

**HUNTER**  
TRUCKS • PARTS • SERVICE  
SINCE 1938

The Hunter Family of Companies  
[www.HunterTruckSales.com](http://www.HunterTruckSales.com)

November 26, 2018  
Township of Lower  
2600 Bayshore Rd.  
Villas, NJ 08251

As per the request of your salesman, Chris Turk, we are pleased to offer the following for your consideration. In accordance with Sourcewell Contract# 081716-PMC:

One (1) 2019 or newer model year Peterbilt 367 Tri-axle cab & chassis with an 80,000 lb. GVW:

20,000 lb. front axle & 20,000 lb. front suspension  
46,000 lb. rear axle & rear suspension  
20,000 lb. self-steerable lift axle  
Paccar MX-13 455 HP Diesel Engine  
Allison 4500RDS-P Automatic transmission

Basic One (1) year standard warranty  
Cab & frame rails to have standard 3 year, 300,000 mile warranty  
Engine Standard warranty to be 2 years, 200,000 miles  
Transmission standard warranty to be 3 years, unlimited miles

Total Peterbilt List Price .....\$239,856.00  
41.04% Sourcewell Contract discount.....(\$98,437.00)  
Total Sourcewell price for Peterbilt 567.....\$141,419.00

Options required:

Pre-delivery detail.....\$600.00  
Delivery cost.....\$700.00  
Floor plan cost.....\$1,200.00  
Manuals.....\$500.00  
Spare Front & Rear tire & wheel.....\$1,950.00  
Extended Engine & Aftertreatment Warranty  
& 5 years towing: 5 years, 100,000 miles...\$3,995.00  
Extended Allison Warranty 5 years.....\$1,022.00  
(Sourced Product) BEAU-ROC DUMP  
BODY 18' ' DL' DIAMOND BODY  
54" SIDES X 60" TAILGATE.  
CONSTRUCTION: LIGHT WEIGHT  
UNIBODY - HARDOX 450STEEL.....\$29,325.00

Total cost of options.....\$39,292.00  
Total Delivered Price.....\$180,711.00

Date of Acceptance \_\_\_\_\_  
By: \_\_\_\_\_

Hunter Jersey Peterbilt  
Chris Turk



Hunter Jersey Peterbilt | 524 Monmouth Road | P.O. Box 729 | Clarksburg, NJ 08510  
PHONE: 609-259-5950 FAX: 609-259-7441 TOLL FREE: 866-589-4061

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

RESOLUTION #2019-46

Title: **APPOINTMENT OF LOWER TOWNSHIP CONFLICT HEARING OFFICER AS A PROFESSIONAL SERVICE CONTRACT WITHOUT PUBLIC BIDDING**

**WHEREAS**, the Township of Lower has a need to acquire a conflict Hearing Officer and desires to authorize this appointment using a non-fair and open contract pursuant to the provisions of 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**, Steven Secare, Esq. of the Secare & Hensel Law Firm has provided a proposal to serve as a Hearing Officer for the Township of Lower at a rate of \$150.00 per hour not to exceed \$7,500; and

**WHEREAS**, the Township Council desires to approve the proposal and the CFO has determined sufficient funds will be available in the current budget as follows:

Appropriation #:

CFO Signature:

\_\_\_\_\_  
Lauren Read, CFO

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that a contract without public bidding be awarded to Steven Secare, Esq. to serve as Lower Township's Conflict Hearing Officer on an as-needed basis at a fee of \$150.00 per hour with a not to exceed amount of \$7,500.

**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.

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| ROY      |        |        |     |     |         |        |
| SIPPEL   |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 2, 2019.

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

## AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT, dated the 21<sup>st</sup> day of December, 2018

BETWEEN: **Lower Township,**  
2600 Bay Shore Road  
Villas, NJ 08251  
(hereinafter referred to as LT);

AND: **STEVEN SECARE, ESQ.**  
Secare & Hensel  
16 Madison Avenue  
Toms River, NJ 08753  
(hereinafter referred to as ATTORNEY).

**WHEREAS**, pursuant to law, the parties hereto wish to enter into an agreement for professional services.

**NOW, THEREFORE**, the parties hereunder do agree as follows:

1. The Attorney is hereby retained to serve in the capacity as Hearing Officer for such term as is provided for by this contract and statute.
2. The Attorney shall provide all general legal services required as Hearing Officer.
3. The Attorney shall be paid at the rate of \$150.00 per hour. The total amount charged by Attorney shall not exceed the amount appropriated in the budget for the year 2019.

4. The Attorney shall perform all normal legal services as determined and authorized by LT or other authorized officials in accordance with the terms of this Agreement which shall be provided for by separate agreements with such Attorney, as may be determined.

5. The Attorney shall bill the LT for all services rendered. This includes telephone calls (minimum charge of .2 of an hour), dictating letters (minimum charge of .3 of an hour) and reviewing letters (minimum charge of .2 of an hour).

6. The Attorney shall execute the Affirmative Action Agreement, Exhibit A attached hereto, which shall be incorporated herein by reference.

7. Political Contribution Disclosure. This contract has been awarded in a non-open and fair process as a professional service contract.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first above written.

ATTEST:

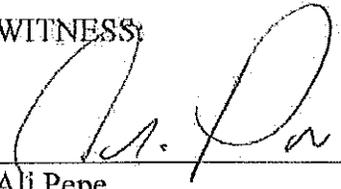
LOWER TOWNSHIP

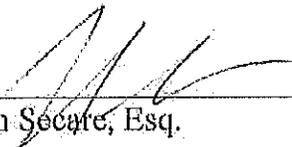
\_\_\_\_\_

By: \_\_\_\_\_

WITNESS:

SECARE & HENSEL

  
\_\_\_\_\_  
Ali Pepe

By:   
\_\_\_\_\_  
Steyen Secare, Esq.

CURRICULUM VITAE OF STEVEN SECARE  
SECARE & HENSEL  
16 Madison Avenue, Suite 1A  
Toms River, New Jersey 08753  
(732) 349-2800

Steven Secare is a certified criminal trial attorney who was recognized by his fellow New Jersey lawyers with Martindale Hubbell's Highest Attorney Rating (AV). He is a former prosecuting Deputy Attorney General and now, among other things, is a criminal defense attorney who has handled a number of high profile cases throughout his career. In 1978 he tried the notorious Royal Manor murder case which was the Asbury Park Press number 1 story of the year. In 1998 he defended the Prom Mom, a case that drew international attention and was the story ranked number 2 for that year by the Asbury Park Press. In 2012 he represented the President of Brookdale Community College which that same newspaper ranked as the number 3 story of the year.

Mr. Secare has been selected by the Supreme Court for over 30 years to be the Secretary to the Ocean County District IIIA Attorney Ethics Committee. He is a past President of the Ocean County Bar Association and he was awarded that Association's highest honor for achievement in 1997. In 2017 Mr. Secare was recognized by New Jersey Monthly Magazine as one of the top lawyers in the State. In the same year he received the New Jersey State Bar Association's Professionalism Award. A combat veteran of the Vietnam War, Mr. Secare has been awarded the New Jersey Distinguished Service Medal.

EMPLOYMENT

1982 to Present

Partner in general practice law firm with emphasis on litigation and local government law. Appearing as a prosecutor, defense attorney and in numerous civil cases as both plaintiff and defense counsel, he has tried over 100 jury trials to verdict and well over 100 non-jury and administrative hearings. He has served as a hearing officer in several municipalities for public employee discipline cases.

Approved Joint Insurance Fund and Municipal Excess Liability Fund defense attorney.

Counsel for the Township of Lakewood  
January 1, 2015 to present

Counsel for Brick Township Planning Board  
January 1, 2014 to present

In addition to his current appointments, Mr. Secare has been Township or Borough Attorney for several municipalities and authorities in Ocean County, as well as the municipal prosecutor for several municipalities.

1973 - 1982

New Jersey Attorney General's Office.  
Employed as a Deputy Attorney General in the  
Trial Section of the Division of Criminal Justice.

## APPOINTMENTS AND ORGANIZATIONS

- Past-President of Ocean County Bar Association 1994-95.
- 1997 Ocean County Bar Association Lawyer of the Year.
- Former Member of New Jersey Supreme Court Committee on Criminal Practice.
- Certified by the Supreme Court of New Jersey as a Criminal Trial Attorney.
- Secretary to the District IIIA (Ocean County) Ethics Committee.
- Arbitrator, Ocean County Automobile Negligence and Personal Injury Arbitration Program.
- Former member of Panels of New Jersey State Commission to Study Post-Traumatic Stress in Vietnam Veterans.
- Member of Brick Township Veterans of Foreign War.
- Member American Arbitration Association.
- Recipient of New Jersey Distinguished Service Medal.

## EDUCATION

Seton Hall Law School  
Newark, New Jersey

Saint Peter's College  
Jersey City, New Jersey  
B.A.

## MILITARY SERVICE

1969 - 1971

Honorable Discharge United States Army  
Served with 23<sup>rd</sup> Infantry Division  
Republic of Vietnam. 1969-1970.



| Vendor # Name                       | PO #     | PO Date  | Description                    | Status | Amount          | Void Amount | Contract | PO Type |
|-------------------------------------|----------|----------|--------------------------------|--------|-----------------|-------------|----------|---------|
| 00870 CHURCH'S GARDEN CENTER AND*   | 18-02059 | 07/27/18 | SOIL FOR SOCCER/FOOTBALLFIELDS | Open   | 197.70          | 0.00        |          |         |
| 00940 COASTAL BROADCASTING*         | 18-03155 | 11/29/18 | CONCERT SERIES 8/1-8/31/18     | Open   | 400.00          | 0.00        |          |         |
| 01219 CONTRACTOR SERVICE*           | 18-03184 | 12/04/18 | PITCH FORKS / RAKES            | Open   | 775.32          | 0.00        |          |         |
| 01480 E-Z PASS                      | 18-02233 | 08/16/18 | E Z PASS SET UP 8/16/18        | Open   | 127.00          | 0.00        |          |         |
| 01641 GALL'S INC*                   | 18-03173 | 12/03/18 | PATROL EQUIPMENT               | Open   | 589.96          | 0.00        |          |         |
| 01657 GOPHER SPORT*                 | 18-03140 | 11/29/18 | SPROUT SPOT EQUIPMENT          | Open   | 338.73          | 0.00        |          |         |
| 01661 GENERAL SALES ADMINISTRATION* | 18-03279 | 12/12/18 | PATROL CAR EQUIPMENT           | Open   | 537.00          | 0.00        |          |         |
| 02027 JESCO INC*                    | 18-03209 | 12/07/18 | FUEL CAP                       | Open   | 112.99          | 0.00        |          |         |
| 02140 KINDLE FORD LINC/MERC., INC.* | 18-03320 | 12/18/18 | RES 18-386 FORD EXPLORER XLT   | Open   | 31,505.00       | 0.00        |          |         |
| 02175 BRUCE KLAUSING                | 18-03334 | 12/19/18 | CONTRACTUAL REIMBURSEMENT M    | Open   | 1,608.00        | 0.00        |          |         |
| 02334 LOWER TWP CHAMBER OF COMMERCE | 18-03243 | 12/10/18 | CHRISTMAS LUNCHEON 12/13/18    | Open   | 60.00           | 0.00        |          |         |
| 02601 ANDREW MCGRAW SR              | 18-03333 | 12/19/18 | CONTRACTUAL REIMBURSEMENT V    | Open   | 303.00          | 0.00        |          |         |
| 03008 NJ DEPT OF TREASURY/FEES      | 18-03185 | 12/04/18 | CLASS B MONITOR 7/1-9/30/2018  | Open   | 2,282.50        | 0.00        |          |         |
|                                     | 18-03186 | 12/04/18 | EXPT COMPOST ANNUAL 7/17-6/18  | Open   | <u>1,015.00</u> | 0.00        |          |         |
|                                     |          |          |                                |        | 3,297.50        |             |          |         |
| 03020 NJ DIVISION OF MOTOR VEHICLES | 18-03317 | 12/18/18 | NEW VEHICLE REGISTRATIONS      | Open   | 120.00          | 0.00        |          |         |
| 03104 NORTHEAST IND.&MARINE SUPPLY* | 18-02095 | 07/31/18 | RDS/RDS/SANT/RECY/SEPT.        | Open   | 1,363.51        | 0.00        |          |         |
|                                     | 18-03160 | 11/30/18 | PLOW EDGE RUBBER               | Open   | <u>410.00</u>   | 0.00        |          |         |
|                                     |          |          |                                |        | 1,773.51        |             |          |         |
| 03172 OFFICE BUSINESS SYSTEMS INC*  | 18-02849 | 11/01/18 |                                | Open   | 813.00          | 0.00        |          |         |

| Vendor # Name                                | PO #     | PO Date  | Description                    | Status | Amount    | Void Amount | Contract | PO Type |
|--|----------|----------|--------------------------------|--------|-----------|-------------|----------|---------|
| 03172 OFFICE BUSINESS SYSTEMS INC* Continued |          |          |                                |        |           |             |          |         |
|  | 18-03031 | 11/15/18 | COURT ROOM SPEAKERS            | Open   | 1,475.00  | 0.00        |          |         |
|  |          |          |                                |        | 2,288.00  |             |          |         |
| 03305 PEDRONI FUEL*                          |          |          |                                |        |           |             |          |         |
|  | 18-03321 | 12/18/18 | NO LEAD GAS                    | Open   | 441.96    | 0.00        |          |         |
| 03427 POLAR BEAR MECHANICAL SERVICES         |          |          |                                |        |           |             |          |         |
|  | 18-03158 | 11/30/18 | REBUILD TACO PUMP-RECREATION   | Open   | 2,488.00  | 0.00        |          |         |
| 03453 QUILL CORPORATION*                     |          |          |                                |        |           |             |          |         |
|  | 18-03022 | 11/15/18 | FIRE BUREAU SUPPLIES           | Open   | 417.24    | 0.00        |          |         |
| 03478 RED THE UNIFORM TAILOR, INC.*          |          |          |                                |        |           |             |          |         |
|  | 18-02731 | 10/18/18 | UNIFORMS                       | Open   | 779.97    | 0.00        |          |         |
| 03518 RIGGINS, INC.*                         |          |          |                                |        |           |             |          |         |
|  | 18-03359 | 12/24/18 | OFF HIGHWAY DIESEL12/13/18     | Open   | 353.11    | 0.00        |          |         |
| 03608 SEAWAVE CORPORATION*                   |          |          |                                |        |           |             |          |         |
|  | 18-03232 | 12/10/18 | HELP WANTED FINANCE CLERK 5/16 | Open   | 141.00    | 0.00        |          |         |
| 03720 SOUTH SHORE BASKETBALL LEAGUE          |          |          |                                |        |           |             |          |         |
|  | 18-03212 | 12/07/18 | REFEREE & LEAGUE FEES          | Open   | 1,575.00  | 0.00        |          |         |
| 03834 CAPE MAY COUNTY TREASURER/HAVE         |          |          |                                |        |           |             |          |         |
|  | 18-03316 | 12/18/18 | COUNTY SHARE IN LIEU TAXES     | Open   | 992.48    | 0.00        |          |         |
| 03954 VAN NOTE-HARVEY ASSOCIATES*            |          |          |                                |        |           |             |          |         |
|  | 17-02751 | 10/25/17 | RES 2017-281 TAX MAP           | Open   | 29,606.63 | 0.00        |          | B       |
| 03969 VERIZON                                |          |          |                                |        |           |             |          |         |
|  | 18-03350 | 12/21/18 | 12/13 TO 1/12/19 LANDLINES     | Open   | 244.72    | 0.00        |          |         |
| 03995 VITAL COMMUNICATIONS, INC.*            |          |          |                                |        |           |             |          |         |
|  | 18-02857 | 11/08/18 | NOTICE OF ASSESSMENT POSTCARDS | Open   | 5,375.30  | 0.00        |          |         |
| 04085 CHRISTOPHER WINTER (EMPLOYEE)          |          |          |                                |        |           |             |          |         |
|  | 18-03387 | 12/27/18 | CONTRACTUAL REIMBURSEMENT M    | Open   | 86.00     | 0.00        |          |         |
| 04089 WIZARD'S FESTIVAL OF FUN, INC*         |          |          |                                |        |           |             |          |         |
|  | 18-02474 | 09/19/18 | NEW YEARS EVE GAME SHOW        | Open   | 2,500.00  | 0.00        |          |         |
| 04097 CINTAS FIRST AID AND SAFETY*           |          |          |                                |        |           |             |          |         |
|  | 18-03289 | 12/13/18 | FIRST AID SUPPLIES BOCA        | Open   | 68.48     | 0.00        |          |         |
|  | 18-03322 | 12/18/18 | FIRST AID SUPPLIES             | Open   | 94.91     | 0.00        |          |         |
|  |          |          |                                |        | 163.39    |             |          |         |
| 05066 MICHAEL REEB                           |          |          |                                |        |           |             |          |         |
|  | 18-03153 | 11/29/18 | DJ FOR PARADES 11/10-12/8/18   | Open   | 300.00    | 0.00        |          |         |
|  | 18-03355 | 12/24/18 | BASKETBALL TOURNAMENT DJ 12/29 | Open   | 250.00    | 0.00        |          |         |
|  |          |          |                                |        | 550.00    |             |          |         |

| Vendor # Name                       | PO #     | PO Date  | Description                    | Status | Amount   | Void Amount | Contract | PO Type |
|-------------------------------------|----------|----------|--------------------------------|--------|----------|-------------|----------|---------|
| 5032 NORTH WILDWOOD \$ CREST SHIRT* |          |          |                                |        |          |             |          |         |
|                                     | 18-03328 | 12/19/18 | TRAVEL BASKETBALL EMBROIDERY   | Open   | 210.00   | 0.00        |          |         |
| 6071 UNITED UNIFORMS LIMITED LIAB*  |          |          |                                |        |          |             |          |         |
|                                     | 18-02737 | 10/19/18 | UNIFORM BRIAN NEILL            | Open   | 508.90   | 0.00        |          |         |
| 7079 SUBURBAN PROPANE L P*          |          |          |                                |        |          |             |          |         |
|                                     | 18-03399 | 12/27/18 | PROPANE-CLEM MULLIGAN PARK     | Open   | 170.36   | 0.00        |          |         |
| 7092 TREASURER, STATE OF NEW JERSEY |          |          |                                |        |          |             |          |         |
|                                     | 18-03358 | 12/24/18 | BFCE REGISTARTION RENEWAL 2018 | Open   | 512.00   | 0.00        |          |         |
| 7119 ENGINEERING DESIGN ASSOC*      |          |          |                                |        |          |             |          |         |
|                                     | 18-03311 | 12/17/18 | PROFESSINAL ENGIN EDA#8285     | Open   | 690.00   | 0.00        |          |         |
| 7199 STAPLES CREDIT PLAN-INSTORE PU |          |          |                                |        |          |             |          |         |
|                                     | 18-02725 | 10/18/18 | OFFICE SUPPLIES                | Open   | 97.69    | 0.00        |          |         |
|                                     | 18-03009 | 11/13/18 | OFFICE SUPPLIES                | Open   | 113.18   | 0.00        |          |         |
|                                     | 18-03035 | 11/16/18 | OFFICE SUPPLIES                | Open   | 3.25     | 0.00        |          |         |
|                                     | 18-03156 | 11/30/18 | PRINTER M402N                  | Open   | 189.99   | 0.00        |          |         |
|                                     | 18-03189 | 12/04/18 |                                | Open   | 148.73   | 0.00        |          |         |
|                                     |          |          |                                |        | 552.84   |             |          |         |
| 7475 SUZANNE M SCHEID               |          |          |                                |        |          |             |          |         |
|                                     | 18-03388 | 12/27/18 | CONTRACTUAL REIMBURSEMNET M/V  | Open   | 64.00    | 0.00        |          |         |
| 7508 BLANEY & KARAVAN PC*           |          |          |                                |        |          |             |          |         |
|                                     | 18-02471 | 09/18/18 | RES18-303 TAX APPEAL DNE \$30K | Open   | 2,321.25 | 0.00        |          |         |
|                                     | 18-03349 | 12/21/18 | TAX APPEAL ATTORNEY            | Open   | 753.25   | 0.00        |          | B       |
|                                     |          |          |                                |        | 3,074.50 |             |          |         |
| 7556 ATLANTIC ENVELOPE COMP, INC*   |          |          |                                |        |          |             |          |         |
|                                     | 18-03233 | 12/10/18 | ENVELOPES FIRE BUREAU          | Open   | 230.50   | 0.00        |          |         |
| 7618 MEGONIGAL ELECTRIC LLC*        |          |          |                                |        |          |             |          |         |
|                                     | 18-03056 | 11/19/18 | REPLACE BREAKER/OHIO PUMP      | Open   | 275.00   | 0.00        |          |         |
| 7636 MOTT MACDONALD LLC*            |          |          |                                |        |          |             |          |         |
|                                     | 18-03310 | 12/17/18 | PROFESSINAL ENGIN #380640ZB17  | Open   | 215.00   | 0.00        |          |         |
|                                     | 18-03312 | 12/17/18 | PROFESSINAL ENGIN #393631PB02  | Open   | 215.00   | 0.00        |          |         |
|                                     | 18-03313 | 12/17/18 | PROFESSINAL ENGIN # 393631PB10 | Open   | 83.10    | 0.00        |          |         |
|                                     | 18-03314 | 12/17/18 | PROFESSINAL EGIN #393631PB09   | Open   | 298.10   | 0.00        |          |         |
|                                     |          |          |                                |        | 811.20   |             |          |         |
| 7826 CASANI CANDY CO. INC*          |          |          |                                |        |          |             |          |         |
|                                     | 18-02476 | 09/19/18 | HALLOWEEN CANDY-TRUCK OR TREAT | Open   | 572.10   | 0.00        |          |         |
| 7828 ELDON VONCOLLN                 |          |          |                                |        |          |             |          |         |
|                                     | 18-03269 | 12/12/18 | REIMBURSEMENT - SUPPLIES - HPC | Open   | 34.99    | 0.00        |          |         |
| 7871 PLANET TECHNOLOGIES, INC*      |          |          |                                |        |          |             |          |         |
|                                     | 18-03338 | 12/21/18 | RENEWAL LTPD EXCHANGE & EMAIL  | Open   | 2,995.68 | 0.00        |          |         |

| Vendor # Name  | PO #                         | PO Date  | Description                | Status | Amount          | Void Amount | Contract | PO Type |
|--|------------------------------|----------|----------------------------|--------|-----------------|-------------|----------|---------|
| 7929   | AMAZON CAPITAL SERVICES, INC |          |                            |        |                 |             |          |         |
|  | 18-03143                     | 11/29/18 | OFFICE SUPPLIES            | Open   | 112.27          | 0.00        |          |         |
|  | 18-03192                     | 12/04/18 | HP 400 PRO FOR COUNTER TAX | Open   | 159.99          | 0.00        |          |         |
|  | 18-03193                     | 12/04/18 | AVERY LABELS - 8 PACK      | Open   | 233.13          | 0.00        |          |         |
|  | 18-03291                     | 12/13/18 | VACUUMS FOR BUILDINGS      | Open   | 407.97          | 0.00        |          |         |
|  | 18-03299                     | 12/13/18 | OFFICE SUPPLIES            | Open   | 79.71           | 0.00        |          |         |
|  | 18-03331                     | 12/19/18 | IPAD 6TH GEN CASE          | Open   | 35.99           | 0.00        |          |         |
|  |                              |          |                            |        | <u>1,029.06</u> |             |          |         |
| 7939   | JANNEY ELECTRIC *            |          |                            |        |                 |             |          |         |
|  | 18-03285                     | 12/13/18 | EMERGENCY WORK-BENNETTS    | Open   | 2,294.00        | 0.00        |          |         |
| 7951   | SEASHORE HOME SUPPLY INC     |          |                            |        |                 |             |          |         |
|  | 18-03242                     | 12/10/18 | PLAQUE FOR HPC             | Open   | 88.50           | 0.00        |          |         |
| 8034   | TYPEWRITERS.COM              |          |                            |        |                 |             |          |         |
|  | 18-03208                     | 12/07/18 | TYPEWRITER                 | Open   | 890.00          | 0.00        |          |         |
| 8035   | LANGUAGE LINE SERVICES INC   |          |                            |        |                 |             |          |         |
|  | 18-03267                     | 12/11/18 | NOVEMBER 27 INTERPRETATION | Open   | 28.99           | 0.00        |          |         |
| 8206   | MARK PRINCE JR               |          |                            |        |                 |             |          |         |
|  | 18-03401                     | 12/27/18 | WRESTLING OFFICIAL         | Open   | 120.00          | 0.00        |          |         |
| 8207   | CJ DURHAM                    |          |                            |        |                 |             |          |         |
|  | 18-03400                     | 12/27/18 | WRESTLING OFFICIAL         | Open   | 120.00          | 0.00        |          |         |
| DUNKI  | DUNKIN DONUTS                |          |                            |        |                 |             |          |         |
|  | 18-03206                     | 12/07/18 | STAFF MEETING              | Open   | 50.59           | 0.00        |          |         |
| NJASRO   | NJASRO                       |          |                            |        |                 |             |          |         |
|  | 18-03240                     | 12/10/18 | TRAINING - 11/5-9/2018     | Open   | 350.00          | 0.00        |          |         |
| SEAGE  | SEAGEAR MARINE SUPPLY*       |          |                            |        |                 |             |          |         |
|  | 18-03055                     | 11/19/18 | RAIN/WINTER JACKETS/DPW    | Open   | 978.48          | 0.00        |          |         |
| <hr/> Total Purchase Orders: 90 Total P.O. Line Items: 0 Total List Amount: 376,435.65 Total Void Amount: 0.00 |                              |          |                            |        |                 |             |          |         |

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

RESOLUTION #2019-47

Title: **AUTHORIZING THE PAYMENT OF VOUCHERS**

| <u>Vendor</u>            | <u>Description</u> | <u>CK #</u>              | <u>Amount</u>               |
|--------------------------|--------------------|--------------------------|-----------------------------|
| Blue Cross & Blue Shield | Dec Med D          | 63804                    | \$ 231.46                   |
|                          |                    | Total Manual Checks      | \$ <u>231.46</u>            |
|                          |                    | Total Computer Generated | \$ 376,435.65               |
|                          |                    | <b>TOTAL Bill List</b>   | <b>\$ <u>376,667.11</u></b> |

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| ROY      |        |        |     |     |         |        |
| SIPPEL   |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on September 5, 2018.

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

TOWNSHIP OF LOWER , COUNTY OF CAPE MAY , STATE OF NEW JERSEY  
RESOLUTION #2019-48

TITLE **AUTHORIZING THE PAYMENT OF VOUCHERS**

| <u>VENDOR</u>                   | <u>DESCRIPTION</u> | <u>AMOUNT</u> |
|---------------------------------|--------------------|---------------|
| USA ABLE LIFE                   | DUE JAN 1          | \$606.41      |
| CAPE MEDIATION                  | DUE JAN 1          | \$2,743.92    |
| CITY OF WILDWOOD                | DUE JAN 1          | \$5,000.00    |
| LOWER FIRE DIST 3               | DUE JAN 1          | \$18,750.00   |
| VOLUNTEERS IN MEDICINE          | DUE JAN 1          | \$7,690.00    |
| BLUE CROSS & BLUE SHIELD        | DUE JAN 1          | \$150.88      |
| NJ STATE HEALTH RETIREES        | DUE JAN 1          | \$34,002.97   |
| NJ STATE HEALTH BENEFITS ACTIVE | DUE JAN 1          | \$190,172.44  |
| EDMUNDS                         | DUE JAN 1          | \$19,425.00   |
| BARBER CONSULTING               | DUE JAN 1          | \$14,500.00   |
| ADVANCE VIDEO & SOUND           | DUE JAN 1          | \$2,400.00    |
| COLLEEN CRIPPEN                 | PETTY CASH         | \$100.00      |
| CHIEF BILL MASTRIANA            | PETTY CASH         | \$500.00      |
|                                 | TOTAL BILL LIST    | \$295,441.62  |

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| ROY      |        |        |     |     |         |        |
| SIPPEL   |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 2, 2019.

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

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

RESOLUTION #2019-49

Title: **A RESOLUTION APPROVING YEAR THREE OF A THREE YEAR INTERLOCAL SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF LOWER AND LOWER TOWNSHIP FIRE DISTRICT # 3**

**WHEREAS**, the Township of Lower adopted Resolution #2016-307 on November 7, 2016 entering into an Inter-local Service Agreement with Lower Township Fire District #3; and

**WHEREAS**, Lower Township Fire District # 3 has agreed to provide additional services to the residents of the Diamond Beach Area of the Township and the Township of Lower has agreed to pay Fire District # 3 a yearly amount for said service as follows:

|      |              |
|------|--------------|
| 2017 | \$ 11,250.00 |
| 2018 | \$ 13,750.00 |
| 2019 | \$ 18,750.00 |

; and

**WHEREAS**, each year of said agreement, Council will adopt a Resolution approving payment for current year and the CFO will certify that sufficient funds will be available in the that current year's budget.

Appropriation #            01-25-260-273

CFO Signature: \_\_\_\_\_  
Lauren Read, CFO

**WHEREAS**, the Agreement is authorized by *N.J.S.A. 40:8A-1 et seq.*

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, in the County of Cape May, State of New Jersey, that year 3 of said agreement is hereby approved to be paid.

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| ROY      |        |        |     |     |         |        |
| SIPPEL   |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 2, 2019.

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

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

RESOLUTION #2019-50

Title: AUTHORIZING PAYMENT OF 2019 COUNTY TAXES (First and Second Quarters)  
AND 2018 ADDED TAXES

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

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

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

WHEREAS, County Tax payments are charged to non-budget appropriation County Tax 9-01-55-910-015 as certified by the Chief Financial Officer \_\_\_\_\_ payable as follows:

\$2,610,758.47 due 2/15/2019

\$2,610,758.47 due 5/15/2019

AND, WHEREAS, County Added Tax payments are charged to non-budget appropriation County Added Tax 9-01-55-910-016 as certified by the Chief Financial Officer \_\_\_\_\_ payable as follows:

\$19,783.49 due 2/15/2019

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

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| ROY      |        |        |     |     |         |        |
| SIPPEL   |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 2, 2019.

Julie A Picard, Township Clerk

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

RESOLUTION #2019-51

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>  |
|--------------|------------|------------------|------------------------------------|-------------|
| 501          | 9.15       | Core Logic       | Prepaid 2018; Core Logic also paid | \$ 2,169.56 |
| 510          | 2.06       | Lerta            | Dis Vet as of 9/29/2018            | \$ 1,518.80 |

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| ROY      |        |        |     |     |         |        |
| SIPPEL   |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 2, 2019.

Julie A Picard, Township Clerk

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

RESOLUTION # 2019-52

Title: AUTHORIZATION FOR THE PAYOUT OF ACCUMULATED SICK TIME

WHEREAS, the employees listed on the attached schedule have accrued sick time due from the Township and per the Township Employee Personnel Policy Manual and/or union contract, the Township will, at the employees request, annually buy back a maximum of five (5) days of unused sick leave in December of any year, from employees who have not used more than the amount of sick days as determined in the manual and/or 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 her signature \_\_\_\_\_ that adequate funding is available for such payment in the 2018 budget for Salaries and Wages.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower that payment to the employees listed on the attached schedule not to exceed the amount of \$ 43,937.26 is authorized and chargeable to the 2018 Budget.

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| ROY      |        |        |     |     |         |        |
| SIPPEL   |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 2, 2019.

Julie A Picard, Township Clerk

| <b>Employee</b>   | <b>Budget Distribution</b> | <b>Hours</b> | <b>Hourly Rate</b> | <b>Total</b>      |
|-------------------|----------------------------|--------------|--------------------|-------------------|
| Eileen Kreis      | 8-01-20-100-101            | 35           | 31.88              | <b>\$1,115.80</b> |
| Jim Ridgway       | 8-01-20-100-101            | 40           | 56.73              | <b>\$2,269.20</b> |
| Karen Fournier    | 8-01-20-120-101            | 35           | 29.84              | <b>\$1,044.40</b> |
| Julie Picard      | 8-01-20-120-101            | 35           | 52.3               | <b>\$1,830.50</b> |
| Colleen Crippen   | 8-01-20-130-101            | 35           | 45.54              | <b>\$1,593.90</b> |
| Lauren Read       | 8-01-20-130-101            | 35           | 57.02              | <b>\$1,995.70</b> |
| Sheila Smith      | 8-01-20-145-101            | 35           | 23.24              | <b>\$813.40</b>   |
| Jen Dowe          | 8-01-20-150-101            | 35           | 48.17              | <b>\$1,685.95</b> |
| Bill Galestok     | 8-01-20-170-101            | 35           | 52.81              | <b>\$1,848.35</b> |
| Lisa Schubert     | 8-01-20-170-101            | 35           | 30.41              | <b>\$1,064.35</b> |
| Don Douglass      | 8-01-20-310-101            | 40           | 26.25              | <b>\$1,050.00</b> |
| Keith Palek       | 8-01-20-310-101            | 40           | 24.96              | <b>\$998.40</b>   |
| Don Arndt         | 8-01-22-195-101            | 35           | 30.76              | <b>\$1,076.60</b> |
| Rose Moore        | 8-01-22-195-101            | 35           | 29.06              | <b>\$1,017.10</b> |
| Gary Playford     | 8-01-22-195-101            | 35           | 44.8               | <b>\$1,568.00</b> |
| Bruce Fournier    | 8-01-28-370-101            | 22           | 24.76              | <b>\$544.72</b>   |
| Phyllis Muldoon   | 8-01-28-370-101            | 35           | 19.56              | <b>\$684.60</b>   |
| Mitch Plenn       | 8-01-28-370-101            | 35           | 40.65              | <b>\$1,422.75</b> |
| Ryan Devine       | 8-01-28-370-111            | 12           | 13.22              | <b>\$158.64</b>   |
| Vernon Kline      | 8-01-28-370-111            | 40           | 13.53              | <b>\$541.20</b>   |
| Rocco Sansone     | 8-01-28-370-111            | 40           | 13.32              | <b>\$532.80</b>   |
| Matthew Schelling | 8-01-28-370-111            | 40           | 11.55              | <b>\$462.00</b>   |
| Dan Sherno        | 8-01-28-370-111            | 40           | 12.05              | <b>\$482.00</b>   |
| Gloria Thomas     | 8-01-28-370-111            | 40           | 11.05              | <b>\$442.00</b>   |
| Matthew Gamble    | 8-01-25-240-121            | 40           | 36.82              | <b>\$1,472.80</b> |
| Brian McEwing     | 8-01-25-240-125            | 40           | 46.02              | <b>\$1,840.80</b> |
| John MacCarter    | 8-01-26-305-101            | 40           | 25.2               | <b>\$1,008.00</b> |
| Kathryn Crecca    | 8-01-26-305-175            | 35           | 22.66              | <b>\$793.10</b>   |
| Linda Thomas      | 8-01-26-305-175            | 35           | 30.04              | <b>\$1,051.40</b> |
| Gary Douglass     | 8-01-26-305-175            | 40           | 50.07              | <b>\$2,002.80</b> |
| Dave Lepor        | 8-01-26-305-175            | 40           | 40.34              | <b>\$1,613.60</b> |
| Tim Fairman       | 8-01-26-305-127            | 40           | 26.7               | <b>\$1,068.00</b> |
| Gerry Finnegan    | 8-01-26-305-155            | 40           | 34.07              | <b>\$1,362.80</b> |
| Robert Thomas III | 8-01-26-305-155            | 40           | 28.71              | <b>\$1,148.40</b> |
| Nick Jasinski     | 8-01-26-305-134            | 40           | 16.74              | <b>\$669.60</b>   |

|                   |                 |    |             |                    |
|-------------------|-----------------|----|-------------|--------------------|
| Chris Kervran     | 8-01-26-305-134 | 40 | 16.74       | <b>\$669.60</b>    |
| Ray Small         | 8-01-26-305-134 | 40 | 26.05       | <b>\$1,042.00</b>  |
| Alec Vanderlinden | 8-01-26-305-134 | 40 | 17.32       | <b>\$692.80</b>    |
| Tom Solenski      | 8-01-26-305-195 | 40 | 31.48       | <b>\$1,259.20</b>  |
|                   |                 |    |             |                    |
|                   |                 |    |             |                    |
|                   |                 |    |             |                    |
|                   |                 |    | Grand Total | <b>\$43,937.26</b> |

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

ORDINANCE #2019-01

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-15.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Township Council of the Township of Lower in the County of Cape May finds it advisable and necessary to increase its CY 2018 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Township of Lower hereby determines that a 3.5% increase in the budget for said year, amounting to \$787,828.57 in excess of the increase in final appropriations otherwise permitted by the Local Government Cape Law is advisable and necessary; and,

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

**NOW THEREFORE BE IT ORDAINED**, by the Township Council of the Township of Lower, in the County of Cape May, a majority of the full authorized membership of this governing body affirmatively concurring, that in the CY 2019 budget year, the final appropriation of the Township of Lower shall, in accordance with this ordinance and N.J.S.A. 40A: 4-15.14, be increased by 3.5% amounting to \$787,828.57, and the CY 2019 municipal budget for the Township of Lower be approved and adopted in accordance with this ordinance.

**BE IT FURTHER ORDAINED**, that any amount authorized hereinafter that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

\_\_\_\_\_  
David Perry, Councilmember

\_\_\_\_\_  
Roland Roy, Councilmember

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

\_\_\_\_\_  
Erik Simonsen, Mayor

Introduced: January 2, 2019

Adopted:

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

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

ORDINANCE #2019-02

Title: **AN ORDINANCE AMENDING CHAPTER 600-6, TOWING AND STORAGE, TOWING AND STORAGE FEE SCHEDULE, OF THE CODE OF THE TOWNSHIP OF LOWER**

**WHEREAS**, Chapter 600, Towing and Storage, of the Code of the Township of Lower provides, pursuant to N.J.S.A. 40A:11-5(1)(u), for the creation of a list of licensed towing contractors authorized to provide towing and storage services to the public, the Township and Police Department on an equitable rotating basis in a safe, efficient, and convenient manner, and it also establishes, pursuant to N.J.S.A. 40:48-2.49, regulations which set towing and storage rates and which govern towing contractors engaged in the business of towing and storing vehicles within the jurisdiction of the Township; and

**WHEREAS**, Lower Township Council wishes to amend Chapter 600 of the Township Code in order to revise section 600-6 in order to better define and regulate the applicable fee schedule for daily storage services.

**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.** Chapter 600-6(a)(3), Towing and storage fee schedule, is hereby amended as follows:

(3) The following is the daily fee schedule for storage services:

(a) Inside building: \$30 per day.

(b) Outside secured facility: \$25 per day.

(c) Storage within a lot owned by the Township: \$20 per day. However, the accrual of storage fees on Township owned lots will be limited to a period of one (1) week. In the event the vehicle is thereafter towed to an inside building or outside secured facility owned, managed and/or maintained by an outside contractor, towing company, or towing contractor it shall be permitted to charge the fees set forth within sections (a) and (b) herein.

**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

Introduction: January 2, 2019

\_\_\_\_\_  
David Perry, Councilmember

Adoption:

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

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

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

\_\_\_\_\_  
Erik Simonsen, Mayor

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

RESOLUTION #2019-53

Title: APPOINTMENT OF CLASS III MEMBER TO THE PLANNING BOARD

WHEREAS, the term of Councilman Roland Roy, Jr., Class III Member on the Lower Township Planning Board, expired on Dec. 31, 2018.

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 re-appointment to the Lower Township Planning Board is hereby confirmed.

| <u>Name</u>     | <u>Type/Class</u> | <u>Exp. Date</u> |
|-----------------|-------------------|------------------|
| Roland Roy, Jr. | Class III         | 12-31-2019       |

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| ROY      |        |        |     |     |         |        |
| SIPPEL   |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 2, 2019.

Julie A Picard, Township Clerk

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

RESOLUTION # 2019-54

Title: **RESOLUTION DESIGNATING THE LOWER TOWNSHIP RESCUE SQUAD, INC. AS THE PROVIDER OF EMERGENCY MEDICAL SERVICES IN LOWER TOWNSHIP**

**WHEREAS**, the Lower Township Rescue Squad ("Rescue Squad"), since its inception in 1950, had the purpose of providing high quality rescue and emergency medical services to the residents of and visitors to the Township of Lower ("Township"); and

**WHEREAS**, the Rescue Squad has provided these services for the Township and the Township desires to continue its relationship with the Rescue Squad and to look to the Rescue Squad for the provision of all of its ambulance, rescue and emergency medical services ("Emergency Services"), except as otherwise set forth herein; and

**WHEREAS**, the Township desires to formalize and clarify its relationship with the Rescue Squad to insure that it is conducted pursuant to all applicable laws, and to establish clear lines of responsibility and division of authority between the Township and the Rescue Squad, as well as to make clear that the Rescue Squad is an entity separate and apart from the Township.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of Lower, in the County of Cape May, State of New Jersey, that the Township hereby recognizes and designates the Rescue Squad as the primary provider of Emergency Services for the Township subject to the following terms and conditions:

1. Pursuant to N.J.S.A. 40:5-2, The Township will take all formal steps necessary to voluntarily contribute the sum of SEVENTY THOUSAND (\$70,000.00) DOLLARS per annum to the Rescue Squad retroactive to the beginning of the year 2019, which payment shall be in two (2) installments: one in the amount of THIRTY-FIVE THOUSAND (\$35,000.00) DOLLARS due on or before June 3, 2019 and the second in the amount of THIRTY-FIVE THOUSAND (\$35,000.00) DOLLARS due on or before November 4, 2019. In the event the Township designates and recognizes the Rescue Squad as the provider of Emergency Services in the Township beyond one (1) year from the effective date of this Resolution, the payments will continue on or about the same days of the following year(s).

2. In addition to the financial contributions referenced in paragraph 1 above, the Township shall further provide gasoline and supplies for equipping the Rescue Squad's ambulance vehicles and facility in an amount not to exceed an additional THIRTY-FIVE THOUSAND (\$35,000.00) DOLLARS for each calendar year thereafter, subject to approval by Council at the beginning of each such year. Such amount will be paid from time to time over the course of the fiscal year based upon the submission of vouchers for either reimbursement to the Rescue Squad or payments directly to third party vendors, in accordance with the purchasing guidelines of the Township and subject to all other applicable laws.

Appropriation # 01-25-260-272

CFO Signature: \_\_\_\_\_  
Lauren Read, CFO

3. Each year the Rescue Squad shall provide the Chief Financial Officer of the Township an audit performed by a certified public accountant or registered municipal accountant of the Rescue Squad's financial records which audit shall certify to the Governing Body of the Township that such records are being maintained in accordance with sound accounting principles, as also required by N.J.S.A. 40:5-2.

4. The Rescue Squad shall operate as an entity separate and apart from the Township. Except for the voluntary contribution referred to in Paragraph 1 above and the other in-kind contributions as set forth below,

the Rescue Squad shall be responsible for all other financial and administrative matters regarding its operations including, without limitation, fund-raising, billing, training, bookkeeping, and management, which such matters shall not be the responsibility of the Township. Furthermore, the Rescue Squad shall maintain title to and ownership of all vehicles, as well as title to any other property and/or facilities it currently owns, or should hereafter acquire.

5. The Rescue Squad shall further provide the Township, the Lower Township Board of Education and any other agencies within the Township, upon the Township's request, with standby ambulance services at Township or other governmental functions such as parades, school sporting events, and the like, to the extent available.

6. It is the intention of this Resolution to express the parties' belief that the relationship between the Rescue Squad and Township continue in such a fashion that the relationship will provide the citizens of the Township with the highest quality of Emergency Services in the manner most efficient and most economical to the Township, and in the best interest of the public health, safety and welfare of the Township's citizens.

7. The Rescue Squad shall, at all times, conduct its business and provide the Emergency Services and other services hereunder in strict accordance with all applicable federal, state and local laws including, without limitation, Medicare, Medicaid and other applicable health and welfare laws.

8. The Rescue Squad must, at all times, maintain adequate insurance in such amounts and with such types of coverage as required by the State and/or Township pursuant to Chapter 115 of the Code of Lower Township and shall name the Township as an additional insured on all such policies, and shall provide proof of such insurance to the Township.

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| ROY      |        |        |     |     |         |        |
| SIPPEL   |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 2, 2019.

Julie A Picard, Township Clerk