: Frank Sippel/Township Mayor  
Michael Laffey/ Township Manager  
Township Council  
file

protect structures from future damage, with repetitive loss and severe repetitive loss properties as priority. Identify facilities that are viable candidates for relocation based on cost-effectiveness versus retrofitting. Where relocation is determined to be a viable option, consider implementation of that action based on available funding.

**Status:** This is a continuing and long-term initiative that will be further studied. We continue to identify and locate structures that may fall in repetitive loss areas and are developing procedures on how respond efficiently and effectively in these situations. Since the last update, the township has purchased and raised a property located in a repetitive loss neighborhood which has saved the property from further damage.

**TL-2 (CMC-2): Participation in the incentive-based program CRS.**

**Status:** On November 1, 2015, the Township designated an ASFPM Certified Floodplain Manager (CFM) as CRS Coordinator. On October 1, 2018, the Township gained entry into the CRS program as a Class 7 participating municipality. The CRS coordinator sends out annual mailers with flood protection information, conducts annual outreach programs, provides an in house map service to residents and maintains an inquiry log and a permit list of all new construction and substantial improvements and losses along with property certifications.

**TL-3: Continue to support the implementation, monitoring, maintenance, and updating of this plan**

**Status:** We have maintained contact with the County Office of Emergency Management and will forward a copy of this memo to them for inclusion into the County's updating plan. We will continue to work with the County to provide all information needed for the required five year update to this plan. Lower Township updated it's Hazard Mitigation Plan in May of 2021 along with all of the municipalities in Cape May County. The Five Year Plan HMP will need to be updated again May of 2026.

**TL-4: Strive to maintain compliance with, and good standing, in the National Flood Insurance Program**

**Status:** The Township continues to vigorously enforce our Flood Protection Ordinance and continues to examine higher regulatory measures seeking to increase safety and to improve our standing in the CRS program.

**TL-5: Continue to develop, enhance, and implement existing emergency plans.**

**Status:** This initiative is ongoing. The Township continually works to improve existing and future Emergency Plans. These plans are under constant review and updates are made as necessary. The Lower Township Office Of Emergency Management updated all of its Emergency Operations Plans (EOP'S) and Emergency Support Functions (ESF's) Numbers 1 through 15 on June 1<sup>st</sup>,2021. The Township's Emergency Operation Plans must be updated again by February of 2024.

Cc: Frank Sippel/Township Mayor  
 Michael Laffey/ Township Manager  
 Township Council  
 file

## Floodplain Management Annual Progress Report

**TL-6:** Create/enhance/maintain mutual aid agreements with neighboring communities.

**Status:** This initiative is ongoing. At this time the Township continues to maintain all mutual aid agreements with local, county and state government.

**TL-7:** Support County-wide initiatives identified in Section 9.1 of the County Annex. Support county-wide initiatives identified in the Cape May County Hazard Mitigation Plan.

**Status:** This initiative is ongoing. The Township has supported County-wide mitigation initiatives over the course of the performance period of the plan and will continue to do so.

**TL-8:** Villas Section- Cloverdale Ave, Evergreen Ave, Spruce Ave. Diamond Beach Section- Rochester Ave and Madison Ave.

**Status:** Drainage system and storm water management improvements - Analyze the existing water flow paths. Identify Road Areas of Flooding. Clean all debris from storm drains. Engineers Study to add additional inlets and underground outfall piping in these areas through a possible Small Cities Grant.

**TL-9:** Dune beach replenishment

**Status:** This initiative is ongoing. The Township continually maintains and replenishes dunes and beaches in order to mitigate coastal erosion whereas deemed necessary.

**TL-10 (CMC-7):** Support the replacement of three bridges and elevate 2.7 miles of County Route 621 in Lower Township.

**Status:** This initiative is ongoing and long term with the goal of reducing the vulnerability of critical transportation infrastructure to flooding.

**TL-11 (CMC-8 and WCM-12):** Elevate ~1.5 miles of CR-606 (Sunset Boulevard) through the South Cape May Meadows (Lower and West Cape May)

**Status:** Initiative is a long-term project with the goal of reducing the vulnerability of critical transportation infrastructure to flooding for it is a potential evacuation route. It is a lower priority project for the area is not as flood prone as many other areas.

**TL-12 (CMC-17 and TM-22):** Elevate CR-603 through Lower and Middle Townships through

Cc: Frank Sippel/ Township Mayor  
Michael Laffey/ Township Manager  
Township Council  
file

Floodplain Management      Annual Progress Report -

**Fishing Creek Swamp**

**Status:** This is a long-term initiative with the goal of both townships, with the goal being to reduce the vulnerability of critical transportation infrastructure to flooding for it is a potential evacuation route.

**TL-13 (CMC-44, 46, 49, 52):** Continue to support County-led efforts to conduct an engineering study to understand flooding issues and evaluate possible solutions for along Fishing Creek/Academy Road (CR 639), at low areas along Tabernacle Road (CR 617), along Shunpike Road (CR 614), and along Seashore Road (CR 626) in Lower Township.

**Status:** The County of Cape May OEM, partnered by Civil Solutions and the Cape May County Planning Department launched a Flood Risk Mapping Service. This GIS-based flood modeling program can be used by Township officials to track near real time water levels within streets and neighborhoods which are likely to be impacted during coastal storm events. This service has been advertised and can now be found on the Township's Official Website for both hazard mitigation officials and residents to utilize as well. Ongoing initiative.

**TL-14:** Continue to maintain elevation certificates.

**Status:** This is an ongoing initiative. The Construction office requires that all construction permits submit an elevation certificate for all new and substantially improved structures. These certificates are maintained in the Construction Office.

**TL-15:** Includes natural hazard risk reduction strategies in the Township open space acquisition strategy.

**Status:** This is an ongoing initiative with the goal of improving local capabilities to implement permanent risk reduction in high hazard areas.

**TL-16:** Maintain drainage systems at appropriate care level to keep drains cleared from debris to prevent flooding.

**Status:** This is an ongoing initiative with the goal of improving localized flooding issues that may occur due to debris blockage or backup. This is a day to day activity, especially after a storm or flooding occurs.

**TL-17:** Keep all storm drains and facilities free from debris in order to prevent flooding.

**Status:** This is an ongoing initiative that relevant to that of TL-16, where the goal is improving flooding issues that may occur due to debris blockage or backup. This is a day to day activity, especially after a storm or flooding occurs.

**TL-18:** Create a new website for storm and flooding information, including shelter, flood

Cc: Frank Sippel/Township Mayor  
Michael Laffey/ Township Manager  
Township Council  
file

insurance, map information, etc.

**Status:** This initiative will re-vamp the current flood and storm related information on the Township website.

**TL-19:** Continue to enforce building codes to require building, renovations, and re-building so that all buildings meet the Uniform Construction Code

**Status:** This is an ongoing initiative within our Construction and Code Enforcement Office.

**TL-20:** Elevate and reconstruct roadways and drainage improvements to Wilson Drive and connecting roadways in the Schellengers Landing section of Lower Township ~ .5 miles

**Status:** Initiative is a short term project with the goal of reducing the vulnerability of critical transportation infrastructure and property to flooding. Several options are being considered by the Townships Engineers Office to help control Tidal flooding in this area.

#### 4. Summary

The Township has integrated and continues to enforce all of the recommendations in the Cape May County Hazard Mitigation Plan into the day-to-day local government operations in order to succeed in reducing long-term risk. The Township Office of Emergency Management, the Township CRS Coordinator and the Floodplain Administrator continues to review all the initiatives within the Hazard Mitigation Plan and finds that all initiatives should be continued and that possible new initiatives will be reviewed as well.

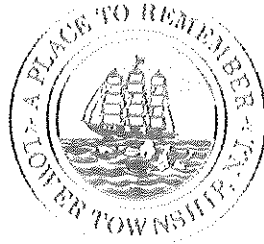
For credit under the Community Rating System, this report must be distributed to the local media and be made available to the public. Copies of the report will be available for review at the Township's Construction Office located at Township Hall 2600 Bay Shore Road. This report will also be posted on the Township's official website [www.townshipoflower.org](http://www.townshipoflower.org)

Edward P. Donohue  
Emergency Management Coordinator

Cc: Frank Sippel/Township Mayor  
Michael Laffey/Township Manager  
Township Council  
file

# TOWNSHIP OF LOWER

2600 Bayshore Road  
Villas, New Jersey 08251



Incorporated 1798

(609) 886-2005

On September 20, 2022 we had our 2022 Tax Sale selling 2021 delinquent taxes and municipal charges.

We had 12 properties to auction off. 8 properties went to outside lien holders and 4 were struck off to the municipality.

The Tax Sale Listing was advertised for two weeks in the Cape May Star and Wave on August 24, 2022 and August 31, 2022. September 7<sup>th</sup> and 14<sup>th</sup> of 2022 the property owners were mailed notices in lieu of advertising. The Tax Sale Advertisement was posted in 5 public locations; Lower Township Town Hall, Lower Township Courts, Lower Township MUA, Cape May County Library (Villas Branch) & the Villas Post Office.

We did not sell any Water or Sewer Charges this year.

We sold 8 properties that had delinquent 2021 taxes totaling \$15,766.63.

We collected \$315.33 in Cost of Sale.

We collected \$43,100.00 in Premiums.

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

RESOLUTION #2022-317

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

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

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

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

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

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

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

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

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

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

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

\_\_\_\_\_ (8) **Matters Relating to the Employment Relationship:** Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance or 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 October 3, 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 October 3, 2022

Julie A Picard, Township Clerk