

WORK SESSION AND REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL
AUGUST 3, 2026 – 5:00 p.m.

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

Work Session

Presentation - Shared Court: Lower, Middle, Wildwood Crest

Consent Agenda

Approval of Minutes – July 20, 2026

Res. #2026-264 Authorization for the Payment of Vouchers \$990,379.13

Res. #2026-265 Reappointment to the Planning Board (R. Roach, Jr.)

Res. #2026-266 Bid Acceptance and Contract Award for Judge Nathaniel Foster House Phase 2 (DKC Contractors LLC, \$169,035.)

Res. #2026-267 Approving a Professional Service Contract with DeBalsio & Associates to Prepare and Submit an Application for the FY2027 Clean Water Beverly Road Storm Sewer Replacement Project (LT-C-078)

Res. #2026-268 A Resolution Authorizing and Approving the Renewal of a Shared Service Agreement Between the Township of Lower and the Township of Middle for Shared Municipal Court Administrator Services

Res. #2026-269 Authorization for Refund of Taxes

Res. #2026-270 A Resolution Authorizing Execution of a Declaration of Encumbrance and Certification of the Recreation and Open Space Inventory in Connection with the Green Acres-Funded Jake's Law Playground at Rotary Park Project

Res. #2026-271 Approval of Change Order #1 Final to South State Inc. for the Reconstruction of Beach Avenue and Delaware Avenue (Spruce to Frances)

Regular Agenda

Ord. #2026-14 An Ordinance Amending Chapter 7, Traffic, Article I, General Provisions, of the Code of the Township of Lower. This is the second reading and public hearing of this Ordinance. This Ordinance has been posted, published and made available to the public.

Ord. #2026-15 An Ordinance Amending Chapter 400, Land Development, and Chapter 432, Mercantile Licenses, of the Code of the Township of Lower to Increase the Maximum Number of Class 5 Cannabis Retail Licenses from Two to Three. This is the second reading and public hearing of this Ordinance. This Ordinance has been posted, published and made available to the public.

Administrative Reports

Tax

Public Comment

Council Comments

Adjourn

COUNCIL MEETING MINUTES – July 20, 2026

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on July 20, 2026 at 5:00 p.m. in the meeting room of Township Hall, 2600 Bayshore Road, Villas, New Jersey.

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

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

Councilmember Thomas Conrad
Councilmember Joseph Wareham
Councilmember Roland Roy, Jr.
Deputy Mayor Kevin Coombs
Mayor Frank Sippel

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

Work Session

Mayor and Council presented a Certificate of Appreciation to David Brand for his 30 years of collective service on both the Planning Board and the Zoning Board of Adjustment.

Consent Agenda

Approval of Minutes – July 6, 2026

- Res. #2026-250 Authorization for the Payment of Vouchers \$1,511,093.81
- Res. #2026-251 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (NJ Recycling Tonnage Grant, \$33,963.68)
- Res. #2026-252 A Resolution Authorizing the Issuance of a Revocable License to the Owner of 214 Vermont Avenue to Complete Landscaping Work on Adjacent Township Owned Property
- Res. #2026-253 Certification of Lot Clearing Charges to the Tax Collector
- Res. #2026-254 Authorization for 2026 Incentive Award for Insurance Waiver
- Res. #2026-255 A Resolution Rescinding No. 2026-225 Associated with a Previously Approved Road Resurfacing Project due to Correct a Clerical Error at the Request of the New Jersey Department of Transportation
- Res. #2026-256 Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Resurfacing of Park Boulevard, Memphis Avenue, and Rochester Avenue; FY2027 Municipal Aid Program (MA)
- Res. #2026-257 Authorization for the Payout of Accumulated Compensatory Time (W. Kocis, \$10,393.33)
- Res. #2026-258 Authorization for the Payout of Accumulated Compensatory Time (M. Perry, \$8,530.94)
- Res. #2026-259 Authorizing the Sale of Township of Lower Surplus no Longer Needed for Public Use on GovDeals Online Auction Website
- Res. #2026-260 A Resolution Approving a Professional Service Contract with DeBlasio & Associates for Surveying & Engineering Phase Services for the Village Road Street End Bulkhead Project (LT-C-077)
- Res. #2026-261 A Resolution Authorizing Advertisement of a Notice to Bidders for Storm Sewer Replacement Lincoln Boulevard Project (LT-C-074)
- Res. #2026-262 A Resolution Authorizing the Execution of a Contract with Petrosch's Big Top, LLC for the Provision of Recreational Amenities at Lower Township National Night Out on August 4, 2026
- Res. #2026-263 A Resolution Authorizing a Shared Services Agreement with the Cape May County Municipal Utilities Authority for Solid Waste Disposal and Recycling Services
- Ord. #2026-14 An Ordinance Amending Chapter 7, Traffic, Article I, General Provisions, of the Code of the Township of Lower. This is the first reading of Ordinance #2026-14. The second reading and Public Hearing has been scheduled for August 3, 2026.
- Ord. #2026-15 An Ordinance Amending Chapter 400, Land Development, and Chapter 432, Mercantile Licenses, of the Code of the Township of Lower to Increase the Maximum Number of Class 5 Cannabis Retail Licenses from Two to Three. This is the first reading of Ordinance #2026-15. The second reading and Public Hearing has been scheduled for August 3, 2026.

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD	x		x				
WAREHAM			x				
ROY			x				
COOMBS		x	x				
SIPPEL			x				

Engineer's Report

Andrew McTague from DeBlasio & Assoc. gave Council an update on various projects going on within the Township, including: Rotary Park Renovations, Bay Outfalls Extensions, NJDOT Municipal Aid program Reconstruction of Ridgewood Ave, 2023 Stormwater GIS mapping services, David Douglass Sr. Memorial Park Renovations, Public Works Building, Clem Mulligan Storm sewer pump station, Lincoln Blvd. pump station, Arctic Ave Sewer replacement, Lower Township municipal pool building, resurfacing of various streets in Diamond Beach, and the resurfacing of Frances Ave.

Administrative Reports

Clerk, Construction, Dog, Tax, Vital

Call to the Public

Mayor Sippel informed the public that comments are to be 3 minutes or less and that this is not a question-and-answer period.

Jim Pomponni, 111 E Richmond Ave, expressed gratitude to Mayor, Council, Manager and Police Chief for taking the steps to change Richmond Ave to a one-way street.

Council Comments

Councilmember Conrad commented on the concert series going well and with a great turnout.

Councilmember Wareham commented on the pool being a priority and commended Manager Laffey and the recreation department on getting lifeguards certified. He also mentioned the Village Road beach access wasn't able to be worked on until after July 1st due to migrating birds and other wildlife but is now open, thanks to DPW and management, and reiterated that safety is a top priority.

Councilmember Roy - no comment.

Deputy Mayor Coombs agreed with Councilmember Wareham that safety is top priority.

Mayor Sippel commented on the police youth camp having started on Monday and what a great camp it is. He announced the concert at the Ferry with Jimmy and the Parrots and that the VFW will be doing a fund raiser to send care packages to the troops overseas. Lastly, he announced National Night Out, Tuesday August 4th at 5 pm at Lower Cape May Regional High School.

Manager Laffey commended public works on getting Village Road open and explained that plans are being submitted to the DEP for a more permanent fix. He also explained that Wildwood Ave would be a more suitable emergency beach access location.

Adjournment

There being no further business to address, motion to adjourn moved by Mayor Sippel, seconded by Deputy Mayor Coombs. Motion to adjourn was unanimous. Meeting adjourned at 5:17 p.m.

Frank Sippel, Mayor

Township Clerk

Approved:

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

RESOLUTION #2026-264

Title: AUTHORIZATION FOR THE PAYMENT OF VOUCHERS

TOTAL COMPUTER GENERATED: \$990,379.13

TOTAL BILL LIST \$990,379.13

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

I, Karen S. Fournier, 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 August 3, 2026.

Karen S. Fournier, Township Clerk

Ranges		Item Status		Purchase Types		Misc	
Range: First to Last Rcvd Batch Id Range: First to Last		Open: N Void: N Paid: N Held: Y Aprv: N Rcvd: Y		Bid: Y State: Y Other: Y Exempt: Y		P.O. Type: All Include Project Line Yes Items: Format: Condensed Include Non-Budgeted: Y Vendors: All	
Vendor #	Name						
P.O. #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00153		ATLANTIC CITY ELECTRIC*					
26-01862	07/29/26	ATLANTIC CITY ELECTRIC JUN/JUL	Open	\$31,996.97	\$0.00		
00159		ATLANTIC CITY ELECTRIC					
26-01725	07/16/26	DPW NEW ELECTRICAL CONNECTION	Open	\$8,164.00	\$0.00		
00179		AVERY TEITLER					
26-01014	05/07/26	PB SOLICITOR SALARY (CONT.)	Open	\$2,083.34	\$0.00		B
00189		AUSTINS SPORTS CENTER					
26-01503	06/19/26	SUMMER CAMP SHIRTS	Open	\$2,193.65	\$0.00		
00257		BAYSHORE LANDSCAPING INC*					
26-00040	01/08/26	RES#26-49 FINAL YEAR CONTRACT	Open	\$6,812.50	\$0.00		B
00611		COUNTY OF CAPE MAY (FUEL)					
26-01745	07/16/26	GASOLINE/DIESEL/DPW	Open	\$42,339.31	\$0.00		
26-01746	07/16/26	FIRE SAFETY/NO LEAD /DPW	Open	\$771.34	\$0.00		
Vendor Total:				\$43,110.65			
00710		CAPE MAY COUNTY SHERIFF					
26-01861	07/29/26	ESCAPE THE CAPE OT	Open	\$7,400.00	\$0.00		
00743		COUNTY OF CAPE MAY, TREASURER					
26-01656	07/09/26	SUMMER CAMP - 8/14/26	Open	\$205.00	\$0.00		
00784		CAPE MAY STAR & WAVE					
26-01814	07/27/26	Online Legal notices 7/1, 7/15	Open	\$125.00	\$0.00		
00825		COMCAST INTERNET					
26-01856	07/29/26	COMCAST INTERNET JULY/AUG 2026	Open	\$1,427.57	\$0.00		
00893		STATE OF NJ DEPT LABOR/WORKFC					
26-01819	07/27/26	ANNUAL ASSEMENT 12/2025	Open	\$1,884.60	\$0.00		
00948		COASTAL LANDSCAPING					
26-01428	06/10/26	REPAIR 2 BREAKS/SOFTBALL&BASE	Open	\$1,311.84	\$0.00		
01132		CUMMINS INC					
26-01054	05/11/26	REC/DPW PLANNED MAINTENANCE	Open	\$1,998.76	\$0.00		B
01201		DELL MARKETING LP					
26-01722	07/16/26	Computer for Katie & Front	Open	\$3,893.90	\$0.00		
01241		BRIAN MCEWING					
26-01731	07/16/26	ADMIN PARKING UNITY TOUR 2026	Open	\$30.00	\$0.00		

Vendor #	Name						
P.O. #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01480		E-Z PASS					
26-01753	07/20/26	6/2/26 TOLL BY PLATE	Open	\$15.00	\$0.00		
01749		R.A. WALTERS & SONS INC					
25-02232	08/21/25	RES 2025-285 (LTC-059) OUTFALL	Open	\$25,520.00	\$0.00		B
25-03368	12/18/25	RES #2025-402 LTC059 DELAWARE	Open	\$5,750.00	\$0.00		
		Vendor Total:		\$31,270.00			
01806		ANTHONY J HARVATT, II, ESQ					
26-00947	04/28/26	ZBA SOLICITOR SALARY (CONT.)	Open	\$1,041.50	\$0.00		B
02025		HUNTER TRUCK SALES & SERVICE					
26-01801	07/27/26	HOSE/DPW	Open	\$573.84	\$0.00		
26-01823	07/27/26	PARTS/SPW	Open	\$709.99	\$0.00		
		Vendor Total:		\$1,283.83			
02027		JESCO INC					
26-01839	07/28/26	PARTS/DPW	Open	\$1,101.50	\$0.00		
02097		LACAL EQUIPMENT INC					
26-01822	07/27/26	LEAF HOSE/DPW	Open	\$1,736.66	\$0.00		
02183		KLENSWITE POOL SPA SUP.CO INC~					
26-01711	07/14/26	DOLPHINE WAVE 100 POOL CLEANER	Open	\$4,300.95	\$0.00		
26-01737	07/16/26	CHLORINE FOR POOL - 7/09/26	Open	\$389.50	\$0.00		
26-01759	07/21/26	CHLORINE DELIVERY- 7/16/26	Open	\$462.50	\$0.00		
		Vendor Total:		\$5,152.95			
02247		LAWSON PRODUCTS, INC. ~					
26-01726	07/16/26	SUPPLIES FOR GARAGE/DPW	Open	\$699.36	\$0.00		
02725		THOMAS MILLS					
26-01393	06/09/26	06/02/26 06/04/26 ELEC INSP	Open	\$141.15	\$0.00		
03003		NEW JERSEY DIVISION OF ABC					
26-01843	07/28/26	2026-2027 Liquor Licenses	Open	\$87.00	\$0.00		
03280		PARAMOUNT SANITARY SUPPLY					
26-01741	07/16/26	1 PLY TOILET PAPER/POOL	Open	\$65.32	\$0.00		
03321		PATRICK MARTIN, ESQ					
26-01611	07/02/26	COURT CONFLICT PROSECUTOR	Open	\$786.00	\$0.00		
03387		POGUE INC. *					
26-01744	07/16/26	CONTROLLED SUBSTANCE TEST/DPW	Open	\$450.00	\$0.00		
03449		EUROFINS DRINKING WATER, LLC					
26-01492	06/19/26	2026 SEASONAL POOL CONTRACT	Open	\$670.50	\$0.00		
03460		V.E. RALPH & SON, INC. ~					
26-01619	07/07/26	ADULT MED CON OXYGEN MASKS	Open	\$242.00	\$0.00		

Vendor # P.O. #	PO Date	Name Description	Status	Amount	Void Amount	Contract	PO Type
03460		V.E. RALPH & SON, INC. ~	Account Continued				
03465 26-00655	03/27/26	R&R ELECTRONICS, INC.* RADAR UPFITTING - 3 NEW TAHOES	Open	\$1,130.25	\$0.00		
03573 26-00954	04/28/26	SAFETY-KLEEN CORP* EQUIP MAINTENCE/DPW	Open	\$638.05	\$0.00		
03692 26-01850	07/28/26	SOUTH JERSEY GAS CO* SOUTH JERSEY GAS JUNE/JULY 26	Open	\$320.03	\$0.00		
03863 26-01608	07/02/26	TREASURER, STATE OF NEW JERSEY BOCA 2ND QUARTER REPORT	Open	\$13,761.00	\$0.00		
03902 26-01732	07/16/26	DONALD VANAMAN JR REIMBURSE FIREWORKS HYDRATION	Open	\$99.90	\$0.00		
03904 26-01733	07/16/26	LOWE'S HOME CENTER INC MASTER PADLOCK KEYS-POOL	Open	\$111.10	\$0.00		
26-01735	07/16/26	GATE FOR POOL	Open	\$159.85	\$0.00		
26-01818	07/27/26	DPW- MISSING PAYMENT 25-02312	Open	\$32.51	\$0.00		
		Vendor Total:		\$303.46			
03915 26-01800	07/27/26	TURF EQUIPMENT & SUPPLY CO SEAL/DPW	Open	\$126.78	\$0.00		
26-01841	07/28/26	MUFFLER/DPW	Open	\$329.64	\$0.00		
		Vendor Total:		\$456.42			
04089 26-01491	06/19/26	WIZARD'S FESTIVAL OF FUN, INC* RES#26-220 RIDES 8/12/26	Open	\$16,000.00	\$0.00		
04097 26-01743	07/16/26	CINTAS FIRST AID AND SAFETY* COURT CABINET SERVICE 7/2026	Open	\$52.16	\$0.00		
26-01749	07/20/26	TOWNHALL RESTOCK 7/15/26	Open	\$33.28	\$0.00		
26-01802	07/27/26	RE-STOCK REC CENTER	Open	\$12.84	\$0.00		
26-01844	07/28/26	FIRST AID SUPPLIES/DPW	Open	\$23.09	\$0.00		
		Vendor Total:		\$121.37			
04261 26-01863	07/30/26	STATE OF NEW JERSEY 2ND QTR 2026 UNEMPLOYMENT	Open	\$20,118.74	\$0.00		
04301 26-01488	06/19/26	SEASHORE ASPHALT CORPORATION ASPALT/DPW	Open	\$1,050.60	\$0.00		B
05064 26-01736	07/16/26	CAPE ISLAND GRAPHICS BAY RUN SIGNS	Open	\$35.00	\$0.00		
05083 26-01636	07/07/26	ALLEGRA MARKETING,PRINT & MAIL GREEN ACRES SIGN ROTARY PARK	Open	\$315.00	\$0.00		
26-01834	07/27/26	High Summer 2026 Newsletter	Open	\$465.00	\$0.00		
		Vendor Total:		\$780.00			

Vendor # P.O. #	PO Date	Name Description	Status	Amount	Void Amount	Contract	PO Type
5022 26-01796	07/23/26	INSTITUTE FOR FORENSIC PSYCHO 3 PRE-EMPLOYMENT SLEO/PO TESTS	Open	\$1,725.00	\$0.00		
6063 26-01715	07/15/26	CAPE MINING & RECYCLING, LLC WOOD CHIPS/DPW	Open	\$1,884.63	\$0.00		
6074 26-01655	07/09/26	CAPE ATLANTIC JUNIOR FOOTBALL 2026 LEAGUE FEES	Open	\$750.00	\$0.00		
7098 26-00065	01/13/26	SHORE VETERINARIAN ANIMAL RES 26-47 26-27-28 DNE 64,800	Open	\$5,400.00	\$0.00		B
7165 26-01807	07/27/26	NICOLE PERONE LACROSSE TOURNAMENT OFFICIAL	Open	\$70.00	\$0.00		
7196 26-00060	01/12/26	LAUREN HUGGINS SUIT RES 25-07 PUBLIC INFO OFFICER	Open	\$1,356.67	\$0.00		B
7354 26-01194	06/02/26	FLEETPRIDE INC. SUPPLIES/DPW/JUNE	Open	\$579.66	\$0.00		
7380 26-01808	07/27/26	GAILE ROCKEY LACROSSE TOURNAMENT OFFICIAL	Open	\$140.00	\$0.00		
7388 26-01729	07/16/26	JONATHAN SCHECK REIMBURSE FOR EXPO PARKING	Open	\$5.00	\$0.00		
7391 26-01810	07/27/26	ANDREW WELSH LACROSSE TOURNAMENT OFFICIAL	Open	\$105.00	\$0.00		
7437 26-01668	07/09/26	ECOVERSE INDUSTRIES LTD* PARTS/DPW	Open	\$1,705.82	\$0.00		
7440 26-01657	07/09/26	RICKY BRANDS LLC SHIRTS FOR BAY RUN	Open	\$2,084.77	\$0.00		
26-01658	07/09/26	BAY RUN MEDALS	Open	\$788.42	\$0.00		
Vendor Total:				\$2,873.19			
7456 26-01083	05/13/26	SOUTH JERSEY WATER COND* YEARLY CHECK ON SOFTENER	Open	\$195.31	\$0.00		
7618 26-01757	07/21/26	MEGONIGAL ELECTRIC LLC ELECTRIC WORK FOR LT POOL	Open	\$13,765.00	\$0.00		
7687 26-01820	07/27/26	ENHANCED WEB SERVICES* E-SIGNATURE K. FOURNIER	Open	\$29.95	\$0.00		
7689 26-01763	07/21/26	GOVERNMENT FORMS AND SUPPLIES* BUSINESS CARDS- SUPERINTENDENT	Open	\$50.00	\$0.00		
26-01815	07/27/26	Business Cards - C. Lewis	Open	\$50.00	\$0.00		
Vendor Total:				\$100.00			

Vendor # P.O. #	PO Date	Name Description	Status	Amount	Void Amount	Contract	PO Type
7689		GOVERNMENT FORMS AND SUPPLIES*		<i>Account Continued</i>			
7747 26-01730	07/16/26	KENNETH WALKER REIMBURSE FOR EXPO PARKING	Open	\$15.00	\$0.00		
7749 25-00292	01/27/25	WILLIAM KOCIS 2025 EQUIPMENT ALLOWANCE	Open	\$15.00	\$0.00		B
7751 26-00388	02/19/26	HOFFMAN'S EXTERMINATING PEST AGREEMENTS/ 2 CONTRACTS	Open	\$211.35	\$0.00		
7820 26-01682	07/13/26	DEBLASIO & ASSOCIATES, P.C PB BOARD ENGINEER VOUCHERS	Open	\$5,843.40	\$0.00		
7929 26-01305	06/04/26	AMAZON CAPITAL SERVICES, INC Z&P / BOCA OFFICE SUPPLIES	Open	\$328.36	\$0.00		
26-01565	06/29/26	FLUSH VALVE- DIAMOND BEACH	Open	\$250.03	\$0.00		
26-01617	07/07/26	Kitchen and Clerk's Supplies	Open	\$246.06	\$0.00		
26-01622	07/07/26	STROBE LIGHT FOR COUNTY TRUCK	Open	\$68.57	\$0.00		
26-01626	07/07/26	FOLDERS, KEYS & CAMP SUPPLIES	Open	\$243.64	\$0.00		
26-01637	07/07/26	2026 SAFETY VESTS- 70 VESTS	Open	\$900.27	\$0.00		
26-01669	07/09/26	FS office supplies	Open	\$711.25	\$0.00		
26-01673	07/09/26	POOL CHARGERS & BATTERY	Open	\$105.83	\$0.00		
26-01684	07/13/26	SUMMER CAMP SUPPLIES	Open	\$622.09	\$0.00		
26-01697	07/13/26	P&Z & BOCA SUPPLIES	Open	\$542.63	\$0.00		
26-01713	07/14/26	COURT OFFICE SUPPLIES	Open	\$179.28	\$0.00		
26-01724	07/16/26	PD SUPPLIES 7/14/2026	Open	\$278.92	\$0.00		
26-01740	07/16/26	FILE CABINET & STRING TRIMMER	Open	\$112.47	\$0.00		
26-01752	07/20/26	UNPAID AMAZON INVOICES	Open	\$749.62	\$0.00		
26-01791	07/23/26	OFFICE SUPPLIES	Open	\$481.78	\$0.00		
		Vendor Total:		\$5,820.80			
8152 26-01501	06/19/26	DELMOPRO LLC Security Fence Pool	Open	\$2,300.00	\$0.00		
8175 26-01742	07/16/26	INTEGRITY INTERPRETING LLC COURT INTERPRETING 6/2026	Open	\$201.25	\$0.00		
8211 26-01714	07/14/26	CONFIRE FIRE PROT SERV LLC* MILLMAN CENTER INSPECTION/DPW	Open	\$1,175.00	\$0.00		
26-01748	07/20/26	EXTINGUISHER INSPECTIONS/DPW	Open	\$377.50	\$0.00		
		Vendor Total:		\$1,552.50			
8490 26-01609	07/02/26	BUSINESS INFORMATION SYSTEMS* COURT RECORDING SERVICE	Open	\$1,037.45	\$0.00		
8495 26-01500	06/19/26	COASTAL FENCE AND RAILING Fence For Pool Renovations	Open	\$1,029.76	\$0.00		
26-01631	07/07/26	MAGNA POOL LATCH	Open	\$84.90	\$0.00		
		Vendor Total:		\$1,114.66			

Vendor #	P.O. #	PO Date	Name	Description	Status	Amount	Void Amount	Contract	PO Type
8498			CANDICE MARIE MUSIC LLC						
26-01427		06/10/26	RES#26-203- LEGACY		Open	\$2,500.00	\$0.00		
8524			FRED M SCHIAVONE CONSTRUCTION						
25-03093		11/21/25	RES 2025-379 LTC067 MULLIGAN		Open	\$19,110.00	\$0.00		B
26-01288		06/04/26	ROTARY COMMUNITY PARK PHASE 2		Open	\$124,385.47	\$0.00		B
			Vendor Total:			\$143,495.47			
8564			MATTHEW REILLY						
25-00304		01/27/25	2025 EQUIPMENT ALLOWANCE		Open	\$36.21	\$0.00		B
26-00858		04/14/26	2026 EQUIPMENT ALLOWANCE		Open	\$113.75	\$0.00		
			Vendor Total:			\$149.96			
8575			FAMILY AUTO GLASS						
26-01728		07/16/26	WINDSHIELD REPLACEMENT CAR 129		Open	\$700.00	\$0.00		
8721			BLANEY, WEINBERG, & CURIO, PC						
26-00081		01/13/26	RES 26-03 PROSECUTOR DNE 45000		Open	\$3,750.00	\$0.00		B
26-00082		01/13/26	RES 26-03 PROSECUTOR WWC 10000		Open	\$833.33	\$0.00		B
			Vendor Total:			\$4,583.33			
8735			SURENIAN EDWARDS & NOLAN LLC						
26-00630		03/24/26	Affordable Housing Res 23-13		Open	\$156.00	\$0.00		B
8850			SERVEPRO						
26-00905		04/24/26	HAZARDOUS WASTE CLEAN-UP 2026		Open	\$500.00	\$0.00		B
8865			CAPE ENVIRONMENTAL TESTING LAB						
26-01756		07/20/26	2ND QUARTER TESTING-BENNETTS		Open	\$45.00	\$0.00		
8909			COMCAST BUSINESS PD INTERNET						
26-01855		07/29/26	COMCAST POLICE #708748079 JULY		Open	\$1,024.60	\$0.00		
8956			AMISH OUTLAWS LLC						
26-01283		06/04/26	RES# 26-203- AMISH OUTLAWS		Open	\$5,750.00	\$0.00		
9059			JUAN GARCIA PEREZ						
26-01786		07/23/26	REFUND EXMPT VET		Open	\$934.76	\$0.00		
9097			GREG HARRON						
26-01836		07/27/26	VISION REIMBURSEMENT		Open	\$255.00	\$0.00		
9134			ASCENDANCE TRUCK EASTERN PA						
26-01703		07/13/26	PARTS/DPW		Open	\$1,752.31	\$0.00		
26-01842		07/28/26	MIRROR/DPW		Open	\$692.60	\$0.00		
			Vendor Total:			\$2,444.91			
9166			REMINGTON & VERNICK ENG II INC						
26-00420		02/25/26	RES #2026-108 BOCA ROOF & HVAC		Open	\$9,450.00	\$0.00		B
9180			ANTHONY BAKER ENTMT LLC						

Vendor # P.O. #	PO Date	Name Description	Status	Amount	Void Amount	Contract	PO Type
9180		ANTHONY BAKER ENTMT LLC	<i>Account Continued</i>				
26-01216	06/03/26	RES#26-203- FAT MEZZ	Open	\$4,750.00	\$0.00		
9209		AUTOAGENT DATA SOLUTIONS LLC					
26-01817	07/27/26	BOCA CARD READER REPLACEMENT	Open	\$199.00	\$0.00		
9215		LAURA MANGO					
26-01750	07/20/26	REIMBURSEMENT FOR RECERTIFICAT	Open	\$225.00	\$0.00		
9216		ATLANTICARE REGIONAL MEDICAL					
26-00432	02/25/26	ATLANTICARE 2026 RES #2024-229	Open	\$10,000.00	\$0.00		B
9279		MUNICIPAL EMERGENCY SERVICES					
26-00966	04/28/26	11 BALLISTIC VESTS FOR 2026	Open	\$17,468.00	\$0.00		
9296		ALTEK BUSINESS SYSTEMS INC					
26-01754	07/20/26	DETECTIVES COPIER 7/15-8/14/26	Open	\$32.25	\$0.00		
9316		THE BELASCO LAW FIRM LLC					
26-00063	01/12/26	RES 26-01 RETAINER DNE \$40K	Open	\$3,333.33	\$0.00		B
9366		LSM COASTAL LLC					
26-01432	06/10/26	SUMMER CAMP CLASSES	Open	\$1,480.00	\$0.00		
9400		LAUGH PRODUCTIONS LLC					
26-01435	06/10/26	2 SHOWS- SUMMER CAMP	Open	\$150.00	\$0.00		
9416		THE WETLANDS INSTITUTE					
26-01434	06/10/26	WETLANDS INSTITUTE PRESENTATIO	Open	\$720.00	\$0.00		
9444		BAMBOO HR LLC					
26-01805	07/27/26	FS balance paid off	Open	\$39.90	\$0.00		
9445		TWIN ROCKS WATER					
26-01760	07/21/26	REC. WATER DELIVERY	Open	\$45.97	\$0.00		
26-01764	07/21/26	FS Water 07.01.2026	Open	\$25.97	\$0.00		
26-01795	07/23/26	PD WATER DELIVERY 7-15-2026	Open	\$59.85	\$0.00		
Vendor Total:				\$131.79			
9453		CAPITAL ONE TRADE CREDIT					
26-01131	05/22/26	RDS/SIGN/BLD/DPW	Open	\$411.59	\$0.00		
26-01521	06/24/26	REC- JUNE MONTHLY	Open	\$463.83	\$0.00		
Vendor Total:				\$875.42			
9456		CAPE MAY AERIAL ADVERTISING					
26-01186	06/02/26	AERIAL DRONE SHOW 8/12/26	Open	\$6,500.00	\$0.00		
9515		STERICYCLE INC					
26-01799	07/27/26	TOWNSHIP SHRED EVENT/DPW	Open	\$1,158.75	\$0.00		
9516		XEROX BUSINESS SOLUTIONS LLC					
26-01638	07/07/26	FS copier 7.1.26 09.30.26	Open	\$113.85	\$0.00		

Vendor # P.O. #	PO Date	Name Description	Status	Amount	Void Amount	Contract	PO Type
9516		XEROX BUSINESS SOLUTIONS LLC		<i>Account Continued</i>			
26-01734	07/16/26	COPIER USAGE 1/1- 6/30/26	Open	\$8.60	\$0.00		
26-01816	07/27/26	COPIER USAGE/OVERAGE 4/1-6/30	Open	\$4.35	\$0.00		
		Vendor Total:		\$126.80			
9517		GAUDELLI BROS INC					
26-00466	02/27/26	RES #2026-107 BOCA ROOF/HVAC	Open	\$481,155.97	\$0.00		B
9526		Firefighter One LLC					
26-00688	03/31/26	FS investigative gear x2	Open	\$4,077.70	\$0.00		
9552		Yeamon Music Inc					
26-01384	06/05/26	RES#26-203-JIMMY & THE PARROTS	Open	\$4,250.00	\$0.00		
9555		KidCheck Inc					
26-01515	06/23/26	Camp Checkin Program	Open	\$90.00	\$0.00		PC1
9567		Lawrence Campbell					
26-01779	07/23/26	EXEMPT VET REFUND	Open	\$859.14	\$0.00		
9568		Joseph Boraski					
26-01780	07/23/26	EXEMPT VET REFUND W/ DED	Open	\$639.57	\$0.00		
9569		Wilson Hamilton					
26-01781	07/23/26	EXEMOT VET REFUND W/ DED	Open	\$1,831.83	\$0.00		
9570		Thomas Beeby					
26-01782	07/23/26	EXEMPT VET REFUND DED	Open	\$250.00	\$0.00		
9571		Patrick Dougherty					
26-01783	07/23/26	EXEMPT VET REFUND W/DED	Open	\$442.06	\$0.00		
9572		Thomas Franek					
26-01784	07/23/26	EXEMPT VET REFUND	Open	\$736.91	\$0.00		
9573		Jessica Sulecki					
26-01785	07/23/26	EXEMPT VET REFUND	Open	\$486.72	\$0.00		
9574		Christopher Villamor					
26-01787	07/23/26	EXEMPT VET REFUND	Open	\$721.21	\$0.00		
9576		Justin Milligan					
26-01789	07/23/26	EXEMPT VET REFUND	Open	\$1,578.73	\$0.00		
9577		Skylar Smith					
26-01790	07/23/26	EXEMPT VET REFUND	Open	\$2,136.37	\$0.00		
9578		Daniel McKinney					
26-01803	07/27/26	FINGERPRINT/BACKGROUND CHECK	Open	\$25.73	\$0.00		
9579		Gorge Simmons					
26-01811	07/27/26	BLOCK 509.01 LOT 1.04	Open	\$250.00	\$0.00		

Vendor # P.O. #	PO Date	Name Description	Status	Amount	Void Amount	Contract	PO Type
9580 26-01821	07/27/26	Jessica Spiegel REIMBURSEMENT- CHEER	Open	\$10.00	\$0.00		
9581 26-01809	07/27/26	Eric Barts LACROSSE TOURNAMENT OFFICIAL	Open	\$70.00	\$0.00		
CANCELO 26-01812	07/27/26	DON CANCELOSI LACROSSE TOURNAMENT OFFICIAL	Open	\$140.00	\$0.00		
DNDRI005 26-01559	06/29/26	D.N. DRILLING PUMP FOR JONATHAN HOFFMAN	Open	\$3,500.00	\$0.00		
DOUGHERT 26-01835	07/27/26	GEORGIA DOUGHERTY MEDICAL CLAIMS- DENTAL	Open	\$710.38	\$0.00		
DOVE 26-01813	07/27/26	DOVETAIL, INC KEN THE MAGICIAN- 7/23/26	Open	\$395.00	\$0.00		
FLYIN 26-01584	07/01/26	FLYING FISH STUDIO T-SHIRTS PER CONTRACT/DPW	Open	\$2,490.00	\$0.00		
NASW 26-01467	06/16/26	NAVAL AIR STATION WILDWOOD SUMMER CAMP TOUR- 8/07/26	Open	\$680.00	\$0.00		
PRINCE 26-01751	07/20/26	STEPHEN PRINCE JR SPRING SOCCER OFFICIAL	Open	\$560.00	\$0.00		
ROSED005 26-01853	07/29/26	Rose Delatore block 363 lot 22	Open	\$865.85	\$0.00		
SIXSM 26-01385	06/05/26	LLOYD SIXSMITH* BOCA SHIRT ORDER	Open	\$1,035.45	\$0.00		
SMITHS 26-01798	07/23/26	SHEILA D SMITH AUGUST MEDICAL SUPPLEMENT	Open	\$219.23	\$0.00		

Total Purchase Orders: 166 Total P.O. Line Items: 0 Total List Amount: \$990,379.13 Total Void Amount: \$0.00

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

RESOLUTIUN #2026-265

Title: **REAPPOINTMENT TO THE PLANNING BOARD**

WHEREAS, Richard D. Roach, Jr., Alternate Member #1 on the Planning Board, has a term which will expire September, 2026, and has requested reappointment to the Board; and

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

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

<u>NAME</u>	<u>TYPE</u>	<u>TERM EXP</u>
Richard D. Roach, Jr.	Alternate Member #1	September, 2028

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

I, Karen S. Fournier, 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 August 3, 2026.

Karen S. Fournier, Township Clerk

kfournier

From: Richard Roach <richard@michaelcpowers.com>
Sent: Thursday, July 16, 2026 5:57 PM
To: jpicard
Subject: External Planning Board renewal

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.

Please take this email as notice that I would to continue to serve on the planning board. Let me know if you need anything else from me.

Thank You,
Richard Roach
The Powers Group
Keller Williams Jersey Shore
Direct: 609-425-9812
Agent License #: 0448108
Brokerage License #: 1112211
Richard@michaelcpowers.com

www.michaelcpowers.com

Notice: This email could be considered as an advertisement under federal law.

If you prefer not to receive real estate listing information and updates via e-mail, Please reply to this message saying "cancel" to opt out of receiving further messages.

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

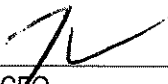
RESOLUTION #2026-266

Title: **BID ACCEPTANCE AND CONTRACT AWARD FOR JUDGE NATHANIEL FOSTER HOUSE PHASE 2**

WHEREAS, the Notice to Bidders for the Judge Nathaniel Foster House Phase 2 was advertised on April 20, 2026 and accepted on Wednesday July 15, 2026 at 11:00 a.m. prevailing time; and

WHEREAS, two (2) sealed bids were submitted and reviewed by the Township Architect, Township QPA, and Rob Belasco, Township Solicitor; and

WHEREAS, DKC Contractors LLC. was the lowest qualified bidder, complied with the specifications and supplied all required bid documents and the CFO has certified the availability of funds as evidenced by his signature below:



Jim Craft, CFO

G-02-40-300-715 (\$130,915.70)
6-15-56-223-048 (\$38,119.30)

Budget Account

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that a contract is hereby awarded as follows, with Al Gentz, Recreation Superintendent, designated as the authorized official for project oversight and approval of purchase order payments:

AWARD TO: DKC Contractors LLC.
TOTAL: \$169,035.00

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
WAREHAM						
ROY						
COOMBS						
SIPPEL						

I, Karen S. Fournier, 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 August 3, 2026.

Karen S. Fournier, Township Clerk



Michael Calafati Architect, LLC

510 Bank Street, P.O.Box 2363, Cape May, NJ 08204
T 609 884 4922 F 609 884 8608 www.calafati.com

July 17, 2026

Robert Osborn, QPA
Purchasing Agent
Township of Lower
2600 Bayshore Road
Villas, NJ 08251

Re: Recommendation regarding Bid Results for the
Phase II Improvements at the Judge Nathaniel Foster House
Funded by the New Jersey Historic Trust (Proj. #2024.1030), and the Township of Lower

Dear Bob,

I was present at the opening of bid proposals earlier this week for the above captioned project. Accordingly, I have prepared the attached 2-page summary. Bids were received from the two bidders who were pre-qualified, as required by NJHT - DKC Contracting, LLC of Rio Grande, NJ and Dell-Tech, Inc. of Trenton, NJ

The low base bid from DKC Contracting of \$92,135 is well below the \$178,690.87 available for construction. While the base bid of \$184,700.00 from Dell-Tech, exceeds the available amount by \$6,009.13. Moreover, DKC's base bid with all three Alternate items raises their adjusted bid proposal amount to \$169,035.00, a figure still within budget.

The magnitude of difference between the bids from DKC and Dell-Tech is worthy of further analysis. DKC has the advantage of being much closer to the job site. Their overall operation appears to be much smaller than Dell-Tech, which would result in lower overhead. My direct experience with Dell-Tech is that once they pre-qualify to bid a project, they never fail to follow through with a bid submission.

Assuming that all of their required paperwork is satisfactory, I recommend that the contract for construction (base bid and all three alternates) be awarded to DKC Contracting, LLC for \$169,035.00. I would be happy to answer any questions the Township may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Calafati", is written over a horizontal line.

Michael Calafati, AIA, Principal
Michael Calafati Architect, LLC

cc: Michael Laffey, Township Manager, Township of Lower
Karen Fournier, Township Clerk, Township of Lower
Project File

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

RESOLUTION #2026-267

Title: **APPROVING A PROFESSIONAL SERVICE CONTRACT WITH DeBLASIO & ASSOCIATES
TO PREPARE AND SUBMIT AN APPLICATION FOR THE FY2027 CLEAN WATER
BEVERLY ROAD STORM SEWER REPLACEMENT PROJECT (LT-C-078)**

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

WHEREAS, DeBlasio & Associates have provided a proposal to prepare and submit an application for the FY 2027 Clean Water Beverly Road Storm Sewer Replacement Project at the fee of \$ 7,000.00 for one application in coordination with the Grants Coordinator and Director of Public Works; and the CFO has certified the availability of funds in the following budget lines as evidenced by his signature:

Appropriation: 01-20-165-299

Signature: 
James Craft, CFO

WHEREAS, the Township Council desires to approve the proposal.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that a Professional Service Contract without public bidding is awarded as follows:

1. The Proposal between DeBlasio & Associates and the Township of Lower, in the form attached hereto as EXHIBIT A, for an amount of \$ 7,000.00 is hereby approved.

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

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

I, Karen S. Fournier, 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 August 3, 2026

Karen S. Fournier, Township Clerk

DEBLASIO & ASSOCIATES

ENGINEERS, SURVEYORS AND PLANNERS

4701 NEW JERSEY AVENUE • WILDWOOD, NJ 08260

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

July 21, 2026

VIA EMAIL

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

**Re: Township of Lower, Cape May County, NJ
Beverly Road Storm Sewer Replacement Project
– FY2027 Clean Water Application
D&A File #: LT-C-078**

Dear Mr. Douglass:

As a follow up to our previous conversation, *DeBlasio & Associates, P.C.* is pleased to submit this proposal to the Township to provide professional engineering and grant application services for **Beverly Road Storm Sewer Replacement Project – FY2027 Clean Water Application**.

Project Understanding and Scope of Work

In accordance with our ongoing discussions regarding the opportunities available through the New Jersey Infrastructure Bank (I-Bank) program, the Township intends to submit an application to the New Jersey Department of Environmental Protection (NJDEP) and I-Bank for low-interest financing and grant funding to support the replacement of drainage infrastructure on Beverly Road in North Cape May. As part of the application process, our office will submit the following through H₂Loans:

- a. Project Information.
- b. Project Cost Estimates.
- c. Letter of Intent (Environmental Planning Document).

Please note that our scope of services for this task does not include the following items:

1. Engineering Design and Specifications.
2. SED Participation During Planning and Design.
3. Regulatory permit fees.
4. Any other items not listed in the scope of work.

Total: \$7,000.00

Enclosed please find one (1) copy of the project location map for your reference. Please note that this proposal does not include any construction phase services. Our office can provide a proposal for these services upon request.

Upon your authorization, we are prepared to begin work immediately on the Township's **Beverly Road Storm Sewer Replacement Project – FY2027 Clean Water Application**.

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

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

A handwritten signature in black ink, appearing to read "Marc DeBlasio", is written over the printed name.

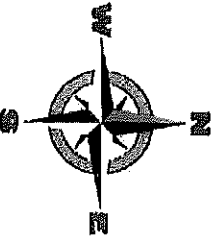
Marc DeBlasio, P.E., P.P., C.M.E.

President

T: 609-854-3311

Marc@deblasioassoc.com

cc: Mayor Frank Sippel (via email)
Michael Laffey, Manager (via email)
Christina Lewis, Deputy Manager (via email)
Bob Osborn, QPA (via email)
Karen Fournier, Clerk (via email)
Finance (via email)



PROJECT LOCATION MAP

Beverly Avenue

(Clubhouse Drive to Shore Road)

Township of Lower, Cape May County, New Jersey

Date: 7/16/2026

**DEBLASIO &
ASSOCIATES**
CONSULTING ENGINEERS AND PLANNERS

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

RESOLUTION #2026-268

Title: A RESOLUTION AUTHORIZING AND APPROVING THE RENEWAL OF A SHARED SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF LOWER AND THE TOWNSHIP OF MIDDLE FOR SHARED MUNICIPAL COURT ADMINISTRATOR SERVICES

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. (the "Act"), authorizes local units of this State to enter into agreements with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive in its own jurisdiction; and

WHEREAS, the Township of Lower employs Sarah Van Seeters, a duly qualified and certified Municipal Court Administrator, as the Department Head of its Municipal Court; and

WHEREAS, the Township of Middle has a vacancy in the position of Municipal Court Administrator and remains in need of temporary Municipal Court Administrator services; and

WHEREAS, on April 6, 2026, the Township Council of the Township of Lower adopted Resolution 2026-155, approving a Shared Services Agreement with the Township of Middle for the temporary provision of Municipal Court Administrator services by its municipal court administrator, Sarah Van Seeters; and

WHEREAS, on June 1, 2026, the Township Council of the Township of Lower adopted Resolution 2026-215, approving the renewal of the Shared Services Agreement with the Township of Middle for the temporary provision of Municipal Court Administrator services by its municipal court administrator, Sarah Van Seeters, for an additional eight (8) weeks; and

WHEREAS, the Township of Middle desires to renew the Shared Services Agreement with the Township of Lower for an additional eight (8) weeks in order to afford the Township of Middle additional time to secure a permanent Municipal Court Administrator and/or to establish a permanent Shared Municipal Court; and

WHEREAS, the Township of Lower is agreeable to renewing the Shared Services Agreement and continuing to provide such services to the Township of Middle on a temporary basis, and to permitting its Municipal Court Administrator, Sarah Van Seeters, to continue to serve as temporary Municipal Court Administrator for the Township of Middle, in addition to the duties of her employment with the Township of Lower.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the Shared Services Agreement attached to this Resolution, between the Township of Lower and the Township of Middle, for the temporary provision of Municipal Court Administrator services, be and is hereby approved, and that the Mayor, Township Clerk, and/or Township Manager be and are hereby authorized to execute said Agreement.

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

I, Karen S. Fournier, 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 August 3, 2026.

Karen S. Fournier, Township Clerk

**SHARED SERVICES AGREEMENT
BY AND BETWEEN THE TOWNSHIP OF LOWER AND THE TOWNSHIP OF
MIDDLE FOR SHARED MUNICIPAL COURT ADMINISTRATOR**

THIS SHARED SERVICES AGREEMENT (the "Agreement") is entered into this _____ day of _____, 2026, by and between the **TOWNSHIP OF LOWER** (hereinafter "Lower"), a municipal corporation of the State of New Jersey whose administrative offices are located at 2600 Bayshore Road, Villas, New Jersey 08251, and the **TOWNSHIP OF MIDDLE** (hereinafter "Middle"), a municipal corporation of the State of New Jersey whose administrative offices are located at 33 Mechanic Street, Cape May Court House, NJ 08210. Throughout this Agreement, Lower and Middle may each be referred to as a "Party," and collectively may be referred to as the "Parties."

PREAMBLE

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. (the "Act"), authorizes local units of this State to enter into agreements with any other local unit or units in order to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction;

WHEREAS, Lower employs a certified Municipal Court Administrator, Sarah Van Seeters (hereinafter "Van Seeters"), as the Department Head of its Municipal Court, who is qualified and duly licensed by the State of New Jersey;

WHEREAS, Middle is in need of the services of said Official to serve in the same capacity and desires to contract with Lower for the provision of such services; and

WHEREAS, Lower is agreeable to providing those services to Middle and agrees to permit its Municipal Court Administrator to act as the Court Administrator for Middle Township Municipal Court in addition to the duties assigned to her by Lower Township as an employee.

NOW, THEREFORE, in consideration of the exchange of mutual covenants and conditions and such other consideration as set forth in this Agreement and as authorized by the provisions of N.J.S.A. 40A:65-1 et seq., and intending to be bound, Lower and Middle agree as follows:

- 1. INCORPORATION OF PREAMBLE.** All of the provisions of the Preamble set forth above are repeated and incorporated herein by this reference as though set forth at length.
- 2. NATURE AND EXTENT OF SERVICES TO BE PROVIDED.** For so long as this Agreement remains in effect, both Parties agree that Lower will provide Municipal Court Administrator services for an average of two (2) days per week, as needed by Middle. Those hours may be flexed based on the needs of either Party.

In addition, Middle Township Municipal Court employees shall, as directed by Van Seeters, report to the Township of Lower for administrative guidance, coordination and instruction relating to the services provided under this Agreement. Such reporting shall not alter their employment status, and all such employees shall remain employees of Middle Township. No Middle Township employee shall be deemed an employee of the Township of Lower or be entitled to any compensation, benefits or other employment-related rights from the Township of Lower by virtue of this Agreement.

3. EFFECTIVE DATE; INITIAL TERM; TERMINATION.

- a. **Effective Date.** This Agreement has been approved by Resolutions of the governing bodies of each Party, duly adopted in accordance with applicable law at public meetings held in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. Copies of those Resolutions are annexed as Exhibits "A" and "B." The effective date of this Agreement shall be the date of adoption of the last Resolution necessary to authorize the execution of this Agreement.
- b. **Term.** The term of this Agreement shall commence on August 1, 2026, and shall continue through September 30, 2026. By executing this Agreement, the Parties acknowledge and agree to engage in good faith negotiations for the purpose of establishing a permanent Shared Municipal Court arrangement.
- c. **Termination on Notice.** Either Party may terminate this Agreement by providing written notice of termination to the municipal clerk of the other Party, in accordance with the notice provisions of this Agreement.
- d. **Automatic Termination.** If said Municipal Court Administrator, who is employed by Lower, during the term of this Agreement, ceases to be employed by Lower, then this Agreement shall automatically terminate upon such cessation of employment, unless otherwise agreed to in writing by both municipalities.

4. MUNICIPAL COURT ADMINISTRATOR. Van Seeters shall perform all of the duties of the Municipal Court Administrator in Middle. Middle shall provide support and clerical staff and all applicable supplies in an office located in Middle. Middle shall provide Van Seeters with a suitable office and the equipment necessary to perform said tasks. Middle and Lower will mutually decide on the days and hours that Van Seeters will serve in Middle in order to complete all of the duties required of the Court Administrator during the term of this Agreement.

5. PAYMENT FOR SERVICES. During the term of this Agreement, Middle agrees to pay Lower the following amounts, in equal monthly payments, for the services of Van Seeters as the Municipal Court Administrator in Middle:

August: \$ 11,810.00
September: \$ 11,810.00

Total: \$ 23,620.00

6. **INSURANCE.** Lower and Middle acknowledge that they are members of the Atlantic County Municipal Joint Insurance Fund (hereinafter "ACMJIF") and agree to remain insured by said entity so long as this Agreement is in effect.
7. **INDEMNIFICATION AND HOLD HARMLESS AGREEMENT.** Each Party shall defend, indemnify and save harmless the other Party, the other Party's elected and appointed officials, employees, agents, volunteers and all others working on behalf of the other Party from and against all claims, suits or actions of every kind or description for loss, damage or injury, including, but not limited to, personal injury, death and/or property loss, costs, attorney's fees, and claims or demands of any nature whatsoever that are made or brought against the other Party, its elected and appointed officials, employees, agents, volunteers and all others working on behalf of the other Party and which arise out of or are alleged to have arisen out of or to have been caused in any manner whatsoever by reason of the performance of services by either Middle, Lower, or the Lower Municipal Court Administrator.
8. **NO WAIVER OF BREACH OR OF REMEDIES.** No waiver by a Party of any breach of this Agreement or of any representation hereunder by the other Party shall be deemed to be a waiver of any other breach by the other Party, whether preceding or succeeding and whether or not of the same or similar nature, and no acceptance of performance by a Party after any breach by the other Party shall be deemed to be a waiver of any breach of this Agreement or of any representation hereunder by the other Party, whether or not the first Party knows of such breach at the time it accepts such performance. No failure or delay by a Party to exercise any right it may have by reason of the default of the other Party shall operate as a waiver of such default or modification of this Agreement or shall prevent the exercise of any right by the first Party while the other Party continues to be so in default. Any remedy that either Party may have by reason of a breach of any provision of this Agreement by the other Party shall at all times be preserved and may not be waived.
9. **GOVERNING LAW; MEDIATION OF DISPUTES.**
 - a. **Governing Law.** This Agreement shall be governed by, and construed and interpreted under the laws of the State of New Jersey, except in such instances where the laws of the United States preempt the laws of the State of New Jersey, and all actions, suits and litigation arising under the terms of this Agreement shall be litigated in the Superior Court of New Jersey, Cape May County, but no such litigation shall be initiated by a Party until there has been compliance with the mediation provisions of this Agreement set forth herein. In the event of litigation arising out of this Agreement, the prevailing Party shall not be entitled to recover its costs of suit and attorney's fees from the non-prevailing

b. Mediation of Disputes. In the event of any dispute concerning the interpretation of the terms of this Agreement or of the obligations of either Party under this Agreement, the Parties shall attempt in good faith to resolve such dispute via consultation between their respective Township Managers/Administrators. If such consultation fails to resolve the dispute, then the Parties shall attempt in good faith to resolve such dispute via consultation between their respective Mayors. If such consultation fails to resolve the dispute, then the Parties agree to submit the dispute to mediation. Mediation shall be initiated by one Party serving the other Party with a written demand to mediate. The mediation demand shall include the initiating Party's designation of a mediator. Within fourteen (14) days of receipt of the mediation demand, the Party receiving the mediation demand shall either agree to the mediator designated by the other Party or shall provide the other Party with its written designation of a mediator. Thereafter, the designated mediators shall immediately jointly designate a third mediator who shall be either a New Jersey licensed attorney-at-law with experience as a municipal solicitor or a retired judge of the Superior Court of New Jersey. Payment of mediation fees, costs and expenses shall be split evenly between the Parties. The mediated resolution of the dispute may include a provision that provides for something other than an even split of the mediation fees, costs and expenses.

Lower:	Township Clerk Township of Lower 2600 Bayshore Road Villas, NJ 08251
Middle:	Township Clerk Township of Middle 33 Mechanic Street Cape May Court House, NJ 08210

11. MISCELLANEOUS.

- a. **Headings.** The headings contained in this Agreement are inserted and are included solely for convenience and for reference purposes and they shall not be given effect or affect the meaning or interpretation of the substantive provisions of this Agreement or in ascertaining intent if a question of intent arises.
- b. **Severability of Terms.** If any term or provision of this Agreement, to any extent, shall be determined by a court of competent jurisdiction to be invalid or unenforceable, then that provision shall be deemed to be severed and deleted, so far as it is invalid or unenforceable, and the remainder of this Agreement shall not be affected thereby, and each remaining term and provision of this Agreement shall be valid and enforced to the fullest extent allowed by law.
- c. **Joint Preparation.** This Agreement is deemed to have been jointly prepared by the Parties hereto, and any uncertainty or ambiguity existing herein, if any, shall not be interpreted against any Party, but shall be interpreted according to the application of the rules of interpretation for arm's-length agreements.
- d. **Counterparts.** This Agreement may be signed in one or more duplicate original counterparts, each of which shall be an original, but all of which together shall constitute one and the same Agreement.
- e. **Filing; Public Inspection.** Pursuant to N.J.S.A. 40A:65-4b, a copy of this Agreement shall be filed, for informational purposes, with the Division of Local Government Services in the Department of Community Affairs. As required by N.J.S.A. 40A:65-5b, copies of this Agreement shall be open to public inspection at the Clerks' offices in the Township of Middle and the Township of Lower.
- f. **No Oral Modification; Full Agreement.** This Agreement is not subject to oral modification and may be changed only by a writing approved, adopted and executed with the same formalities as were attendant to the approval, adoption and execution of this Agreement. The Parties each acknowledge that they have had adequate opportunity to review the contents of this Agreement with legal counsel and that this Agreement is a full statement of the agreements and understandings of the governing bodies of Lower and Middle and that this Agreement is executed with full and complete understanding of its terms and conditions.

[SIGNATURE BEGIN ON NEXT PAGE]

IN WITNESS WHEREOF, the Parties have caused this Agreement to be signed by their respective Mayors and their municipal seals affixed hereto and attested by their respective Clerks to be effective on the date defined by this Agreement.

ATTEST:

TOWNSHIP OF LOWER

Karen Fournier,
Township Clerk

Frank Sippel, Mayor

ATTEST:

TOWNSHIP OF MIDDLE

Kimberly Osmundsen,
Business Administrator/Township Clerk

Christopher Leusner, Mayor

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

RESOLUTION #2026-269

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>
80	30	Thomas Beeby	Exempt Veteran/Vet Ded	\$ 250.00
315	15.02	Lawrence Campbell	Exempt Veteran	\$ 859.14
450	28	Jessica Sulecki	Exempt Veteran	\$ 486.72
487.03	91	Justin Milligan	Exempt veteran	\$1,578.73
494.09	31	Thomas Franek	Exempt Veteran	\$ 736.91
582	24	Patrick Dougherty	Exempt Veteran/Vet Ded	\$ 442.06
753.06	1	Christopher Villamor	Exempt Veteran	\$ 721.21
80	27	Skyler Smith	Exempt Veteran	\$2,136.37
507.05	22	Joseph Boraski	Exempt Veteran/Vet Ded	\$ 639.57
472	7	Wilson Hamilton	Exempt Veteran/Vet Ded	\$1,831.83
497.05	9	Juan Garcia-Perez	Exempt Veteran	\$ 934.76
509.01	1.04	George Simmons	Exempt Veteran/Vet Ded	\$ 250.00
363	22	Rose Delatore	Sold Property/ACH not removed	\$ 865.85

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

I, Karen S. Fournier, 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 August 3, 2026.

Karen S. Fournier, Township Clerk

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

RESOLUTION #2026-270

Title: A RESOLUTION AUTHORIZING EXECUTION OF A DECLARATION OF ENCUMBRANCE AND CERTIFICATION OF THE RECREATION AND OPEN SPACE INVENTORY IN CONNECTION WITH THE GREEN ACRES-FUNDED JAKE'S LAW PLAYGROUND AT ROTARY PARK PROJECT

WHEREAS, the Township of Lower, County of Cape May, State of New Jersey (the "Township"), has received approval for financial assistance from the State of New Jersey, Department of Environmental Protection, Green Acres Program, in connection with Jake's Law Playground at Rotary Park, Project No. 0505-25-025, approved on April 25, 2025; and

WHEREAS, a municipality that utilizes Green Acres funding assistance for recreation and conservation purposes must prepare and maintain a Recreation and Open Space Inventory ("ROSI") identifying the Green Acres restricted lands located within its jurisdiction; and

WHEREAS, the purpose of the ROSI is to document lands held by the municipality for recreation and conservation purposes, including both funded parkland and unfunded parkland, as applicable under the Green Acres requirements; and

WHEREAS, the Township of Lower has prepared an updated ROSI in connection with the Declaration of Encumbrance to the State of New Jersey, Department of Environmental Protection, Green Acres Program; and

WHEREAS, the Declaration of Encumbrance is executed in consideration of the Green Acres Program's agreement to provide funding in connection with Jake's Law Playground at Rotary Park, Project No. 0505-25-025; and

WHEREAS, the Declaration of Encumbrance incorporates an updated ROSI and provides that the lands described therein are held by the Township for recreation and conservation purposes and are subject to the covenants, restrictions, and conditions described in the Green Acres laws; and

WHEREAS, the ROSI identifies lands held in fee simple by the Township for recreation and conservation purposes, including beach, bayfront, park, recreation field, pool, and open space properties, and reflects 71.6 Green Acres encumbered acres; and

WHEREAS, the Township Council finds that authorizing execution, submission, filing, and recording of the Declaration of Encumbrance is in the best interests of the Township and is consistent with the Township's receipt of Green Acres funding and the preservation of lands for recreation and conservation purposes.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the Mayor, Township Clerk, and Township Solicitor are hereby authorized to execute the attached Declaration of Encumbrances, together with any related certifications, acknowledgments, submissions, or other documents necessary or appropriate to effectuate the purposes of this Resolution.

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

I, Karen S. Fournier, 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 August 3, 2026.

Karen S. Fournier, Township Clerk

DECLARATION OF ENCUMBRANCE

LOWER TOWNSHIP
Cape May County

TO

THE STATE OF NEW JERSEY
Department of Environmental Protection

Record and return to:

Department of Environmental Protection
Green Acres Program Mail Code 401-07B
P. O. Box 420
Trenton, New Jersey 08625-0420

Attention: Bruce W. Bechtloff

Prepared by: Bruce W. Bechtloff
Bruce W. Bechtloff

3/15/22

DECLARATION OF ENCUMBRANCE

This Declaration of Encumbrance is made this _____ day of _____, 20____, by the Township of Lower, Cape May County, ("Local Government Unit"), whose mailing address is 2600 Bayshore Road, Villas, New Jersey 08251.

The Local Government Unit makes this Declaration in consideration of the State of New Jersey, Department of Environmental Protection, Green Acres Program's agreement to provide funding in connection with:

Jake's Law Playground at Rotary Park
Project # 0505-25-025
As approved on April 25, 2025

The attached exhibit to this Declaration is labeled "Recreation and Open Space Inventory," comprising 9 pages. This exhibit is incorporated into, and forms a part of this Declaration.

The Local Government Unit represents and warrants (a) that all lands described in the exhibit attached to this Declaration are held by it for recreation and conservation purposes, and (b) in accordance with the Green Acres Laws, covenants, agrees, and declares that all lands described on the exhibit attached to this Declaration are subject to the covenants, restrictions, and conditions described in the Green Acres Laws, and further agrees that:

1. The Local Government Unit shall not dispose of or divert to a use for other than recreation and conservation purposes any lands described in the exhibit attached to this Declaration without the approval of the Commissioner and State House Commission.
2. Should lands held by the Local Government Unit for recreation or conservation purposes be, by mistake or inadvertence, omitted from the exhibit attached to this Declaration, such lands shall be subject to the terms and conditions of this Declaration to the same extent as though they had been included.

**LOCAL GOVERNMENT UNIT
UNIT ATTORNEY**

**LOCAL GOVERNMENT UNIT CHIEF
EXECUTIVE OFFICER**

Reviewed and approved

on _____, 20____ By: _____
(signature)

(signature)

(print name and title)

(print name) Date: _____

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

I CERTIFY that on _____, _____ personally came before me,
(date) (official designated above)
_____, and stated to my satisfaction that he / she is the individual who
(Clerk)
signed this Declaration and that he / she

- a. is authorized to execute this Declaration, and
- b. executed this Declaration as his/her own act, and as the act of the

_____ represented by him/her as
(Local Government Unit)

(official's title)

Clerk (signature)

(print name and title)

**EXHIBIT 1 to DECLARATION
RECREATION AND OPEN SPACE INVENTORY**

The Recreation and Open Space Inventory (ROSI) is a document compiled by a local government unit as a master list of its Green Acres-restricted lands (known as "parkland" under the Green Acres rules N.J.A.C. 7:36). Lands that are subject to Green Acres restrictions cannot be disposed of, or diverted to a use other than recreation or conservation purposes, without the approval of the DEP Commissioner and the State House Commission. The Declaration of Encumbrance, including the ROSI, is recorded with the appropriate county clerk as a condition of the Green Acres funding contract in order to provide notice of the Green Acres restrictions on these lands to title searchers and the general public.

LANDS THAT SHOULD BE LISTED ON THE ROSI

Green Acres-restricted lands fall into two categories: funded parkland (lands included in the acquisition or park development projects funded by the Green Acres Program) and unfunded parkland (other lands held by the local government unit for recreation or conservation purposes at the time it received Green Acres funding). All funded and unfunded parkland parcels must be listed on the ROSI.

Lands owned by school boards, parking authorities, housing authorities, and similar public agencies without primary recreation or conservation responsibilities should not be inventoried unless they are also held for recreation and conservation purposes by the Local Government Unit. (e.g., through a lease, easement, use agreement or other agreement to which the Local Government Unit is a grantee.)

The ROSI should be compiled by a staff person who is knowledgeable about the local government unit's land holdings, uses of the land holdings and local land use regulations. The Local Government Units' planning board, environmental commission and other boards or commissions are encouraged to participate in the preparation and review of the ROSI.

The ROSI form is divided into three sections: Page 4, for land held in fee simple for recreation and conservation purposes; Page 5, for land held under a conservation restriction; and Page 6, for leases or use agreements held by the Local Government Unit for recreation and conservation purposes. Please review the Sample ROSI Sheets tab before completing the ROSI.

WHEN PREPARING AND SUBMITTING THE ROSI, please take note of the following:

The page number and the total number of pages in the completed ROSI must be entered at the top right corner of each page. **All pages, excluding the Sample ROSI Sheet, must be submitted.** Facility Names should be typed in all capital letters when filling out the three sections. All fields in each section should be filled in - including the acreage for each individual lot (do not submit the total acreage for the park). If there have been block and lot changes (consolidation / renumbering) since the last ROSI submission, please complete the last page of this document.

ROSI TAX MAPS

As an attachment to the ROSI, the local government unit should submit a copy of each appropriate municipal tax map (current as of the date of the Green Acres application) showing the parcels of parkland listed on the ROSI, with the approximate boundaries of each parcel clearly marked in colored ink. (See N.J.A.C. 7:36-6.4(a)3ii or 12.4(a)4ii). If only a portion of a current tax lot is encumbered, the Green Acres-encumbered portion of the parcel should be clearly delineated, to scale, on the tax map. The Green Acres Program encourages local government units with Geographic Information System ("GIS") capability to utilize aerial maps (overlaid with digitized tax map lines) instead of photocopies of the tax map. If aerial maps are used, the local government unit should submit paper copies of the GIS-based maps to the Green Acres Program and should include with its submission a disk containing the mapping information in a **shapefile** format.

Form Specific Instructions

For parcels held in fee simple or in conservation restriction (easement), please provide the following: (1) location (as listed in the municipality's tax records), (2) name of park/facility, (3) block and lot identification numbers as shown on the current, official tax map, (4) the acreage for each individual lot, (5) whether the interest held by the local government unit for recreation or conservation covers the full or only a portion of the tax lot, (6) if partial lots are involved, the Green Acres encumbered acreage, (7) if the property is co-owned with other partners, (8) a notation of whether the property is subject to a conservation easement funded by the Environmental Infrastructure Funding Program (EIFP), and (9) a notation about whether the parcel is funded or unfunded parkland.

For parcels held through a lease or use agreement, please provide the following: (1) location (as listed in the municipality's tax records), (2) name of park/facility, (3) block and lot identification numbers as shown on the current, official tax map, (4) the acreage for each individual lot, (5) whether the interest held by the local government unit for recreation or conservation covers the full or only a portion of the tax lot, (6) if partial lots are involved, the Green Acres encumbered acreage, (7) the expiration date for the lease or use agreement, (8) the name of the underlying landowner, and (9) a notation about whether any of the recreation and conservation facilities on the encumbered property were funded by Green Acres or whether the leasehold interest is considered unfunded parkland.

Certification

If the local government unit is a municipality, the completed ROSI must be reviewed and duly executed and certified by the chief executive officer and the planning board chairperson. If the local unit is a county, the completed ROSI must be reviewed and duly executed and certified by the chief executive officer and one of the following: the parks director, or the director of the open space program. (See N.J.A.C. 7:36-6.5(a)2) *If the Local Unit's form of government does not allow for the Mayor to sign without a resolution from the governing body, please include the number and date of the resolution along with a copy of the passed resolution.*

Special Notes

1. This ROSI, as completed and duly executed, shall be incorporated into both (1) the Green Acres Project Agreement and (2) the Declaration of Encumbrance.
2. The Local Government Units' governing body and planning board should designate, with appropriate descriptive labels, all lands listed on this ROSI in any revision or update of the following master plan elements: recreation plan, conservation plan, and land use plan. However, failure to do so shall have no effect on the validity of the ROSI.
3. If lands held by the Local Government Unit for recreation and conservation purposes are omitted from the ROSI by mistake, inadvertence, or otherwise, such lands shall be subject to the same terms and conditions, covenants, and restrictions as they would be if they were included. Deletion or omission of lands listed on previously submitted ROSI's is prohibited without prior written approval of the Green Acres Program, and may require a public hearing. See N.J.A.C. 7:36-25.3.

Please check the Green Acres web site at <http://www.nj.gov/dep/greenacres/pdflaunch.html> for an updated version of this ROSI form prior to completion.

All pages of the ROSI must be electronically submitted with the completed original Certification page (page 7) mailed to the Project Manager's attention. Only pages 1 through 3, page 7, and those pages containing property information need to be included in the Declaration of Encumbrance that is sent for recording.

RECREATION AND OPEN SPACE INVENTORY**Definitions (as found at N.J.A.C. 7:36-2)**

For the purposes of this ROSI, the following definitions shall apply whenever a form of the word is used:

"Conservation restriction": an interest in land less than fee simple, stated in the form of a right, restriction, easement, covenant, or condition, in any deed, will, or other instrument, other than a lease, executed by or on behalf of the owner of the land, appropriate to retaining land or water areas predominantly in their natural, scenic, open, or wooded condition; appropriate for conservation of soil or wildlife; appropriate for outdoor recreation or park use; or appropriate as suitable habitat for flora or fauna. Often known as a "Conservation Easement".

"Declaration": the recordable, written instrument executed by a local government unit that declares that all of the local government unit's funded and unfunded parklands are subject to the Green Acres restrictions. Such written instrument shall include the local government unit's Recreation and Open Space Inventory and is a component of the Project Agreement.

"Development": any improvement to a land or water area of a parkland that is designed to expand or enhance its utilization for outdoor recreation and conservation purposes, and shall include the construction, renovation, or repair of any such improvement, but shall not mean shore protection or beach renourishment or replenishment activities, except as provided at N.J.A.C. 7:36-10.3(a)5 and 21.3(a)5. This term may include any of the following types of ancillary improvements to a parkland: roadways, parking, landscaping, fencing, lighting, utilities, structures, and any other improvement that expands or enhances the use of parkland for outdoor recreation and conservation purposes.

"Fee simple": absolute ownership in land, unencumbered by any other interest or estate.

"Funded parkland": parkland that a local government unit has acquired or developed with Green Acres funding.

"Held," when used in the ROSI with reference to land: owned, leased, or otherwise controlled for recreation/conservation purposes.

"Historic preservation restriction": an interest in land less than fee simple, stated in the form of a right, restriction, easement, covenant, or condition, in any deed, will or other instrument, other than a lease, executed by or on behalf of the owner of the land, appropriate to preserving a structure or site that is historically significant for its architecture, archaeology or associations.

"Land" or **"Lands"**: real property, including any improvement, right-of-way, water, riparian and other rights, easements, privileges, and any other rights or interests in, relating to, or connected with real property.

"Local government unit": a county, municipality, or other political subdivision of the State, or any agency, authority, or other entity thereof the primary purpose of which is to administer, protect, acquire, develop, or maintain lands for recreation and conservation purposes.

"Parkland": land acquired, developed, and/or used for recreation and conservation purposes, including funded and unfunded parkland.

"Recreation and conservation purposes": the use of lands for beaches, biological or ecological study, boating, camping, fishing, forests, greenways, hunting, natural areas, parks, playgrounds, protecting historic properties, water reserves, watershed protection, wildlife preserves, active sports, or a similar use for either public outdoor recreation or conservation of natural resources, or both, pursuant to the Green Acres laws. This term includes the use of historic areas pursuant to P.L. 1974, c.102; P.L. 1978, c.118; P.L. 1983, c.354; P.L. 1987, c.265; P.L. 1989, c.183; P.L. 1992, c.88; and P.L. 1995, c.204; and the use of historic buildings and structures pursuant to P.L. 1992, c.88, and P.L. 1995, c.204.

"Recreation and Open Space Inventory" or "ROSI": the listing of all of a local government unit's funded and unfunded parkland, including a description sufficient to identify each such parcel.

"Time of receipt of Green Acres funding": for a development project, the period from the earlier of the dates listed at 1 and 2 below until the date of the first transmittal of Green Acres funding. For an acquisition project, this term shall mean the period from the earlier of the dates listed at 1 and 2 below until the date of the first transmittal of Green Acres funding for each parcel acquired as part of the project:

1. The date of the letter from the Department notifying the local government unit of the Green Acres funding award; or
2. The date of the at-risk authorization provided by Green Acres under N.J.A.C. 7:36-6.3 or 12.3.

"Unfunded parkland": parkland, other than funded parkland, that is held by a local government unit for recreation and conservation purposes at the time of receipt of Green Acres funding.

Legislative & Regulatory References

Green Acres enabling legislation: *N.J.S.A. 13:8A-1 et seq.*; *N.J.S.A. 13:8A-19 et seq.*; *N.J.S.A. 8:A-35 et seq.*, *N.J.S.A. 13:8C-1 et seq.*; Green Acres Rules: *N.J.A.C. 7:36*; Federal Land and Water Conservation Fund Act, 16 U.S.C. s. 460; and New Jersey Conservation Restriction and Historic Preservation Restriction Act *N.J.S.A. 13:8B-1 et seq.*

Questions? Please call (609) 984-0631

revised 12/11/2013

RECREATION AND OPEN SPACE INVENTORY (ROSI)

Parkland held via Fee Simple: Page 1 of 2

Local Unit: Township of Lower Cape May County: Cape May

Lands Held in Fee Simple for Recreation and Conservation Purposes

Map Key	Municipal Location per Tax Records	Name of Park / Facility	Block No.	Lot No.	Total Lot Acres	Partial Lot (Y / N)	GA Encumbered Acres Note 2	Co-Owners (Y / N) Note 3	Green Acres Funded? (Y / N)	EIFP Funded? (Y / N)	Notes
1	Beach W of L6	Beach	110	7	0.069	N	0.07	N	U	N	
2	Beach at Ocean	Beach	112	7	0.3035	N	0.30	N	U	N	
3	Beach at Bay	Beach	115	7	0.2291	N	0.23	N	U	N	
4	Beach at Bay	Beach	115	8	0.1194	N	0.12	N	U	N	
5	Beach at Hudson	Beach	119	7	0.4132	N	0.41	N	U	N	
6	Beach at Pacific	Beach	122	6	0.3719	N	0.37	N	U	N	
7	Beach at Delaware	Beach	128.01	7	0.0976	N	0.10	N	U	N	
8	Beach at Bates	Beach	133	8	0.3798	N	0.38	N	U	N	
9	Beach at Pennsylvania	Beach	138	11	0.2296	N	0.23	N	U	N	
10	Beach at New Jersey	Beach	143	11	0.1331	N	0.13	N	U	N	Includes Lot 12
11	Beach at New York	Beach	158	6	0.6457	N	0.65	N	U	N	
12	Beach at New York	Beach	158	7	0.0689	N	0.07	N	U	N	
13	Beach: Spruce - Ridge	Beach	298	1	1.8	N	1.80	N	U	N	
14	200 Harvard St. Villas	Millman Field	409	24.02	5.66	N	5.66	N	U	N	
15	2920 Bayshore Road	Rotary Park	410.01	48	2.637	N	2.84	N	U	N	
16	2600 Bayshore Road	Rec Fields at Municipal Complex	410.01	59.02	17.95	Y	2.00	N	U	N	
17	Mindy Ave	Coxhall Creek	494.01	18.01	40.45	N	40.45	N	U	N	Includes Lots 19.01 & 20.01
18	80 Beach Drive	Bayfront	559	1	0.677	N	0.68	N	F	N	Includes Lot 2 - 12
19	90 Beach Drive	Bayfront	570	1	0.574	N	0.57	N	F	N	Includes Lot 2 - 10
20	200 Beach Drive	Bayfront	585	1	0.9545	N	0.95	N	F	N	Includes Lot 2 - 18
21	400 Beach Drive	Bayfront	631.01	1	1.332	N	1.33	N	F	N	Includes Lot 2 - 25
22	South of Englewood	Bayfront	631.02	1	8.38	N	8.38	N	F	N	
23	600 Beach Drive	Bayfront	656	1	1.014	N	1.01	N	F	N	Includes Lot 2 - 19
24	700 Beach Drive	Bayfront	674	1	1.0526	N	1.05	N	F	N	Includes Lot 2 - 19
25	700 Winslow Ave. N. Cape May	Township Pool	684	6.02	1.076	N	1.08	N	U	N	

Note 1: For properties partially held for recreation/conservation, please supply a survey or tax map with the rec/con area shown to scale.
 Note 2: For partial lots, please provide the rec/con acreage only.
 Note 3: List co-owner in Notes column.

RECREATION AND OPEN SPACE INVENTORY (ROSI)

Parkland held via Fee Simple: Page 2 of 2

Local Unit: Township of Lower Cape May County: Cape May

Lands Held in Fee Simple for Recreation and Conservation Purposes

Map Key	Municipal Location per Tax Records	Name of Park / Facility	Block No.	Lot No.	Total Lot Acres	Partial Lot (Y / N) Note 1	GA Encumbered Acres Note 2	Co-Owners (Y / N) Note 3	Green Acres Funded? (Y / N)	EIFP Funded? (Y / N)	Notes
26	1200 Beach Drive	Bayfront	740	12	21.671	N	21.67	N	F	N	Includes Lots 13 & 14
27	3913 Bay Shore Road	Mitnick Field	741.04	25.02	3.3	N	3.30	N	U	N	
28	14th Avenue	14th Avenue	850	35	0.069	N	0.07	N	U	N	
29	New Jersey & 8th	New Jersey & 8th	854	2	0.1263	N	0.13	N	U	N	
30	4th Avenue	4th Avenue	858	22	0.069	N	0.07	N	U	N	
31	714 Sunset Blvd	714 Sunset Blvd	858	36	0.1639	N	0.16	N	U	N	Includes Lot 37
32	16th Avenue	16th Avenue	862	37	0.1951	N	0.20	N	U	N	Includes Lot 39
33	12th Avenue	12th Avenue	865	32	0.0689	N	0.07	N	U	N	
34	8th Avenue	8th Avenue	870	7	0.0688	N	0.07	N	U	N	
35	10th Avenue	10th Avenue	885	2	0.1377	N	0.14	N	U	N	Includes Lot 4
36	7th Avenue & Mt Vernon	7th Avenue & Mt Vernon	888	1	0.0585	N	0.06	N	U	N	
37	7th Avenue	7th Avenue	888	19	0.0689	N	0.07	N	U	N	
38	8th Avenue	8th Avenue	897	22	0.0689	N	0.07	N	U	N	
39	7th Avenue	7th Avenue	897	30	0.1951	N	0.20	N	U	N	Includes Lot 32 & 34
40	8th Avenue	8th Avenue	898	33	0.1377	N	0.14	N	U	N	Includes Lot 35
41	207 Bayshore Road	207 Bayshore Road	3	1.01	8.4575	Y	7.48	N	U	N	Excludes Water Tower & Associated Acreage
42	Rosewood Avenue	Bayfront	385.01	1	2.88	N	2.88	N	U	N	
43	9 S Kechemeneche Street	Vacant Lot	496.11	1	0.3593	N	0.36	N	U	N	
44	106 Beach Drive	Bayfront	570	13	0.1061	N	0.11	N	U	N	Includes Lot 14
45	317 Nantucket Drive	Nantucket Park	753.29	25	1.2862	N	1.29	N	U	N	

Total of all fee simple Green Acres-encumbered acres from all pages of this ROSI: **109.37**

Total of all Conservation Restriction Green Acres-encumbered acres from all pages of this ROSI: **-**

Total of all Leased Lands Green Acres-encumbered acres from all pages of this ROSI: **19.00**

Total of all Green Acres-encumbered acres from all pages of this ROSI: **128.37**

Note 1: For properties partially held for recreation/conservation, please supply a survey or tax map with the rec/con area shown to scale.
 Note 2: For partial lots, please provide the rec/con acreage only.
 Note 3: List co-owner in Notes column.

Local Unit: _____ Township of Lower _____ County: Cape May

Lands Subject to Conservation Restriction for Recreation and Conservation Purposes

that any conservation restriction for Recreation and Conservation Purposes" section of Lower Township ROSI may not be complete at this time. The Township of Lower acknowledges that any conservation easement and/or restriction that it holds for outdoor recreation and conservation purposes is subject to Green Acres rules, as provided at N.J.S.A. 13:8-1 et seq. and N.J.A.C. 7:36, as may be amended and supplemented.

Please have the Chief Executive Officer initial this Inclusion.

[illegible]

Total of all fee simple Green Acres-encumbered acres from all pages of this ROSA/

Note 1: For properties partially held for recreation/conservation, please supply a survey or tax map with the rec/con area shown to scales.
 Note 2: For partial lots, please provide the rec/con acreage only.
 Note 3: List co-owner in Notes column.

County: Cape May

Lands Held through a Lease or Use Agreement for Recreation and Conservation Purposes

Total of all leased Green Acres-encumbered acres: 19.00

Note 1: For properties partially held for recreation/conservation, please supply a survey or tax map with the recreation/conservation area shown to scale.
Note 2: For partial lots, please provide the recreation/conservation acreage only.

CERTIFICATION:

All lands listed in this document are held for recreation and conservation purposes and are described by their block and lot identification numbers as shown on the current, official tax map. They are also keyed to a current, legible, official map of the local government unit. The official map used for this ROSI is named Lower Township Tax Map, 17 day of September, 20 10.

I HEREBY CERTIFY that this Recreation and Open Space Inventory, comprising 4 total pages, is a complete and accurate listing of all lands held by this Local Government Unit, as of this 12th day of June, 20 26, for recreation and conservation purposes at the time of receipt of Green Acres funding.

This ROSI is being submitted to Green Acres as part of project number: 0505-25-025
and entitled: Jake's Law Playground at Rotary Park



Chief Executive Officer of Local Government Unit
Date: 6/18/26



Planning Board Chairperson (or equivalent)
Date: 6-18-26

This Certification is to be signed only on this page, Page 7, of the Recreation and Open Space Inventory.

If required by local ordinance, number and date of governing body resolution authorizing Mayor to sign the ROSI:

Resolution Number

Date of Resolution

(Resolution attached)

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

RESOLUTION #2026-271

Title: APPROVAL OF CHANGE ORDER #1 FINAL TO SOUTH STATE INC. FOR THE RECONSTRUCTION OF BEACH AVENUE AND DELAWARE AVENUE (SPRUCE TO FRANCES)

WHEREAS, South State Inc, was awarded on June 16, 2025 by Resolution #2025-230 for the Reconstruction of Beach Avenue and Delaware Avenue (Spruce to Frances) in the amount of \$231,581.20; and

WHEREAS, South State Inc. has provided Change Order #1 Final for a decrease in the amount by \$7,555.40; and

WHEREAS, the Township Council desires to approve the negative decrease and final Closeout.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Change Order #1 Final attached hereto in the amount of -\$7,555.40 is hereby approved.

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

I, Karen S. Fournier, 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 August 3, 2026.

Karen S. Fournier, Township Clerk

DEBLASIO & ASSOCIATES

ENGINEERS, SURVEYORS AND PLANNERS

4701 NEW JERSEY AVENUE • WILDWOOD, NJ 08260

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

July 22, 2026

VIA EMAIL & REGULAR MAIL

Karen Fournier, Clerk
Township of Lower
2600 Bayshore Road
Villas, NJ 08251

**Re: Township of Lower, Cape May County, NJ
FY2025 NJDOT Municipal Aid Program – Reconstruction of Beach
Avenue and Delaware Avenue (Spruce Avenue to Frances Avenue)
D&A File #: LT-C-061**

Dear Ms. Fournier:

Enclosed please find three (3) copies of **CHANGE ORDER NO. 1 - Final** regarding the above referenced project for review and approval. Upon execution, please return two (2) copies to our office.

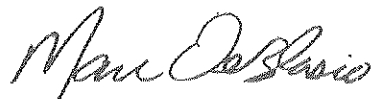
Please note that this change order reflects the following:

1. As-Built Quantity Adjustments

Please note this change order will result in a decrease of \$7,555.40 to the original contract amount of \$231,581.20 for a final contract amount of \$224,025.80.

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

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



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

cc: Mayor Frank Sippel, (via email w/encl.)
Michael Laffey, Manager (via email w/encl.)
Christina Lewis, Deputy Manager (via email w/encl.)
Robert Osborn, Purchasing Agent (via email w/encl.)
Gary Douglass, Superintendent of Public Works (via email w/encl.)
South State, Inc. (via email w/encl.)

DeBlasio & Associates

CONSULTING ENGINEERS AND PLANNERS

Change Order #1 - Final

Client: Township of Lower
Date: July 20, 2028
Project Name: FY2025 NJDOT Municipal Aid Program - Reconstruction of
Beach Avenue and Delaware Avenue (Spruce Avenue to Frances Avenue)
D&A Project #: LT-C-081

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

A. Extras

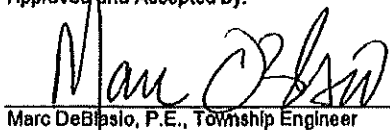
Contract Pay Item Number	Description	Unit	Quantity	Contract Unit Price	Contract Total
3	FUEL PRICE ADJUSTMENT	DOLLAR	467.72	\$1.00	\$467.72
Subtotal:					\$467.72

B. Reductions

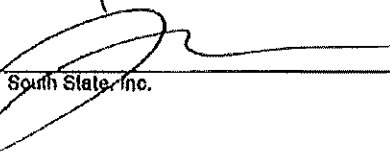
Contract Pay Item Number	Description	Unit	Quantity	Contract Unit Price	Contract Total
2	ASPHALT PRICE ADJUSTMENT	DOLLAR	-1584.82	\$1.00	-\$1,584.82
4	CONSTRUCTION SIGNS	UNIT	-231	\$0.01	-\$2.31
8	HOT MIX ASPHALT 9.5M64 SURFACE COURSE	TON	-5.11	\$125.00	-\$638.75
9	HOT MIX ASPHALT 19M64 BASE COURSE	TON	-54.95	\$50.00	-\$2,747.50
10	DENSE GRADED AGGREGATE BASE COURSE	S.Y.	-207	\$1.00	-\$207.00
11	TURF REPAIR STRIP	L.F.	-2100	\$0.01	-\$21.00
16	TRAFFIC MARKINGS LINES, 12"	L.F.	-13	\$7.00	-\$91.00
18	HOT MIX ASPHALT DRIVEWAY, 2" THICK	S.Y.	-39	\$70.00	-\$2,730.00
20	EXCAVATION, UNCLASSIFIED	C.Y.	-74.17	\$0.01	-\$0.74
Subtotal:					-\$8,023.12

Net Contract Change (\$7,555.40)
Original Contract Amount: \$231,581.20
Contract Percentage Change (%): -3.26
Final Contract Amount: \$224,025.80

Approved and Accepted by:


Marc DeBlasio, P.E., Township Engineer

7/22/26
Date


South State, Inc.

7-21-2026
Date

Township of Lower

Date

**NEW JERSEY DEPARTMENT OF TRANSPORTATION
DIVISION OF LOCAL AID AND ECONOMIC DEVELOPMENT
CHANGE ORDER NUMBER - 1 - Final
STATE AID PROJECT**

Project	<u>FY2025 NJDOT MA Reconstruction of Beach Ave & Delaware Ave</u>
Municipality	<u>Lower Township</u>
County	<u>Cape May</u>
Contractor	<u>South State, Inc.</u>

**In accordance with the project Supplementary Specification, the following are changes in the contract.
Location and Reason for Change (Attach additional sheets if required)**

1. As-built quantity adjustments.

<u>Item No.</u>	<u>Description</u>	<u>Quantity (+/-)</u>	<u>Unit Price</u>	<u>Amount</u>
-----------------	--------------------	-----------------------	-------------------	---------------

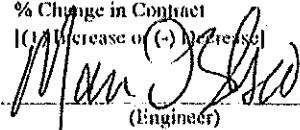
SEE ATTACHED

Amount of Original Contract	\$	231,581.20		
Adjusted amount Based on Change Orders ...1, ..., ..., ..., ...	\$	224,025.80		

Extra	\$	467.72		
Supplemental	\$	0		
Reduction	\$	-8,023.12		
Total Change	\$	-7,555.40		

% Change in Contract
[(+/-) Increase or (-) Decrease]

-3.26 %


(Engineer)

7/22/26
(Date)

Approved: _____
(District Manager) (Date)
(Bureau of Local Aid)

(Presiding Officer)

(Date)

(Contractor)

7-21-2026
(Date)

(Submit four (4) copies to the Local Aid District Office)

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

ORDINANCE #2026-14

Title: AN ORDINANCE AMENDING CHAPTER 7, TRAFFIC, ARTICLE I, GENERAL PROVISIONS, OF THE CODE OF THE TOWNSHIP OF LOWER

WHEREAS, in accordance with N.J.S.A. 39:4-197, municipalities are afforded the authority to regulate traffic and parking on municipal public rights-of-way throughout their respective jurisdictions; and

WHEREAS, Chapter 7, Traffic, of the Code of the Township of Lower establishes regulations pertaining to parking and traffic throughout the Township of Lower; and

WHEREAS, § 7-5 of the Code of the Township of Lower restricts vehicle traffic on various streets throughout the Township by designating specific streets as one-way streets; and

WHEREAS, the Township has received a request from property owners residing on East Richmond Avenue in the Diamond Beach Section of the Township to consider converting the roadway to a one-way street due to the narrowness of the existing roadway and the inability of two vehicles to pass side by side without creating a traffic conflict; and

WHEREAS, the Township Council of the Township of Lower has evaluated the request to convert East Richmond Avenue to a one-way street and has determined that it is appropriate to convert the roadway to a westbound one-way street.

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 7, Traffic, Article I, General Provisions, § 7-5, One-way streets, is hereby amended as follows:

Section 1. Chapter 7, Traffic, Article I, General Provisions, § 7-5, One-way Streets, is hereby amended as follows to designate East Richmond Avenue as a westbound one-way street:

§ 7-5 One-way streets.

The streets or parts of streets described in Schedule VI below are hereby designated as one-way streets in the direction indicated.

Schedule VI One-Way Streets			
Name of Street	Direction	Location	Parking Permitted
First Avenue	Westbound	Route No. 9 to Wilson Drive	
East Richmond Avenue	Westbound	Pacific Avenue to Park Boulevard	Both sides
Madison Avenue	Eastbound	Ocean Drive to Seaview Avenue	North side
Memphis Avenue	Eastbound	New Jersey to Pacific Avenue	Both sides
Memphis Avenue	Eastbound	Ocean Drive to Seaview Avenue	Both sides
North Station Road	Westbound	Seaview Avenue to Ocean Drive	Both sides
Ocean Avenue	Eastbound	Bayshore Road to Cornell Street	
Seaview Avenue	Northbound	Madison Avenue to southerly curbline of Raleigh Avenue	Both sides
Seaview Avenue	Northbound	Raleigh Avenue to the terminus	Both sides
Second Avenue	Eastbound	Route No. 9 to Wilson Drive	
Wilson Drive	Westbound	Route No. 9 to First Avenue	

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

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

Section 4. This Ordinance shall become effective 20 days after final passage and publication according to law.

Thomas Conrad, Councilmember

Joseph Wareham, Councilmember

Roland Roy, Jr., Councilmember

Kevin Coombs, Deputy Mayor

Frank Sippel, Mayor

First Reading: July 20, 2026

Adopted:

Attest: _____
Karen S. Fournier, Township Clerk

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

ORDINANCE #2026-15

Title: AN ORDINANCE AMENDING CHAPTER 400, LAND DEVELOPMENT, AND CHAPTER 432, MERCANTILE LICENSES, OF THE CODE OF THE TOWNSHIP OF LOWER TO INCREASE THE MAXIMUM NUMBER OF CLASS 5 CANNABIS RETAIL LICENSES FROM TWO TO THREE

WHEREAS, on February 22, 2021, the State of New Jersey enacted the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, P.L. 2021, c. 16 (N.J.S.A. 24:6I-31 et seq.) (the "CREAMM Act"), which established a comprehensive regulatory and licensing framework for adult-use cannabis; and

WHEREAS, on July 6, 2021, the Township Council adopted Ordinance Nos. 2021-13 and 2021-14, respectively amending Chapter 400 of the Township Code to authorize a limited number of Class 5 cannabis retail and Class 6 cannabis delivery licenses and amending Chapter 432 to establish annual municipal licensing fees for those businesses; and

WHEREAS, on November 15, 2021, the Township Council adopted Ordinance No. 2021-20 to refine the land use regulations governing Class 5 cannabis retail stores and Class 6 cannabis delivery services within the Township; and

WHEREAS, on December 10, 2021, the New Jersey Cannabis Regulatory Commission issued guidance to municipalities concerning municipal approval and preference, including guidance that, when a municipality supports more applicants than its local license cap, the municipality may employ a first-in-time standard based upon Commission approval until the local licensing cap is reached; and

WHEREAS, on January 4, 2023, the Township Council adopted Ordinance No. 2022-15 establishing the GB-1 Cannabis Overlay Zone and further revising the Township's zoning regulations for Class 5 cannabis retail stores and Class 6 cannabis delivery services; and

WHEREAS, the Township Code presently limits the number of Class 5 cannabis retail licenses to two and the number of Class 6 cannabis delivery licenses to two; and

WHEREAS, there are currently two applicants seeking Class 5 cannabis retail licenses who at substantially the same stage of the State licensing process, and, notwithstanding prior guidance provided by the Cannabis Regulatory Commission, the Cannabis Regulatory Commission has indicated that it will not approve one applicant over the other; and

WHEREAS, to permit both applicants to proceed without requiring the Commission to choose between them, the Township Council has elected to increase the maximum number of Class 5 cannabis retail licenses from two to three, while maintaining a future limit of three Class 5 cannabis retail licenses and two Class 6 cannabis delivery licenses within the Township.

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

Section 1. Section 400-56(P)(1) of Chapter 400, Land Development, of the Code of the Township of Lower is hereby amended and restated as follows:

§ 400-56 Conditional uses

P. Class 5 cannabis retail stores.

- (1) There shall be no more than three (3) Class 5 cannabis retail licenses issued or outstanding in the Township of Lower at any one time, and such licenses shall be confined to the GB-1 Cannabis Overlay Zone, MD-2, or I Zoning Districts. Cannabis retail stores shall not be permitted within any

other zone located within the Township of Lower. Class 5 cannabis retail stores located in the GB-1 Cannabis Overlay Zone are deemed to be permitted uses, subject to the provisions of § 400-111. No fourth or additional Class 5 cannabis retail license shall be issued, endorsed, or otherwise authorized by the Township.

Section 3. Section 432-4(O) of Chapter 432, Mercantile Licenses, of the Code of the Township of Lower is hereby amended and restated as follows:

O. Retail and delivery cannabis licenses. Businesses engaged in the sale and/or delivery of cannabis items within the Township of Lower shall pay the annual licensing fees and shall be subject to the numerical license limits set forth below:

- (1) Class 5 cannabis retail licenses: \$2,000. No more than three (3) Class 5 cannabis retail licenses shall be issued within the Township at any one time.
- (2) Class 6 cannabis delivery licenses: \$2,000. No more than two (2) Class 6 cannabis delivery licenses shall be issued within the Township at any one time.

Section 4. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 5. 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 6. This Ordinance shall become effective 20 days after final passage and publication according to law.

Thomas Conrad, Councilmember

Joseph Wareham, Councilmember

Roland Roy, Jr., Councilmember

Kevin Coombs, Deputy Mayor

Frank Sippel, Mayor

First Reading: July 20, 2026

Adopted:

Attest: _____
Karen S. Fournier, Township Clerk

TOWNSHIP OF LOWER

2600 Bayshore Road
Villas, New Jersey 08251



Incorporated 1798

(609) 886-2005

July 23, 2026

Certification of Mailing of Tax Bills

I do hereby certify as follows:

I am the Tax Collector of Township of Lower, in the County of Cape May, State of NJ.

The mailing of or other delivery of all original tax bills for the final bill of 2026 and the first and second installments of 2027 was completed on July 23, 2026.

Pursuant to N.J.S.A. 54:4-66 et seq; payment on the third installment will bear no interest if received by August 28, 2026. After August 28, 2026, all receipts shall be deemed delinquent, with interest accruing from August 1, 2026.

Kathy Brown

Tax Collector