

Signed Resolutions - December 15, 2014

- Res. #2014-326 Payment of Vouchers \$ 812,049.45  
Res. #2014-327 A Resolution Urging Access 1 Communications and the FCC to Keep Local Channel NBC 40 on the Air
- Res. #2014-328 A Resolution Requesting Release of Maintenance Guarantee for Sea Bay Estates; Block 753.04, Lot 10; Escrow P04-04-13(Platzer & Remster)
- Res. #2014-329 Authorization for Refund of Taxes (5 properties \$4,205.83)  
Res. #2014-330 Authorization for the Payment of College Credits (K.DelVecchio \$460.)  
Res. #2014-331 Resolution Approving Settlement of Tax Appeal Litigation known as Storage Quest New Jersey LP V. Township of Lower (original assessment \$3,436,800 2013 assessment \$2,900,000)
- Res. #2014-332 Resolution Acknowledging the Award to Woodruff Energy US, LLC to Provide Natural Gas Services for Cape May County and Cooperative Members Participating through the South Jersey Power Cooperative Agreement
- Res. #2014-333 Transfer of 2014 Appropriations (\$167,500)  
Res. #2014-334 Cancellation of Current Appropriation Balances (\$60,417.32)  
Res. #2014-335 Authorizing the Payment of Vouchers – Engineering Design Associates – \$729.00 - site work DPS
- Res. #2014-336 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.
- PROFESSIONAL SERVICE CONTRACTS**



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00807 CDW-GOVERNMENT INC* Continued								
	14-03030	11/20/14	HP LJP P1102W PRINTER	Open	<u>122.58</u>	0.00		
					432.58			
00820 COMCAST OF WILDWOOD* DPW								
	14-03126	12/02/14	MONTHLY INTERNET/DPW	Open	108.86	0.00		
00852 CHERRY VALLEY TRACTOR CO.*								
	14-02750	10/28/14	PARTS FOR YARD BACKHOE	Open	81.60	0.00		
	14-03119	12/01/14	REPLACEMENT HYDROLIC TANK	Open	<u>2,163.25</u>	0.00		
					2,244.85			
01106 DOROTHY CRAWFORD								
	14-03196	12/09/14	MEDICAL CLAIMS	Open	830.00	0.00		
01170 VERIZON WIRELESS* F/S								
	14-03190	12/09/14	10/27/14-11/26/14 CELL FIRE SA	Open	67.49	0.00		
01171 VERIZON WIRELESS - TOWNHALL								
	14-03154	12/04/14	CELL SERVICE 11/24/14-12/23/14	Open	445.24	0.00		
	14-03181	12/09/14	I PHONE BILL NOV 29-12/28/14	Open	<u>848.41</u>	0.00		
					1,293.65			
01200 DELTA DENTAL PLAN OF NJ								
	14-03114	12/01/14	DENTAL DECEMBER 2014	Open	10,555.50	0.00		
01246 ROCCO SANSONE								
	14-03110	12/01/14	REIMBURSEMENT-BBALL COACH	Open	35.00	0.00		
01389 EDDIE'S AUTO BODY*								
	14-02939	11/07/14	VEHICLE REPAIR	Open	1,177.80	0.00		
	14-03108	12/01/14	NEW VEHICLE PAINT	Open	<u>550.00</u>	0.00		
					1,727.80			
01443 ERMA VOLUNTEER FIRE CO								
	14-03193	12/09/14	SPECIAL ELECTION DEC 9, 2014	Open	300.00	0.00		
01490 ROBERT FESSLER								
	13-01085	04/16/13	2013 EQUIP. ALLOWANCE	Open	102.94	0.00		
	14-01068	04/25/14	2014 EQUIP. ALLOWANCE	Open	<u>84.01</u>	0.00		
					186.95			
01530 FIRE DISTRICT #1								
	14-00429	02/14/14	2014 FIRE DISTRICT TAXES	Open	159,105.62	0.00		
01540 FIRE DISTRICT #2								
	14-00787	03/27/14	2014 FIRE TAXES DUE	Open	90,869.00	0.00		
01550 FIRE DISTRICT #3								
	14-00614	03/11/14	2014 FIRE DISTRICT TAXES	Open	231,607.50	0.00		
01581 FIRST ASSEMBLY OF GOD CHURCH								
	14-03192	12/09/14	SPECIAL ELECTION DEC 9, 2014	Open	150.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01603 GENERAL CODE PUBLISHERS*	14-03120	12/01/14	ecode 360 ANNUAL MAINT FEE	Open	1,195.00	0.00		
01661 GENERAL SALES ADMINISTRATION*	14-02516	09/29/14	NEW VEHICLE OUTFITTING	Open	1,169.00	0.00		
01751 GRINDER WEAR PARTS, INC	14-02979	11/12/14	FREIGHT /ORD06351A	Open	401.52	0.00		
01768 ROBERT HARTMAN JR	14-03144	12/03/14	MEDICAL CLAIMS -V	Open	235.00	0.00		
01781 HATCH MOTT MACDONALD, LLC*	14-00256	01/24/14	RECONSTR CLUBHOUSE DR #2014-43	Open	2,802.25	0.00		
	14-03179	12/09/14	ESCROW SERV AMUSEMENT PARTNER	Open	445.75	0.00		
					<u>3,248.00</u>			
01806 ANTHONY J HARVATT, II, ESQ	14-01204	05/01/14	BOARD SOLICITOR SALARY	Open	625.00	0.00		
	14-03180	12/09/14	RESOLUTIONS NOV 6 2014 HEARING	Open	900.00	0.00		
					<u>1,525.00</u>			
01860 GNL DOORS & HARDWARE*	14-01222	05/06/14	CLOSET FOR FITNESS ROOM	Open	1,152.50	0.00		
01951 INNOVATIVE DATA SOLUTIONS*	14-02995	11/14/14	STANDARDS UPGRADE EXP 12/2017	Open	3,215.00	0.00		
02025 HUNTER JERSEY PETERBILT*	14-02910	11/05/14	PARTS FOR TRUCK/NOV	Open	16.58	0.00		
02027 JESCO INC*	14-02507	09/26/14	TWO FILTER KITS	Open	715.01	0.00		
	14-02922	11/06/14	2014 LOADER BACKHOE	Open	107,100.00	0.00		
					<u>107,815.01</u>			
02108 KEEN COMPRESSED GAS CO*	14-01695	06/16/14	BOTTLED GAS/	Open	202.71	0.00		
02223 LANDSMAN UNIFORMS*	14-02700	10/21/14	UNIFORMS	Open	188.90	0.00		
02247 LAWSON PRODUCTS, INC.*	14-03033	11/20/14	SUPPLIES FOR DPW GARAGE	Open	536.24	0.00		
02331 LOWER TOWNSHIP ROTARY CLUB	14-03047	11/21/14	CONTRIB - VET. SVC/TREE LIGHTI	Open	800.00	0.00		
02334 LOWER TWP CHAMBER OF COMMERCE	14-03048	11/21/14	CONTRIB - HOSPITALITY/DIRECTOR	Open	4,000.00	0.00		
	14-03215	12/10/14	CHAMBER LUNCH 12/11/14	Open	50.00	0.00		
					<u>4,050.00</u>			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02402 MGL PRINTING SOLUTIONS	14-02510	09/29/14	2014 TAX FORMS	Open	306.25	0.00		
02541 ROBERT D. MARTIN, JR	14-03113	12/01/14	MEDICAL CLAIMS	Open	20.00	0.00		
02656 MICHAEL MCPHERSON*	14-00791	03/28/14	LOT CLEARING	Open	460.00	0.00		
03072 NJ STATE LEAGUE OF MUNICIPALIT*	14-02984	11/13/14	LEAGUE - COUNCIL ELECT D PERRY	Open	65.00	0.00		
03158 NYSCA*	14-02985	11/13/14	BBALL CERTIFICATIONS	Open	40.00	0.00		
03279 PARDO'S TRUCK PARTS WHSE*	14-02977	11/12/14	TRUCK PARTS	Open	741.44	0.00		
03280 PARAMOUNT SANITARY SUPPLY*	14-02994	11/14/14	TERRY RAGS/DPW	Open	302.47	0.00		
	14-03121	12/01/14	CLOROX WIPES- WEIGHT ROOM	Open	109.26	0.00		
					<u>411.73</u>			
03293 BLAINE PAYNTER	14-03186	12/09/14	MEDICAL CLAIMS-V	Open	350.00	0.00		
03296 PARISH OF ST. JOHN NEUMANN	14-03195	12/09/14	SPECIAL ELECTION DEC 9, 2014	Open	675.00	0.00		
03366 AMERI-GAS*	14-03116	12/01/14	PROPANE- BENNETTS CROSSING	Open	507.66	0.00		
03484 LAUREN M. READ	14-03132	12/03/14	AFLAC BENEFIT CLAIM	Open	799.82	0.00		
03611 SERVICE TIRE TRUCK CENTERS*	14-03034	11/20/14	TIRES/RDS/SANT/RECY/DPW	Open	2,525.83	0.00		
03674 ELAINE SLAMB	14-03174	12/09/14	CONTRACT REIMB	Open	800.00	0.00		
03688 SOUTHERN NJ CHAPTER NIGP*	14-03125	12/02/14	DECEMBER SJNIGP MEETING	Open	80.00	0.00		
03723 STAPLES, INC.*	14-03040	11/20/14	OFFICE SUPPLIES	Open	203.91	0.00		
	14-03062	11/24/14	OFFICE SUPPLIES	Open	20.99	0.00		
	14-03131	12/03/14	SCANNER	Open	249.99	0.00		
					<u>474.89</u>			
03805 TOWNBANK VOLUNTEER FIRE CO.	14-03194	12/09/14	SPECIAL ELECTION DEC 9, 2014	Open	450.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03820 MUNICIPAL UTIL. AUTH ON CALL	14-03088	11/25/14	ONE CALL MESSAGES	Open	192.27	0.00		
03834 CAPE MAY COUNTY TREASURER/HAVE	14-02930	11/07/14	HAVEN HOUSE IN LIEU-DUE COUNTY	Open	495.03	0.00		
03904 LOWE'S HOME CENTER INC*	14-03124	12/02/14	SUPPLIES-CFO OFFICE-SHEETROCK	Open	69.19	0.00		
03921 UNIFORM & ACCESSORIES WHSE*	14-02040	07/28/14	LIGHT BAR FOR NEW VEHICLE/DPW	Open	428.99	0.00		
03971 VERIZON WIRELESS MDT POLICE	14-03127	12/02/14	MDT WIRELESS	Open	539.35	0.00		
03985 VILLAS NAPA AUTO PARTS	14-01897	07/11/14	PARTS FOR POLICE VEHICLES/NOV	Open	1,748.03	0.00		
04049 SUSAN JACKSON	14-03149	12/04/14	MEDICAL CLAIMS	Open	365.00	0.00		
04075 BARBER CONSULTING SERVICES LLC	14-03051	11/21/14	COMPUTER SERVICES	Open	771.24	0.00		
04077 RONALD J. GELZUNAS*	14-00018	01/07/14	2014 LEGAL SERVICES DNE \$90	Open	4,933.50	0.00		
04097 CINTAS FIRST AID AND SAFETY*	14-03109	12/01/14	FIRST AID SUPPLIES	Open	351.23	0.00		
04158 HUFFMAN'S FLOOR COVERING*	14-02756	10/29/14	REINSTALL FLOOR TILE	Open	611.04	0.00		
04266 NJ DEPT OF HEALTH&SENIOR SVCS	14-03155	12/04/14	STATE DOG LICENSE FEES-NOVEMBE	Open	43.80	0.00		
04514 WILLIAM BLANEY*	14-00398	02/10/14	DNE 25K RES 2014-23 CONTRACTS	Open	300.00	0.00		
4104 DOUGLASS LANDSCAPING LLC*	14-00833	04/01/14	LANDSCAPING CONTRACT PAYMENTS	Open	5,547.50	0.00		
5053 ANTHONY GRETO	13-01070	04/16/13	2013 EQUIP. ALLOWANCE	Open	130.00	0.00		
6004 LERETA, LLC	14-03184	12/09/14	RESOLUTION 2014-329 TAX REFUND	Open	1,024.17	0.00		
6061 AMERIHEALTH ADMINISTRATORS	14-03129	12/02/14	DECEMBER 1 HEALTH & RX	Open	35,612.19	0.00		
	14-03185	12/09/14	DECEMBER 8 HEALTH & RX	Open	32,100.03	0.00		
					<u>67,712.22</u>			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
6080 OMAHA STANDARD, LLC*	14-03008	11/18/14	TARP/COVER LEFT/COVER RIGHT	Open	184.81	0.00		
7041 CARI ECKEL	14-03105	12/01/14	REIMBURSEMENT COACH B-BALL	Open	20.00	0.00		
7044 A SHORE THING CLEANING*	14-03009	11/18/14	FULL SERVICE CLEAN-MILLMAN	Open	175.00	0.00		
7119 ENGINEERING DESIGN ASSOC*	14-03147	12/04/14	ENGINEERING- MATTHEWS	Open	112.00	0.00		
	14-03177	12/09/14	ESCROW ENGINEER L0118Z/L0123	Open	392.00	0.00		
	14-03221	12/11/14	CLUBHOUSE SOUTH NJDOT AID GRNT	Open	800.00	0.00		
	14-03222	12/11/14	NJDOT AID GRANT	Open	800.00	0.00		
					<u>2,104.00</u>			
7142 LINDSAY BECHTLER	14-03112	12/01/14	ZUMBA INSTRUCTOR NOV 2014	Open	225.00	0.00		
7195 PHOENIX ADVISORS, LLC*	14-02245	08/21/14	CONTINUING DISCLOSURE SERVICE	Open	950.00	0.00		
7280 FARO TECHNOLOGIES, INC*	14-02678	10/20/14	UPGRADE FOR CRASH ZONE	Open	1,000.00	0.00		
7282 GSW, GA	14-02727	10/27/14	RETURN UNUSED ESCROW	Open	153.13	0.00		
7298 COPERTINO EARTH MATERIALS LLC*	14-03013	11/18/14	REMOVAL OF COMPOST	Open	7,500.00	0.00		
7302 GUARDIAN TRACKING LLC*	14-03054	11/24/14	2014 EMPLOYEE TRACKING	Open	2,254.00	0.00		
7307 JOHN HANAGAN	14-03157	12/04/14	REIMBURSEMENT- BASKETBALL	Open	10.00	0.00		
7308 JOHN & TERESA ANN GRESKO	14-03175	12/09/14	RES 2014-329 TAX REFUND	Open	540.32	0.00		
7309 WILLIAM & FRANCES SORANNO	14-03176	12/09/14	RESOLUTION 2014-329 TAX REFUND	Open	964.24	0.00		
7310 CORELOGIC REAL ESTATE TAX SER	14-03183	12/09/14	RESOLUTION 14-329 REFUND	Open	1,224.26	0.00		
7311 MARIAH DUFFEY	14-03214	12/10/14	RES 2014-239 REFUND 2014-4 TAX	Open	470.84	0.00		
8201 DIRECT ENERGY BUSINESS	14-03145	12/03/14	ELECTRIC CHARGES 10/17-11/14	Open	10,918.44	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
ACMJ005 ACM JIF, C/O QUAL LYNX	14-02754	10/28/14	RETURN OF W/C OVERPAYMENTS	Open	3,962.16	0.00		
BOSNA KAREN MANETTE BOSNA	14-03111	12/01/14	YOGA INSTRUCTOR NOV 2014	Open	120.00	0.00		
MPHIN MPH INDUSTRIES*	14-02997	11/14/14	BEE III KA BAND DUEL RADAR UNT	Open	12,800.00	0.00		
NJSCO NJ SEX CRIMES OFFICERS ASSOC*	14-02620	10/14/14	TRAINING	Open	165.00	0.00		
OBRIENT TERRENCE O'BRIEN	14-03150	12/04/14	REIMBURSEMENT- COACH-BBALL	Open	15.00	0.00		
SEAGE SEAGEAR MARINE SUPPLY*	14-02763	10/31/14	SUPPLIES FOR RDS/DPW	Open	375.40	0.00		
Total Purchase Orders: 117				Total P.O. Line Items: 0	Total List Amount: 772,113.43	Total Void Amount: 0.00		

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

**RESOLUTION #**

**TITLE: AUTHORIZING THE PAYMENT OF VOUCHERS**

Vendor	PO #	Description	CK	Amount
CHARLIES BURGERS	14-03151	EMPLOYEE SAFETY INCENTIVE	54037	\$1,500.00
AMERIHEALTH ADMIN	14-03104	DEC ADMIN & STOP LOSS	122143	\$38,436.02

Total Manual Checks \$ 39,936.02  
Total Computer Generated \$ 772,113.43

**Total Bill List - \$ 812,049.45**

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I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on December 15, 2014.

*Julie Picard*  
Julie Picard, Township Clerk

	MOTION	SECOND	AYE	NAI	ABSTAIN	ABSENT
CONRAD		X	X			
NEVILLE						X
SIMONSEN	X		X			
CLARK			X			
BECK			X			

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

RESOLUTION # 2014-327

**TITLE: A RESOLUTION URGING ACCESS 1 COMMUNICATIONS AND THE FCC TO KEEP LOCAL CHANNEL NBC 40 ON THE AIR**

**WHEREAS**, NBC 40 has served South Jersey communities for the past 45 years as the only true source of local television news and information; and

**WHEREAS**, the owner of NBC 40, Access 1 Communications, has signed a contract of sale with Local Point Network; and

**WHEREAS**, LPN is purportedly not a television broadcaster and may be solely interested in selling the channel's frequency at an FCC auction; and

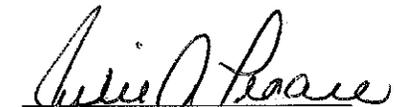
**WHEREAS**, NBC 40 is a vital resource to South Jersey residents in times of dangerous weather conditions while the larger Philadelphia stations do not provide information unique to the circumstances of shore island communities; and

**WHEREAS**, NBC 40 also reports on local area news and sports, bolstering a sense of South Jersey pride; and

**WHEREAS**, it is the opinion of the Township of Lower Council that losing NBC 40 would be a great loss to South Jersey in many ways, but none as important as the vital role it plays in public health, safety and welfare, particularly in weather emergencies.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Township of Lower, County of Cape May, State of New Jersey, that the Township of Lower does hereby implore Access 1 and the FCC to pledge to keep South Jersey's life-saving voice, NBC 40, on the air.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on December 15, 2014.

  
Julie A. Picard, Township Clerk

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

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

RESOLUTION #2014-328

TITLE: A RESOLUTION REQUESTING RELEASE OF MAINTENANCE GUARANTEE FOR SEA BAY ESTATES; BLOCK 753.04, LOT10; ESCROW P04-04-13

WHEREAS, Mark Platzer & Wayne Remster posted a Maintenance Guarantee with the Township of Lower, in the amount of \$17,913.09; and

WHEREAS, the Township Engineer has recommended that the improvements have been properly installed and are presently acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, the Governing body thereof, that the Maintenance Guarantee is released.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on December 15, 2014.

  
Julie A Picard, Township Clerk

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

MEMORANDUM

TO: Township Council

FROM: William J. Galestok, PP,AICP

DATE: December 4, 2014

RE: Release of Maintenance Guarantee  
WRK Construction  
Block 753.04, Lot 10  
Twp. Escrow #P04-04-13  
Resolution #2014-328

The Land Development Ordinance of the Township of Lower, Chapter XVI, Subsection 400-81E, requires that "The governing body shall by resolution, release or declare in default, each Maintenance Guarantee".

Pursuant to the above referenced Subsection 400-81E, Resolution #2014-328 is required to release the Maintenance Guarantee held in trust by the Township of Lower for Sea Bay Estates Major Subdivision.

The required final inspection report, certifying completion, compliance and condition of work, has been received from the Acting Township Engineer, Hatch Mott MacDonald.

The Township Engineer recommends release of the retained \$17,913.09.

WJG:las

att.

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

RESOLUTION #2014-329

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>
196.15	15	Mariah Duffey	Paid twice	470.84
553	36	Corelogic	Paid twice	1,224.26
643	12	Leretta LLC	Paid twice	1,024.17
645	2	John and Teresa Ann Gresko	Paid twice	540.32
719	2 C-410	William & Frances Soranno	Paid twice	946.24

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on December 15, 2014.

  
Julie A Picard, Township Clerk

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

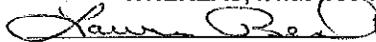
TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION # 2014-330

Title: AUTHORIZATION FOR THE PAYMENT OF COLLEGE CREDITS

WHEREAS, the employee listed below has earned college credits and per union contract the Township will pay employees for those credits earned as determined in their union contracts; and

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

WHEREAS, it has been determined by the Township Treasurer as evidenced by signature  that adequate funding is available for such payment in the 2014 budget for Salaries and Wages.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that payment to Kathryn DelVecchio in the amount of \$460.00 is authorized and chargeable to the 2014 Budget.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on December 15, 2014.

  
Julie A. Picard, Township Clerk

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

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

RESOLUTION # 2014-331

**TITLE: RESOLUTION APPROVING SETTLEMENT OF TAX APPEAL LITIGATION  
KNOWN AS STORAGE QUEST NEW JERSEY LP V. TOWNSHIP  
OF LOWER**

WHEREAS, the Township of Lower (the "Township") is the defendant in real property tax appeal litigation entitled Storage Quest New Jersey LP v. Township of Lower, under Docket No.: 009555-2013 and Docket No.: 009893-2014 (collectively the "Litigation"); and

WHEREAS, the Township Tax Assessor and Township Solicitor have recommended that the litigation be settled in accordance with the proposed Stipulation of Settlement attached hereto as Exhibit A (the "Stipulation"); and

WHEREAS, the Township desires to settle the Litigation in accordance with the Stipulation.

Now, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the Township Solicitor is hereby authorized and directed to settle the Litigation and to execute a stipulation of settlement in substantially the same form as is attached hereto as EXHIBIT A.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on December 15, 2014.

  
Julie A. Picard, Township Clerk

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

EXHIBIT A

# Stavitsky & Associates

ATTORNEYS-AT LAW

LLC

Bruce J. Stavitsky, Esquire - ID no. 020801983  
James T. Ryan, III, Esquire - ID no. 024332010  
Stavitsky & Associates LLC  
350 Passaic Avenue  
Fairfield, NJ 07004  
(973) 227-1912  
Attorneys for Plaintiff

December 8, 2014

**Via First Class Mail & Facsimile 609-784-0999**

Ronald J. Gelzunas, Esq.  
P.O. Box 1288  
7009 Park Boulevard  
Wildwood Crest, New Jersey 08260

**Re: Storage Quest New Jersey LP c/o iStorage v. Lower Township  
Docket NOs.: 009555-2013; 009893-2014**

Dear Mr. Gelzunas:

Please find enclosed a proposed Stipulation of Settlement with respect to the above-referenced matter. If same meets your approval, kindly execute and copy our office on your submission to the Court.

Should you have any questions or require anything further, please contact our office. Thank you for your attention to this matter.

Sincerely,  
  
James T. Ryan III

Encl.

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NEW JERSEY | 350 Passaic Ave. | Fairfield, New Jersey 07004 | phone 973-227-1912 | fax 973-227-1925 | www.proptaxappeal.net  
NEW YORK | 5 Penn Plaza | 23rd Floor | New York, New York 10001 | phone 646-595-7006 | fax 646-378-2001  
PENNSYLVANIA | 196 West Ashland Street | Doylestown, Pennsylvania | phone 267-864-7228 | fax 267-895-1701

PLEASE SEND ALL CORRESPONDENCE PERTAINING TO THIS MATTER TO OUR NEW JERSEY ADDRESS

Ronald J. Gelzunas, Esquire  
 RONALD J. GELZUNAS, LLC  
 P.O. BOX 1288  
 7009 Park Boulevard  
 Wildwood Crest, NJ 08260  
 (609) 889-1411; Fax (609) 784-0999  
 ATTORNEY FOR DEFENDANT

*Plaintiff*

STORAGE QUEST NEW JERSEY LP C/O  
 I STORAGE

v.

*Defendant*

LOWER TOWNSHIP

TAX COURT OF NEW JERSEY

DOCKET NOs. 009555-2013  
 009893-2014

CIVIL ACTION

STIPULATION OF SETTLEMENT

1. It is hereby stipulated and agreed that the assessment for the tax year 2013 of the following property(ies) be adjusted and a judgment be entered as follows:

BLOCK: 410.01  
 LOT: 85  
 STREET ADDRESS: 340 Fulling Mill Road  
 YEAR(s): 2013

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND:	\$763,600	N/A	\$572,700
IMPROVTS:	\$2,673,200	N/A	\$2,327,300
TOTAL	\$3,436,800	N/A	\$2,900,000

2. It is the understanding and agreement of the parties that the agreed assessment of \$2,900,000.00 represents the fair assessable value of the property for tax year 2013.

3. The parties agree that the plaintiff's case under Docket No. 009893-2014 for the tax year 2014 is hereby dismissed with prejudice.

4. The parties stipulate that the Freeze Act will NOT be applicable to this assessment; provided that Defendant agrees that for the year 2015, the assessment will only be increased if there is (1) an improvement which expands the existing physical square footage of the improvements; or (2) a material increase in the rental income due to a change in the occupancy level.

5. The undersigned have made such examination of the value and proper assessment of the property(ies) and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property(ies) as they deem necessary and appropriate for the purpose of enabling them to enter into the stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to this settlement and has concurred.

6. All refunds as a result of the settlement set forth herein are to be credited toward future taxes due.

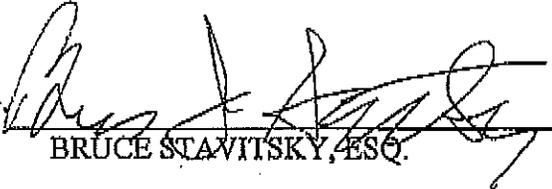
7. Taxpayer agrees to waive prejudgment interest.

8. Based upon the foregoing, the undersigned represent to the Court that the above settlement will result in an assessment at the fair assessable value of the property(ies) consistent with assessing practices generally applicable in the taxing district as required by law.

*SIGNATURE PAGE TO FOLLOW:*

STAVITSKY & ASSOCIATES, LLC  
Attorneys for Plaintiff

Dated: 12/8/14

BY:   
BRUCE STAVITSKY, ESQ.

RONALD J. GELZUNAS, LLC  
Attorneys for Defendant

Dated:

BY: \_\_\_\_\_  
RONALD J. GELZUNAS, ESQ.

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

RESOLUTION #2014-332

**TITLE: RESOLUTION ACKNOWLEDGING THE AWARD TO WOODRUFF ENERGY US, LLC TO PROVIDE NATURAL GAS SERVICES FOR CAPE MAY COUNTY AND COOPERATIVE MEMBERS PARTICIPATING THROUGH THE SOUTH JERSEY POWER COOPERATIVE AGREEMENT**

**WHEREAS**, BY Resolution #2014-128, the Township of Lower approved to participate as a member of the South Jersey Power Cooperative, SJPC, through Camden County to publicly advertised bids for the purpose of procuring natural gas; and

**WHEREAS**, while serving as lead agency, Camden County issued bid specifications for the purchase of natural gas service utilizing consultant Concord Energy Services during the process; and

**WHEREAS**, the South Jersey Power Cooperative has awarded a contract to the lowest responsible bidder, Woodruff Energy US, LLC for natural gas, see Exhibit A

Award to: Woodruff Energy US, LLC  
Service End: November 2016  
Term of Service: 24 Months

**NOW, THEREFORE BE IT RESOLVED** that by this Resolution, the Township of Lower authorizes the South Jersey Power Cooperative (SJPC) to contract with the Woodruff Energy US, LLC natural gas services with Camden County acting as Lead Agency.

**BE IT FURTHER RESOLVED**, that the Township of Lower acknowledges the contract award to Woodruff Energy US, LLC for a 24 month period beginning November, 2014- December, 2016.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on December 15, 2014

  
Julie A. Picard, Township Clerk

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

To: Participating Members of the SJPC  
From: Anna Marie Wright,  
Date: October 17, 2014  
RE: ITB A71-14 Natural Gas Supply Service - Bid Summary and Results  
Cc: V. Molloy, Concord Energy Services  
K. Davis, Concord Energy Services

Camden County, as lead agency for the South Jersey Power Cooperative, is pleased to provide the following summary relative to the procurement of natural gas per ITB A71-14. As the memo below will show, significant savings have been achieved and participants in South Jersey Gas utility are projected to save over \$630,000 annually in the aggregate.

Summary

Bids for retail natural gas supply service were received by Camden County via sealed bid on Thursday, October 16, 2014. This overview provides a summary of the bid information and results. If you have any questions concerning this document, you may feel free to contact either me or Concord Energy Services directly.

Winning Bidder, Contact Information, Service Period and Prices

Winning Bidder: Woodruff Energy US, LLC  
1 Hess Plaza Woodbridge, NJ 07095  
Phone: 732.750.6888 Fax: 732.750.6927  
Kevin George, Government Sales Manager  
kgeorge@hess.com

SJPC Consultant: Concord Energy Services  
520 South Burnt Mill Road Voorhees, NJ 08043  
Phone: 856-427-0200 Fax: 856.427.6529

Service Period:

Service Start: First meter read after November 30, 2014  
Service End: November 2016 (ends with each account's December's 2016 meter read date)  
Term of Service: 24 months

Each Participating Entity shall receive one consolidated bill from their respective utility with a separate line item charge from Woodruff Energy US, LLC for the natural gas supply. Billing for each SJPC Member shall be based upon the applicable Local Distribution Company's (utility) meter readings by location.

Your respective utility will continue to provide the delivery and distribution of the natural gas supply and will continue to bill members for this service. The utility is responsible for maintaining the existing network of wires, pipes and poles that make up the delivery system, which will serve all consumers, regardless of whom they choose to purchase their natural gas supply from.

Invoice payment terms are 20 days.

#### Next Steps:

Attached, please find a copy of the Natural Gas Supply Agreement between the County of Camden and the winning supplier (Woodruff Energy US, LLC.). It is recommended that each participating entity pass a confirming resolution acknowledging the award of the contract. The resolution should include the awarded supplier, bid prices, and term.

#### Ongoing Contract Support

Throughout the term of this contract, you may contact Kristin Davis, Energy Analyst at Concord Energy Services for assistance with contract questions, billing issues and/or general energy related questions. Kristin can be reached at T: 856-427-0200 x 186 or via email at [kdavis@concord-engineering.com](mailto:kdavis@concord-engineering.com).

#### Attachments:

1. Appendix B – Natural Gas Supply Service Agreement
2. Appendix C – Participating Entities and accounts

Bid Pricing:

Firm, Fixed Pricing

Utility	Rate Code	Term (months)	Bid Price
SJG	GSG/GSG-FT	24	\$6.128/dth
SJG	GSG-LV	24	\$5.792/dth
SJG	CTS	24	\$4.506/dth

Camden County did not award any PSEG accounts and will seek new bid pricing for PSEG accounts via ITB#76-14 which will be due on Thursday, November 13, 2014.

Participating Entities and their respective accounts serviced by South Jersey Gas are attached.

Projected Savings by County:

Annual Projected Savings by County						
County	Bid Lot	Historical Annual DTH Usage	Current Contract Rate \$/DTH	Bid Price \$/DTH	Annual Projected Savings	Term Projected Savings
Atlantic	2b	120,293	\$6.99	\$6.128	\$103,692.39	\$207,384.79
	3b	31,935	\$6.99	\$5.792	\$38,258.01	\$76,516.02
	Totals				\$141,950.40	\$283,900.81
Camden	2b	58,258	\$6.99	\$6.128	\$50,218.14	\$100,436.27
	3b	103,752	\$6.99	\$5.792	\$124,294.78	\$248,589.55
	Totals				\$174,512.91	\$349,025.83
Cape May	2b	99,328	\$6.99	\$6.128	\$85,620.65	\$171,241.30
	Totals				\$85,620.65	\$171,241.30
Gloucester	2b	58,174	\$6.99	\$6.128	\$50,145.56	\$100,291.11
	3b	44,079	\$6.99	\$5.792	\$52,806.16	\$105,612.33
	4b	34,881	\$6.99	\$4.506	\$86,644.40	\$173,288.81
Totals					\$189,596.12	\$379,192.25
Salem	2b	15,214	\$6.99	\$6.128	\$13,114.04	\$26,228.07
	3b	9,906	\$6.99	\$5.792	\$11,867.75	\$23,735.49
	Totals				\$24,981.78	\$49,963.57
Cumberland	2b	16,688	\$6.99	\$6.128	\$14,384.97	\$28,769.94
	Totals				\$14,384.97	\$28,769.94
Total Projected Savings All Counties					\$631,046.85	\$1,262,093.69

Billing and Payment Terms:

ITB A71-14 - SIPC Natural Gas Supply Service												
Bid Lot	Start Month	Utility	Rate Code	Agis	Total	Historical Current		Annual Contract Rate \$/DTH	Bid Price \$/DTH	Annual Projected Savings	Term Projected Savings	
						Annual DTH Usage	Annual Contract Rate \$/DTH					
Bid Lot 2b	Dec-14	SIG	GSG		594	367,950	\$6.99	\$6.1280	\$317,173.27	\$634,346.53		
Bid Lot 3b	Dec-14	SIG	GSG-LV		7	189,672	\$5.99	\$5.7920	\$227,226.75	\$454,453.50		
Bid Lot 4b	Dec-14	SIG	CTS		1	34,881	\$5.99	\$4.5060	\$86,644.48	\$173,288.96		
Totals:					602	592,503			\$631,044.49	\$1,262,088.99		

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

RESOLUTION #2014-333

Title: TRANSFER OF 2014 APPROPRIATIONS

WHEREAS, N.J.S.A. 40A: 4-58 provides for appropriation transfers during the last two months of the current fiscal year when it has been determined that any appropriation is insufficient to pay the claims authorized or incurred during the current year, which are chargeable to said appropriation, and there is an excess in any appropriation over and above the amount deemed to be necessary to fulfill its purpose.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, State of New Jersey that the following transfers totaling \$167,500.00 be made between the 2014 budget appropriations:

LINE ITEM			ACCT. NUMBER	FROM	TO
RECREATION	S&W		4-01-28-370-100	20,000.00	
FINANCE	S&W		4-01-20-130-100	10,000.00	
DISPATCH	S&W		4-01-25-250-100	20,000.00	
INSURANCE	OE		4-01-23-220-400	117,500.00	
BOCA	S&W		4-01-22-195-100		1,000.00
ASSESSOR	S&W		4-01-20-150-100		1,000.00
COLLECTOR	S&W		4-01-20-145-100		1,000.00
COURT	S&W		4-01-43-490-100		1,000.00
DPW	S&W		4-01-26-305-100		35,000.00
POLICE	S&W		4-01-25-240-100		126,000.00
B&G	S&W		4-01-20-310-100		2,500.00

167,500.00    167,500.00

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on December 15, 2014.

  
Julie A. Picard, Township Clerk

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

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

RESOLUTION #2014-334

Title: CANCELLATION OF CURRENT APPROPRIATION BALANCES

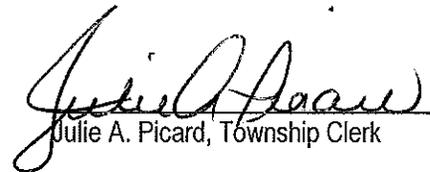
WHEREAS, N.J.S.A. 40A: 4-60 provides for the cancellation of current appropriation balances prior to the end of the fiscal year; and

WHEREAS, it is the recommendation of the Chief Financial Officer that the following budget appropriation be cancelled:

Engineering Salaries and Wages \$60,417.32

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, State of New Jersey that the balance of the current appropriation for Engineering Salaries and Wages in the amount of \$60,417.32 be cancelled to fund balance in order to offset the revenue shortfall from Capital Fund and Escrow Fund Contributions anticipated in the current budget for Engineering salaries and wages that were not required.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on December 15, 2014.

  
Julie A. Picard, Township Clerk

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

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

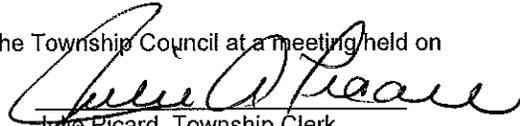
RESOLUTION # 2014-335

TITLE: AUTHORIZING THE PAYMENT OF VOUCHERS

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>CK</u>	<u>Amount</u>
ENGINEERING DESIGN	14-02157	SITE WORK- DPS		\$729.00

Total Bill List \$ 729.00

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on December 15, 2014.

  
Julie Picard, Township Clerk

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

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

RESOLUTION # 2014-336

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

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

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

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

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

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

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

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

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

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

**PROFESSIONAL SERVICE CONTRACTS**

\_\_\_\_\_ (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 December 15, 2014 that an Executive Session closed to the public shall be held on this date at approximately \_\_\_\_\_ P.M. in the Conference Room of the Township Hall, 2600 Bayshore Road, Villas for the discussion of matters relating to the specific items designated above.

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

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on December 15, 2014.

  
Julie A Picard, Township Clerk

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