

WORK SESSION & REGULAR MEETING OF THE LOWER TOWNSHIP COUNCIL

JANUARY 2, 2013 - 6:00 P.M.

Meeting called to order.

Opening Announcement

Presentation of Colors :Jonathon Clark & Harrison Clark; Cape May County Composite Squadron Civil Air Patrol

Pledge of Allegiance: Jackson Von Savage & Jackson Sole

Invocation - Assistant Pastor Clinton Jones

Swearing in of Mayor Beck by Senator Jeff Van Drew

Swearing in of Deputy Mayor Clark by Senator Jeff Van Drew

Roll Call & Determination of Quorum

Work Session

Consent Agenda

- Approval of Minutes December 17, 2012
- Membership Applic. NJ State Fireman's Association - Jeffrey S, Johnson; Victoria C. Betham & Zackery Muchler
Townbank Volunteer Fire Co.
- Res. # 2013-01 Appointment of Municipal Solicitor for the year 2013 Without Public Bidding (Charles Sandman)
- Res. # 2013-02 Appointment of Municipal Auditor for the year 2013 Without Public Bidding (Ford, Scott & Associates, LLC not to exceed \$40,000.)
- Res. # 2013-03 Appointment of Bond Counsel for the year 2013 Without Public Bidding (Parker/McCay)
- Res. # 2013-04 Appointment of Municipal Prosecutor for the Year 2013(Ron Gelzunas \$20,500.)
- Res. # 2013-05 Appointment of Municipal Public Defender for the Year 2013(Victoria Roach \$11,200.)
- Res. # 2013-06 Annual Appointment of Emergency Management Council (annual required appointments)
- Res. # 2013-07 Appointment of Class III Member to the Planning Board (Deputy Mayor Norris Clark)
- Res. # 2013-08 Confirmation of Officials for Joint Insurance Fund and Municipal Excess Liability Fund (annual resolution required by Joint Insurance Fund)
- Res. # 2013-09 Confirmation of Appointment of Gary Douglass, Emergency Management Coordinator and Eileen Kreis, Emergency Management Deputy Coordinator
- Res. # 2013-10 Establishment of Council Meeting Dates and Times (1st & 3rd Mondays except holidays)
- Res. # 2013-11 Setting the Interest Rate for Delinquent Taxes (Statutorily regulated)
- Res. # 2013-12 Designation of Official Depositories (annual resolution listing authorized depositories & officials for signing)
- Res. # 2013-13 Designation of Official Newspapers for Legal Advertising for the Year 2013 (Star&Wave & Herald)
- Res. # 2013-14 Authorizing Payment of 2013 Debt Service (annual resolution authorizing required debt service payments for 2013)
- Res. # 2013-15 Annual approval of Petty Cash Funds (Police Dept. & Treasurer's Office)
- Res. # 2013-16 Adopting Cash Management Plan (annual required resolution)
- Res. # 2013-17 Resolution to Defer the Regional School Tax (annual resolution)
- Res. # 2013-18 Adopting 2013 Temporary Current Budget (annual resolution authorizing temporary budget to be used until final adopted budget)
- Res. # 2013-19 Approving 2013 Contract with Cape Assist (annual renewal of EAP Program)
- Res. # 2013-20 Authorizing Clerk to Issue Bingo & Raffle Licenses Throughout the Year to Qualified Organizations
- Res. # 2013-21 Designation of Public Agency Compliance Officer for the Township fo Lower (annual resolution)
- Res. # 2013-22 Authorization for Public Bidding (annual resolution for bidding throughout the year)
- Res. # 2013-23 Authorization for Payout of Accumulated Sick Time (annual resolution pursuant to contract for qualifying employees- 31 employees \$30,685.06)
- Res. # 2013-24 Authorizing Pay Out of Terminal Leave (Gayle Crookston \$6,804.77)
- Res. # 2013-25 Authorization for the Payout of Accumulated Compensatory Time (E.Edwards \$2,413.28)
- Res. # 2013-26 Authorization for the Payout of Accumulated Compensatory Time (M.Plenn \$600.06)
- Res. # 2013-27 Transfer of 2012 Appropriations (\$15,920.)
- Res. # 2013-28 Payment of 2012 Vouchers \$ 141,929.02

Res. # 2013-29

Payment of 2013 Vouchers \$2,928,286.93

Swearing in of Township Solicitor Charles W. Sandman III

Regular Agenda

Res. # 2013- 30

Designating the Lower Township Rescue Squad, Inc. as the Provider of Emergency Medical Services in Lower Township (annual resolution - sets contribution amounts and pymt dates)

Council Comments

Call to the Public

Adjournment

PUBLIC INFORMATION

ANNUAL DOG LICENSES DUE. Any dog over 6 months, must be licensed. Proof of rabies vaccination required. If spayed/neutered, vet certificate required. Fee \$7.20 if not spayed/neutered and \$4.20 if spayed/neutered

YARD SALE LICENSES - Required for all yard, sales, attic sales, garage sales etc. Permit fee \$5.00 for two consecutive days and choice of rain date. Three permits permitted per year to a residence/person.

ALL RENTAL PROPERTIES REQUIRE LICENSE - All rentals, commercial or residential, whether yearly, seasonal or weekly require a mercantile license. R.E. Taxes must be current. Residential rental properties owners may be subject to license revocation for actions of their tenants. Detailed info and applications available in the Clerk's Office or by calling 886-2005.

Regular & Work Session Meeting Minutes - December 17, 2012

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on December 17, 2012 at 6:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

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

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

Councilmember Thomas Conrad
Councilmember James Neville
Councilmember Glenn Douglass
Deputy Mayor Kevin Lare
Mayor Michael Beck

Also present: Bill Blaney, Solicitor, Michael Voll, Manager and Karen Fournier, Clerk's Office

Presentation - Lower Township Raiders

Deputy Mayor Kevin Lare, Assistant Coach for the Lower Township Raiders Football Team, spoke briefly about the team's sponsorship, competition and level of commitment. As a coach and parent, he expressed his joy in watching them celebrate their achievements.

Mayor Beck and Council presented the Lower Township Raiders with a certificate of achievement and introduced all participating coaches and players.

Frank Simonson, head coach, honorably accepted the certificate on behalf of the Lower Township Raiders football team, coaches and parents.

Presentation – Certificates of Appreciation

Mayor Beck and Council presented Certificates of Appreciation to the many people and businesses in our community who helped out during and after superstorm Sandy. He stated that we survived this storm due to the grace of God and the selfless actions and support from the people of our community including (but not limited to) Community Emergency Response Team members, Nurses, Lower Township Rescue Squad, Villas, Townbank and Erma Volunteer Fire Companies, Lower Township Community Response Team, and countless individuals. See attached list of recipient's names.

Claire Juechter, on behalf of the Community Emergency Response Team, stated that she was pleased to help Lower Township. She also clarified the role of their team members - not as first responders, but trained helpers to supplement the great work that the first responders do during emergencies.

Richie Haron, Chief of Villas Fire Company, informed that all three fire companies reprogrammed their sirens for 2013 to silence from 11:00 p.m. – 6:00 a.m., in response to the noise ordinance. He also made a recommendation to Mayor and Council regarding the incident action plan.

Regular & Work Session Meeting Minutes - December 17, 2012

Erica Young spoke on behalf of herself, Heather Gray and Deanna Wareham to summarize the community's generous response to their facebook outreach.

Closed Session

Res. #2012-285 Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12 (Contract Update)

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | X | X | | | |
| NEVILLE | | | X | | | |
| DOUGLASS | X | | X | | | |
| LARE | | | X | | | |
| BECK | | | X | | | |

Council adjourned to executive session at 6:26 p.m.

Council returned to open session at 6:38 p.m.

Work Session

Review of Consent & Regular Agenda Items

Consent Agenda

Approval of Minutes December 3, 2012
 Membership Applic. NJ State Fireman's Association - Christopher J. Winter, Jr. Townbank Volunteer Fire Co.

Res. #2012-286 Payment of Vouchers, \$826,606.89

Res. #2012-287 Authorization for 2012 Incentive Award for Insurance (J. Saunders \$ 4,000.00)

Res. # 2012-288 Transfer of 2012 Appropriations (\$13,200.00)

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | X | | | |
| NEVILLE | | X | X | | | |
| DOUGLASS | X | | X | | | |
| LARE | | | X | | | |
| BECK | | | X | | | |

Regular & Work Session Meeting Minutes - December 17, 2012

Regular Agenda

Res. # 2012-289

A Resolution To Ratify The Memorandum of Understanding Between Lower Township and the Lower Township Supervisors Union

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | X | X | | | |
| NEVILLE | X | | X | | | |
| DOUGLASS | | | | | X | |
| LARE | | | X | | | |
| BECK | | | X | | | |

Res. # 2012-290

A Resolution Authorizing Increases for Non Union Employees

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | X | | | |
| NEVILLE | | X | X | | | |
| DOUGLASS | X | | X | | | |
| LARE | | | X | | | |
| BECK | | | X | | | |

Ord. # 2012-22

An Ordinance Amending Chapter 400 of the Revised General Ordinances of the Township of Lower 2012 (to allow dune construction without review of Planning Board) 2nd reading and public hearing

Kathleen Arena, 5 Beach Ave, addressed Council regarding the devastation to her property from superstorm Sandy. On behalf of the homeowners in her area, she requested permission to move sand back up to the dunes. Mayor Beck advised that Ord. # 2012-22 will allow homeowners to deal directly with the Department of Environmental Protection for dune construction without prior review of the Township Planning Board. Deputy Mayor Lare informed Ms. Arena that the DEP has set up a storm emergency response unit specifically to handle such requests. He instructed her to contact the DEP and offered her a contact name if interested. Upon further discussion, Mayor Beck suggested Ms. Arena leave her phone number with Manager Mike Voll for updated information from the Township on this matter.

David Brand, Erma, addressed Council with his concern about Ordinance #2012-22 eliminating the review process of the Township Engineer. Mayor Beck stated that Council followed the recommendation of the

Regular & Work Session Meeting Minutes - December 17, 2012

Planning Director, Bill Galestok. Solicitor Bill Blaney, clarified the DEP's stringent review process and explained that the ordinance is specific to bulkheads and dunes. Councilmember James Neville agreed that the DEP has strict guidelines and ultimately the final approval, therefore urging Council to move forward with the adoption of the ordinance.

Robert Marino, 13 Beach Ave, addressed Council to stress the need for the adoption of this Ordinance to allow immediate relief to homeowners along the beach in the event of another storm.

| | | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|---|--------|-----|-----|---------|--------|
| CONRAD | X | | X | | | |
| NEVILLE | | X | X | | | |
| DOUGLASS | | | X | | | |
| LARE | | | X | | | |
| BECK | | | X | | | |

Administrative Reports

Department Monthly Reports - Construction, Dog Licensing, Engineer, Municipal Clerk, Municipal Court, Tax Collector, Treasurer, Vital Statistics

Council Comments

Councilmember Conrad wished everyone a Merry and Blessed Christmas.

Councilmember Neville wished everyone a Merry Christmas and encouraged them to stay safe.

Councilmember Douglass wished everyone a safe and Merry Christmas, and reminded us to pray for those up north, especially the families of the Connecticut shootings. He also commented on the success of the Lower Township Rotary Christmas Parade.

Deputy Mayor Lare agreed on the success of the parade and informed that the Raiders won first place in the parade for their float commemorating their championship season. He also wished everyone a Merry Christmas and a happy New Year.

Mayor Beck commented on the success of the parade and reminded us of the great need for prayer. He wished everyone a Merry Christmas and announced the New Year's Eve party at the Recreation Center from 6:00 – 9:00 p.m.

Regular & Work Session Meeting Minutes - December 17, 2012

Call to the Public

Fred Long, Cold Spring, addressed Council regarding sand replenishment programs. He recommended that Council look into getting sand for the bay side of Lower Township.

Mayor Beck replied that he has been in touch with Senator Menendez's office with regard to this matter. It may be some time before we have any answers.

Steve Sheftz addressed Council to inform the public of two important meetings regarding water allocation. He urged that we make ourselves available to attend the meeting on Wednesday at 4:00 with the DEP in an effort to support getting good water to this Township.

Mayor Beck agreed with Mr. Sheftz on the importance of this issue and encouraged everyone to be there.

Closed Session

Res. #2012-291 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 (Employment Relationships)

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | X | | X | | | |
| NEVILLE | | | X | | | |
| DOUGLASS | | X | X | | | |
| LARE | | | | | X | |
| BECK | | | X | | | |

Adjournment

Council returned to open session and there being no further comment, motion to adjourn moved by Councilmember Neville, seconded by Councilmember Douglass. Meeting adjourned at 8:13 p.m. by verbal "ayes".

Mayor

Township Clerk

Approved:

CERT MEMBERS

Linda Bowker
Joan Koeck
Cynthia Craft
Cathy Harron
Colleen Hendrickson
Rick Kraus
Dennis Maloney
Bill Craft
George Strayline
Paul Bowker
Claire Juechter
Rich Sambenedetto

NURSES

Penny Becica Kraus, RN
Cathy Betham, RN
Cheneen Austin, RN
Barb Duffy, LPN

LOWER TWP RESCUE

Patricia Brannon
Brittany Conrad

FIRE COMPANIES

Villas Volunteer Fire Company
Townbank Volunteer Fire Company
Erma Volunteer Fire Company

Lower Township Rescue
Lower Township Community Response Team

COLLECTIONS

Heather Gray
Erica Young
Deanna Wareham

Scott & Julie Lindholm

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

RESOLUTION #2013- 01

TITLE: APPOINTMENT OF MUNICIPAL SOLICITOR FOR 2013 WITHOUT PUBLIC BIDDING

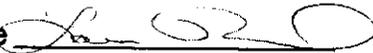
WHEREAS, the Township of Lower ("Township") has a need to acquire legal counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Township has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, Charles W. Sandman, III has submitted a proposal indicating that he will provide the goods or services described hereinabove for a total price not to exceed \$125,000. for the year; and

WHEREAS, the CFO has determined sufficient funds are available in the current budget as follows:

Appropriation # 3-01-20-155-200 Signature 

WHEREAS, Charles W. Sandman, III has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Township of Lower in the previous one year, and that the contract will prohibit him from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lower hereby appoints Charles W. Sandman, III as Solicitor and approves the contract with Charles W. Sandman, III for the goods and services described above.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that a notice of Award of Professional Contract for the above appointment shall be published in the official Township paper.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council at a meeting held on January 2, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

TOWNSHIP OF LOWER

CONTRACT FOR PROFESSIONAL SERVICES FOR SOLICITOR

THIS AGREEMENT made as of the 2nd day of January 2013, by and between THE TOWNSHIP OF LOWER, a municipal corporation of the State of New Jersey (hereinafter referred to as "Township") and CHARLES W. SANDMAN, III, ESQUIRE, an attorney-at-law of the State of New Jersey, of the Law Firm of Charles W. Sandman, III, having an office at 18 N. Main Street, Cape May Court House, New Jersey 08210 (hereinafter referred to as "Township Solicitor").

WITNESSETH:

WHEREAS, pursuant to Resolution adopted by the Township Council on the 2nd day of January, 2013, Charles W. Sandman, III, Esquire was appointed Township Solicitor for the Township of Lower, for a period of one (1) year.

WHEREAS, said appointment was made without competitive bidding in accordance with the provisions of the Local Public Contracts Law of the State of New Jersey which nevertheless requires the execution of a written contract; and

WHEREAS, the Chief Financial Officer of the Township of Lower has certified the availability of funds for the purposes hereof through an adequate appropriation in the municipal budget for the current year.

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties hereto agree as follows:

1. **APPOINTMENT**: The Township hereby employs Charles W. Sandman, III, Esquire as its Township Solicitor in accordance with Code 3-8 (B)(5)(a)(2), for a period of one (1) year to commence on January 2, 2013.

2. **MONTHLY STIPEND**: Township shall pay to the Law Firm of Charles W. Sandman, III (the "Law Firm") the sum of Fifty Thousand Dollars payable in equal monthly amounts on or before the 15th day of each month, as compensation for day-to-day municipal attorney functions. In consideration of the monthly stipend, The Solicitor agrees

- (a) To attend regular and special meetings of the Township Committee;
- (b) To prepare Resolutions and Ordinances as necessary;
- (c) To receive, review and respond to, in consultation with the Township, on matters of law, all correspondence pertaining to the Township's day-to-day operations and all questions from the Township Committee, Mayor and Manager and such other Township officers, employees and agents in consultation with the Township Manager;
- (d) To review agenda items for legal issues and advise as to applicable privileges and/or legal requirements relevant to such items;
- (e) To assist the Township Clerk in connection with duties under the Open Public Records Act, unless such assistance is approved by Township Manager as an extraordinary service as detailed below.
- (f) To review, research and render such written and/or verbal legal opinions as the Township may require on matters related to the day-to-day operation of the Township;

- (g) To review as to form all documents related to bonding procedures;
- (h) To review as to form and sufficiency, all documents related to the public bidding process for individual projects and render an opinion thereon for purposed of awarding or rejecting bids;
- (i) To field and respond to questions of land use law from the Zoning Officer;
- (j) To keep abreast of current legal changes and issues affecting the Township of Lower and to make recommendations to the Township with regard to same;

3. **EXTRAORDINARY SERVICES OUTSIDE OF MONTHLY**

STIPEND: In the event that Attorney is called upon to carry out services on behalf of the Township in addition to those detailed at #2 above, including but not limited to preparation of real estate documents including deeds and easements for the Township of Lower (Attorney to be compensated at the rate of \$150.00 per document), legal research projects, extraordinary consultations with internal and outside professionals and/or agencies, dealings with the media on legal issues, attendance and/or participation at extraordinary meetings, hearings, information sessions on behalf of the Township and/or assisting the Manager in extraordinary matters outside of the day-to-day operation of the Township, Attorney shall submit an outline of such services to the Township Manager and, subject to approval of same in accordance with Township policy, shall be compensated for such extraordinary services at the rate of \$125.00 per hour, together with reimbursement for reasonable associated costs, if any, payments to be handled as form 1099 compensation.

4. **LITIGATION:** Attorney shall be litigation counsel for the Township and shall handle all aspects of general litigation that is not assigned to the ACJIF and shall,

under this section, serve as liaison between the Township and any and all other legal professionals representing the Township. Attorney shall be compensated at a rate of \$125.00 per hour in fees and shall be reimbursed for all reasonable and associated costs and expensed for all litigation related work. Litigation shall be deemed commenced upon the Township being informed by a potential adversary of circumstances that may lead to suit against the Township. Attorney will keep the Manager and Council advised as necessary and payment to Attorney shall be handled as form 1099 compensation.

5. **TAX APPEALS:** As required by law, Attorney shall be designated as the Attorney for the Tax Assessor in any tax appeal matters and shall be compensated as for litigation.

6. The Township shall have no responsibility to provide items generally regarded to be included in the overhead costs of a law practice.

7. The Township shall not be required to furnish any medical hospitalization or major medical coverage to the Township Solicitor.

8. The Township Solicitor's law office shall provide workmen's compensation and disability insurance for any employees of the Law Firm.

9. The term of this Agreement shall be from the 2nd day of January, 2013, until the first meeting of the Township Council in 2014. This Agreement may be extended upon the written execution thereof by all parties and in accordance with law.

10. Any controversy or claim arising out of or relating to the interpretation of this contract shall be settled by arbitration in Cape May County under the laws of the State of New Jersey before an arbiter chosen by the American Arbitration Association;

the decision of the arbiter shall be final and binding upon both parties and any award made by the arbiter may be entered as a Judgment in any Court of competent jurisdiction.

11. This contract has been awarded to Charles W. Sandman, III, Esquire, based on his merits and abilities to provide the goods and services as described herein. This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.5. As such, the undersigned does hereby attest that Charles W. Sandman, III, Esquire, his subsidiaries, assigns or principals controlling in excess of 10% of the company he works for has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect his eligibility to perform this contract, nor will he make a reportable contribution during the term of the contract to any political party committee in the municipality if a member of that political party is serving in an elective public office of that municipality when the contract is awarded, or to any candidate committee of any person serving in an elective public office of that municipality when the contract is awarded.

12. During the performance of this Agreement, the Township Solicitor agrees as follows:

a. The Township Solicitor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status or sex. The Township Solicitor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment without regard to their age, race, creed, color,

national origin, ancestry, marital status or sex. Such action shall include, but not be limited to, the following: (i) employment, upgrading, demotion, or transfer; (ii) recruitment or recruitment advertising; (iii) layoff or termination; (iv) rates of pay or other forms of compensation; and (v) selection for training, including apprenticeship. The Township Solicitor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this non-discrimination clause.

b. The Township Solicitor or subcontractor, where applicable, will in all solicitations or advertisements for employees placed by or on behalf of the Township Solicitor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status or sex.

c. The Township Solicitor or subcontractor, where applicable, will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of Township Solicitor's commitments under applicable law, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

d. The Township Solicitor or subcontractor, where applicable, agrees to comply with the regulations promulgated by the Treasurer of the State of New Jersey ("Treasurer") pursuant to P.L. 1975, c.127, as amended and supplemented from time to time.

e. The Township Solicitor or subcontractor, where applicable, agrees to attempt in good faith to employ minority and female workers consistent with the

applicable county employment goals prescribed by N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c.127, as amended and supplemented from time to time, or in accordance with a binding determination of the applicable county employment goals determined by the Affirmative Action Office pursuant to N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c.127, as amended and supplemented from time to time.

f. The Township Solicitor or subcontractor, where applicable, agrees to inform in writing appropriate recruitment agencies in the area, including employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

g. The Township Solicitor or subcontractor, where applicable, agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status or sex, and conform with the applicable employment goals, consistent with the statutes and court decisions of the State of New Jersey, and applicable federal law and applicable federal court decisions.

h. The Township Solicitor or subcontractor, where applicable, shall furnish such reports or other documents to the Affirmative Action Office as may be requested from time to time in order to carry out the purposes of the regulation of the Treasurer promulgated under P.L. 1975, c.127, and public agencies shall furnish such

information as may be requested by the Affirmative Action Office for conduction of a compliance investigation pursuant to Subchapter 10 of N.J.A.C. 17:27.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the date first above written.

ATTEST:

THE TOWNSHIP OF LOWER

Julie Picard, Clerk

BY: _____
Michael E. Beck, Mayor

WITNESS:

TOWNSHIP SOLICITOR

BY: _____
Charles W. Sandman, III, Esquire

**LOWER TOWNSHIP
2600 BAYSHORE ROAD
VILLAS, NJ 08251
(609) 886-2005**

AFFIDAVIT OF PAY-TO-PLAY COMPLIANCE

The Undersigned, being duly sworn, of full age according to law, upon my oath, depose and say:

1. I am a duly authorized representative of (the "Business Entity"), which for the purposes of this Affidavit includes all entities of which the Business Entity owns, directly or indirectly, a more than 50% equity interest.

2. The Business Entity is seeking the award of a Professional Services Contract or Unspecifiable Services Contract pursuant to the exceptions from public bidding under Sections 5(1) of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.

3. In accordance with Lower Township Ordinance No. 2004-10 (the "Pay-to-Play Ordinance"), I am making this Affidavit under penalties of perjury to represent to the Township of Lower that neither I nor the Business Entity have made any political contributions in violation of Section 95-2 of the Pay-to-Play Ordinance.

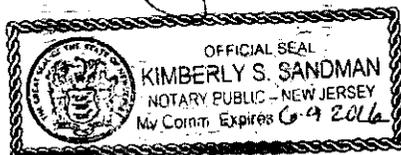
4. Also in accordance with the Pay-to-Play Ordinance, I am disclosing that the following represents all of the contributions that were made by the Business Entity and, to the best of my knowledge, all principals owning 10% more of the Business Entity's equity, their respective spouses, and all of the Business Entity's employees and officers and their respective spouses, to all New Jersey State and County political party committees commencing on the later of the effective date of the Pay-to-Play Ordinance (October 4, 2004) or twelve (12) months from date of this Affidavit and ending on the date of this Affidavit:

| | <u>Name of Organization</u> | <u>Amount</u> |
|--|-----------------------------|---------------|
| | N/A | |
| | | |
| | | |
| | | |

4. I represent and acknowledge that I have received, read and fully understand the Pay-to-Play Ordinance and that my violation of the Pay-to-Play Ordinance will disqualify me and the Business Entity from receiving any additional contract from the Township of Lower for a period of four (4) years and, in the event any statements made in this Affidavit are willfully false, that I and the Business Entity would be subject to criminal prosecution for perjury.

Sworn and Subscribed before me
This 26th day of December, 2012


Notary Public



BUSINESS ENTITY DISCLOSURE CERTIFICATION
 FOR NON-FAIR AND OPEN CONTRACTS
 Required Pursuant To N.J.S.A. 19:44A-20.8
 TOWNSHIP OF LOWER

Part I - Contractor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that the business entity by the name Law Firm of Charles W. Sandman III has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding January 3, 2008 to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the Township of Lower, defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

| | |
|-----------------|--|
| Thomas Conrad | |
| James Neville | Any present or future candidate committee or |
| Glenn Douglass | joint candidate committee or local political party |
| Norris Clark | committee formed for the election of members of |
| Michael E. Beck | the Lower Township governing body. |
| | |

Part II - Ownership Disclosure Certification

I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

- Partnership
 Corporation
 Sole Proprietorship
 Subchapter S Corporation
 Limited Partnership
 Limited Liability Corporation
 Limited Liability Partnership

| Name of Stock or Shareholder | Home Address |
|------------------------------|--------------|
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

Part 3 - Signature and Attestation:

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: Law Firm of Charles W. Sandman III

Signed: Charles W. Sandman III Title: owner

Print Name: Charles W. Sandman III Date: 12/26/12

Subscribed and sworn before me this 26 day of December, 2012.

_____ (Affiant)

My Commission expires: 6-9-2016
Kimberly S. Sandman
 (Print name & title of affiant) (Corporate Seal)

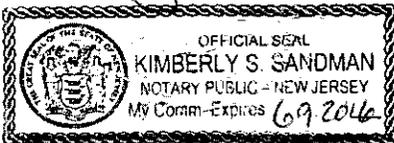


EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)

N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the applicable employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302

The contractor and its subcontractors shall furnish such reports or other documents to the Div. of Contract Compliance & EEO as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Div. of Contract Compliance & EEO for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

Firm Name: LAW FIRM of Charles W SANDMAN III

Name of Agent: Charles W. SANDMAN IV

Title: OWNER

Date: 12/26/12

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

RESOLUTION #2013-02

**TITLE: APPOINTMENT OF MUNICIPAL AUDITOR FOR THE YEAR 2013
WITHOUT PUBLIC BIDDING**

WHEREAS, the Township of Lower ("Township") has a need to acquire a municipal auditor as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Township has determined and certified in writing that the value of the acquisition will exceed \$17,500, and Ford Scott & Associates, L.L.C. has submitted a proposal indicating that they will provide the goods or services described above for a price not to exceed \$ 40,000.; and

WHEREAS, the term of this contract is one year; and the CFO has determined sufficient funds will be available in the current budget as follows:

Appropriation # 3-01-20-130-299,135;207

Signature 

WHEREAS, Ford Scott & Associates, L.L.C. has completed and submitted a Business Entity Disclosure Certification which certifies that Ford Scott & Associates, L.L.C. has not made any reportable contributions to a political or candidate committee in the Township of Lower in the previous one year, and that the contract will prohibit the Ford Scott & Associates, L.L.C. from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lower hereby approves a contract with Ford Scott & Associates, L.L.C. for the goods and services herein described and that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution and that a notice of Award of Professional Contract for the above appointment shall be published in the Township's Official paper

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council at a meeting held on January 2, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

1535 HAVEN AVENUE • PO BOX 538
OCEAN CITY, NJ • 08226-0538
PHONE 609.399.6333 • FAX 609.399.3710



FORD - SCOTT
& ASSOCIATES, L.L.C.
CERTIFIED PUBLIC ACCOUNTANTS
www.ford-scott.com

1409 CANTILLON BLVD. • PO BOX 548
MAYS LANDING, NJ 08330
PHONE 609.625.0999 • FAX 609.625.2421

January 1, 2013

Mayor and Township Committee
Township of Lower
2600 Bayshore Road
Villas, N.J. 08251

We are pleased to confirm our understanding of the services we are to provide the Township of Lower for the year ended December 31, 2012. We will audit the financial statements of Township of Lower as of and for the year ended December 31, 2012. In addition, we will assist you in preparing the following additional information that will not be subjected to the auditing procedures applied in our audit of the financial statements.

1. Assistance in the preparation of the 2013 Local Municipal Budget from information provided to us by officials of the Township of Lower.
2. Preparation of the 2012 Annual (Unaudited) Financial Statement utilizing the post-closing trial balances and analyses prepared by the Chief Financial Officer of the Township of Lower.
3. Preparation of the 2012 Annual Debt Statement.

Audit Objectives

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the additional information referred to in the first paragraph when considered in relation to the financial statements as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and will include tests of the accounting records of the Township of Lower and other procedures we consider necessary to enable us to express such opinions. If our opinions on the financial statements are other than unqualified, we will fully discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

We will also provide a report (that does not include an opinion) on internal control related to the financial statements and compliance with laws, regulations, and the provisions of contracts or grant agreements, noncompliance with which could have a material effect on the financial statements as required by *Government Auditing Standards*. The report on internal control and compliance will include a statement that the report is intended solely for the information and use of management, the body or individuals charged with governance, others within the entity, and specific legislative or regulatory bodies and is not intended to be and should not be used by anyone other than these specified parties. If during our audit we become aware that the Township of Lower is subject to an audit requirement that is not encompassed in the terms of this engagement, we will communicate to management and those charged with governance that an audit in accordance with U.S. generally accepted auditing standards and the standards for financial audits contained in *Government Auditing Standards* may not satisfy the relevant legal, regulatory, or contractual requirements.

Management Responsibilities

Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein. As part of the audit, we will assist with preparation of your financial statements and related notes. You are responsible for making all management decisions and performing all management functions relating to the financial statements and related notes and for accepting full responsibility for such decisions. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements and that you have reviewed and approved the financial statements and related notes prior to their issuance and have accepted responsibility for them. Further, you are required to designate an individual with suitable skill, knowledge, or experience to oversee any nonaudit services we provide and for evaluating the adequacy and results of those services and accepting responsibility for them.

Management is responsible for establishing and maintaining effective internal controls, including monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; for the selection and application of accounting principles; and for the fair presentation in the financial statements of the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the Township of Lower and the respective changes in financial position and cash flows, where applicable, in conformity with U.S. generally accepted accounting principles.

Management is also responsible for making all financial records and related information available to us and for ensuring that management and financial information is reliable and properly recorded. Your responsibilities include adjusting the financial statements to correct material misstatements and for confirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud or illegal acts could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws, regulations, contracts, agreements, and grants for taking timely and appropriate steps to remedy any fraud, illegal acts, violations of contracts or grant agreements, or abuse that we may report.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying for us previous financial audits, attestation engagements, performance audits or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or other studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

Audit Procedures - General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because an audit is designed to provide reasonable, but not absolute assurance and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform you of any material errors and any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform you of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about the financial statements and related matters.

Audit Procedures - Internal Controls

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards and *Government Auditing Standards*.

Audit Procedures - Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the Township of Lower's compliance with the provisions of applicable laws, regulations, contracts, agreements, and grants. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

Engagement Administration, Fees and Other

We understand that your employees will prepare all cash or other confirmations we request and will locate any documents selected by us for testing.

We will provide copies of our reports to the Municipality; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Ford, Scott & Associates, L.L.C. and constitutes confidential information. However, pursuant to authority given by law or regulation, we may be requested to make certain audit documentation available to the Division of Local Government Services, Department of Community Affairs, State of New Jersey or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Ford, Scott & Associates, L.L.C. personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

January 1, 2013

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the Division of Local Government Services, Department of Community Affairs, State of New Jersey. If we are aware that a federal awarding agency or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Leon P. Costello is the engagement partner and is responsible for supervising the engagement and signing the report. Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee, including expenses, will not exceed \$40,000. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 90 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs. *Government Auditing Standards* require that we provide you with a copy of our most recent external peer review report and any letter of comment, and any subsequent peer review reports and letters of comment received during the period of the contract. Our 2010 peer review report accompanies this letter.

We appreciate the opportunity to be of service to Township of Lower and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,

FORD, SCOTT & ASSOCIATES, L.L.C.
CERTIFIED PUBLIC ACCOUNTANTS

Leon P. Costello

Leon P. Costello
Certified Public Accountant
Registered Municipal Accountant
No. 393

RESPONSE:

This letter correctly sets forth the understanding of the Township of Lower.

By: _____

Title: _____

Date: _____

❧ MILLARD T. CHARLTON ❧
& ASSOCIATES, CHARTERED
CERTIFIED PUBLIC ACCOUNTANTS

System Review Report

December 10, 2010

To the Owners
Ford, Scott & Associates, L.L.C.
Certified Public Accountants
and the Peer Review Committee of the
New Jersey Society of CPAs

We have reviewed the system of quality control for the accounting and auditing practice of Ford, Scott & Associates, L.L.C. (the firm) in effect for the year ended August 31, 2010. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants. The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review. The nature, objective, scope, limitations of, and the procedures performed in a System Review are described in the standards at www.aicpa.org/prsummary.

As required by standards, engagements selected for review include engagements performed under the *Government Auditing Standards* and audits of employee benefit plans.

In our opinion, the system of quality control for the accounting and auditing practice of Ford, Scott & Associates, L.L.C. in effect for the year ended August 31, 2010, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency (ies)* or *fail*. Ford, Scott, & Associates, L.L.C. has received a peer review rating of *pass*.

Millard T. Charlton & Associates
Certified Public Accountants

1535 HAVEN AVENUE • PO BOX 538
OCEAN CITY, NJ • 08226-0538
PHONE 609.399.6333 • FAX 609.399.3710



FORD - SCOTT
& ASSOCIATES, L.L.C.
CERTIFIED PUBLIC ACCOUNTANTS
www.ford-scott.com

1489 CANTILLON BLVD. • PO BOX 548
MAYS LANDING, NJ 08330
PHONE 609.625.0999 • FAX 609.625.2421

December 26, 2012

Municipal Clerk
Township of Lower
2600 Bayshore Road
Villas, N.J. 08251

Enclosed please find the following documentation for your records:

1. A Certificate of Insurance from Jorgensen & Company evidencing our firm's Professional Liability Insurance coverage.
2. A Certificate of Insurance from Thomas H. Heist Insurance Company evidencing our firm's Workers' Compensation Insurance and Umbrella Insurance.
3. A copy of our firm's current Certificate of Employee Information Report.
4. A copy of our firm's current State of New Jersey Business Registration Certificate.
5. A copy of our firm's current Accountancy Firm Registration.
6. A signed copy of "Mandatory Equal Opportunity Language, Goods, Professional Service and General Service Contracts."

The above referenced documentation is required to be retained in the Municipality's records and must be updated upon renewal of a new contract. Should you require additional information, please do not hesitate to contact me.

Very truly yours,

FORD, SCOTT & ASSOCIATES, L.L.C.
CERTIFIED PUBLIC ACCOUNTANTS

Leon P. Costello

Leon P. Costello
Certified Public Accountant
Registered Municipal Accountant
No. 393

Enclosures

APPENDIX B

Certification 7958

CERTIFICATE OF EMPLOYEE INFORMATION REPORT

RENEWAL

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of

15-JUL-2012 to 15-JUL-2019



FORD, SCOTT & ASSOCIATES, L.L.C.
1535 HAVEN AVENUE
OCEAN CITY NJ 08226

A handwritten signature in black ink, appearing to be "A. Sidamon-Eristoff".

Andrew P. Sidamon-Eristoff
State Treasurer



STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name: FORD, SCOTT & ASSOCIATES, L.L.C.

Trade Name:

Address: 1535 HAVEN AVENUE
OCEAN CITY, NJ 08226-0538

Certificate Number: 0109089

Effective Date: December 17, 2001

Date of Issuance: January 03, 2008

For Office Use Only:

20080103101548873

❧MILLARD T. CHARLTON❧
& ASSOCIATES, CHARTERED
CERTIFIED PUBLIC ACCOUNTANTS

System Review Report

December 10, 2010

To the Owners
Ford, Scott & Associates, L.L.C.
Certified Public Accountants
and the Peer Review Committee of the
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As required by standards, engagements selected for review include engagements performed under the *Government Auditing Standards* and audits of employee benefit plans.

In our opinion, the system of quality control for the accounting and auditing practice of Ford, Scott & Associates, L.L.C. in effect for the year ended August 31, 2010, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency (ies)* or *fail*. Ford, Scott, & Associates, L.L.C. has received a peer review rating of *pass*.

Millard T. Charlton & Associates
Certified Public Accountants

New Jersey Office of the Attorney General
Division of Consumer Affairs
124 Halsey Street, Newark, NJ 07102

Office of the Director

Mailing Address:
P.O. Box 45024
Newark, NJ 07102
(973) 504-6200

LICENSEE VERIFICATION LETTER

DATE: Wed Nov 21 15:43:26 EST 2012

TO WHOM IT MAY CONCERN

This is to verify that the licensee was issued a New Jersey license.
The current information for this license is reported below.

The BOARD's records indicate that no public disciplinary action has been
taken against this license.

BOARD NAME: Accountancy
OCCUPATION: Firm Registration

LICENSE NUMBER: 20CB00114900 STATUS: Active
NAME: Ford Scott & Associates LLC
ADDRESS: John Sabella
1535 Haven Avenue

Ocean City NJ 08226

LICENSE ISSUED: 09/01/1979
EXPIRATION DATE: 06/30/2015
CHANGE OF STATUS DATE: 06/01/2009

VERY TRULY YOURS,
Thomas Calcagni
Acting Director

Exhibit A
(Revised 2007)
N.J.S.A. 10:5-36 et seq, N.J.A.C. 17:27
Mandatory Affirmative Action Language

Goods, Professional Service and General Service Contracts

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-36 et. seq., as amended and supplemented from time to time and the Americans with Disabilities Act. The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27 5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27 5.2.

Exhibit A
(continued)

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices. The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the applicable employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and conform with the applicable employment goals, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval
Certificate of Employee Information Report
Employee Information Report Form AA302

The contractor and its subcontractors shall furnish such reports or other documents to the Div. of Contract Compliance & EEO as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Div. of Contract Compliance & EEO for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

| | |
|---------------------------|---|
| Name: | <u>Ford, Scott & Associates, L.L.C.</u> |
| Name of Highest Official: | <u>Leon P. Costello</u> |
| Signature: | <u><i>Leon P. Costello</i></u> |
| Title: | <u>Partner</u> |
| Date: | <u>12/11/2012</u> |

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

RESOLUTION #2013 - 03

**TITLE: APPOINTMENT OF BOND COUNSEL FOR THE YEAR 2013
WITHOUT PUBLIC BIDDING**

WHEREAS, the Township of Lower ("Township") has a need to acquire bond counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Township has determined and certified in writing that the value of the acquisition will not exceed \$17,500, and Parker McCay has submitted a proposal indicating that they will provide the goods or services described above; and

WHEREAS, the term of this contract is one year; and the CFO has determined sufficient funds will be available in the current budget as follows:

Appropriation- Applicable Bond Ordinances

Signature



WHEREAS, Parker McCay has completed and submitted a Business Entity Disclosure Certification which certifies that Parker McCay has not made any reportable contributions to a political or candidate committee in the Township of Lower in the previous one year, and that the contract will prohibit Parker McCay from making any reportable contributions through the term of the contract.

Now, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lower hereby approves a contract with Parker McCay for the goods and services herein described and that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution and that a notice of Award of Professional Contract for the above appointment shall be published in the Township's Official paper.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council at a meeting held on January 2, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

FEE SCHEDULE

Bond Counsel Fee Schedule for the Township of Lower

| <u>Amount of Bonds</u> | <u>Base Fee</u> |
|----------------------------|---|
| \$1 to \$999,999 | \$5,000 to \$9,000 |
| \$1,000,000 to \$4,999,999 | \$9,001 to \$13,000 |
| \$5,000,000 and up | \$13,001, plus \$1.10 per \$1,000 of bonds over \$5,000,000 |

Refunding Bonds

To be established by separate agreement between the Township of Lower and Bond Counsel.

General Public Finance and Tax Advice/Official Statement Preparation/Review

\$95 (paralegals); \$155-\$200 (associates); \$205-\$240 (senior associates/counsel) and \$250-\$265 (shareholders)

| <u>Attorney</u> | <u>Position</u> |
|----------------------|----------------------|
| Philip A. Norcross | Shareholder |
| Stephen J. Mushinski | Shareholder |
| Jeanne M. Stiefel | Shareholder |
| Susan E. Bacso | Shareholder |
| Jeffrey D. Winitsky | Counsel |
| Irving G. Finkel | Senior Tax Associate |
| Craig A. Gargano | Associate |
| Alexis B. Batten | Associate |

In addition to legal fees, our invoices will include any out-of-pocket expenses that we may have advanced as well as any internal charges we may have incurred. Out-of-pocket expenses generally include, but are not limited to, such items as travel expenses, postage, filing, recording, certification, and registration fees charged by governmental bodies, transcribing fees. Internal charges typically include, but are not limited to, long distance telephone tolls, facsimile transmissions, courier services, charges for terminal time for computer research and complex document production, and charges for photocopying. (11/12)

BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS
 Required Pursuant To N.J.S.A. 19:44A-20.8
TOWNSHIP OF LOWER

Part I - Contractor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that the business entity by the name Parker McCay P.A. has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding January 3, 2008 to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the Township of Lower, defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

| | |
|-----------------|--|
| Thomas Conrad | |
| James Neville | Any present or future candidate committee or |
| Glenn Douglass | joint candidate committee or local political party |
| Norris Clark | committee formed for the election of members of |
| Michael E. Beck | the Lower Township governing body. |

Part II - Ownership Disclosure Certification

I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

- Partnership Corporation Sole Proprietorship Subchapter S Corporation
 Limited Partnership Limited Liability Corporation Limited Liability Partnership

| Name of Stock or Shareholder | Home Address |
|---|--------------|
| **No one shareholder owns 10% or more of the issued and outstanding stock of the undersigned. | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

Part 3 - Signature and Attestation:

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: Parker McCay P.A.

Signed: _____ Title: CEO and Managing Shareholder
 Print Name: Philip A. Norcross Date: _____

Subscribed and sworn before me this 27 day of December, 2012.
 My Commission expires: Deanna Siderio
 _____ (Affiant)
 Philip A. Norcross, CEO and Managing Shareholder
 (Print name & title of affiant) (Corporate Seal)

DEANNA N. SIDERIO
 A Notary Public of New Jersey
 My Commission Expires April 11, 2016

EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)

N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the applicable employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

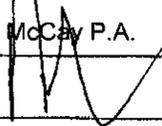
Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302

The contractor and its subcontractors shall furnish such reports or other documents to the Div. of Contract Compliance & EEO as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Div. of Contract Compliance & EEO for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

Firm Name: Parker McCay P.A.

Name of Agent: 

Title: Philip A. Norcross, CEO and Managing Shareholder

Date: 12/27/12



Parker McCay P.A.
 9000 Midlantic Drive, Suite 300
 P.O. Box 5054
 Mount Laurel, New Jersey 08054-1539
 P: 856-596-8900
 F: 856-596-9631
 www.parkermccay.com

To: New Jersey Government Contracting Units

Below is the copy of Parker McCay's "State of New Jersey Business Registration Certificate" which is required to be kept on file in accordance with statute, P.L. 2004, Chapter 57, Business Registration Act. This law took effect on September 1, 2004.

If you have any questions or need additional information, please contact Stephen J. Mushinski at 856-985-4017 or smushinski@parkermccay.com

Sincerely,

STEPHEN J. MUSHINSKI

| STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE | | DEPARTMENT OF TREASURY DIVISION OF REVENUE P.O. BOX 253 TRENTON, N.J. 08646-0253 |
|--|--|---|
| TAXPAYER NAME: PARKER MCCAY P.A. | TRADE NAME: | |
| ADDRESS: 9000 MIDLANTIC DR STE 300 MOUNT LAUREL NJ 08054 | SEQUENCE NUMBER: 1082583 | |
| EFFECTIVE DATE: 08/24/04 | ISSUANCE DATE: 07/02/11 | |
| FORM-BRC | Director New Jersey Division of Revenue | |
| This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address. | | |

**LOWER TOWNSHIP
2600 BAYSHORE ROAD
VILLAS, NJ 08251
(609) 886-2005**

AFFIDAVIT OF PAY-TO-PLAY COMPLIANCE

The Undersigned, being duly sworn, of full age according to law, upon my oath, depose and say:

1. I am a duly authorized representative of (the "Business Entity"), which for the purposes of this Affidavit includes all entities of which the Business Entity owns, directly or indirectly, a more than 50% equity interest.

2. The Business Entity is seeking the award of a Professional Services Contract or Unspecifiable Services Contract pursuant to the exceptions from public bidding under Sections 5(1) of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.

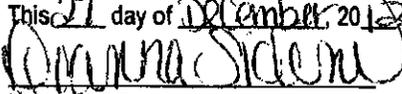
3. In accordance with Lower Township Ordinance No. 2004-10 (the "Pay-to-Play Ordinance"), I am making this Affidavit under penalties of perjury to represent to the Township of Lower that neither I nor the Business Entity have made any political contributions in violation of Section 95-2 of the Pay-to-Play Ordinance.

4. Also in accordance with the Pay-to-Play Ordinance, I am disclosing that the following represents all of the contributions that were made by the Business Entity and, to the best of my knowledge, all principals owning 10% more of the Business Entity's equity, their respective spouses, and all of the Business Entity's employees and officers and their respective spouses, to all New Jersey State and County political party committees commencing on the later of the effective date of the Pay-to-Play Ordinance (October 4, 2004) or twelve (12) months from date of this Affidavit and ending on the date of this Affidavit:

| | <u>Name of Organization</u> | <u>Amount</u> |
|-------------------------------|-----------------------------|---------------|
| ****Please see attached form. | | |
| | | |
| | | |
| | | |

4. I represent and acknowledge that I have received, read and fully understand the Pay-to-Play Ordinance and that my violation of the Pay-to-Play Ordinance will disqualify me and the Business Entity from receiving any additional contract from the Township of Lower for a period of four (4) years and, in the event any statements made in this Affidavit are willfully false, that I and the Business Entity would be subject to criminal prosecution for perjury.

Philip A. Norcross

Sworn and Subscribed before me
This 27 day of December, 2012

Notary Public **DEANNA N. SIDERIO**
A Notary Public of New Jersey
My Commission Expires April 11, 2016

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Required Pursuant To N.J.S.A. 19:44A-20.26

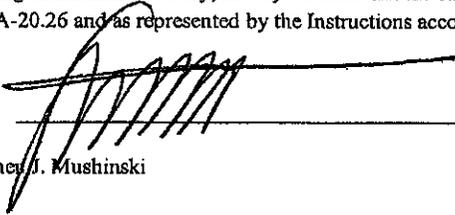
**This form or its permitted facsimile must be submitted to the local unit
no later than 10 days prior to the award of the contract.**

Part I – Vendor Information

| | | | | |
|--------------|---------------------------------|---------------|------------|------------|
| Vendor Name: | Parker McCay PA | | | |
| Address: | 9000 Midlantic Drive, Suite 300 | P.O. Box 5054 | | |
| City: | Mt. Laurel | State: | New Jersey | 08054-1539 |

The undersigned being authorized to certify, hereby certifies that the submission provided herein represents compliance with the provisions of 19:44A-20.26 and as represented by the Instructions accompanying this form.

Signature



Date:

10/10/12

Printed Name: Stephen J. Mushinski

Title: COO

Disclosure requirement: Pursuant to N.J.S.A. 19:44A-20.26 this disclosure must include all reportable political contributions (more than \$300 per election cycle) over the twelve months prior to submission to the committees of the government entities listed on the form provided by the local unit.

Check here if disclosure is provided in electronic form.

| Contributor Name | Recipient Name | Date 2012 | \$ Donation | Date 2011 | \$ Donation |
|------------------|---|-----------|-------------|-----------|-------------|
| Parker McCay PA | EFO Robert Austino | | | 10/14 | 500 |
| Parker McCay PA | EFO Barnes for Freeholder | | | 5/12 | 2,600 |
| Parker McCay PA | EFO Barrett | | | 9/9 | 2,600 |
| Parker McCay PA | EFO Barrett for Freeholder | | | 2/24 | 2,600 |
| Parker McCay PA | EFO Bianchini - Mercado - Trotto & Siler | | | 11/2 | 3,000 |
| Parker McCay PA | EFO Billingham for Sherriff | 1/12 | 2,600 | | |
| Parker McCay PA | EFO Billingham for Sherriff | 10/4 | 500 | | |
| Parker McCay PA | EFO Bobbitt, Hall, & Burke for Freeholder | | | 9/9 | 5,200 |
| Parker McCay PA | EFO Bobbitt, Lindenmuth & Hall for Freeholder | | | 4/19 | 3,000 |
| Parker McCay PA | EFO Brauckmann & McCarthy for Twp Cmtee | 6/14 | 5,200 | | |
| Parker McCay PA | EFO Brauckmann & McCarthy for Twp Cmtee | 10/9 | 4,000 | | |
| Parker McCay PA | EFO Brophy, Bucher, Johnson, & Spencer | 5/11 | 300 | | |
| Parker McCay PA | EFO Brophy, Bucher, Johnson, & Spencer | 9/27 | 200 | | |
| Parker McCay PA | Families for Brown, Zeuli, & Hackman | | | 2/7 | 1,000 |
| Parker McCay PA | EFO Cappelli & McCray for Freeholder | | | 5/19 | 850 |
| Parker McCay PA | EFO Cappelli & McCray for Freeholder - refunded | | | 6/23 | (850) |
| Parker McCay PA | EFO Cappelli & McCray for Freeholder | | | 9/27 | 5,200 |
| Parker McCay PA | EFO William Christmas | 7/12 | 200 | | |
| Parker McCay PA | EFO John Cimino | | | 10/21 | 400 |
| Parker McCay PA | EFO Friends of George Conard & Robert Van Meter | | | 11/1 | 1,000 |
| Parker McCay PA | EFO Cream and Cappelli for Freeholder | | | 1/11 | 5,200 |
| Parker McCay PA | Families for Croft, Howarth and Hackman | | | 8/15 | 500 |
| Parker McCay PA | Elect D'Alessandro & Cabezas | | | 10/14 | 500 |
| Parker McCay PA | Friends & Family for D'Andrea and DiEnna | 10/4 | 2,600 | | |
| Parker McCay PA | Friends & Family for D'Andrea and DiEnna | 10/9 | 2,600 | | |
| Parker McCay PA | EFO Damming and Chila for Freeholder | 5/24 | 5,200 | | |
| Parker McCay PA | EFO Damming and Chila for Freeholder | 8/7 | 5,200 | | |

| Contributor Name | Recipient Name | Date 2012 | \$ Donation | Date 2011 | \$ Donation |
|------------------|--|-----------|-------------|-----------|-------------|
| Parker McCay PA | Rick Delucry for Council | | | 10/13 | 250 |
| Parker McCay PA | EFO Dinatale & Lavallo for Voorhees Twp Cmtee | 6/22 | 500 | | |
| Parker McCay PA | EFO Dinatale & Ayes for Voorhees Twp Cmtee | 9/27 | 500 | | |
| Parker McCay PA | Joseph N. Divincenzo, Jr. for County Executive | | | 4/14 | 1,000 |
| Parker McCay PA | EFO Paul Dougherty for Commissioner | | | 3/15 | 150 |
| Parker McCay PA | EFO Rev. James Dunkin | | | 10/14 | 500 |
| Parker McCay PA | EFO Duran & Mueller for City Council | | | 11/3 | 600 |
| Parker McCay PA | EFO Friends of Jim Fazzone | 9/13 | 500 | 11/1 | 1,000 |
| Parker McCay PA | EFO Sharon Fields | | | 3/15 | 500 |
| Parker McCay PA | EFO Kneib Figueroa | 6/1 | 2,600 | | |
| Parker McCay PA | EFO Chuck Flamini | | | 5/19 | 250 |
| Parker McCay PA | EFO Chuck Flamini | | | 10/24 | 50 |
| Parker McCay PA | EFO John Foley for Commissioner | | | 3/15 | 150 |
| Parker McCay PA | EFO Friends of Mike & Jim | 6/14 | 2,000 | | |
| Parker McCay PA | EFO Friends of Mike & Jim | 9/13 | 2,000 | | |
| Parker McCay PA | EFO Samuel T. Frisby, Sr. | | | 10/21 | 400 |
| Parker McCay PA | EFO Gentek for Freeholder | 5/11 | 2,600 | | |
| Parker McCay PA | EFO Diane Gerofsky | | | 10/21 | 400 |
| Parker McCay PA | EFO Giovannitti and Morina Paulsboro Dem 2011 | | | 5/11 | 500 |
| Parker McCay PA | Hamilton, Kidd, & Morina Democrats of Paulsoro '11 | | | 11/1 | 1,000 |
| Parker McCay PA | EFO Committee to Elect Hatcher & Leconey | 9/13 | 500 | | |
| Parker McCay PA | EFO Hoagland for Surrogate | 3/21 | 1,000 | | |
| Parker McCay PA | EFO Hoagland for Surrogate | 7/12 | 1,000 | | |
| Parker McCay PA | EFO Hogan | 5/24 | 2,600 | | |
| Parker McCay PA | EFO Hogan for Clerk | 8/7 | 2,600 | | |
| Parker McCay PA | Hughes for County Executive | | | 10/13 | 400 |
| Parker McCay PA | EFO Lonnie Hughes | | | 3/15 | 500 |
| Parker McCay PA | EFO Lew Jackson and Sean Earlen | | | 10/17 | 500 |
| Parker McCay PA | EFO Jackie Johnson | | | 3/15 | 500 |
| Parker McCay PA | Jlampetti for Mayor, Dennis, Dickson & Wright for City | 9/13 | 1,200 | | |
| Parker McCay PA | EFO Keenan, Bobo, & Edelsen | 10/9 | 5,600 | | |
| Parker McCay PA | EFO John Kemler | | | 10/21 | 400 |
| Parker McCay PA | EFO Killion-McBride for Township Committee | | | 6/1 | 2,600 |
| Parker McCay PA | EFO Killion-McBride for Township Committee | | | 10/13 | 2,600 |
| Parker McCay PA | Committee to Elect Kintzing & DiCarlo | | | 5/10 | 500 |
| Parker McCay PA | Committee to Elect Kintzing & DiCarlo | | | 10/4 | 500 |
| Parker McCay PA | EFO Marie Lawrence | | | 5/19 | 250 |
| Parker McCay PA | EFO Marie Lawrence | | | 10/24 | 50 |
| Parker McCay PA | EFO John Legge | | | 10/14 | 1,000 |
| Parker McCay PA | EFO Evelyn Leverett | | | 5/19 | 250 |
| Parker McCay PA | EFO Evelyn Leverett | | | 10/24 | 50 |
| Parker McCay PA | EFO Lowden | 6/14 | 300 | | |
| Parker McCay PA | EFO George Lowry for Twp Committee | 7/12 | 300 | | |
| Parker McCay PA | EFO Thadeus Mackey for Twp Committee | 7/12 | 300 | | |
| Parker McCay PA | EFO McCray for Freeholder | | | 6/23 | 2,600 |
| Parker McCay PA | EFO John McCormac - for Mayor 2011 | | | 5/25 | 1,600 |
| Parker McCay PA | Ed McGettigan for County Clerk | | | 9/1 | 300 |
| Parker McCay PA | EFO McIntosh & Epifanio for Council | 8/2 | 300 | | |
| Parker McCay PA | EFO Andrea McPhatter | | | 3/15 | 500 |
| Parker McCay PA | EFO Medany, Huffnell, & Scott | | | 3/2 | 500 |
| Parker McCay PA | EFO Medany, Huffnell, & Scott | | | 10/4 | 500 |
| Parker McCay PA | EFO Mignogna & Platt for Voorhees Twp Comm | | | 5/12 | 500 |
| Parker McCay PA | EFO Mignogna & Platt for Voorhees Twp Comm | | | 10/13 | 500 |
| Parker McCay PA | EFO Minniti & Young for Cinnaminson Twp Comm | | | 5/19 | 3,400 |

| Contributor Name | Recipient Name | Date 2012 | \$ Donation | Date 2011 | \$ Donation |
|------------------|---|-----------|-------------|-----------|-------------|
| Parker McCay PA | EFO Minniti & Young for Cinnaminson Twp Comm | | | 11/1 | 5,200 |
| Parker McCay PA | EFO Carmel Morina for Sheriff | 5/24 | 2,600 | | |
| Parker McCay PA | EFO Morina for Sheriff | 8/7 | 2,600 | | |
| Parker McCay PA | EFO Morris and Bodanza for Council | 2/16 | 300 | | |
| Parker McCay PA | EFO Murtaugh & Sims | | | 10/19 | 300 |
| Parker McCay PA | EFO Carol Musso | | | 10/4 | 500 |
| Parker McCay PA | EFO Nash, Greco, & Leonard for Freeholder | 1/12 | 7,800 | | |
| Parker McCay PA | EFO Nash, Leonard & Gentek for Freeholder | 10/4 | 500 | | |
| Parker McCay PA | EFO Ed Pleczynski | | | 5/19 | 250 |
| Parker McCay PA | EFO Ed Pleczynski | | | 10/24 | 50 |
| Parker McCay PA | EFO Polos for Freeholder | 3/21 | 1,000 | | |
| Parker McCay PA | EFO Polos for Freeholder | 7/12 | 1,000 | | |
| Parker McCay PA | EFO Redd for Mayor | 8/2 | 300 | | |
| Parker McCay PA | EFO Helen Reed for Surrogate | | | 1/6 | 2,600 |
| Parker McCay PA | EFO Reed for Surrogate | 8/7 | 2,600 | | |
| Parker McCay PA | EFO Rios for Freeholder | 3/21 | 1,000 | | |
| Parker McCay PA | EFO Rios for Freeholder | 7/12 | 1,000 | | |
| Parker McCay PA | EFO Schoeborn, Green, McConnell, & Siboczy | 7/27 | 500 | | |
| Parker McCay PA | EFO Carl Schrier | 9/27 | 250 | | |
| Parker McCay PA | EFO Schweigart for Township Committee | 8/2 | 300 | | |
| Parker McCay PA | EFO Darren Sharif 2011 | | | 5/10 | 2,600 |
| Parker McCay PA | EFO Simmons for Freeholder | | | 5/12 | 2,600 |
| Parker McCay PA | Mark Smith for Mayor 2014 | | | 4/14 | 500 |
| Parker McCay PA | Bill Sturm - Middle Township Committee | 9/27 | 250 | 10/4 | 1,000 |
| Parker McCay PA | EFO Tony Surace | | | 10/4 | 500 |
| Parker McCay PA | EFO Taliaferro, Simmons, & Barnes | | | 9/9 | 7,800 |
| Parker McCay PA | EFO Quilla Talmadge | | | 3/15 | 500 |
| Parker McCay PA | EFO Teague for Mayor | | | 3/15 | 150 |
| Parker McCay PA | EFO Timberman & Hogan for Freeholder | 5/11 | 1,000 | | |
| Parker McCay PA | EFO Tomaro for Freeholder | | | 2/24 | 2,600 |
| Parker McCay PA | EFO Tomaro for Freeholder | | | 9/9 | 2,600 |
| Parker McCay PA | EFO to Reelect Trueblood, Scull, Stinney | 7/27 | 500 | | |
| Parker McCay PA | Committee to Elect Jesse L. Tweedle | 7/12 | 750 | 7/19 | 500 |
| Parker McCay PA | EFO Wallace for Freeholder | | | 5/12 | 2,600 |
| Parker McCay PA | EFO Lucylle Walter RS | | | 10/21 | 400 |
| Parker McCay PA | Committee to Elect Judy M Ward | 7/12 | 150 | | |
| Parker McCay PA | EFO William Whelan | | | 10/14 | 500 |
| Parker McCay PA | EFO John Wilson for Twp Committee | 7/12 | 300 | | |
| Parker McCay PA | EFO Barry Wright | | | 5/19 | 250 |
| Parker McCay PA | EFO Barry Wright | | | 10/24 | 50 |
| Parker McCay PA | The Committee to Re-Elect James F. Young, Sr. | | | 9/1 | 500 |
| Parker McCay PA | EFO Zimmerman/Silvanio for Council | 8/2 | 1,000 | | |
| Parker McCay PA | County / Township Committees | | | | |
| Parker McCay PA | Assn. of Former Gloucester Twp Dem. Mayors | | | 3/15 | 1,500 |
| Parker McCay PA | Barrington Democratic Campaign | 1/18 | 200 | 4/14 | 250 |
| Parker McCay PA | Barrington Democratic Campaign | 4/26 | 200 | 9/1 | 200 |
| Parker McCay PA | Burlington County Young Republicans | | | 2/24 | 3,500 |
| Parker McCay PA | Burlington County Young Republicans | | | 5/27 | 3,500 |
| Parker McCay PA | Citizens4Brigantine | 9/27 | 1,000 | | |
| Parker McCay PA | Lindenwold Borough Democrats | | | 5/12 | 200 |
| Parker McCay PA | Mt Laurel Republican County Committee | 10/4 | 600 | | |
| Parker McCay PA | Oaklyn Democrat Club | | | 9/1 | 100 |
| Parker McCay PA | Woodbury Democrats | | | 10/14 | 300 |
| Parker McCay PA | EFO Woodbury Heights Democrats | 6/22 | 250 | | |

| Contributor Name | Recipient Name | Date 2012 | \$ Donation | Date 2011 | \$ Donation |
|------------------|-----------------------------------|-----------|-------------|-----------|-------------|
| Parker McCay PA | NJ Senate & Assembly | | | | |
| Parker McCay PA | EFO Dawn Addiego | | | 6/16 | 2,600 |
| Parker McCay PA | EFO Friends of Diane Allen | | | 11/1 | 2,600 |
| Parker McCay PA | Friends of Diane Allen | | | 3/2 | 2,600 |
| Parker McCay PA | EFO Jim Beach for Senate | | | 2/10 | 500 |
| Parker McCay PA | EFO Jim Beach for Senate | | | 6/17 | 2,100 |
| Parker McCay PA | EFO Jim Beach for Senate | | | 10/18 | 2,600 |
| Parker McCay PA | EFO Burzichelli | 1/4 | 2,600 | 8/4 | 2,600 |
| Parker McCay PA | EFO Cooper for Assembly | | | 9/22 | 2,600 |
| Parker McCay PA | EFO Cryan | | | 5/10 | 2,600 |
| Parker McCay PA | EFO Ronald S. Dancer for Assembly | 10/4 | 350 | | |
| Parker McCay PA | EFO Wayne DeAngelo | | | 11/4 | 1,500 |
| Parker McCay PA | EFO Betty Lou DeCroce | 5/11 | 500 | | |
| Parker McCay PA | EFO Lou Greenwald | | | 10/26 | 2,600 |
| Parker McCay PA | EFO Angel Fuentes for Assembly | | | 10/18 | 2,600 |
| Parker McCay PA | EFO Senator Kryllos Committee | | | 5/19 | 500 |
| Parker McCay PA | EFO Pamela Lampitt for Assembly | | | 2/10 | 500 |
| Parker McCay PA | EFO Pamela Lampitt for Assembly | | | 10/14 | 500 |
| Parker McCay PA | EFO Pamela Lampitt for Assembly | | | 10/26 | 2,100 |
| Parker McCay PA | The Leaders Fund/Stephen Sweeney | 9/24 | 7,200 | | |
| Parker McCay PA | EFO Lesniak for Senate | | | 5/10 | 2,600 |
| Parker McCay PA | EFO Madden for Senate | | | 4/14 | 1,000 |
| Parker McCay PA | EFO Madden for Senate | | | 10/4 | 1,600 |
| Parker McCay PA | EFO Moriarty for Assembly | | | 1/12 | 2,600 |
| Parker McCay PA | EFO Moriarty for Assembly | | | 10/21 | 2,600 |
| Parker McCay PA | EFO Gabriela Mosquera | | | 10/21 | 2,600 |
| Parker McCay PA | EFO Gabriela Mosquera | 10/4 | 300 | | |
| Parker McCay PA | Committee to Elect Sheila Oliver | 5/11 | 2,600 | | |
| Parker McCay PA | EFO Ramos for Assembly | 8/7 | 2,600 | | |
| Parker McCay PA | EFO Riley | | | 8/4 | 2,600 |
| Parker McCay PA | EFO Paul Sario | 1/18 | 1,000 | | |
| Parker McCay PA | EFO Schaer for Assembly | | | 3/2 | 2,600 |
| Parker McCay PA | EFO Troy Singleton for Assembly | | | 6/16 | 2,600 |
| Parker McCay PA | EFO Bob Smith | | | 11/4 | 2,600 |
| Parker McCay PA | EFO Bob Smith Primary 2013 | | | 12/14 | 2,600 |
| Parker McCay PA | EFO Brian Stack | 3/13 | 1,000 | | |
| Parker McCay PA | EFO Sweeney for Senate | 3/7 | 2,600 | 8/4 | 2,600 |
| Parker McCay PA | EFO Shirley Turner | | | 11/4 | 1,500 |
| Parker McCay PA | EFO Tyner | | | 9/22 | 2,600 |
| Parker McCay PA | EFO VanDrew, Albano, & Milam | | | 10/21 | 7,800 |
| Parker McCay PA | EFO Jim Whelan for Senate | | | 2/10 | 2,600 |
| Parker McCay PA | EFO Jim Whelan | | | 9/22 | 2,600 |
| Parker McCay PA | EFO "Whip" Wilson for Assembly | | | 6/17 | 2,600 |
| Parker McCay PA | EFO "Whip" Wilson for Assembly | | | 10/18 | 2,600 |

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

RESOLUTION #2013 - 04

TITLE: APPOINTMENT OF MUNICIPAL PROSECUTOR FOR THE YEAR 2013

WHEREAS, there exists a need for the service of a Municipal Prosecutor in the Township of Lower in the County of Cape May, State of New Jersey.

NOW, THEREFORE, BE IT RESOLVED that Ronald Gelzunas is hereby appointed by the Township Council of the Township of Lower as the Lower Township Municipal Prosecutor for the year 2013 for a term commencing on the date of this Resolution and continuing until December 31, 2013.

FURTHER RESOLVED that Ronald Gelzunas as the Lower Township Municipal Prosecutor shall be paid a salary of \$ 20,500.00 without benefits, payable in bi-weekly installments on the Township's regularly scheduled pay days and \$80.00 per hour for Special Court Sessions and funds are available in the current fund entitled Office of the Township Solicitor - Salary & Wages as evidenced by the Chief Financial Officer's Certification and Signature:


Lauren Read, Chief Financial Officer

FURTHER RESOLVED that any notice of this Resolution that may be required pursuant to the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., be duly published in the Township's official newspaper.

I hereby certify this is the original resolution adopted by the Township Council at the meeting of January 2, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

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

RESOLUTION #2013- 05

TITLE: APPOINTMENT OF MUNICIPAL PUBLIC DEFENDER FOR 2013

WHEREAS, there exists a need for the service of a municipal public defender in the Township of Lower in the County of Cape May, State of New Jersey.

NOW, THEREFORE, BE IT RESOLVED that Victoria Roach is hereby appointed by the Township Council of the Township of Lower as the Lower Township Public Defender for a term commencing on the date of this Resolution and continuing until December 31, 2013.

FURTHER RESOLVED that Victoria Roach as the Lower Township Public Defender shall be paid a salary of \$11,200.00 without benefits, payable in bi-weekly installments on the Township's regularly scheduled pay days and the funds are available in the current fund as evidenced by the Chief Financial Officer's Certification and Signature:


Lauren Read, Chief Financial Officer

FURTHER RESOLVED that any notice of this Resolution that may be required pursuant to the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., be duly published in the Township's official Newspaper.

I hereby certify this is the original resolution adopted by the Township Council on January 2, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

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

RESOLUTION #2013 - 06

TITLE: ANNUAL APPOINTMENT OF EMERGENCY MANAGEMENT COUNCIL

WHEREAS, the Township is required to annually appoint the Emergency Management Council.

NOW, THEREFORE, BE IT RESOLVED by the Township Council, the governing body thereof, that the following persons are hereby appointed to the Emergency Management Council for 2013.

| NAME | CATEGORY | NAME | CATEGORY |
|-------------------|----------|------------------|----------|
| Michael Beck | 1 | Thomas Conrad | 1 |
| Michael Voll | 1 & 3 | Brian Marker | 2 & 3 |
| Dave Perry | 2 & 4 | Eileen Kreis | 2 & 4 |
| William Mastriana | 2 | Gary Douglass | 2 |
| Gary Playford | 2 | Rich Harron, Jr. | 2 |
| Art Hayden | 2 | Lew McGonigal | 2 |
| Matt Ecker | 5 | Kevin Hart | 2 |

BE IT FURTHER RESOLVED the following individuals be appointed as the Deputy OEM Coordinators for 2013

1. Chief Brian Marker
2. Eileen Kreis
3. David Perry

I hereby certify the foregoing to be a Resolution adopted by the Township Council at a meeting held on January 2, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

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

RESOLUTION #2013- 07

TITLE: APPOINTMENT OF CLASS III MEMBER TO THE PLANNING BOARD

WHEREAS, the term of Kevin Lare, Class III Member on the Lower Township Planning Board, expired on Dec. 31, 2012, and

WHEREAS, Norris Clark is interested in serving and also holds the Council At Large seat on Council,

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the following person is hereby reappointed to the Lower Township Planning Board as follows.

| <u>Name</u> | <u>Type/Class</u> | <u>Exp. Date</u> |
|--------------|-------------------|------------------|
| Norris Clark | Class III | 12-31-2013 |

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 2, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

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

RESOLUTION # 2013 -08

**TITLE: CONFIRMATION OF OFFICIALS FOR JOINT INSURANCE FUND
AND MUNICIPAL EXCESS LIABILITY FUND**

WHEREAS, it is necessary for the Township to designate certain persons for the receipt of notices and processing of claims for the Joint Insurance Fund, and

WHEREAS, the Township is desirous of updating the records of the Atlantic County Municipal Joint Insurance Fund with changes.

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the following persons are named in the capacity listed for the Joint Insurance Fund for 2013 and shall remain in said positions until changed by resolution:

| | |
|------------------------|-----------------|
| Fund Commissioner | Julie A. Picard |
| Alt. Fund Commissioner | Michael Voll |
| Claims Coordinator | Marie LoMonaco |
| Safety Coordinator | Jason Dilworth |
| Township Clerk | Julie A. Picard |

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on January 2, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

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

RESOLUTION #2013 - 09

TITLE: CONFIRMING THE APPOINTMENT OF GARY DOUGLASS AS EMERGENCY MANAGEMENT COORDINATOR AND EILEEN KREIS AS EMERGENCY MANAGEMENT DEPUTY COORDINATOR

WHEREAS, Lower Township is required to annually appoint a Coordinator and Deputy Coordinator to the Office of Emergency Management; and

WHEREAS, Manager Michael Voll has appointed Gary Douglass as the coordinator and Eileen Kreis as the deputy-coordinator.

NOW, THEREFORE, BE IT RESOLVED by the Township Council, of the Township of Lower that the above appointments are hereby confirmed.

I hereby certify the foregoing to be a Resolution adopted by the Township Council at a meeting held on January 2, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

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

RESOLUTION # 2013 -10

ESTABLISHMENT OF COUNCIL MEETING DATES AND TIMES

WHEREAS, the Reorganization Meeting of the Township Council of the Township of Lower was held on January 2, 2013 at which time it was necessary to establish the official Council Meeting dates and times.

NOW, THEREFORE, BE IT RESOLVED that Council Meetings be held in the Meeting Room of Township Hall beginning at 6:00 p.m. prevailing time on the first and third Monday of each month with the exception of the holiday dates designated below when the meeting will be held on the date listed. The annual schedule of Council meetings shall be posted on the official Township bulletin board at the Township Hall. Unless otherwise provided by law, all of the above described meetings shall be open to the public.

Meeting of January 21 shall be changed to January 23

Meeting of February 18 shall be changed to February 20

Meeting of September 2 shall be changed to September 4

I hereby certify this is the original resolution adopted by the Township Council at the meeting of January 2, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

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

RESOLUTION # 2013 -11

TITLE: SETTING THE INTEREST RATE FOR DELINQUENT TAXES

WHEREAS, the Reorganization Meeting of the Township Council of the Township of Lower, the governing body thereof, was duly held on January 2, 2013 at the Township Hall, Villas, New Jersey, and

WHEREAS, R.S. 54:4-67 as amended authorizes municipalities to fix a rate of interest to be charged for the non-payment of taxes or assessments on or before the date when they would become delinquent. Delinquency is to be calculated on the sum of all taxes from year to year and not be calculated on an individual year basis, and N.J.S.A. 40A:5-17.1 provides that a municipality may authorize the cancellation of tax delinquencies of less than Ten (\$10.00) Dollars.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, that interest be charged for the non-payment of taxes or assessments on or before the date when they would become delinquent in accordance with R.S. 54:4-67 and that the rate of interest shall be eight percent (8%) based on a 365 day year on the first \$1,500.00 of delinquency and eighteen per cent (18%) based on a 365 day a year on any amount in excess of \$1,500.00 to be calculated from the date the tax was payable until the date of actual payment. Interest will stay at eighteen per cent (18%) until taxes are completely current. No interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same become payable.

FURTHER RESOLVED that a penalty of 6% shall be levied against a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay the delinquency prior to the end of the calendar year. This 6% penalty shall also apply to delinquency in excess of \$10,000.00 to third party lien holders. and that an additional penalty shall be levied against tax sale certificates as follows:

When the taxes, interest and cost shall exceed the sum of \$200.00, such additional sum shall be equal to 2% of such amount paid.

When the taxes, interest and costs shall exceed the sum of \$5,000.00, such additional sum shall be equal to 4% of such amount paid; and when that sum exceeds \$10,000, such additional sum shall be equal to 6% of such amount paid. This section is retroactive only as to existing municipally held certificates but acts prospectively with regard to certificates held by third parties as of March 28, 1991.

FURTHER RESOLVED that the Tax Collector be and hereby is directed to collect interest on delinquents at the aforesaid rate.

FURTHER RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Tax Collector is hereby authorized to process, without further action on the part of the Township Council, the cancellation of any property tax delinquency of less than Five (\$5.00) Dollars.

FURTHER RESOLVED, that a Certified Copy of this Resolution be provided by the MunicipalClerk to the Tax Collector and the Chief Financial Officer.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on January 2, 2013.

Julie A. Picard, Township Clerk

Table with 7 columns: MOTION, SECOND, AYE, NAY, ABSTAIN, ABSENT and 5 rows: CONRAD, NEVILLE, DOUGLASS, CLARK, BECK

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

RESOLUTION #2013 -12

TITLE: DESIGNATION OF OFFICIAL DEPOSITORIES

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, the official depositories for the Township funds shall be: Sturdy Savings & Loan, Crest Savings, Cape Savings, Bank of America, PNC, NJ Cash Management Fund and MBIA;

BE IT FURTHER RESOLVED that all disbursements by check require two signatures unless noted otherwise and shall be signed by the following officials:

ACCOUNT

AUTHORIZED OFFICIALS

Municipal Court Account – General
(One signature required)

CFO, Asst. Treasurer, Judge, Court
Administrator, Deputy Court Administrator

Municipal Court Account – Bail
(One signature required)

CFO, Asst. Treasurer, Judge, Court
Administrator, Deputy Court Administrator

Payroll Account
(One signature required)

CFO, Asst. Treasurer, Township Clerk,
or Asst. Twp. Clerk

Payroll-Flexible Spending Account
(One signature required)

CFO, Asst. Treasurer, Township Clerk,
Asst. Twp. Clerk or AFLAC representative

Tax Redemption Account

Tax Collector, Asst. Tax Collector,
CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk

Tax Premium Account

Tax Collector, Asst. Tax Collector,
CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk

Council Checking Account

Mayor, Deputy Mayor, Twp. Clerk, Asst. Twp.
Clerk, CFO, Asst. Treasurer

Dog Damage Account

CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk

Trust Account

CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk

Unemployment Account

CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk

Grants Account

CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk

Revitalization Savings Account (transfers)

CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk

Economic Development Account (transfers)

CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk

Historic Commission Trust Account

CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk

Joint Housing Trust Account

CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk

| | |
|---|---|
| Police Investigative Trust Account | Police Chief, Police Captain(s), CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk |
| Police Forfeiture Account | CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk |
| Community Police Account | CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk |
| Developer's Escrow Account | CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk |
| Harbortown (Escrow Savings) | CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk |
| MBIA-Current Account | CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk |
| MBIA-Capital Account | CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk |
| NJ Cash Management Fund – Capital Account | CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk |

BE IT FURTHER RESOLVED that the use of electronic signatures for the signatures of the Mayor, Township Clerk and Chief Financial Officer is hereby authorized.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on January 2, 2013.

Julie A. Picard, RMC, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

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

RESOLUTION #2013-13

TITLE: DESIGNATION OF OFFICIAL NEWSPAPERS FOR LEGAL ADVERTISING FOR THE YEAR 2013

WHEREAS, the Reorganization Meeting of the Township Council of the Township of Lower, the governing body thereof, was duly held on January 2, 2013 at the Township Hall, Villas, New Jersey; and,

WHEREAS, it has been deemed necessary to select a newspaper to serve as the official publication of all Township advertising; and,

WHEREAS, it has been deemed necessary to designate a second newspaper for the publication of all meeting notices required under the Open Public Meetings Law; and

WHEREAS, it has been deemed necessary to establish a fee to cover the cost of providing notice of all public meetings to any persons requiring such notices,

NOW, THEREFORE, BE IT RESOLVED by the Township of Lower, the governing body thereof, that the official newspaper for all Township advertising, including notices of public meetings, shall be the Cape May Star & Wave.

BE IT FURTHER RESOLVED that the second newspaper to be utilized for publication of all notices of public meetings as required by the Open Public Meetings Law shall be The Herald.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 2, 2013

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
RESOLUTION #2013-14**

Title: AUTHORIZING PAYMENT OF 2013 DEBT SERVICE

WHEREAS, the amounts listed below are owed for debt service in the current year 2012 and are due on the dates noted and it is necessary to receive authorization for the payment of bills which affect the budget, and

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

WHEREAS, funds for debt service are available in the 2013 budget appropriations for Bond Principal, Bond Interest, Note Interest, ~~Loan Principal~~ and Loan Interest as certified by the Chief Financial Officer 

NOW, THEREFORE BE IT RESOLVED by the Township Council that the following debt service payments are hereby authorized:

| <u>DATE</u> | <u>TOTAL</u> | <u>PRIN</u> | <u>INT</u> | |
|--------------|---------------------|---------------------|-------------------|------|
| 1/15/2013 | 33,925.00 | | 33,925.00 | BOND |
| 2/9/2013 | 24,873.26 | 19,013.22 | 5,860.04 | LOAN |
| 2/15/2013 | 9,327.48 | 6,716.75 | 2,610.73 | LOAN |
| 3/7/2013 | 27,982.44 | 20,968.42 | 7,014.02 | LOAN |
| 4/1/2013 | 1,111,125.00 | 1,000,000.00 | 111,125.00 | BOND |
| 6/15/2013 | 35,937.50 | | 35,937.50 | BOND |
| 7/15/2013 | 708,925.00 | 675,000.00 | 33,925.00 | BOND |
| 8/9/2013 | 24,873.28 | 19,203.36 | 5,669.92 | LOAN |
| 8/10/2013 | 50,000.00 | | 50,000.00 | NOTE |
| 8/15/2013 | 9,327.48 | 6,783.91 | 2,543.57 | LOAN |
| 9/7/2013 | 27,982.43 | 21,178.10 | 6,804.33 | LOAN |
| 10/1/2013 | 96,125.00 | | 96,125.00 | BOND |
| 12/15/2013 | 535,937.50 | 500,000.00 | 35,937.50 | BOND |
| TOTAL | 2,696,341.37 | 2,268,863.76 | 427,477.61 | |

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 2, 2013.

Julie A. Picard, RMC, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

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

RESOLUTION #2013 - 15

TITLE: ANNUAL APPROVAL OF PETTY CASH FUNDS

WHEREAS, N.J.S.A. 40A: 5-21 authorizes the establishment of a Petty Cash fund; and

WHEREAS, it is the desire of the Township Council of the Township of Lower, County of Cape May to approve the following petty cash funds:

| <u>Location</u> | <u>Amount</u> | <u>Custodian</u> |
|--------------------|---------------|---|
| Treasurer's Office | \$100.00 | Lauren Read, CFO Colleen Crippen, Asst. Treas. |
| Police Department | \$250.00 | Chief Brian Marker Captain William Mastriana |

NOW, THEREFORE BE IT RESOLVED that the Township Council of the Township of Lower, County of Cape May hereby approves the use of petty cash funds as defined by N.J.S.A. 40A: 5-21.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on January 2, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

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

RESOLUTION #2013 -16

TITLE: ADOPTING THE CASH MANAGEMENT PLAN

WHEREAS, it is in the best interest of the Township of Lower to earn additional revenue through the investment and prudent management of its cash receipts; and

WHEREAS, P.L. 1983, Chapter 8, approved January 18, 1983 is an act concerning the Local Fiscal Affairs Law and amends N.J.S.A. 40A: 5-2 and N.J.S.A. 40A5-14; and

NOW, THEREFORE BE IT RESOLVED, the following shall constitute the Cash Management Plan for the Township of Lower and the Treasurer shall deposit and manage its funds pursuant to this plan:

Definitions

1. Treasurer shall mean the Treasurer of the Township of Lower
2. Fiscal Year shall mean the twelve-month period ending December 31.
3. Cash Management Plan shall mean that plan as approved by resolution.

Designation of Depositories

At least once each fiscal year the governing body shall by resolution designate the depositories for the Township of Lower in accordance with N.J.S.A. 40A: 5-14. In addition to the designation, the Township of Lower may make deposits with the State of New Jersey Cash Management Fund in accordance with N.J.S.A. 40A: 5-14.

Audit Requirement

The cash Management Plan shall be subject to the annual audit conducted pursuant to N.J.S.A. 40A: 5-4.

Authority to Invest

The governing body shall pass a resolution at its first meeting of the fiscal year designating the Township of Lower officials who shall make and be responsible for municipal deposits and investments.

Investment Instruments

The Treasurer shall invest at his/her discretion in any investment instrument as approved by the State of New Jersey in accordance with N.J.S.A. 40A: 5-15.1.

Records and Reports

The Treasurer shall report all investments in accordance with N.J.S.A. 40:5-15.2.

At a minimum the Treasurer shall:

- Keep a record of all investments.

- Keep cash position records that reveal, on a daily basis, the status of the cash in its bank accounts.
- Confirm investments with the governing body at the next regularly scheduled meeting.
- Report monthly to the governing body as to the status of cash balances in bank accounts, revenue collection, interest rates and interest earned.

Cash Flow

1. The Treasurer shall ensure that the accounting system provides regular information concerning the cash position and investment performance.
2. All moneys shall be turned over to the Treasurer and deposited in accordance with N.J.S.A. 40A: 5-15.
3. The Treasurer is authorized and directed to invest surplus funds of the Township of Lower as the availability of the funds permit. In addition, it shall be the responsibility of the Treasurer to minimize the possibility of idle cash by depositing the moneys in interest bearing accounts wherever practical and in the best interest of the Township of Lower.
4. The Treasurer shall ensure that funds are borrowed for Capital Projects in a timely fashion.

Schedule of Statutory Payments

1. Fire Districts are to be paid in accordance with N.J.S.A. 40A: 14-79. Statutory tax payments are made to each district as follows:
 - 21.25% on or before April 1
 - 22.50% on or before July 1
 - 25.00% on or before October 1
 - 31.25% on or before December 31

The Lower Township Fire District No. 2 has requested that their payments be made in the following increments:

- 40% due April 1
- 30% due July 1
- 20% due October 1
- 10% due on or before December 31

Annual Allowance Amounts

The Township of Lower has authorized participation in a flexible spending account for the employees. The flexible spending account allows a portion of the employee's salary to be redirected to provide reimbursement for allowable medical expenses. At the beginning of each plan year, a specific dollar amount must be elected. For 2013, the allowable amount is \$1,500.00.

Banking Policies

Periodically, the Treasurer will utilize the competitive contracting process to request proposals from local banking institutions to provide banking services for the Township. This is to assure that banking services being provided to the Township are based on a competitive "bidding" process. The Township will have the option to extend the contract if it is in the best interest of the Township to do

so. At least once every year the Treasurer will evaluate current banking services to assure compliance with the specifications contained in the contract and any new services that may become available in the banking industry. A detailed banking policy will be kept in the Office of the Treasurer detailing the Township's specific banking requirements.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on January 2, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
RESOLUTION #2013-17**

TITLE: RESOLUTION TO DEFER THE REGIONAL SCHOOL TAX

WHEREAS, by statute, when a municipality raises school taxes on a school year basis, an amount of not more than 50% of the school levy may be deferred to the following year, and

WHEREAS, the 2012 Regional School Levy was \$11,166,683.83 and not more than 50% is \$5,583,341.92.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, the governing body thereof, that it desires to defer regional school taxes to the year 2013 in the amount of \$5,583,341.92.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 2, 2013

Julie A. Picard, RMC, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
RESOLUTION #2013-18**

TITLE: ADOPTING 2013 TEMPORARY CURRENT BUDGET

WHEREAS, N.J.S.A. 40A: 4-19 provides that where any contracts, commitments or payments are to be made prior to the final adoption of the 2013 Budget, temporary appropriations should be made by resolution prior to January 30th of the fiscal year; and

WHEREAS, the total of the appropriations so made shall not exceed 26.25% of the total of the appropriations made for all purposes in the budget for the preceding fiscal year, excluding appropriations made for interest and debt redemption charges and capital improvement fund; and

WHEREAS, the total appropriations of the 2012 Budget, exclusive of any appropriations for interest and debt redemption charges and capital improvement fund is \$21,880,251.26; and

WHEREAS, 26.25% of the total appropriations in the 2012 Budget, exclusive of any appropriations made for interest and debt redemption charges and capital improvement fund, is \$5,743,565.96.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the 2013 Temporary Current Budget is set in an amount not to exceed \$5,743,565.96.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 2, 2013.

Julie A. Picard, RMC, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

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

RESOLUTION #2013 -19

TITLE: APPROVING 2013 CONTRACT WITH CAPE ASSIST

WHEREAS, N.J.S.A. 40A:11-3 authorizes the award of any contract without competitive bidding for any purchase, work or service that does not exceed in the fiscal year the total sum of Seventeen Thousand Five Hundred (\$17,500) Dollars; and

WHEREAS, the Township is desirous of renewing its contract with Cape May County Council on Alcoholism and Drug Abuse, Inc. administered by Cape Assist for the Employee Assistance Program; and

WHEREAS, the contract amount for 2013 is Twenty-One Dollars (\$21) per employee currently based on 153 employees for a total of Three Thousand Two Hundred Thirteen Dollars (\$3213.00) and funds are available in the current fund entitled Group Health 01-23-220-408 as evidenced by the Treasurer's signature below:



Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk are hereby authorized to sign the contract agreement for the year 2013.

I hereby certify that the foregoing resolution was adopted by the Township Council at a meeting held on January 2, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

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

RESOLUTION #2013 -20

TITLE: A RESOLUTION OF THE TOWNSHIP OF LOWER AUTHORIZING THE CLERK TO ISSUE BINGO & RAFFLE LICENSES THROUGHOUT THE YEAR TO QUALIFIED ORGANIZATIONS

WHEREAS, the Township Clerk receives applications throughout the year from various organizations to conduct bingo and/or raffle games within Lower Township; and

WHEREAS, the below listed applicants have obtained their state registrations from NJ Legalized Games of Chance and have been in good standing with the Township for many years; and

WHEREAS, there appears to be no reason to deny said licenses for 2013 providing all paperwork is completed and required fees have been paid.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, the governing body thereof, that the Township Clerk is authorized to issue bingo/raffle licenses for 2013 to the following organizations as applicable throughout the year.

- Animal Alliance of Cape May County
Cape May Stage
Cape Regional Medical Center Aux.
Christ Child of CMC
Erma Volunteer Fire Company
Friends of Historic Cold Spring Village
Greater Cape May Elks Lodge
Knights of Columbus
Kiwanis Club of Cape May
Lower Cape May Little League
Lower Cape Hockey Association
Lower Township Optimist Club
Lower Township Elementary School
Make a Wish Foundation
National Quilters Assoc of CMC #279
St. John Neumann - St. Raymond's Holy Name Society
St. John Neumann - St. Raymond's Catholic Church
St. John Neumann - St. John of God Alter Rosary Society
St. John Neumann - St. John of God Catholic Church
Townbank Volunteer Fire Company
VFW Post 5343 Lt. Charles Buddy Lewis
Vietnam Vets of America - Chapter #602
Villas Volunteer Fire Company

FURTHER RESOLVED, the Clerk may issue additional Bingo & Raffle Licenses to organizations not listed above upon a valid LGCC ID certificate and all appropriate paperwork and fees.

I hereby certify the foregoing to be a Resolution adopted by the Township Council at a meeting held on January 2, 2013.

Julie A. Picard, Township Clerk

Table with 7 columns: MOTION, SECOND, AYE, NAY, ABSTAIN, ABSENT and 5 rows: CONRAD, NEVILLE, DOUGLASS, CLARK, BECK

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

RESOLUTION # 2013 -21

TITLE: DESIGNATION OF PUBLIC AGENCY COMPLIANCE OFFICER FOR LOWER TOWNSHIP

WHEREAS, in accordance with N.J.A.C. 17:27-3.2, each public agency shall designate an individual to serve as its Public Agency Compliance Officer (P.A.C.O.); and

WHEREAS, the Public Agency Compliance Officer is the liaison between Lower Township and the Division of Public Contracts Equal Employment Opportunity Compliance for all matters concerning implementation and administration of the statute; and

WHEREAS, the Public Agency Compliance Officer is responsible for administering contracting procedures pertaining to equal employment opportunity regarding both the Public Agency and the service providers. The P.A.C.O. must have the authority to recommend changes to effectively support the implementation of the statute and its regulations.

NOW, THEREFORE, BE IT RESOLVED that Margaret Vitelli be appointed the Public Agency Compliance Officer for the Township of Lower.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on January 2, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

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

RESOLUTION #2013-22

TITLE: AUTHORIZATION FOR PUBLIC BIDDING

WHEREAS, the Township is required to publicly bid certain items during the course of the year in accordance with the Local Public Contracts Law, and

WHEREAS, the Township may also desire to obtain public bids on certain other items that may become necessary during the course of the year but which are not required to be publicly bid.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Qualified Purchasing Agent is hereby authorized to obtain public bids as necessary for items or services in 2013 as they become necessary in accordance with the Local Public Contract Law.
2. The Township Engineer's Office is also hereby authorized to obtain public bids for engineering projects required by the Township during the course of the year.

BE IT FURTHER RESOLVED that all contracts awarded through public bidding be made a resolution of the Township Council and the required Chief Financial Officer's certification as to the availability of funds for the items/services to be procured.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 2, 2013

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

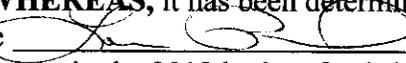
TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION # 2013-23

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 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 their union contracts.

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 2012 budget for Salaries and Wages

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that payment to the employees listed on the attached schedule not to exceed the amount of \$30,685.06 is authorized and chargeable to the 2012 Budget:

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 2, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

2012 Sick Buy Back

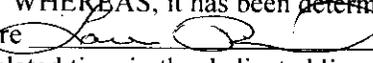
| Sick Time Buy Back 2012 | | | | | | | | |
|--------------------------------|-------------------|--------------|--------------|--------------|--------------|--------------------|------------------|------------------|
| Last Name | First Name | Dept. | Union | Hours | Rate | Tot. Check | Submitted | Qualifies |
| Douglass | Don | B & G | Afscme | 40 | 23.3078 | 932.31 | 12/13/12 | Y |
| Moore | Rose | BOCA | Afscme | 35 | 24.5594 | 859.58 | 11/28/12 | Y |
| Playford | Gary | BOCA | Supervisors | 35 | 39.39 | 1378.65 | 12/3/12 | Y |
| Byrne | Elizabeth | Courts | Supervisors | 35 | 41.44 | 1450.40 | 11/28/12 | Y |
| Bailey | Howard A. | DPW | Teamsters | 40 | 30.258 | 1210.32 | 12/17/2012 | Y |
| Bailey Sr. | Robert | DPW | Supervisors | 40 | 33.99 | 1359.60 | 12/17/2012 | Y |
| Barger | George | DPW | Teamsters | 40 | 24.913 | 996.52 | 12/17/2012 | Y |
| Douglass | Gary | DPW | Supervisors | 40 | 40.35 | 1614.00 | 12/17/12 | Y |
| Fairman | Timothy | DPW | Teamsters | 40 | 23.7089 | 948.36 | 12/17/12 | Y |
| Finnegan | Gerald | DPW | Teamsters | 40 | 26.0651 | 1042.60 | 12/17/12 | Y |
| LaSerre | David | DPW | Teamsters | 40 | 23.7089 | 948.36 | 12/17/12 | Y |
| Lepor | David | DPW | Supervisors | 40 | 33.99 | 1359.60 | 12/17/12 | Y |
| MacCarter | John F. | DPW | Teamsters | 40 | 22.3724 | 894.90 | 12/17/12 | Y |
| Magnavita | Allen | DPW | Teamsters | 40 | 23.132 | 925.28 | 12/17/12 | Y |
| McCloskey | Arthur | DPW | Teamsters | 40 | 26.4347 | 1057.39 | 12/17/12 | Y |
| Palek | Keith | DPW | Teamsters | 40 | 20.85 | 834.00 | 12/6/12 | Y |
| Small | Raymond | DPW | Teamsters | 40 | 23.132 | 925.28 | 12/17/12 | Y |
| Solenski | Thomas | DPW | Teamsters | 40 | 24.675 | 987.00 | 12/17/12 | Y |
| Thomas | Linda | DPW | Teamsters | 40 | 24.1892 | 967.57 | 12/17/12 | Y |
| Thompson Jr | Robert | DPW | Teamsters | 40 | 27.7787 | 1111.15 | 12/17/12 | Y |
| Read | Lauren | Finance | Non Union | 35 | 47.92 | 1677.20 | 11/29/12 | Y |
| Crippen | Colleen | Finance | Supervisors | 35 | 37.99 | 1329.65 | 12/5/12 | Y |
| Kreis | Eileen | Manager | Non Union | 35 | 24.74 | 865.90 | 12/4/12 | Y |
| Galestok | Willaim | Planning | Supervisors | 35 | 44.75 | 1566.25 | 11/28/12 | Y |
| Schubert | Lisa | Planning | Afscme | 35 | 25.1746 | 881.11 | 12/3/12 | Y |
| Johns | Willaim | Recreation | Afscme II | 40 | 11.2736 | 450.94 | 12/10/12 | Y |
| Kline | Vernon | Recreation | Afscme II | 40 | 10.7712 | 430.85 | 11/28/12 | Y |
| Maloney | Rachal | Recreation | Afscme II | 23 | 10.56 | 242.88 | 12/13/12 | Y |
| Muldoon | Phyllis | Recreation | Afscme II | 40 | 10.56 | 422.40 | 12/11/12 | Y |
| Ridgway | James | Recreation | Supervisors | 25 | 25.5 | 637.50 | 12/26/12 | Y |
| Sansone | Rocco | Recreation | Afscme II | 35.75 | 10.56 | 377.52 | 12/13/12 | Y |
| | | | | | Total | \$30,685.06 | | |

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
RESOLUTION # 2013-24**

Title: Authorizing Pay Out of Terminal Leave

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that a revised payment due to Gayle Crookston in the amount of \$ 6,804.77 is authorized and chargeable to the Reserve for Accumulated Absences.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 2, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

Crookston

TOWNSHIP OF LOWER
 RETIREMENT PAYOUT ANALYSIS
 DATE:

EMPLOYEE: Crookston, Gayle
 DATE OF RESIGNATION: 12/31/2012
 DATE OF PAYMENT: _____
 RESOLUTION #: 2013-24

| | |
|----------------|---------|
| Annual Salary: | |
| Hourly Rate: | \$23.71 |
| Longevity | \$0.00 |

| TERMINAL LEAVE: | | | |
|------------------------------|---------|-------|-------------------|
| | Hours | Rate | Total |
| Comp | 0.00 | 23.71 | 0.00 |
| Personal | 0.00 | 23.71 | 0.00 |
| Sick | (13.00) | 23.71 | (308.23) |
| Vacation | 300.00 | 23.71 | 7,113.00 |
| | 287.00 | | |
| Terminal Leave Payout | | | \$6,804.77 |

| | (A) | (B) | (C) | (B * C) (D) | (E) | A + D - E (F) | |
|--------------|-----------------|---------------|------------------------|----------------------|-----------------|---------------------|--------------|
| | Carryover | Annual | 26 weeks / 52 weeks | Prorated Time Due | Time Used | Hours to be paid | |
| Comp | | | | 0.00 | | 0.00 | |
| Personal | | 32.00 | 0.50 | 16.00 | 16.00 | 0.00 | contract max |
| Sick | 924.00 | 120.00 | 0.50 | 60.00 | 997.00 | (13.00) | 960 hours |
| Vacation | 200.00 | 200.00 | 0.50 | 100.00 | | 300.00 | |
| Total | 1,124.00 | 352.00 | 1.50 | 176.00 | 1,013.00 | 287.00 | |

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

Employee Signature: _____

Date: _____

Treasurer's Signature:  _____

Date: 12/27/12

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

RESOLUTION # 2013-25

Title: AUTHORIZATION FOR THE PAYOUT OF ACCUMULATED COMPENSATORY TIME

WHEREAS, the employee listed below has accrued compensatory time due from the Township and has requested payment for this time, and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that payment to Edward Edwards in the amount of **\$2,413.28** is authorized and chargeable to the 2012 Budget account 2-01-25-240-122.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 2, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

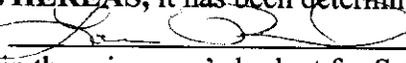
TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION # 2013-26

**Title: AUTHORIZATION FOR THE PAYOUT OF ACCUMULATED
COMPENSATORY TIME**

WHEREAS, the employee listed below has accrued compensatory time due from the Township and has requested payment for this time, and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that payment to Mitchell Plenn in the amount of \$600.06 is authorized and chargeable to the 2012 Budget account 2-01-28-370-101.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 2, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

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

RESOLUTION #2013-27

Title: TRANSFER OF 2012 APPROPRIATIONS

WHEREAS, N.J.S.A. 40A: 4-59 provides for appropriation transfers during the first three months of the succeeding year when it has been determined that any appropriation reserve for the immediately preceding fiscal year is insufficient to pay the claims authorized or incurred during the preceding year, which were chargeable to said appropriation, and there is an excess in any appropriation reserve 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, and totaling \$15,920.00 be made between the 2011 budget appropriation reserves.

| <u>LINE ITEM</u> | | <u>ACCT. NUMBER</u> | <u>TO</u> | <u>FROM</u> |
|-----------------------|-----|---------------------|------------------|------------------|
| BUILDINGS AND GROUNDS | S&W | 2-01-20-310-100 | 4,100.00 | |
| FIRE SAFETY | S&W | 2-01-25-265-100 | 320.00 | |
| BOCA | S&W | 2-01-22-195-100 | 4,000.00 | |
| PLANNING | S&W | 2-01-20-170-100 | 3,500.00 | |
| TAX COLLECTOR | S&W | 2-01-20-145-100 | 1,000.00 | |
| TELEPHONE | OE | 2-01-31-440-270 | 3,000.00 | |
| FIRE SAFETY | OE | 2-01-25-265-200 | | 320.00 |
| ELECTRIC | OE | 2-01-31-430-200 | | 15,600.00 |
| | | | <u>15,920.00</u> | <u>15,920.00</u> |

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 2, 2013.

Julie A. Picard, RMC, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

| Vendor # Name | PO # | PO Date | Description | Status | Amount | Void Amount | Contract | PO Type |
|--|----------|----------|-------------------------------|--------|---------------|-------------|----------|---------|
| 01519 TOM FOLS ELECTRICALCONTRACTOR* Continued | 12-03411 | 12/18/12 | CENTER CIRCLE ELECTRICAL | Open | <u>750.00</u> | 0.00 | | |
| | | | | | 2,700.00 | | | |
| 01713 PATRICK GREENE | 11-01370 | 05/16/11 | 2011 EQUIP. ALLOWANCE | Open | 150.00 | 0.00 | | |
| 01781 HATCH MOTT MACDONALD, LLC* | 12-01983 | 07/18/12 | BEACH DRIVE PEDESTRIAN ACCESS | Open | 1,010.00 | 0.00 | | B |
| | 12-03403 | 12/18/12 | ENGINEERING PROJ#284564CM10 | Open | 138.50 | 0.00 | | |
| | 12-03404 | 12/18/12 | ENGINEERING PROJ#316169CM10 | Open | 1,521.20 | 0.00 | | |
| | 12-03405 | 12/18/12 | ENGINEERING PROJ#317066CM10 | Open | <u>294.60</u> | 0.00 | | |
| | | | | | 2,964.30 | | | |
| 01837 ROBERT HODSDEN | 12-03381 | 12/13/12 | CONTRACTUAL REIMBURSEMENT | Open | 723.07 | 0.00 | | |
| 01859 HESS CORPORATION | 12-03435 | 12/26/12 | ELECTRICITY 11/19/12-12/19/12 | Open | 7,642.54 | 0.00 | | |
| 02175 BRUCE KLAUSING | 12-03440 | 12/26/12 | CONTRACTUAL REIMBURSEMENT | Open | 20.00 | 0.00 | | |
| 02220 LIFESAVERS INC* | 12-02658 | 10/04/12 | AED UNITS | Open | 3,472.00 | 0.00 | | |
| 02517 BRIAN MARKER | 12-03391 | 12/17/12 | REIMBURSEMENT FOR MEETINGS | Open | 40.00 | 0.00 | | |
| 02541 ROBERT D. MARTIN, JR | 12-03380 | 12/13/12 | CONTRACTUAL REIMBURSEMENT | Open | 27.00 | 0.00 | | |
| 02647 KATHLEEN MCPHERSON | 12-03436 | 12/26/12 | CONTRACTUAL REIMBURSEMENT | Open | 134.11 | 0.00 | | |
| 02677 KAREN F. WOLF | 12-03448 | 12/27/12 | CONTRACTUAL REIMBURSEMENT-V | Open | 113.00 | 0.00 | | |
| 02728 MIDDLE TOWNSHIP RECREATION DPT | 12-03295 | 12/05/12 | TRAVEL TEAM LEAGUE FEES | Open | 300.00 | 0.00 | | |
| 02986 NEVCO SCOREBOARD CO.* | 12-03281 | 12/04/12 | SCOREBOARD | Open | 903.15 | 0.00 | | |
| 03021 NJ MOTOR VEHICLE COMMISSION | 12-03401 | 12/17/12 | ON LINE ABSTRACT | Open | 150.00 | 0.00 | | |
| 03158 NYSCA* | 12-03249 | 11/29/12 | COACHING CERTS FOR BASKETBALL | Open | 300.00 | 0.00 | | |
| 03280 PARAMOUNT SANITARY SUPPLY* | 12-03224 | 11/27/12 | CLEAR TRASH BAGS | Open | 173.40 | 0.00 | | |

| Vendor # Name | PO # | PO Date | Description | Status | Amount | Void Amount | Contract | PO Type |
|--------------------------------------|----------|----------|-------------------------------|-----------|---------------|-------------|----------|---------|
| 03280 PARAMOUNT SANITARY SUPPLY* | | | | Continued | | | | |
| | 12-03282 | 12/04/12 | CLEANING SUPPLIES | Open | <u>224.00</u> | 0.00 | | |
| | | | | | 397.40 | | | |
| 03366 AMERI-GAS* | | | | | | | | |
| | 12-03410 | 12/18/12 | FUEL FOR BENNETTS | Open | 281.07 | 0.00 | | |
| | 12-03451 | 12/27/12 | FUEL FOR BENNETTS | Open | <u>171.77</u> | 0.00 | | |
| | | | | | 452.84 | | | |
| 03377 JULIE PICARD | | | | | | | | |
| | 12-03398 | 12/17/12 | REIMB FOR 12/17 MEETING ITEMS | Open | 59.37 | 0.00 | | |
| 03387 POGUE INC. * | | | | | | | | |
| | 12-03328 | 12/10/12 | PRE EMPLOYMENT TESTING | Open | 133.00 | 0.00 | | |
| 03554 RUTGERS, ENVIRONMENTAL SCIENCE | | | | | | | | |
| | 12-03274 | 12/03/12 | TRAINING RECERT. | Open | 210.00 | 0.00 | | |
| 03608 SEAWAVE CORPORATION* | | | | | | | | |
| | 12-03321 | 12/07/12 | 2013 MEETING SCHEDULE AD | Open | 12.15 | 0.00 | | |
| 03678 SMELTZER & SONS INC. * | | | | | | | | |
| | 12-03383 | 12/13/12 | FENCE FOR OUTFALL PROJECT | Open | 524.70 | 0.00 | | |
| 03703 SAMUEL STANGO | | | | | | | | |
| | 12-03400 | 12/17/12 | CONTRACTUAL REIMBURSEMENT-V | Open | 114.00 | 0.00 | | |
| 03734 STEWART INDUSTRIES, INC. * | | | | | | | | |
| | 12-03423 | 12/20/12 | COPIER MAINT 12/23/12-3/23/13 | Open | 1,336.00 | 0.00 | | |
| 03753 SYSTEM WAREHOUSE | | | | | | | | |
| | 12-01974 | 07/18/12 | ASSET LABELS | Open | 196.47 | 0.00 | | |
| 03935 STAPLES BUSINESS ADVANTAGE* | | | | | | | | |
| | 12-03136 | 11/14/12 | STAMPERS FOR TOWNSHIP CLERK | Open | 58.00 | 0.00 | | |
| 03969 VERIZON | | | | | | | | |
| | 12-03426 | 12/21/12 | TELEPHONES 11/20/12-12/19/12 | Open | 6,300.04 | 0.00 | | |
| 04075 BARBER CONSULTING SERVICES LLC | | | | | | | | |
| | 12-03385 | 12/14/12 | NETWORK LINES FOR BOCA MOVE | Open | 1,575.00 | 0.00 | | |
| 04105 PITNEY BOWES GLOBAL FINANCIAL | | | | | | | | |
| | 12-00131 | 01/12/12 | 2012 POSTAGE LEASE | Open | 451.00 | 0.00 | | |
| 04123 TAMMY DECKER | | | | | | | | |
| | 12-03452 | 12/27/12 | PAYMENT TO INSTRUCTOR-PILATES | Open | 50.00 | 0.00 | | |
| 04158 HUFFMAN'S FLOOR COVERING* | | | | | | | | |
| | 12-03254 | 11/29/12 | FLOORING FOR REC CENTER | Open | 6,064.15 | 0.00 | | |
| 04300 W B MASON CO INC* | | | | | | | | |
| | 12-03169 | 11/19/12 | SUPPLIES | Open | 139.83 | 0.00 | | |

| Vendor # Name | PO # | PO Date | Description | Status | Amount | Void Amount | Contract | PO Type |
|-------------------------------------|----------|----------|--------------------------------|--------|---------------|-------------|----------|---------|
| 04445 TRICOMM SERVICES CORP* | | | | | | | | |
| | 12-03308 | 12/06/12 | PHONE REPAIR | Open | 318.75 | 0.00 | | |
| | 12-03344 | 12/11/12 | TELEPHONE/FAX REPAIR TOWNHALL | Open | <u>191.25</u> | 0.00 | | |
| | | | | | 510.00 | | | |
| 05072 SOUTH JERSEY CONT ED CENTER | | | | | | | | |
| | 12-02926 | 11/08/12 | TAX COLLECTOR REFRESHER | Open | 160.00 | 0.00 | | |
| 05074 KG MARINE CONTRACTING INC* | | | | | | | | |
| | 12-02673 | 10/09/12 | RES 2012-236 OUTFALL PIPES M-7 | Open | 73,744.68 | 0.00 | | B |
| 05075 BYLER BUILDERS, LLC* | | | | | | | | |
| | 12-02727 | 10/11/12 | STONE BASE | Open | 9,510.00 | 0.00 | | |
| 5055 MATTHEW GAMBLE | | | | | | | | |
| | 12-01314 | 05/17/12 | 2012 EQUIP. ALLOWANCE | Open | 77.45 | 0.00 | | B |
| ALPHACAR ALPHA CARD SYSTEMS* | | | | | | | | |
| | 12-03331 | 12/10/12 | INK CARTRIDGE FOR ALPHA CARD | Open | 188.70 | 0.00 | | |
| BARB BARBARAS SEA SHELL FLORIST* | | | | | | | | |
| | 12-00396 | 02/08/12 | DOUGLASS MEMORIAL WREATH | Open | 49.00 | 0.00 | | |
| BOSNA KAREN MANETTE BOSNA | | | | | | | | |
| | 12-03453 | 12/27/12 | PAYMENT TO INSTRUCTOR-YOGA | Open | 55.00 | 0.00 | | |
| G-DB DB ELECTRONICS | | | | | | | | |
| | 12-03255 | 11/29/12 | SOUND SYSTEM FOR REC DEPT | Open | 4,300.00 | 0.00 | | |
| KWISE KELSY WISE | | | | | | | | |
| | 12-03454 | 12/27/12 | PAYMENT TO INSTRUCTOR-ZUMBA | Open | 65.00 | 0.00 | | |
| NOTARY TREASURER STATE OF NJ NOTARY | | | | | | | | |
| | 12-03450 | 12/27/12 | NOTARY SHIELA SMITH | Open | 25.00 | 0.00 | | |
| SANTIAG CESAR SANTIAGO | | | | | | | | |
| | 12-03409 | 12/18/12 | REFUND FOR BASKETBALL (COACH) | Open | 15.00 | 0.00 | | |

Total Purchase Orders: 68 Total P.O. Line Items: 161 Total List Amount: 141,929.02 Total Void Amount: 0.00

I hereby certify the foregoing Resolution was adopted by the Township Council at a meeting held on January 2, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

Township of Lower, County of Cape May, State of New Jersey

RESOLUTION # 2013-29

PAYMENT OF 2013 VOUCHERS

| VENDOR | | AMOUNT |
|---------------------------------|---------------------|----------------|
| Lower Board of Education Tax | Due 1/1/2013 | \$1,495,251.40 |
| Lower Cape May Regional Tax | Due 1/15/2013 | \$1,122,541.53 |
| Blue Cross Blue Shield | Due 1/1/2013 | \$244,109.58 |
| Blue Cross Blue Shield Med | Due 1/1/2013 | \$2,625.93 |
| Horizon Dental | Due 1/1/2013 | \$15,863.49 |
| Barber Consulting | Due 1/1/2013 | \$5,000.00 |
| Edmunds and Associates | Due 1/1/2013 | \$19,425.00 |
| Lower MUA | Due 1/1/2013 | \$1,160.00 |
| Global Connect | Rev 911 | \$5,650.00 |
| Advance Video Camera Maint | Maint Cameras | \$1,044.00 |
| Marsh McLennan | Liability Insurance | \$12,053.00 |
| Colleen Crippen Custodian | Petty Cash | \$100.00 |
| Chief Brian Marker Custodian | Petty Cash | \$250.00 |
| Cape Assist | 2013 | \$3,213.00 |

| |
|---|
| TOTAL BILL |
| LIST \$2,928,286.93 |

I hereby certify the foregoing Resolution was adopted by the Township Council at a meeting held on January 2, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|-----------------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |

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

RESOLUTION NO. 2013-30

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 2013, 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, 2013 and the second in the amount of THIRTY-FIVE THOUSAND (\$35,000.00) DOLLARS due on or before November 4, 2013. 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.

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.

I hereby certify the foregoing resolution was adopted by the Township Council at a meeting held on January 2, 2013.

Julie A. Picard, Township Clerk

| | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD | | | | | | |
| NEVILLE | | | | | | |
| DOUGLASS | | | | | | |
| CLARK | | | | | | |
| BECK | | | | | | |