

Signed Resolutions - August 5, 2013

- Res. #2013-209 Payment of Vouchers \$ 5,773,335.47
- Res. #2013-210 Renewal of Commercial Excavation (Gravel Pit) License for Cape May Mining & Recycling, LLC (formerly A & H Mining & Recycling)
- Res. #2013-211 Authorization for Refund of Taxes (3 properties \$1,532.19)
- Res. #2013-212 A Resolution Authorizing And Approving A Shared Service Agreement Between the Township of Lower and the County of Cape May for Use of Emergency Management Equipment (2) Medical ATV's and CMC EMCC Communications Van
- Res. #2013-213 A Resolution Authorizing and Approving A Memorandum of Agreement Between the Township of Lower and the Cape May County Prosecutor's Office for Use, Installation and Maintenance of An Automatic License Plate Reader System  
VOID
- Res. #2013-214 Issuance of Ice Cream Operator License for the Year 2013 (Jason Brown)
- Res. #2013-215 Resolution Approving Professional Service Contract with Hatch Mott MacDonald Without Public Bidding (tax map revisions \$23,200.)
- Res. #2013-216 Bid Acceptance and Award for Two (2) 2014 Rear Loading Refuse Trucks (Granturk \$392,746.)
- Res. #2013-218 Authorizing the Payment of Vouchers (Douglass Landscaping \$5,192.50)
- Res. #2013-219 Resolution Awarding Commercial Utility Consultant as Energy Consultant In Connection With An Energy Aggregation Program
- Res. #2013-220 Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12. - Possible Litigation - Cape May's attempt to withdraw from LCMR School District; Tax Issues - possible creation of an Economic Development Zone; Update on Litigation - Lower Twp V Baldini



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00616 ANIMAL ALLIANCE OF CAPE								
	13-02119	07/22/13	TNR AND SPAY/NEUTER PROGRAM	Open	400.00	0.00		
	13-02120	07/22/13	TNR AND SPAY/NEUTER PROGRAM	Open	400.00	0.00		
	13-02208	07/29/13	TNR AND SPAY/NEUTER PROGRAM	Open	500.00	0.00		
					<u>1,300.00</u>			
00651 MUNICIPAL UTIL AUTH DUMP FEES								
	13-02138	07/22/13	TIPPING FEES/JUNE	Open	68,836.41	0.00		
00652 CAPE COUNTY CLIPPERS LLC*								
	12-02677	10/09/12	BLANKET PO LOT CLEARING	Open	300.00	0.00		
00775 CAPRIONI PORTABLE TOILETS, INC*								
	13-01956	07/03/13	PORT TOILETS INDEP DAY 2013	Open	708.00	0.00		
	13-02078	07/12/13	PORTABLE TOILETS	Open	50.00	0.00		
	13-02111	07/18/13	MONTHLY RENTAL/MAUD ABRAMS	Open	371.50	0.00		
					<u>1,129.50</u>			
00784 CAPE MAY STAR & WAVE								
	13-02022	07/09/13	LEGAL PUBLICATION-PUBLIC ACCES	Open	146.58	0.00		
	13-02166	07/24/13	LEGAL PUBLICATIONS 4-3-13	Open	16.12	0.00		
	13-02172	07/25/13	LEGAL PUBLICATIONS 7-17-13	Open	27.28	0.00		
	13-02206	07/29/13	LEGAL PUBLICATION 7-24-13	Open	14.88	0.00		
					<u>204.86</u>			
00825 COMCAST*								
	13-02116	07/18/13	MILLMAN CABLE BILL 07/9-8/8/13	Open	73.91	0.00		
	13-02162	07/23/13	INTERNET AT MILLMAN CENTER	Open	189.70	0.00		
	13-02164	07/24/13	INTERNET 7/30/13-8/29/13 FIRE	Open	109.90	0.00		
					<u>373.51</u>			
00928 CAPE MAY COUNTY CLERK								
	13-02128	07/22/13	2013 PRIMARY ELECTION COSTS	Open	5,819.87	0.00		
01125 MARGARET CROMPTON								
	13-02163	07/23/13	MEDICAL CLAIMS	Open	30.00	0.00		
01139 CORELOGIC								
	13-02106	07/18/13	RES 2013-211 TAX 2ND QRT REFUN	Open	1,592.13	0.00		
01226 ROBERT DENNY								
	13-02229	07/31/13	MEDICAL CLAIMS-V	Open	50.00	0.00		
01241 BRIAN MCEWING								
	13-01066	04/16/13	2013 EQUIP. ALLOWANCE	Open	66.75	0.00		B
01246 ROCCO SANSONE								
	13-01847	06/21/13	SOCCER OFFICIAL	Open	120.00	0.00		
01519 TOM FOLS ELECTRICALCONTRACTOR*								
	13-02137	07/22/13	REPAIR/SCORE BOARD WIRE BSKTBL	Open	95.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01600 ORVILLE E FOWLER	13-02230	07/31/13	MEDICAL CLAIMS	Open	1,340.00	0.00		
01655 GANN LAW BOOKS*	13-01969	07/03/13	ENGINEERING REFERENCE BOOKS	Open	244.00	0.00		
01781 HATCH MOTT MACDONALD, LLC*	13-02207	07/29/13	PROFESSIONAL ENGINEERING	Open	266.50	0.00		
01806 ANTHONY J HARVATT, II, ESQ	13-00973	04/08/13	BOARD SOLICITOR SALARY	Open	550.00	0.00		
	13-02080	07/12/13	RESOLUTIONS	Open	<u>450.00</u>	0.00		
					1,000.00			
01837 ROBERT HODSDEN	13-02082	07/12/13	MEDICAL CLAIMS	Open	370.10	0.00		
01859 HESS CORPORATION	13-02107	07/18/13	ELCTRIC 06/05/13-07/05/13	Open	70.23	0.00		
	13-02202	07/26/13	06/19/13-07/22/13 ELECTRIC	Open	8,844.00	0.00		
	13-02210	07/29/13	ELECTRIC 06/19/13-07/22/13	Open	<u>274.55</u>	0.00		
					9,188.78			
02014 ALL TRAFFIC SOLUTIONS*	13-01759	06/10/13	MAINT. PORTABLE SIGN BOARD	Open	275.00	0.00		
02134 THOMAS KEYWOOD	13-02165	07/24/13	MEDICAL CLAIMS	Open	291.64	0.00		
02183 KLENSWITE POOL SPA SUP.CO INC*	13-01707	06/07/13	POOL BROMINE TEST KIT	Open	280.00	0.00		
	13-01952	07/02/13	SPINE BOARD REPLACEMENT STRAPS	Open	<u>74.95</u>	0.00		
					354.95			
02247 LAWSON PRODUCTS, INC.*	13-01688	06/07/13	SUPPLIES FOR PDW/JULY	Open	699.91	0.00		
02248 LAWMEN SUPPLY*	13-01251	05/06/13	BALLISTIC VESTS BLACK/ANZELONE	Open	1,029.00	0.00		
02320 LOWER TOWNSHIP BRD OF EDUCATN	13-01443	05/23/13	2013/2014 BD OF ED TAX DUE 1ST	Open	1,525,156.40	0.00		B
02351 LOWER CAPE MAY REGIONAL	13-01371	05/15/13	2013/2014 SCHOOL TAX	Open	1,181,796.00	0.00		B
02410 MAGLOCLLEN*	13-01844	06/21/13	ANNUAL CONTRACT AND USER FEE	Open	400.00	0.00		
02418 MAJESTIC SEWER AND DRAIN*	13-02072	07/12/13	EMERGENCY SEWER BACK UP @ POOL	Open	225.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02473 FRANCIS P. MAJANE	13-02146	07/23/13	MEDICAL CLAIMS	Open	505.36	0.00		
02541 ROBERT D. MARTIN, JR	13-02088	07/15/13	MEDICAL CLAIMS	Open	863.14	0.00		
02585 WILLIAM MASTRIANA	13-02094	07/16/13	TRAINING MEALS	Open	190.38	0.00		
02590 ARTHUR MASON	13-02231	07/31/13	MEDICAL CLAIMS-V	Open	89.00	0.00		
02677 KAREN F. WOLF	13-02170	07/24/13	MEDICAL CLAIMS-V	Open	795.00	0.00		
02725 THOMAS MILLS	13-02233	07/31/13	MEDICAL CLAIMS	Open	830.00	0.00		
03072 NJ STATE LEAGUE OF MUNICIPALITI*	13-02015	07/09/13	AN ENERGY POLICY PRIMER FOR NJ	Open	40.00	0.00		
03102 NJ POLICE TRAFFIC OFFICERS ASS	13-02071	07/12/13	ANNUAL DUES	Open	35.00	0.00		
03158 NYSCA*	13-01931	06/28/13	COACHES CERTIFICATION FOOTBALL	Open	360.00	0.00		
03160 OFFICE BASICS, INC*	13-01936	06/28/13	OFFICE SUPPLIES	Open	150.28	0.00		
03274 P & J GAS SERVICE*	13-01857	06/21/13	PROPANE FOR PAVING	Open	40.00	0.00		
03280 PARAMOUNT SANITARY SUPPLY*	13-01973	07/03/13	TRASH BAGS FOR RECREATION	Open	276.90	0.00		
	13-02127	07/22/13	TOILET PAPER	Open	427.58	0.00		
					<u>704.48</u>			
03284 STEPHEN H. PARKER(REF FEES)	13-02227	07/31/13	BASKETBALL REF FEES-SUMMER LEA	Open	420.00	0.00		
03285 PARA PLUS TRANSLATIONS, INC.*	12-02884	11/01/12	INTERPRETER	Open	226.55	0.00		
03305 PEDRONI FUEL*	13-02140	07/22/13	NO LEAD GAS	Open	775.21	0.00		
03350 MICHAEL PERRY	12-01285	05/16/12	2012 EQUIP. ALLOWANCE	Open	41.13	0.00		B
	13-01060	04/16/13	2013 EQUIP. ALLOWANCE	Open	142.83	0.00		B
					<u>183.96</u>			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03427	POLAR BEAR*							
	13-01507	05/30/13	A/C REPAIR / PUBLIC SAFETY	Open	494.00	0.00		
	13-02079	07/12/13	EMERGENCY REPAIR TO AC IN REC	Open	195.00	0.00		
	13-02121	07/22/13	MILLMAN CENTER AC REPAIR	Open	<u>192.95</u>	0.00		
					881.95			
03449	QC INC*							
	13-02115	07/18/13	RETENTION POND WATER SAMPLE	Open	57.50	0.00		
03466	R & R SPECIALTIES							
	13-02117	07/18/13	PLASTIC SIGNS-BOCA DOOR	Open	48.25	0.00		
03518	RIGGINS, INC.*							
	13-02169	07/24/13	HIGWAY DIESEL	Open	1,008.11	0.00		
03611	SERVICE TIRE TRUCK CENTERS*							
	13-01782	06/12/13	TIRES FOR YARD BACKHOE	Open	1,988.08	0.00		
03637	SHOPPE							
	13-01954	07/03/13	INDEP DAY ADVER 6/20 6/27/13	Open	140.00	0.00		
03692	SOUTH JERSEY GAS CO*							
	13-02209	07/29/13	GAS FOR JULY 2013	Open	215.35	0.00		
03723	STAPLES, INC.*							
	13-02077	07/12/13	OFFICE SUPPLIES	Open	63.24	0.00		
	13-02083	07/12/13	OFFICE SUPPLIES	Open	<u>160.79</u>	0.00		
					224.03			
03734	STEWART INDUSTRIES, INC.*							
	13-02104	07/18/13	COPIER MAINT 6/23-9/23/13	Open	1,524.97	0.00		
03799	LINDA THOMAS							
	13-02234	08/01/13	REIMBURSEMENT OF COPAY	Open	75.00	0.00		
03831	TREASURER, COUNTY TAXES							
	13-01164	04/22/13	COUNTY SHELTER DUE 8/15/13	Open	23,103.75	0.00		
	13-02067	07/11/13	2ND HALF 2013 COUNTY TAX	Open	<u>2,256,223.19</u>	0.00		
					2,279,326.94			
03867	UNIVERSAL SUPPLY CO.							
	13-01785	06/12/13	MILLMAN CENTER DOORS	Open	546.68	0.00		
	13-01927	06/27/13	MISC SUPPLIES FOR MILLMAN	Open	<u>95.03</u>	0.00		
					641.71			
03904	LOWE'S HOME CENTER INC*							
	13-01713	06/07/13	SUPPLIES FOR DPW/JUNE	Open	207.56	0.00		
	13-02069	07/12/13	SUPPLIES	Open	<u>136.10</u>	0.00		
					343.66			
03914	ULINE INC*							
	13-02009	07/09/13	PATROL OPERATION SUPPLIES	Open	103.30	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03960 VECTOR SECURITY*	13-01810	06/18/13	ANNUAL INSPECTION	Open	213.75	0.00		
03969 VERIZON	13-02204	07/26/13	JULY 2013 PHONE SERVICE	Open	4,917.84	0.00		
03971 VERIZON WIRELESS MDT POLICE	13-02093	07/16/13	MDT - WIRELESS	Open	391.10	0.00		
03978 USPS ACCT#48503619	13-02220	07/29/13	POSTAGE	Open	12,500.00	0.00		
03979 MICHAEL VOLL	13-02118	07/22/13	MANAGEMENT LUNCH REIMBURSEMENT	Open	31.40	0.00		
03995 VITAL COMMUNICATIONS, INC.*	13-01450	05/24/13	MODIV UPDATE 2013 TAX DUPLICAT	Open	100.00	0.00		
04030 WEST PUBLISHING PAYMENT *	12-01188	05/07/12	NJ UPDATES	Open	224.00	0.00		
	13-02145	07/23/13	ANNUAL UPDATES-2013 NJ MU/CRIM	Open	130.50	0.00		
	13-02188	07/25/13	ANNUAL UPDATES FOR 2013	Open	480.00	0.00		
					834.50			
04097 CINTAS FIRST AID AND SAFETY*	13-02168	07/24/13	FIRST AID SUPPLIES	Open	179.36	0.00		
04105 PITNEY BOWES GLOBAL FINANCIAL	13-02098	07/16/13	MAIL MACHINE JULY 2013	Open	451.00	0.00		
04158 HUFFMAN'S FLOOR COVERING*	13-00746	03/13/13	RENOVATIONS AT MILLMAN CENTER	Open	3,000.00	0.00		B
04216 PRIVATE ISLAND EMBROIDERY*	13-00447	02/13/13	BAYRUN SHIRTS	Open	2,190.00	0.00		
04261 STATE OF NEW JERSEY	13-02092	07/15/13	2ND QTR 2013 UNEMPLOYMENT	Open	36,464.51	0.00		
04295 PURCHASE POWER	13-02219	07/29/13	POSTAGE FOR TOWNHALL	Open	2,539.00	0.00		
04300 W B MASON CO INC*	13-01935	06/28/13	OFFICE SUPPLIES	Open	800.72	0.00		
05100 CHARLES W. SANDMAN, III ESQ	13-00268	01/23/13	2013 LITIGATION MONTHLY \$50k	Open	4,166.66	0.00		B
06020 JOSEPH PORRETTA BUILDERS*	13-00753	03/14/13	MILLMAN CENTER RENO #2013-65	Open	39,152.96	0.00		
06021 MULTI-TEMP MECHANICAL INC*	13-00755	03/14/13	HVAC DUCTWORK MILLMAN #2013-68	Open	18,785.62	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
06022	PERSONAL TOUCH PAINTING*								
	13-01144	04/19/13	PAINTING/MILLMAN CENTER	Open	10,750.00	0.00			
	13-02108	07/18/13	ADDITIONAL BATHS AND COLORS	Open	<u>3,500.00</u>	0.00			
					14,250.00				
06028	FORESITE USA LLC*								
	13-01417	05/21/13	2013 AVAST ANITVIRUS 35 LIC	Open	759.25	0.00			
06029	CELLULAR ADVANTAGE*								
	13-02086	07/15/13	GREENE PHONE EQUIP	Open	125.00	0.00			
06030	JACK FICHTER*								
	13-01455	05/24/13	PUBLIC INFORMATION OFFICER	Open	1,000.00	0.00			B
5032	NORTH WILDWOOD \$ CREST SHIRT*								
	13-01654	06/05/13	LIFEGUARD TANK SHIRTS	Open	318.00	0.00			
6030	VINCENT LAMANNA, III								
	13-02147	07/23/13	RETURN OF UNUSED ESCROW	Open	361.50	0.00			
6057	HYLAND DESIGN GROUP, INC*								
	13-01404	05/17/13	PROFESSIONAL SERVICES- LITIGAT	Open	808.50	0.00			
6059	USABLE LIFE								
	13-02222	07/31/13	AUGUST 2013 LIFE INSURANCE	Open	465.76	0.00			
6061	AMERIHEALTH ADMINISTRATORS								
	13-02228	07/31/13	AUGUST 2013 ADMIN & STOP LOSS	Open	25,581.53	0.00			
6071	UNITED UNIFORMS LIMITED LIAB*								
	13-01755	06/10/13	UNIFORMS	Open	1,783.00	0.00			
6078	THIRSTY WILSON BAND								
	13-01882	06/25/13	INDEPENDENCE DAY BAND	Open	900.00	0.00			
6085	WILLIAM R GIECO								
	13-02105	07/18/13	FOOTBALL COACH BACKGROUND CHECK	Open	26.00	0.00			
6087	ROGER SMITH*								
	13-02171	07/25/13	RETURN OF UNUSED ESCROW	Open	12.50	0.00			
6089	ANIMAL OUTREACH OF C.M.C.								
	13-02224	07/31/13	RETURN OF UNUSED ESCROW	Open	15.50	0.00			
6090	ANTHONY NATALE								
	13-02226	07/31/13	REFUND PRECIOUS METAL BOND	Open	1,000.00	0.00			
ALPHACAR	ALPHA CARD SYSTEMS*								
	13-01972	07/03/13	INK CARTRIDGE FOR REC ID MACH	Open	283.05	0.00			
BRITTON	JOSH BRITTON								
	13-01851	06/21/13	SOCCER OFFICIAL	Open	150.00	0.00			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
G-YAP CENTER FOR COMMUNITY ARTS	13-02218	07/29/13	SUMMER ART PROGRAM	Open	3,250.00	0.00		
MCD01 MCDONALDS	13-02223	07/31/13	RETURN OF UNUSED ESCROW	Open	2,098.75	0.00		
POOLZ THE POOL ZONE*	13-01344	05/14/13	CHEMICAL POOL SUPPLIES	Open	3,225.11	0.00		
STAN1 STANLEY ACCESS TECH LLC	13-02205	07/29/13	ELECTRIC DOOR MAINT 3/13-2/14	Open	1,907.76	0.00		
Total Purchase Orders: 139 Total P.O. Line Items: 309 Total List Amount: 5,586,408.56 Total Void Amount: 0.00								

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>CK</u>	<u>Amount</u>
Ameri Health Admin	13-02221	Health Insurance & RX		\$52,410.36
Ameri Health Admin	13-02144	Health Insurance & RX		\$80,943.07
Ameri Health Admin	13-02096	Health Insurance & RX		\$53,058.69
Comcast	13-02236	Phone & Internet-Pool	50524	\$ 514.79

Total Manual Checks \$ 186,926.91  
Total Computer Generated \$ 5,586,408.56

**Total Bill List \$5,773,335.47**

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on August 5, 2013.

  
Julie Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		X	X			
NEVILLE			X			
DOUGLASS	X		X			
CLARK			X			
BECK			X			

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

RESOLUTION #2013-210

**TITLE: RENEWAL OF COMMERCIAL EXCAVATION (GRAVEL PIT) LICENSES FOR CAPE MAY MINING & RECYCLING, LLC**

**WHEREAS**, Cape May Mining & Recycling LLC (previously A & H Mining & Recycling) has made application for renewal of commercial excavation (gravel pit) licenses, and

**WHEREAS**, the applicant has paid the appropriate fees and is currently in compliance with the regulations of the Cape Atlantic Conservation District.

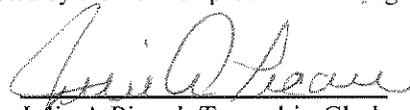
**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, County of Cape May, State of New Jersey as follows:

1. That the renewal of the commercial excavation license for the following are hereby approved:

<b>Block 410.01</b>	<b>Lots 89</b>
<b>Block 410.01</b>	<b>Lots 92-98</b>
<b>Block 410.01</b>	<b>Lots 99.01 &amp; 99.02</b>

2. That all such licenses shall remain in full force and effect through July 15, 2014.
3. That the renewal of such license shall be conditioned on there being no further commercial activity conducted on the licensed premises without first obtaining all required Township and/or State licenses and permits and that a violation of this condition shall be grounds for revocation of the license.
4. The issuance of the licenses is further conditioned on the licensee's compliance with all applicable Federal, State and local laws and that a conviction of any Federal, State or local law shall be grounds for revocation of the license.

I hereby certify the foregoing to be a resolution adopted by the Township Council on August 5, 2013

  
Julie A Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		*	*			
NEVILLE			†			
DOUGLASS	*		†			
CLARK			†			
BECK			†			

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

RESOLUTION #2013-211

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>
334.07	10	Corelogic	paid twice	547.62
267	2	Corelogic	paid twice	512.11
351	1	Corelogic	paid twice	532.40

I hereby certify the foregoing to be a resolution adopted by the governing body at a meeting held on August 5, 2013.

  
Julie Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		+	+			
NEVILLE			+			
DOUGLASS	+		+			
CLARK			+			
BECK			+			

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

RESOLUTION #2013 -212

**TITLE: A RESOLUTION AUTHORIZING AND APPROVING A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF LOWER AND THE COUNTY OF CAPE MAY FOR USE OF EMERGENCY MANAGEMENT EQUIPMENT - (2) MEDICAL ATV'S AND CMC EMCC COMMUNICATIONS VAN**

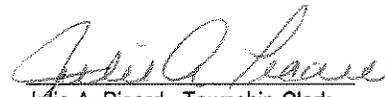
**WHEREAS**, the Township of Lower desires to contract with The County of Cape May in order to share Emergency Management Equipment for the period of August 1, 2013 thru November 1, 2013; and

**WHEREAS**, such agreements are authorized pursuant to N.J.S.A. 40A:65-1 et seq.; and

**WHEREAS**, this contract is in the best interest for the safety of the citizens of the Township of Lower.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Township of Lower, in the County of Cape May and State of New Jersey, that the shared service agreement attached hereto between the Township of Lower and the County of Cape May be and is hereby authorized and accepted and that the proper officials of the Township of Lower are authorized to execute said contract.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on August 5, 2013.

  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		X	X			
NEVILLE			X			
DOUGLASS	X		X			
CLARK			X			
BECK			X			

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

RESOLUTION #2013-213

**TITLE: A RESOLUTION AUTHORIZING AND APPROVING A MEMORANDUM OF AGREEMENT BETWEEN THE TOWNSHIP OF LOWER AND THE CAPE MAY COUNTY PROSECUTOR'S OFFICE FOR USE, INSTALLATION AND MAINTENANCE OF AN AUTOMATIC LICENSE PLATE READER SYSTEM**

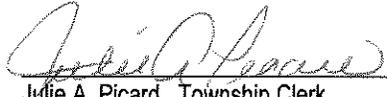
**WHEREAS**, the Township of Lower desires to enter into a Memorandum of Agreement with the Cape May County Prosecutor's Office for the use, installation and maintenance of an Automatic License Plate Reader System; and

**WHEREAS**, such agreements are authorized pursuant to N.J.S.A. 40A:65-1 et seq.; and

**WHEREAS**, this contract is in the best interest for the safety of the citizens of the Township of Lower.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Township of Lower, in the County of Cape May and State of New Jersey, that the Memorandum of Agreement attached hereto between the Township of Lower and the Cape May Prosecutor's Office be and is hereby authorized and accepted and that the proper officials of the Township of Lower are authorized to execute said contract.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on August 5, 2013.

  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		+	+			
NEVILLE			+			
DOUGLASS	+		+			
CLARK			+			
BECK			+			

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

RESOLUTION #2013-215

**TITLE: ISSUANCE OF AN ICE CREAM OPERATOR LICENSE FOR THE YEAR 2013**

**WHEREAS**, Jason Brown has submitted an application for an Ice Cream Operators License for the year 2013; and

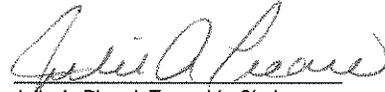
**WHEREAS**, all required paperwork and fees have been received for the license.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower that the Clerk be authorized to issue the following operator licenses for the year 2013:

**Ice Cream Operator License**  
Jason Brown

**BE IT FURTHER RESOLVED**, that anyone selling in conjunction with this license will do so only upon proper application and license approval by the Township.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting on August 5, 2013.

  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		X	X			
NEVILLE			X			
DOUGLASS	X		X			
CLARK			X			
BECK			X			

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

RESOLUTION #2013-216

**TITLE: RESOLUTION APPROVING A PROFESSIONAL SERVICE CONTRACT WITH HATCH MOTT MACDONALD WITHOUT PUBLIC BIDDING**

**WHEREAS**, the Township of Lower is given authority by N.J.S.A. 40A:11 *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**, Hatch Mott MacDonald has provided a proposal to complete the professional surveying services required to review the Township's existing Tax Maps and make revisions as noted on the marked up copies the Township provides to Hatch Mott MacDonald; and

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

Account: 3-01-56-910-227

Signature



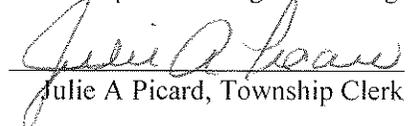
Lauren Read, CFO

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

1. The Project Proposal between Hatch Mott MacDonald and the Township of Lower, in the form attached hereto as EXHIBIT A, for an amount of \$14,725. for task one (1) and an amount of \$8,475. for task two (2) - making the total amount of the project \$23,200.
2. The Mayor and Clerk are hereby authorized and directed to execute the Project Proposal on behalf of the Township of Lower, and to take any and all other actions necessary to effectuate the purposes thereof.

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

I hereby certify the foregoing to be an original resolution adopted by the Township at a meeting held on August 5, 2013.

  
Julie A Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		X	X			
NEVILLE			X			
DOUGLASS	X		X			
CLARK			X			
BECK			X			

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

RESOLUTION # 2013-217

TITLE: BID ACCEPTANCE AND AWARD FOR TWO (2) 2014 REAR LOADING REFUSE TRUCKS

**WHEREAS,** The Notice to Bidders #2013-14 for two (2) 2014 Rear Loading Refuse Trucks was advertised on July 3, 2013 and accepted on July 18, 2013 at 11:00 a.m.; and

**WHEREAS,** One (1) proposal was submitted and reviewed by the QPA, Director of Public Works and Solicitor; and

**WHEREAS,** the lowest qualified bidder complied with the specifications and supplied all required certifications and bid documents and the CFO has determined sufficient funds are available in the budget as follows:

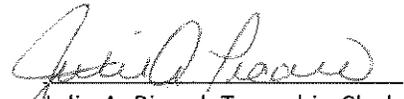
Appropriation # : C-04-55-410-220 \$225,000.00  
 C-04-55-414-250 \$167,746.00

CFO Signature: 

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the contract for the above is hereby awarded to the lowest qualified responsible bidder as follows:

**AWARD TO:** Granturk Equipment Co., Inc  
**TOTAL AWARD:** Base Price: 2 Trucks at \$191,383.00 each- Total \$382,766.00  
 Option A: 1 Dual Rotary cart tipper with bump out kit installed \$9,980.00  
 Total Bid Award: \$392,746.00

I hereby certify the foregoing Resolution was adopted by the Township Council at a meeting held on August 5, 2013.

  
 Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		X	X			
NEVILLE			X			
DOUGLASS	X		X			
CLARK			X			
BECK			X			

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

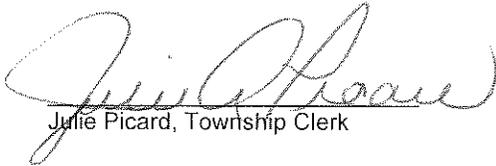
RESOLUTION # 2013-218

TITLE: AUTHORIZING THE PAYMENT OF VOUCHERS

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Amount</u>
Douglass Landscaping	13-00954	Landscaping Payment # 6	\$5,192.50

Total Bill List \$5,192.50

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on August 5, 2013.

  
 Julie Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	x		x			
NEVILLE		x	x			
DOUGLASS					x	
CLARK			x			
BECK			x			

RESOLUTION #2013-219

**TITLE:            RESOLUTION AWARDING COMMERCIAL UTILITY CONSULTANT  
AS ENERGY CONSULTANT IN CONNECTION WITH AN ENERGY AGGREGATION  
PROGRAM**

**WHEREAS**, the State of New Jersey has been engaged in a process to establish a competitive market place through deregulation and restructuring the electric utility market; and

**WHEREAS**, the establishment of a government aggregator and an energy aggregation program to purchase electric generation service pursuant to *N.J.S.A. 48:3-93.1 et seq.* will increase competition for the provision of electric power to residential and non-residential users, thereby increasing the likelihood of lower electric rates for these users without causing an interruption in service; and

**WHEREAS**, under the energy aggregation process the residential and non-residential ratepayers may have the opportunity to receive a direct reduction in their electric bills; and

**WHEREAS**, the realization of energy costs savings is in the interests of the health, safety and welfare of the residents of the Township of Lower (“Township of Lower”); and

**WHEREAS**, the Township of Lower received proposals from approved New Jersey State Division’s E-Procurement Pilot program suppliers (authorized under P.L. 2001, c. 30) to assist the Township of Lower in its energy aggregation program; and

**WHEREAS**, the Township of Lower received (3) three proposals to provide such services; and

**WHEREAS**, pursuant to *N.J.S.A. 40A:11-4.1 et seq.*, the Township of Lower assigned an Evaluation Committee to thoroughly evaluate the proposals based on vendor experience and qualifications, cost savings, technical evaluations and other criteria; and

**WHEREAS**, the Township of Lower hereby finds that it is in the best interests of residential and non-residential electric and gas ratepayers of the Township to: (i) create the opportunity for them to enter into an aggregation agreement in order to seek substantial savings on electric; and (ii) accept the qualifications of the selected vendor; and

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

1- The Township of Lower publicly declares its intent to become an aggregator of electric power on behalf of its residential and non-residential users of electricity and pursuant to the Government Energy Act of 2003, *N.J.S.A. 48:3-93.1 et seq.*

2- The Township of Lower hereby appoints Commercial Utility Consultants ("CUC") to assist the Township of Lower with its energy aggregation program pursuant to the New Jersey E-PROCUREMENT Pilot program (P.L. 2001, c.30) under the New Jersey Department of Community Affairs.

3- The Township of Lower is hereby authorized to execute a "Government Aggregation Agreement" (Attached as "Exhibit A – Government Aggregation Agreement") with Commercial Utility Consultants. This agreement defines the specific responsibilities of CUC for the Township of Lower within the Energy Aggregation Program.

4- The Mayor and Municipal Clerk are hereby authorized and directed to execute, on behalf of the Township of Lower, any documents necessary to carry out the purpose of this Resolution.

I hereby certify the foregoing to be a Resolution adopted by Council at a meeting held August 5, 2013.

  
Julie Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
NEVILLE	X		X			
DOUGLASS		X	X			
CLARK					X	
BECK			X			

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

RESOLUTION # 2013-220

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

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

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

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

- \_\_\_\_\_ (1) **Matters Required by Law to be Confidential:** Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- \_\_\_\_\_ (2) **Matters Where the Release of Information Would Impair the Right to Receive Funds:** Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- \_\_\_\_\_ (3) **Matters Involving Individual Privacy:** Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information, relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
- \_\_\_\_\_ (4) **Matters Relating to Collective Bargaining Agreement:** Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
- \_\_\_\_\_ (5) **Matters Relating to the Purchase, Lease of Acquisition of Real Property or the Investment of Public Funds:** Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
- \_\_\_\_\_ (6) **Matters relating to Public Safety and Property:** Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.
- X** \_\_\_\_\_ (7) **Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege:** any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township council of the Township of Lower, assembled in public session on August 5, 2013 that an Executive Session closed to the public shall be held on this date at approximately 7:45 P.M. in the Conference Room of the Township Hall, 2600 Bayshore Road, Villas for the discussion of matters relating to the specific items designated above.

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

I hereby certify the foregoing to be a resolution adopted by the Township Council on August 5, 2013.

  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
NEVILLE	X		X			
DOUGLASS			X			
CLARK		X	X			
BECK			X			