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

RESOLUTION #2020-20

Title: **AUTHORIZING 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

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

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

Authority to Invest

1. 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

1. 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

1. 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

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 and/or eligible dependent care services. At the beginning of each plan year, a specific dollar amount must be elected. For 2020, the allowable amount is $2,500.00 for medical and $5,000.00 for dependent care reimbursements.

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.

Fund Balance Policy

It is in the best interest of the Township to establish a fund balance policy to assure adequate funds are available to mitigate current and future risk, ensure stable tax and utility rates and strengthen the Township's credit worthiness. Regarding the current fund balance, it is the policy of the Township to maintain fund balance at a level of no less than 10% (post utilization in subsequent year budget) to 20% (pre utilization in subsequent year budget) of the current fund budget with an optimal balance equaling two months of current fund expenditures.

Electronic Receipts Policy NEW

It is in the best interest of the Township to provide more and improved access for residents to pay their property taxes. To that end the Township accepts online tax payments in the form of ACH withdrawal, credit cards and debit cards. In addition the Township will also allow the usage of in-person credit card tax payments.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

_____

Julie A Picard, Township Clerk

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

RESOLUTION #2020-21

Title: **AUTHORIZING THE CLERK TO ISSUE BINGO & RAFFLE LICENSES THROUGHOUT 2020 TO QUALIFIED ORGANIZATIONS**

WHEREAS, the Township Clerk receives applications throughout the year from various organizations to conduct bingo and/or raffle games within the Township of Lower; 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 2020 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, County of Cape May, State of New Jersey, that the Township Clerk is authorized to issue bingo/raffle licenses for 2020 to the following organizations as applicable throughout the year.

Atlantic Cape Community College
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 #2839
Knights of Columbus
Kiwanis Club of Cape May
Lower Cape May Little League
Lower Cape Hockey Association
Lower Township Optimist Club
Soroptimist International
Senior Citizens of North Cape May
Lower Township Elementary School
Make a Wish Foundation
St. Barnabas By the Bay
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
Wildwood Catholic
Women's Community Club of Cape May

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

Julie A Picard, Township Clerk

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

RESOLUTION #2020-22

Title: **AUTHORIZATION FOR PUBLIC BIDDING**

WHEREAS, the Township Of Lower 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:

That Margaret Vitelli, Lower Township's Qualified Purchasing Agent is hereby authorized to obtain public bids as necessary for items or services in 2020 as they become necessary in accordance with the Local Public Contract Law.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

Julie A Picard, Township Clerk

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

RESOLUTION #2020-23

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 by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that **Margaret Vitelli** be appointed the Public Agency Compliance Officer for the Township of Lower.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
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PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

Julie A Picard, Township Clerk

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

RESOLUTION #2020-24

Title:: **AUTHORIZING THE TAX ASSESSOR TO FILE TAX APPEALS**

WHEREAS, by a directive from the Cape May County Board of Taxation pursuant to N.J.A.C. 18:12A-1(c), all tax appeals submitted to the Cape May County Board of Taxation by the Tax Assessor on behalf of the Township of Lower must be authorized by Resolution of the Township Council for the Tax Year 2020.

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

> *Township Council hereby authorizes the Tax Assessor to file Tax Appeals on behalf of the Township of Lower. The Tax Assessor shall have the right to terminate and/or settle by stipulation or otherwise, any such Tax Appeal that she/he shall institute.*

BE IT FURTHER RESOLVED that the Township Clerk is hereby directed to forward a certified copy of this Resolution to the Cape May County Board of Taxation and to furnish copies of same to the Township Assessor and Township Solicitor.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

_____

Julie A Picard, Township Clerk

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

RESOLUTION #2020-25

Title: **RESOLUTION ESTABLISHING THE QUOTE THRESHOLD PURSUANT TO NJSA 40A:11-3a**

WHEREAS, pursuant to N.J.S.A. 40A: 11-3a, the current legal threshold for quotes for Lower Township is $6,000.00 or 15% of the Qualified Purchasing Agents bid threshold of $40,000.00; and

WHERAS, the Township Council hereby establishes a quote limit which will not require multiple quotes from the using departments for any purchase under $4,000.00 and the Township Manager is hereby authorized to allow exceptions up to the legal limit of $6,000.00, if it is determined to be in the best interest of the Township.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that a quote threshold of $4,000 is hereby established and any purchase under $4,000.00 will not require multiple quotes from the using departments, and the Township Manager may allow exceptions up to the legal quote limit of $6,000.00, if it is determined to be in the best interest of the Township.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
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PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

_____

Julie A Picard, Township Clerk

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

RESOLUTION #2020-26

Title: **APPOINTMENT OF MUNICIPAL ENGINEER FOR THE YEAR 2020 AS A PROFESSIONAL SERVICE CONTRACT WITHOUT PUBLIC BIDDING**

WHEREAS, the Township has a need to acquire a Municipal Engineer and is satisfied with services rendered by the current vendor and desires to authorize this appointment using 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 Mott MacDonald, LLC has submitted a proposal indicating that they will provide the goods or services described above for a price not to exceed $450,000; and

WHEREAS, the Township Manager is granted authority to approve engineering proposals costing $10,000 or less with a valid purchase order; availability of funds authorized by the CFO and signatures of the appropriate officials; and

WHEREAS, the anticipated term of this contract is one year, January 1, 2020 thru December 31, 2020; and

WHEREAS, the CFO has determined sufficient funds will be available in the budget as follows:

Appropriation: Various Capital Ordinances

CFO Signature: _____
Lauren Read, CFO

WHEREAS, Mott MacDonald, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Mott MacDonald, LLC 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 Mott Macdonald, LLC 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, County of Cape May, State of New Jersey hereby approves a contract with Mott MacDonald, LLC 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.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
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PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

_____
Julie A Picard, Township Clerk

MOTT MACDONALD

Ms. Julie Picard, RMC
Township Clerk
2600 Bayshore Road
Villas, NJ 08251

2020 Agreement for Professional Engineering and Planning Services
Township of Lower, Cape May County, New Jersey

December 16, 2019

211 Bayberry Drive
Suite 1A
Cape May Court House NJ
08210

T +1 (609) 465 9377
F +1 (609) 465 5270
www.mottmac.com

Dear Ms. Picard:

Mott MacDonald looks forward to continuing to provide professional consultation services to the Township of Lower as the Municipal Engineer, Planning Board Engineer and Zoning Board of Adjustment Engineer in 2020. Mott MacDonald proposes to provide Mr. Shawn A. Carr, PE, CME to serve as the Township Engineer and Mr. Scott J. Macpherson, PE, CME to serve as the Assistant Municipal Engineer, Planning Board Engineer and Zoning Board of Adjustment Engineer.

Mr. Carr and Mr. Macpherson will continue to provide effective and responsive Municipal Engineering services to the Township of Lower from our office located in nearby Cape May Court House, New Jersey. In addition to our firm's Municipal Engineering experience, Mr. Carr and Mr. Macpherson can draw upon the variety of talented professionals of various engineering disciplines employed by the firm to provide professional engineering and technical assistance to the Township.

As in the past nine years, we can provide services in a variety of areas of expertise and we are available to assist the Township and the Township Planning & Zoning Boards with general engineering and environmental consultation services on an as-needed basis, in a timely and effective manner.

As requested we have enclosed two (2) executed copies of our 2020 Professional Engineering and Planning Services contract with the Township. Upon execution of the agreements, please return one (1) copy to our office for our files. We have also included the following items as requested:

- 2020 Fee Schedule (Exhibit B of the enclosed contract);
- Business Entity Disclosure Certification
- Statement of Ownership Disclosure
- Affidavit of Pay-to-Play Compliance
- Mandatory Equal Opportunity form
- Certificate of Employee Information Report

MOTT MACDONALD

We look forward to continuing to serve the Township of Lower in 2020 and beyond. Should you have any questions or require additional information, please feel free to contact our office.

Very truly yours,

Mott MacDonald, LLC

Cathleen Marcelli, PE, CME
Senior Vice President
T 732.780.6565
cathleen.marcelli@mottmac.com

cc: Shawn A. Carr, PE, CME
Scott J. Macpherson, PE, CME

SF-MUN-ENG
041801 042302

AGREEMENT
FOR
PROFESSIONAL ENGINEERING AND PLANNING SERVICES

THIS AGREEMENT is made and entered into this day of January, 2020, by and between **MOTT MacDONALD, LLC,** having its principal place of business at 111 Wood Avenue South, Iselin, New Jersey 08830, hereinafter called "ENGINEER"; and **TOWNSHIP OF LOWER** a municipal corporation of the State of New Jersey, having offices at 2600 Bayshore Road, Villas, New Jersey 08251, hereinafter called the "CLIENT".

WHEREAS, CLIENT wishes to obtain professional engineering and planning consulting services through the year 2020 (sometimes referred to herein as the "Work"), and

WHEREAS, the CLIENT desires that the ENGINEER be available to undertake such professional engineering services as the CLIENT may order hereunder, and

WHEREAS, CLIENT wishes to retain the services of Shawn A. Carr and Scott J. Macpherson, Professional Engineers licensed by the State of New Jersey, with the firm Mott MacDonald, LLC in the position of Township Engineer and Assistant Township Engineer/Zoning Board Engineer/Planning Board Engineer, respectively, for a one-year period commencing on January 1, 2020 (sometimes referred to herein as the "Work"), and

WHEREAS, funds are available for this purpose;

NOW, THEREFORE, in consideration of the premises and the covenants and agreements contained herein, CLIENT and ENGINEER agree as follows:

SECTION 1 - BASIC SERVICES OF ENGINEER

a. ENGINEER shall provide the professional engineering services of the types described in Exhibit A hereto ("Further Description of Basic Services").

b. The ENGINEER is hereby authorized to perform General Municipal Engineering Services as ordered by the CLIENT.

c. For other Services Work Orders specifying the specific professional engineering services required will be issued hereunder from time to time by the CLIENT and will be mutually agreed by the CLIENT and the ENGINEER. These Work Orders may be in the form annexed hereto as Exhibit A, Attachment 1. However, no particular formality is required for Work Orders and they may take the form of ordinary letters or oral directives from the CLIENT. All the terms and conditions of this Agreement shall apply to each Work Order as if set forth at length therein.

d. No Work Orders shall be issued unless funds have been appropriated for this purpose and duly committed to this Agreement. Each Work Order shall contain a certificate, from the CLIENT's authorized representative, of the availability of funds for this purpose and shall be accompanied by a certified copy of the CLIENT's Resolution authorizing the Work.

e. ENGINEER is retained as an independent contractor and not as an employee of the CLIENT.

f. ENGINEER shall be responsible to CLIENT for ENGINEER's negligent acts, errors or omissions in the performance of its

professional engineering services and those of its subcontractors, agents and employees. However, ENGINEER shall not be responsible for any other persons, including but not limited to the agents, employees and contractors of CLIENT. **ENGINEER's SERVICES SHALL NOT BE SUBJECT TO ANY EXPRESS OR IMPLIED WARRANTIES WHATSOEVER.**

SECTION 2 - ADDITIONAL SERVICES OF ENGINEER

a. If authorized in writing by CLIENT and agreed to in writing by ENGINEER, ENGINEER shall furnish or obtain from others Additional Services which will be paid for by CLIENT as indicated in Section 5. The following shall be Additional Services:

b. Services resulting from significant changes in the extent of the orders issued by the CLIENT or changes requested by CLIENT.

c. Additional or extended services made necessary by prolongation of the services ordered or acceleration of the ENGINEER's progress schedule.

d. Services after completion of the Work ordered -- Preparing to serve or serving as a consultant or witness (either expert or factual) for CLIENT in any arbitration, litigation, public hearing or other legal or administrative proceeding involving the Work.

e. Services normally furnished by CLIENT or other services not otherwise provided for in this Agreement and the Work Orders issued hereunder.

SECTION 3 - CLIENT'S RESPONSIBILITIES

CLIENT shall:

a. Provide all criteria and full information as to CLIENT's requirements for the services.

b. Assist ENGINEER by placing at his disposal all available information pertinent to the services including previous reports and any other data relative to the Work.

c. Arrange for access to and make all provisions for ENGINEER to enter upon public and private property as required for ENGINEER to perform his services.

d. Examine all studies, reports, sketches and other documents presented by ENGINEER, obtain advice of an attorney, insurance counselor and other consultants as CLIENT deems appropriate for such examination, within a reasonable time so as not to delay the services of ENGINEER.

e. Designate in writing a person to act as CLIENT'S representative with respect to the services to be rendered under this Agreement. Such person shall have complete authority to transmit instructions, receive information, interpret and define CLIENT'S policies and make decisions with respect to the Work.

f. Give prompt written notice to ENGINEER whenever CLIENT observes or otherwise becomes aware of any development that affects the scope or timing of ENGINEER's services or any alleged defect or non-conformity in the work of the ENGINEER.

g. Furnish or request ENGINEER to provide necessary Additional Services as required for the Work.

h. Provide all record-keeping and file all reports required to comply with the CLIENT's legal responsibility.

SECTION 4 - PERIOD OF SERVICE

a. The provisions of this Section 4 and the various rates of compensation for ENGINEER's services provided for elsewhere in this Agreement have been agreed to in anticipation of the orderly and continuous progress of the services through completion.

b. If there are material modifications or changes in the extent of the services or in the time of performance of ENGINEER's services, the various rates of compensation and the time of

completion of the services shall be equitably adjusted appropriately.

c. This Agreement shall cover the period from January 1, 2020 through December 31, 2020.

SECTION 5 - PAYMENTS TO ENGINEER

a. CLIENT shall pay ENGINEER for Basic Services rendered on a time and materials basis under ENGINEER's 2020 Rate Schedule, attached hereto as Exhibit B.

b. A not to exceed amount shall be established by mutual agreement for each work order.

c. The not to exceed amount shall not be exceeded without the express written authorization of CLIENT. If at any time the ENGINEER determines that, without the fault of the ENGINEER, the not to exceed amount will not be sufficient to complete the services, he shall give notice of the same to the CLIENT, accompanied by his estimate of the additional funding necessary to complete such services, whereupon the CLIENT shall have the option of either providing the additional funds necessary for the completion of the services (in which case the Work Order shall be amended by mutual agreement to set forth the additional amounts) or reducing the further services to be provided by the ENGINEER consistent with the remaining funds in the not to exceed amount (in which case the Work Order shall be amended by mutual agreement to set forth the revised scope of work).

d. For Additional Services. CLIENT shall pay ENGINEER for additional Services rendered under Section 2 as follows:

e. For Additional Services rendered under Section 2(a) on the basis of ENGINEER's Hourly Rate Schedule in effect at the time the services are rendered, and the actual hours of services rendered by any employees assigned to the Project. The ENGINEER may also be contracted and paid on a lump sum basis for specific projects, as agreed upon by the CLIENT.

f. Special Consultants. For services and reimbursable expenses of special consultants employed by ENGINEER, the amount billed therefore times a factor of 1.10.

g. For Reimbursable Expenses. In addition to payments provided for in Paragraph 5(d), CLIENT shall pay ENGINEER the actual costs of all Reimbursable Expenses incurred in connection with Additional Services during the project.

h. The terms ENGINEER's Hourly Rate Schedule and Reimbursable Expenses shall have the meanings assigned to them in Paragraph 5(l) hereinafter.

i. Times of Payments -- ENGINEER shall submit monthly statements for Basic and Additional Services rendered (based upon a time and materials summary or percent complete for projects contracted on a lump sum basis) and for Reimbursable Expenses incurred. CLIENT shall make prompt monthly payments in response to ENGINEER's monthly statements.

j. Other Provisions Concerning Payments If CLIENT fails to make any payment due ENGINEER for services and expenses within thirty (30) days after the date of the ENGINEER's bill therefor, the amounts due ENGINEER shall include a charge at the rate of 1 1/2% per month from said thirtieth day, and in addition, ENGINEER may, after giving seven (7) days' written notice to CLIENT, suspend services under this Agreement until he has been paid in full all amounts due him for services and Reimbursable Expenses.

k. In the event of a termination under paragraph 6(a) of this Agreement, ENGINEER will be paid for all unpaid Basic Services, Additional Services and unpaid Reimbursable Expenses, to the date of termination.

l. Reimbursable Expenses.
Reimbursable Expenses mean the actual expenses incurred directly or indirectly in connection with the Project for: transportation and subsistence incidental thereto; telephone calls and telegrams; postage and delivery

charges; photographic and photocopying expenses; and reproduction of reports, drawings, specifications, and other Work-related items as are set forth in the "Expenses" Schedule of Exhibit B.

m. ENGINEER's Hourly Rate Schedule. ENGINEER's 2020 Rate Schedule is set forth in Exhibit B.

SECTION 6 - GENERAL PROVISIONS

a. Termination -- Either the CLIENT or the ENGINEER may terminate this Agreement without advance notice and effective immediately for cause which, on the part of the ENGINEER shall be for breach of the terms and conditions of this Agreement, and, on the part of the CLIENT, shall be for failure to make the payments under the terms of this Agreement; or, otherwise, with or without cause, upon ten (10) days advance written notice to the other party.

b. Reuse of Documents -- All documents prepared and delivered by ENGINEER pursuant to this Agreement are instruments of service in respect of the Work ordered. They are not intended or represented to be suitable for reuse by CLIENT or others on extensions of the Work or on any other project. CLIENT shall not reuse said documents without the express written consent of ENGINEER. Any such reuse shall be at the sole risk of the CLIENT.

c. Project Records -- As used in this Agreement, the term, "Records", shall include plans, reports, documents, field notes, work product, or other items generated or obtained for the Project by ENGINEER. Only original signed and sealed documents and drawings shall constitute Records. Unsigned or unsealed copies, prints, CADD files, computer programs, magnetic deliverables and/or any other media shall not be considered Records. If there is a discrepancy between the signed and sealed Records and any other documents or drawings, the Records shall prevail.

d. Records which are instruments of service deliverable under this Agreement shall become the property of the CLIENT upon payment for all the Work. Originals of Records shall remain in the possession of the ENGINEER. The CLIENT shall be entitled to additional copies of all Records within a reasonable period of time after forwarding a written request to the ENGINEER, provided that the CLIENT has paid the ENGINEER for all the Work. ENGINEER shall be compensated for the reasonable costs of research and reproduction of the additional copies of the requested Records.

e. This Agreement is to be governed by the laws of the State in which the services are to be performed.

f. CLIENT and ENGINEER each binds himself and his partners, successors, executors, administrators, assigns and legal representatives to the other party to this Agreement and to the successors, executors, administrators, assigns and legal representatives of such other party, in respect to all covenants, agreements and obligations of this Agreement.

g. Neither CLIENT nor ENGINEER shall assign this Agreement without the express written consent of the other, except as stated in Paragraph 6(f) and except to the extent that the effect of this limitation may be restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement. Nothing contained in this paragraph shall prevent ENGINEER from employing such independent consultants, associates and subcontractors as he may deem appropriate to assist him in the performance of the Work hereunder.

h. Nothing in this Agreement shall be construed to give any rights or benefits hereunder to any one other than CLIENT and ENGINEER.

i. Estimates of Cost -- Since ENGINEER has no control over the cost of labor, materials or equipment, or over contractor(s) methods of determining prices, or over competitive bidding or market conditions, his opinions of estimated Project cost or construction cost are to be made on the basis of his experience and qualifications and represent his professional judgment as an

engineer, but ENGINEER cannot and does not guarantee that such cost will not vary from opinions of estimated cost prepared by him.

j. Notwithstanding anything else to the contrary herein, the liability of either party to the other under this Agreement (whether by reason of breach of contract, tort or otherwise, including under any applicable indemnification provisions) shall be limited to the greater of: (a) the amount of professional service fees paid to the ENGINEER under this Agreement; or (b) the amount of liability insurance posted by the CLIENT at the time of execution of this Agreement. ENGINEER and the CLIENT hereby waive their respective rights to any and all claims against each other for special, indirect or consequential damages.

SECTION 7 - EXHIBITS AND SPECIAL PROVISIONS

The following Exhibits are attached to and made a part of this Agreement:

a. Further Description of Basic Services (Exhibit A).

b. The ENGINEER's Schedule of Hourly Rates and Expenses (Exhibit B).

c. Mandatory Affirmative Action Clause (Exhibit C).

d This Agreement is subject to the following special provisions -- The mandatory language of applicable equal employment opportunity and affirmative action laws and regulations promulgated by the federal and state governments having jurisdiction are incorporated by reference into this Agreement. ENGINEER agrees to afford equal opportunity in performance of this Agreement in accordance with an affirmative action program approved by the appropriate authorities.

e. Insurance -- ENGINEER shall carry the following insurance during the performance of its services and shall provide certificates of insurance evidencing its coverage, prior to starting the Work. The certificates of insurance shall provide for advance notice to the CLIENT of any subsequent modification or cancellation of the coverages.

i. Worker's Compensation Insurance with statutory coverage and $1,000,000 employer's liability coverage.

ii. Commercial General Liability Insurance with aggregate annual limits of $1,000,000.

iii. Automobile Liability Insurance with aggregate annual limits of $1,000,000.

iv. Professional Liability Insurance with aggregate annual limits of $1,000,000.

SECTION 8 - ENTIRE AGREEMENT

This Agreement (consisting of Pages 1 to 6, inclusive), together with the Exhibits identified in Section 7 above), constitutes the entire agreement between CLIENT and ENGINEER and supersedes all prior written or oral understandings. This Agreement and said Exhibit may only be amended, supplemented, modified or cancelled by the terms of a mutually agreed written instrument. In case of any inconsistency between the terms of a Work Order and this Agreement, the terms of this Agreement shall prevail, unless the terms of the Work Order expressly provide that the terms of the Work Order are to prevail.

SECTION 9 - NON-FAIR AND OPEN CONTRACT CONTRIBUTION PROHIBITION

Political contribution Disclosure. This contract has been awarded to ENGINEER based on the merits and abilities of ENGINEER to provide the good or services as described herein. This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 *et seq.* As such, the undersigned does hereby attest that ENGINEER, it's subsidiaries, assigns or principals controlling in excess of 10% of the company 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 period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will it 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.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement as of the day and year first written above.

ATTEST:

_____

TOWNSHIP OF LOWER

By _____

_____
Type or Print Name

_____
Title

ATTEST:

MOTT MacDONALD, LLC

By _____
Cathleen Marcelli
Senior Vice President

EXHIBIT A

FURTHER DESCRIPTION OF BASIC SERVICES

This is Exhibit A, attached to, made a part of and incorporated by reference into the Agreement for Professional Engineering Services. The Basic Services of ENGINEER as described in SECTION 1 of the Agreement are supplemented as indicated below:

ENGINEER shall perform all engineering duties required to be performed on behalf of the CLIENT and the laws of the State of New Jersey. ENGINEER shall perform such other services and duties as may be necessitated and as authorized by the CLIENT and to provide the necessary engineering services to the officials of the CLIENT.

Whenever it is determined by the CLIENT to be desirable or necessary in the performance of its work, the CLIENT shall call upon ENGINEER to perform specific consulting engineering services.

These services may include review of wastewater systems, operations and recommendations for modifications or improvements, preparation of reports or studies on the CLIENT'S infrastructure, preparation of plans and specifications for new rehabilitation of existing facilities and/or infrastructure, roadway improvements, park and recreation, marine and coastal improvements, cost estimates, assistance in systems operations, preparation of applications to regulatory agencies, attendance at Township meetings, special meetings and meeting with regulatory agencies, any other consultation services related to general and specific municipal engineering services, such as, tax map preparation and revisions.

Mott MacDonald, LLC will specifically assign Mr. Shawn A. Carr, P.E. to the position of Township Engineer for the full course of the contract period unless specifically approved otherwise by the Client.

This contract with the ENGINEER for Professional Engineering and Planning Services for 2020 shall not exceed $450,000.00 unless amended by the Client.

SF-BOA.WO

EXHIBIT A
Attachment A-1

WORK ORDER NO.__

This Work Order is issued between **TOWNSHIP OF LOWER** and **MOTT MacDONALD, LLC**, pursuant to the Agreement for Professional Engineering and Planning Services between the parties dated January , 2020 and subject to all the terms and conditions thereof.

SCOPE OF WORK TO BE PERFORMED

The ENGINEER is hereby requested to perform the following services (the "Work"):

COMPENSATION

The ENGINEER shall be compensated as follows:

AUTHORIZATION

The undersigned Authorized Representative represents that funds have been duly appropriated and committed for this Work Order and that the Work has been duly authorized by the CLIENT. A copy of the CLIENT's authorizing Resolution is annexed hereto.

ACCEPTED:

TOWNSHIP OF LOWER

Dated:_____

By _____

_____
Type or Print Name

_____
Title

MOTT MacDONALD, LLC

Dated:_____

By Cathleen Marcelli
Cathleen Marcelli
Senior Vice President

Exhibit B

MOTT MACDONALD

Township of Lower
2020 Hourly Rate Table

Municipal Engineer	$157.00
Assistant Municipal Engineer	$142.00
Vice Presidents / Principals	$174.00
Principal Project Managers / Associates / Senior Associates	$157.00
Sr. Project: Engineer, Architect, Manager, Scientist, Geologist	$157.00
Project Managers / Project Engineers / Project Architects	$142.00
Project Scientists / Project Geologists	$139.00
Sr. Engineers / Sr. Designers / Sr. Architects / Sr. GIS & CAD Specialists	$135.00
Sr. Scientists / Sr. Geologists / Sr. Environmental Specialists	$135.00
Engineers / Designers / Architects	$92.00 to $127.00
Senior Inspectors (V) / Senior Surveyors (Licensed, V)	$104.00 to $142.00
Scientists / Geologists / Environmental Scientists	$86.00 to $124.00
Inspectors / Surveyors / Crew Chiefs / Field Technicians	$66.00 to $116.00
Drafters / CAD Operators / GIS Technicians / Engineering Technicians	$66.00 to $99.00
Administration / Project Support	$52.00 to $86.00

*** Hourly rates for special consultations and services in conjunction with litigation are available on request.**

EXPENSES

Personal Auto / Company Auto	$0.58[1] / mile
Company Vans / Company Pick-Up	$0.58[1] / mile
Photocopies & Offset Reproduction	Variable
UPS / Federal Express /Postage /Messenger Service	Variable
Subcontractors (including Contract Laboratory)	Direct + 15%
Mobile Devices	Variable
Field Equipment	Variable
Travel / Lodging Per Diem	As Incurred

[1]per IRS standard mileage rate (rate as of January 1, 2019 is shown – subject to change)

Invoices are payable within 30 days of invoice date.
Delinquent bills are subject to finance charges of 1.5% per month.
The client shall pay attorney fees, court costs, and related expenses incurred in the collection of delinquent accounts.

(REVISED 1/17)

EXHIBIT C
N.J.S.A. 10:5-31 and N.J.A.C. 17:27
MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
Goods, Professional Services and General Service Contracts
(Mandatory Affirmative Action Language)

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, affection or sexual orientation or sex. Except with respect to affection or sexual orientation, 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, affection or sexual orientation 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 for the 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 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, affection or sexual orientation 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 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 famish such reports or other documents to the Division of Contract Compliance and EEO as may be requested by the Division from time to time in order to carry out the purposes of these regulations, and public agencies shall famish such information as may be requested by the Division of Contract Compliance & EEO for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

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 *Mott MacDonald, LLC* 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 *December 1, 2019* to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the Township of Lower as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

Erik Simonsen	
Frank Sippel	Any present or future candidate committee or joint
Thomas Conrad	Candidate committee or local political party
David Perry	Committee formed for the election of members of
Rolland Roy	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
SEE ATTACHED STATEMENT OF OWNERSHIP	

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: Mott MacDonald, LLC

Signature of Affiant: [signature] Title: Executive Vice President
Printed Name of Affiant: Albert N. Beninato Date: December 9, 2019

Subscribed and sworn before me this 9th day of December 2019.

My Commission expires: October 24, 2020
KAREN MARCOTULLIO
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Oct. 24, 2020

Karen Marcotullio
(Witnessed or attested by)
Karen Marcotullio, Notary

[signature]
Mark O'Connor, Asst. Secretary
(Corporate Seal)

STATEMENT OF OWNERSHIP DISCLOSURE

N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

This statement shall be completed, certified to, and included with all bid and proposal submissions. Failure to submit the required information is cause for automatic rejection of the bid or proposal.

Name of Organization: Mott MacDonald LLC

Organization Address: 111 Wood Avenue South, Iselin, NJ 08830

Part I Check the box that represents the type of business organization:

☐ Sole Proprietorship (skip Parts II and III, execute certification in Part IV)

☐ Non-Profit Corporation (skip Parts II and III, execute certification in Part IV)

☐ For-Profit Corporation (any type) ☒ Limited Liability Company (LLC)

☐ Partnership ☐ Limited Partnership ☐ Limited Liability Partnership (LLP)

☐ Other (be specific): _____

Part II

☒ The list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. (**COMPLETE THE LIST BELOW IN THIS SECTION**)

OR

☐ No one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. (**SKIP TO PART IV**)

(Please attach additional sheets if more space is needed):

Name of Individual or Business Entity	Home Address (for Individuals) or Business Address
SEE ATTACHED OWNERSHIP DISCLOSURE STATEMENT	

Part III DISCLOSURE OF 10% OR GREATER OWNERSHIP IN THE STOCKHOLDERS, PARTNERS OR LLC MEMBERS LISTED IN PART II

If a bidder has a direct or indirect parent entity which is publicly traded, and any person holds a 10 percent or greater beneficial interest in the publicly traded parent entity as of the last annual federal Security and Exchange Commission (SEC) or foreign equivalent filing, ownership disclosure can be met by providing links to the website(s) containing the last annual filing(s) with the federal Securities and Exchange Commission (or foreign equivalent) that contain the name and address of each person holding a 10% or greater beneficial interest in the publicly traded parent entity, along with the relevant page numbers of the filing(s) that contain the information on each such person. **Attach additional sheets if more space is needed.**

Website (URL) containing the last annual SEC (or foreign equivalent) filing	Page #'s

Please list the names and addresses of each stockholder, partner or member owning a 10 percent or greater interest in any corresponding corporation, partnership and/or limited liability company (LLC) listed in Part II **other than for any publicly traded parent entities referenced above.** The disclosure shall be continued until names and addresses of every noncorporate stockholder, and individual partner, and member exceeding the 10 percent ownership criteria established pursuant to N.J.S.A. 52:25-24.2 has been listed. **Attach additional sheets if more space is needed.**

Stockholder/Partner/Member and Corresponding Entity Listed in Part II	Home Address (for Individuals) or Business Address

Part IV Certification

I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the bidder/proposer; that the ***<name of contracting unit>*** is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with ***<type of contracting unit>*** to notify the ***<type of contracting unit>*** in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the, permitting the ***<type of contracting unit>*** to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print):	Albert N. Beninato	Title:	Executive Vice President
Signature:	[signature]	Date:	December 9, 2019

Subscribed and sworn before me this 9th day of December 2019.

[signature]
(Witnessed or attested by)
Karen Marcotulio, Notary
KAREN MARCOTULLIO
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Oct. 24, 2020

My Commission expires: October 24, 2020

MOTT MACDONALD, LLC

STATEMENT OF OWNERSHIP

Mott MacDonald, through several of its wholly owned subsidiaries, has been providing engineering services in the United States for nearly 100 years. With more than 60 offices and 2300 employees in the United States and Canada, Mott MacDonald's North American subsidiaries combine to be ranked as one of the largest engineering companies in the United States.

Mott MacDonald, LLC, a Delaware limited liability company, is a wholly owned subsidiary of Mott MacDonald Group, Inc., a Delaware Corporation headquartered in Iselin, New Jersey. Mott MacDonald Group, Inc. is 100% owned by Mott MacDonald International Limited, a corporation organized under the laws of England. Mott MacDonald International Limited is 100% owned by Mott MacDonald Group Limited, a corporation organized under the laws of England.

No individual shareholder owns more than 10% of Mott MacDonald Group Limited.

MOTT MACDONALD, LLC

By: _____

Albert N. Beninato, P.E.
Executive Vice President

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:

Date	Name of Organization	Amount
	No contributions	

5. 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 the Affidavit are willfully false, that I and the Business Entity would be subject to criminal prosecution for perjury.

Albert N. Beninato, Executive Vice President

Sworn and subscribed to before me this
9th day of December 2019.

Karen Marcotullio, Notary Public

KAREN MARCOTULLIO
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Oct. 24, 2020

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: Mott MacDonald, LLC

Name of Agent: Cathleen Marcelli Cathleen Marcelli

Title: Senior Vice President

Date: December 12, 2019

Certification 2062

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-AUG-2018 to 15-AUG-2021

MOTT MACDONALD, LLC
111 WOOD AVE. SOUTH, 5T FLOOR
ISELIN NJ 08830

ELIZABETH MAHER MUOIO
State Treasurer

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

RESOLUTION #2020-27

GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of Lower, County of Cape May, State of New Jersey, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

_____
Julie A Picard, Township Clerk

GOVERNING BODY CERTIFICATION PURSUANT TO P.L. 2017, C.183 OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

GROUP AFFIDAVIT FORM

STATE OF NEW JERSEY
COUNTY OF CAPE MAY

We, members of the governing body of the TOWNSHIP OF LOWER being duly sworn according to law, upon our oath depose and say:

1. We are duly elected members of the MAYOR AND COUNCIL of the Township of Lower in the county of Cape May;
2. Pursuant to P.L. 2017, c.183, we have familiarized ourselves with the contents of the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012);
3. We are familiar with the local unit's hiring practices as they pertain to the consideration of an individual's criminal history;
4. We certify that the local unit's hiring practices comply with the above-referenced enforcement guidance.

_____
Thomas Conrad, Council Ward 1

_____
David Perry, Council Ward 2

_____
Rolland Roy, Jr., Council Ward 3

_____
Frank Sippel, Deputy Mayor

_____
Erik Simonsen, Mayor

Sworn to and subscribed before me this
6th day of January, 2020
Julie A Sylvester-Picard
Notary Public of New Jersey

_____
Julie A Picard, Township Clerk

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

RESOLUTION # 2020-28

Title: **RESOLUTION AUTHORIZING CONTRACTS WITH APPROVED STATE CONTRACT VENDORS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A:11-12a**

WHEREAS, the Township of Lower, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Township of Lower has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Township of Lower intends to enter into contracts with the attached Referenced State Contract Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower, State of New Jersey that the Purchasing Agent is hereby authorized to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts.

BE IT FURTHER RESOLVED, pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds shall certify the full maximum amount against the budget at the time the contract is awarded. No contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer.

BE IT FURTHER RESOLVED, the duration of the contracts between the Township of Lower and the Referenced State Contract Vendors shall be from January 1, 2020 to December 31, 2020.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

Julie A Picard, Township Clerk

2020 Exhibit A

Vendor	State Contract #
Advanced Electronic Design d/b/a Patrol PC	A-81300
Atlantic Tactical	A-82102
Beyer Fleet LLC	A-40813
CDW Government	A-89849
Celebrity Chrysler Jeep	A-40803
Chapman Ford Sales Inc.	A-40811
Chas S. Winner Ford	A-88728
Day Chevrolet	A-89938
Dell Marketing Co	A-81247
Eagle Point Gun	A-81319
Edmunds & Associates	A-81201
Garden State Highway Products	A-65133
General Sales Administration/Major Police	A-81330
General Spring Service	A 40981
GTBM /Gold Type Business Machines	A-81341
Hertrich Fleet Services	A-88729
HON Company	A-81641
Insight Public Sector	A-89853
KML Technology Inc	A-83903
Kyocera Document Solution	A-40465
Lawnmen Supply	A-81309
Liberty Parks and Playgrounds	A-81432
Liilliston Ford	A-79598
Lilliston Chrysler	A-40809
Malouf Ford Inc	A-79154
Mohawk Resourses LTD	A-80129
Morophotrak Inc	A-81520
Motorolla Solutions Inc.	A-83909
Neopost	A-75256
Office Business Systems Inc	A-69830
Pedroni	A-81391
R & R Radar Inc.	A-08868
Richard E. Pierson Materials	A-87741
Riggins	A-81390
Rubbercycle LLC	A-81417
Service Tire Truck Center	A-71687
SHI International	A-89849
Suburban Propane	A-79926
Taser International	A-81321
Ted Kingston	A-83927
Tricomm Service	A-80802
Valu-Auto Parts	A-57706
Verizon Wireless	A-82583
W.B Mason	A-88839
Watchguard Video	A-23307
Winner Ford	A-45069

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

RESOLUTION #2020-29

Title: AUTHORIZING PAYMENT OF 2020 ANIMAL SHELTER AND SPAY/NEUTER FEES

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

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

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

WHEREAS, Animal shelter payments are charged to appropriation 01-27-340-200 and as certified by the Chief Financial Officer _____ payable as follows:

$ 17,828.00 due 2/01/2020 Annual Spay/Neuter fees
$ 29,026.00 due 2/15/2020 1st Qtr Shelter fees
$ 29,026.00 due 5/15/2020 2nd Qtr Shelter fees
$ 29,026.00 due 8/15/2020 3rd Qtr Shelter fees
$ 29,026.00 due 11/15/2020 4th Qtr Shelter fees

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

_____
Julie A Picard, Township Clerk

Schedule A
LOWER TOWNSHIP

Schedule A establishes the financial requirements for municipal and County participation. Each increment is based upon a full 12 months at each step, beginning on January 1st and ending on December 31st of each year. Payment of Operating Contract Costs shall be made quarterly on the same schedule as tax disbursement to the County. The contribution to the County Spay and Neuter fund shall be made in a lump sum on or before February 1st of each year.

Year	Annual Spay/Neuter Fund Contribution	Operating Contract Payment 1	Operating Contract Payment 2	Operating Contract Payment 3	Operating Contract Payment 4	Operating Contract Total
2016	$ 17,828.00	$ 26,742.25	$ 26,742.25	$ 26,742.25	$ 26,742.25	$ 106,969.00
2017	$ 17,828.00	$ 27,296.25	$ 27,296.25	$ 27,296.25	$ 27,296.25	$ 109,185.00
2018	$ 17,828.00	$ 27,861.50	$ 27,861.50	$ 27,861.50	$ 27,861.50	$ 111,446.00
2019	$ 17,828.00	$ 28,438.00	$ 28,438.00	$ 28,438.00	$ 28,438.00	$ 113,752.00
2020	$ 17,828.00	$ 29,026.00	$ 29,026.00	$ 29,026.00	$ 29,026.00	$ 116,104.00

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

RESOLUTION #2020-30

Title: **RE-APPOINTMENT OF CLASS II MEMBER TO THE PLANNING BOARD**

WHEREAS, Jennifer Dowe holds the Class II position on the Lower Township Planning Board, and her appointment expired December 31, 2019; and

WHEREAS, a Class II member is a requirement on the Planning Board.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the following re-appointment to the Lower Township Planning Board is hereby confirmed.

Name	Type/Class	Exp. Date
Jennifer Dowe	Class II	December 31, 2020

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

Julie A Picard, Township Clerk

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

RESOLUTION #2020-31

Title: **DESIGNATION OF OFFICIAL DEPOSITORIES**

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

BE IT FURTHER RESOLVED that all disbursements by check require two signatures:

ACCOUNT	AUTHORIZED OFFICIALS
Municipal Court Account – General	CFO, Asst. Treasurer, Judge, Court Administrator, Deputy Court Administrator
Municipal Court Account – Bail	CFO, Asst. Treasurer, Judge, Court Administrator, Deputy Court Administrator
Payroll Account	CFO, Asst. Treasurer, Township Clerk, Asst. Twp. Clerk
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
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
Council Online Payment Account (transfers)	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Capital Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

Julie A Picard, Township Clerk

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

RESOLUTION #2020-32

Title: A RESOLUTION OF THE TOWNSHIP OF LOWER CANCELING CERTAIN TAXES PER AGREEMENT/RESOLUTION #2013-271

WHEREAS, the tax status of the DRBA is governed by the Delaware-New Jersey Compact, as set forth in N.J.S.A. 32:11E-1; and

WHEREAS, the Compact provides that one essential governmental function of the DRBA is to promote economic development; and

WHEREAS, by attempting to lease the Property to tenants the DRBA is promoting economic development; and

WHEREAS, certain taxes became due on the properties listed below after the DRBA began attempting to lease the Property to tenants, and per Agreement and Resolution #2013-271, the DRBA is not responsible for said tax.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the following property tax be cancelled and the Tax Collector is hereby directed to cancel the following tax:

Block	Lot	Reason	Amount
410.01	36.26	Cancel Tax per DRBA Agreement Tenant moved out 10/31/2019	$ 162.89

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

Julie A Picard, Township Clerk

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

RESOLUTION #2020-33

Title: **AUTHORIZATION FOR REFUND OF TAXES**

WHEREAS, the Township Tax Collector has certified an overpayment due to the reasons listed below; and

WHEREAS, a refund is due.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the CFO/Treasurer be and the same is authorized and directed to refund the overpayments according to the Tax Collector's certification on file with the CFO/Treasurer.

Block	Lot	Refund To	Reason	Tax
416	1.02	William O Everly 137 Fishing Creek Road	Exempt Veteran as of 10/23/19	$ 736.16
753.19	7.2	William Martin Sr. 2 Admirals Court	Exempt Veteran as of 9/1/19	$ 2,051.15

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

Julie A Picard, Township Clerk

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

RESOLUTION #2020-34

Title: **AUTHORIZING THE PAYOUT OF TERMINAL LEAVE**

WHEREAS, the employee listed below is deceased and his estate is entitled to payment for accumulated vacation, personal and sick 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 her 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 Township Council of the Township of Lower, County of Cape May, State of New Jersey that a payment due to **Martin R. Biersbach** in the amount of $ 69,720.18 is authorized and chargeable to the Reserve for Accumulated Absences.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

_____
Julie A Picard, Township Clerk

MCSJ - 2019.2

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316.000 +
1,038.000 x
67.1678 =
69,720.176 *+

Employee Maintenance - General Data

Add | Edit | Close | Delete | Previous | Next | Detail | Letter | Help

Employee Id: BIERM01 Previous Next Go To: General Data

First Name: MARTIN Middle Init: R Last Name: BIERSBACH Suffix: Notes Exist

Main | Classification | Dates | Salary/Rates | Hrs/Days | Pension | Emergency | Demographics | ACA | Notes

Accrual/Carryover Id: SUPERIOR SUPERIOR OFFICERS

	Last Used	Carryover	YTD Accrued	YTD Used	Available	Max Allowed	Payroll YTD Hours Used	Hrs Worked Counter
Sick (Hours)	08/03/2016	594.00	128.00	.00	722.00	.00	.00	.00
Vacation (Hours)	11/29/2019	238.00	312.00	234.00	316.00	.00	.00	
Admin (Hours)	10/31/2019	.00	48.00	48.00	.00	.00	.00	
Comp (Hours)	04/11/2019	1.75	8.00	9.75	.00	.00	.00	
Other (Hours)	06/02/2005	.00	.00	.00	.00	.00	.00	

Note: This tab reflects time up to and including 12/31/19.

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

RESOLUTION #2020-35

Title: **AUTHORIZING THE PAYOUT 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 her 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 Township Council of the Township of Lower, County of Cape May, State of New Jersey that a payment due to **James Trexler** in the amount of $ 5,918.13 is authorized and chargeable to the Reserve for Accumulated Absences.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

_____
Julie A Picard, Township Clerk

MCSJ - 2019.2

File Finance Billing/Collections Personnel System Utilities Window Favorites Help

Employee Maintenance - General Data

Add | Edit | Close | Delete | Previous | Next | Detail | Letter | Help

Employee Id: TREXJ01 Previous Next Go To: General Data

First Name: JAMES Middle Init: J Last Name: TREXLER Suffix: Notes Exist

Main | Classification | Dates | Salary/Rates | Hrs/Days | Pension | Emergency | Demographics | ACA | Notes

Accrual/Carryover Id: TREXLER TREXLER

	Last Used	Carryover	YTD Accrued	YTD Used	Available	Max Allowed	Payroll YTD Hours Used	Hrs Worked Counter
Sick (Hours)	01/13/2017	87.00	60.00	.00	147.00	.00	.00	.00
Vacation (Hours)	09/06/2019	24.00	64.00	52.00	36.00	.00	.00	
Admin (Hours)	10/11/2019	14.50	16.00	8.00	22.50	.00	.00	
Comp (Hours)		.00	.00	.00	.00	.00	.00	
Other (Hours)		.00	.00	.00	.00	.00	.00	

Note: This tab reflects time up to and including 12/31/19.

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

RESOLUTION #2020-36

Title: **ADOPTING 2020 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 2020 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 2019 Budget, exclusive of any appropriations for interest and debt redemption charges and capital improvement fund is $27,065,439.13; and

WHEREAS, 26.25% of the total appropriations in the 2019 Budget, exclusive of any appropriations made for interest and debt redemption charges and capital improvement fund, is $7,104,677.77.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the 2020 Temporary Current Budget is set in an amount not to exceed $7,104,677.77.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

Julie A Picard, Township Clerk

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

RESOLUTION #2020-37

Title: **TRANSFER OF 2019 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 $1,000.00 be made between the 2019 budget appropriation reserves:

LINE ITEM		ACCT. NUMBER	TO	FROM
PLANNING	S&W	9-01-20-170-100	4,000.00	
MUNICIPAL CLERK	S&W	9-01-20-120-100	1,000.00	
GROUP HEALTH INSURANCE	OE	9-01-23-220-400		5,000.00
			5,000.00	5,000.00

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

Julie A Picard, Township Clerk

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

RESOLUTION #2020-38

Title: **AUTHORIZING PAYMENT OF 2020 DEBT SERVICE**

WHEREAS, the amounts listed below are owed for debt service in the current year 2020 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 2020 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:

DATE	TOTAL	PRIN	INT	
1/15/2020	301,025.00		301,025.00	BOND
2/9/2020	24,873.28	21,855.22	3,018.06	LOAN
2/15/2020	9,327.48	7,720.73	1,606.75	LOAN
2/15/2020	120,125.00		120,125.00	BOND
3/7/2020	27,982.44	24,102.66	3,879.78	LOAN
7/15/2020	2,151,025.00	1,850,000.00	301,025.00	BOND
8/9/2020	24,873.26	22,073.76	2,799.50	LOAN
8/15/2020	9,327.47	7,797.93	1,529.54	LOAN
8/15/2020	500,125.00	380,000.00	120,125.00	BOND
9/7/2020	27,982.43	24,343.68	3,638.75	LOAN
TOTALS	**3,196,666.36**	**2,337,893.98**	**858,772.38**	0.00

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

_____
Julie A Picard, Township Clerk

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

RESOLUTION #2020-39

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 2019 Regional School Levy was $13,381,884 and not more than 50% is $6,690,942.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that it desires to defer regional school taxes to the year 2020 in the amount of $6,690,942.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

Julie A Picard, Township Clerk

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

RESOLUTION #2020-40

Title: **AUTHORIZING PAYMENT OF 2020 PENSION AMOUNTS DUE 4/1/20**

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

WHEREAS, payment of Employer share of PERS and PFRS fees may be remitted through electronic payment (EFT); and

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

WHEREAS, PERS Pension contributions and PFRS Pension contributions are budgeted and sufficient funds available as follows as certified by the Chief Financial Officer _____ payable as follows:

$ 638,748 to 0-01-36-471-500 PERS PENSION due 4/1/2020
$1,142,987 to 0-01-36-475-500 PFRS PENSION due 4/1/2020

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

_____
Julie A Picard, Township Clerk

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

RESOLUTION #2020-41

Title: **AUTHORIZING PAYMENT FOR 2020 REGIONAL SCHOOL TAXES**

WHEREAS, the amounts listed below are owed to Lower Cape May Regional for current year 2020 taxes 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 statutory tax payments be made through resolution so that such payments are made in a timely and efficient manner; and

WHEREAS, tax payments made to Lower Cape May Regional are charged to a non-budget appropriation #0-01-55-910-019 and sufficient funds are available from quarterly property tax payments as certified by the Chief Financial Officer _____.

SCHOOL TAXES DUE 1/15/20	$ 1,338,188.40
SCHOOL TAXES DUE 2/15/20	$ 1,338,188.40
SCHOOL TAXES DUE 3/15/20	$ 1,338,188.40
SCHOOL TAXES DUE 4/15/20	$ 1,338,188.40
SCHOOL TAXES DUE 5/15/20	$ 1,338,188.40
TOTAL PAYMENT DUE 1/1/20 - 6/30/20	$ 6,690,942.00

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

_____
Julie A Picard, Township Clerk

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

RESOLUTION #2020-42

Title: AUTHORIZING PAYMENT TO LOWER TOWNSHIP BOARD OF EDUCATION

WHEREAS, the amounts listed below are owed to Lower Township Board of Education for current year 2020 taxes 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 statutory tax payments be made through one annual resolution so that such payments are made in a timely and efficient manner; and

WHEREAS, tax payments made to Lower Township Board of Education are charged to a non-budget appropriation #0-01-55-910-017 and sufficient funds are available from quarterly property tax payments as certified by the Chief Financial Officer _____.

SCHOOL TAXES DUE 1/1/20	$ 1,784,077.20
SCHOOL TAXES DUE 2/1/20	$ 1,784,077.20
SCHOOL TAXES DUE 3/1/20	$ 1,784,077.20
SCHOOL TAXES DUE 4/1/20	$ 1,784,077.20
SCHOOL TAXES DUE 5/1/20	$ 1,784,077.20
TOTAL PAYMENT DUE 1/1/20 - 6/30/20	$ 8,920,386.00

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the above tax payments are hereby authorized:

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

_____
Julie A Picard, Township Clerk

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

RESOLUTION # 2020-43

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 contracts 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 contract; and

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

WHEREAS, it has been determined by the Township Treasurer as evidenced by her signature _____that adequate funding is available for such payment in the 2019 budget for Salaries and Wages

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, Council of Cape May, State of New Jersey that payment to the employees listed on the attached schedule not to exceed the amount of **$51,446.16** is authorized and chargeable to the 2019 Budget:

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

_____

Julie A Picard, Township Clerk

Employee	Budget Distribution	Hours	Hourly Rate	Total
Eileen Kreis	9-01-20-100-101	35	32.48	**$1,136.80**
Jim Ridgway	9-01-20-100-101	40	60.34	**$2,413.60**
Karen Fournier	9-01-20-120-101	35	30.44	**$1,065.40**
Julie Picard	9-01-20-120-101	35	53.32	**$1,866.20**
Colleen Crippen	9-01-20-130-101	35	48.37	**$1,692.95**
Lauren Read	9-01-20-130-101	35	58.16	**$2,035.60**
Maria Brewster	9-01-20-145-101	35	26.9	**$941.50**
Kathy Brown	9-01-20-145-101	35	40.91	**$1,431.85**
Sheila Smith	9-01-20-145-101	35	23.71	**$829.85**
Jen Dowe	9-01-20-150-101	35	51.13	**$1,789.55**
Bill Galestok	9-01-20-170-101	35	53.87	**$1,885.45**
Lisa Schubert	9-01-20-170-101	35	32.35	**$1,132.25**
Mark Dougherty	9-01-20-310-101	40	18.86	**$754.40**
Don Douglass	9-01-20-310-101	40	26.77	**$1,070.80**
Keith Palek	9-01-20-310-101	40	25.45	**$1,018.00**
Don Arndt	9-01-22-195-101	35	31.32	**$1,096.20**
Rose Moore	9-01-22-195-101	35	29.64	**$1,037.40**
Gary Playford	9-01-22-195-101	35	45.69	**$1,599.15**
Bruce Fournier	9-01-28-370-101	22	25.26	**$555.72**
Phyllis Muldoon	9-01-28-370-101	35	19.95	**$698.25**
Mitch Plenn	9-01-28-370-101	35	41.47	**$1,451.45**
Ryan Devine	9-01-28-370-111	12	13.52	**$162.24**
Vernon Kline	9-01-28-370-111	40	13.83	**$553.20**
Michael Nelson	9-01-28-370-111	23	11.35	**$261.05**
Rocco Sansone	9-01-28-370-111	40	13.32	**$532.80**
Matthew Schelling	9-01-28-370-111	40	11.85	**$474.00**
John Simaitis	9-01-28-370-111	40	11.35	**$454.00**
Gloria Thomas	9-01-28-370-111	40	11.35	**$454.00**
Brian McEwing	9-01-25-240-125	40	50.6	**$2,024.00**
Stephen Flitcroft	9-01-25-240-125	40	31.81	**$1,272.40**
Karen Wolf		35	28.14	**$984.90**
John MacCarter	9-01-26-305-101	40	25.7	**$1,028.00**
Kathryn Crecca	9-01-26-305-175	35	24.48	**$856.80**
Linda Thomas	9-01-26-305-175	35	27.84	**$974.40**
Gary Douglass	9-01-26-305-175	40	47.64	**$1,905.60**

Dave Lepor	9-01-26-305-175	40	41.15	**$1,646.00**
Tim Fairman	9-01-26-305-127	40	27.23	**$1,089.20**
Gerry Finnegan	9-01-26-305-155	40	34.75	**$1,390.00**
Robert Bailey, Jr	9-01-26-305-155	40	31.23	**$1,249.20**
Robert Thomas III	9-01-26-305-155	40	32.06	**$1,282.40**
Nick Jasinski	9-01-26-305-134	40	17.32	**$692.80**
Andrew West	9-01-26-305-134	40	17.32	**$692.80**
Allen Magnavita	9-01-26-305-134	40	26.57	**$1,062.80**
Joe Rementer	9-01-26-305-134	40	28.06	**$1,122.40**
Ray Small	9-01-26-305-134	40	26.57	**$1,062.80**
Alec Vanderlinden	9-01-26-305-134	40	17.9	**$716.00**
		1682		
			Grand Total	**$51,446.16**

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

RESOLUTION #2020-44

Title: **A RESOLUTION AUTHORIZING AND APPROVING A SHARED SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF LOWER AND THE CITY OF WILDWOOD FOR EMERGENCY MEDICAL SERVICES**

WHEREAS, the Township of Lower desires to enter into a Shared Service Agreement with the City of Wildwood to permit Wildwood to provide all of the usual and ordinary Emergency Medical Services for the area known as "Schooner Island" in the Township of Lower; and

WHEREAS, N.J.S.A. 40A:65-1 et seq. authorizes any local government to enter into a contract with any other local government unit to provide and receive any service that each unit is empowered to provide and receive within its own jurisdiction; and

WHEREAS, this Shared Service Agreement is in the best interest for the safety of the residents and visitors of the Township of Lower; and

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

Appropriation: 01-25-252-299

Signature: _____

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

BE IT FURTHER RESOLVED, that the contract shall take effect on January 1, 2020 and shall terminate on December 31, 2022 in accordance with N.J.S.A. 40A:65-1 et seq.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

_____
Julie A Picard, Township Clerk

AGREEMENT

This is an Agreement dated December 11, 2019 made by and between:

The CITY OF WILDWOOD, a political subdivision of the State of New Jersey, with municipal offices located at 4400 New Jersey Avenue, Wildwood, New Jersey 08260

and

The TOWNSHIP OF LOWER, a political subdivision of the State of New Jersey, with municipal offices located at 2600 Bayshore Road, Villas, New Jersey 08251.

WHEREAS, the *Shared Services and Consolidation Act*, N.J.S.A. 40A:65-1, *et seq.*, authorize a local government unit to enter into a contract with any other local government unit to provide and receive any service that each unit is empowered to provide or receive within its own jurisdiction; and,

WHEREAS, the City of Wildwood has expressed a willingness to enter into a Shared Services Agreement with the Township of Lower to provide all the usual and ordinary Emergency Medical Services for the area known as "Schooner Island" in the Township of Lower; and,

WHEREAS, the Township of Lower needs these services for their respective residents and visitors; and,

WHEREAS, each respective municipality has determined through its governing body that the exchange of money and services is fair and equitable, and shall serve to save each respective municipality substantial sums of money and serve the public's best interest and for the exchange of mutual covenants and conditions and such other considerations as forth in this agreement and as authorized by the provisions of N.J.S.A. 40A:65-1, *et seq.*, the parties agree as follows:

A. Wildwood shall provide first response for Emergency Medical Services ("EMS") throughout the area known as "Schooner Island" in the Township of Lower.
B. Responses shall be upon the same priority and with the same level of service as is provided in the City of Wildwood.
C. Calls for emergency services shall be routed to the City of Wildwood. Wildwood shall respond immediately upon dispatch.
D. In the event that Wildwood is committed to prior responses, in accordance with the Cape May County Mutual Aid Policy either the City of North Wildwood or the Borough of Wildwood Crest will respond through Mutual Aid to the Township of Lower; and

WHEREAS, the Township of Lower will pay to the City of Wildwood;

$5,000.00 for the year 2020, due by July 1, 2020.
$5,000.00 for the year 2021, due by July 1, 2021.
$5,000.00 for the year 2022, due by July 1, 2022.

THEREFORE, BE IT RESOLVED, that the Mayors of both municipalities be and hereby are authorized to sign this contract; and,

BE IT FURTHER RESOLVED, that should this Shared Services Agreement be cancelled by either party, the Limited Automatic Fire Response shall also be cancelled; and,

BE IT FURTHER RESOLVED, that this Agreement shall be deemed to have commenced on January 1, 2020 and shall terminated December 31, 2022, unless early termination is agreed to by both parties with ninety (90) days' notice. The parties shall have the right to extend this Agreement by mutual consent

IN WITNESS WHEREOF, the parties have set their hands and seals the day and year first written above:

ATTEST: CITY OF WILDWOOD

_____ _____

Christopher Wood, City Clerk , Mayor

ATTEST: TOWNSHIP OF LOWER

_____ _____

Julie Picard, Township Clerk Erik Simonsen, Mayor

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

RESOLUTION #2020-45

Title: **RESOLUTION DESIGNATING CAPTAIN WILLIAM PRIOLE AS DEPUTY CUSTODIAN OF PUBLIC RECORDS FOR THE POLICE DEPARTMENT**

BE IT RESOLVED by the Mayor and Council of the Township of Lower, County of Cape May, State of New Jersey that Captain William Priole be designated as a Deputy Custodian of Public Records to assist the Custodian of Records in the performance of duties related to P.L. 2001, c404, for all Open Public Records Act requests for records on file and/or maintained by the Lower Township Police Department.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

Julie A Picard, Township Clerk

RESOLUTION #2020-46

2020 Payments for Reorganization Meeting January 6, 2020

Advanced Video and Sound		$	2,400.00
Barber and Associates		$	14,500.00
Blue Cross Blue Shield Med D	Due Jan 1	$	78.84
Cape Mediation		$	3,201.24
Chief Bill Mastriana	Petty Cash	$	550.00
Colleen Crippen	Petty Cash	$	100.00
Edmunds Assoc	Due Jan 1	$	20,025.00
J. Byrne Insurance Recreation Policy	Due Jan 1	$	5,890.00
State Health Benefits Active	Due Jan 1	$	183,657.92
State Health Benefits Retired	Due Jan 1	$	63,343.29
US Able Life	Due Jan 1	$	589.60
Volunteers of Medicine	Due Jan 1	$	7,960.00
	2020 Bill List Total	**$**	**302,295.89**

RESOLUTION #2020-47
Lower Township
Bill List By Vendor Id

P.O. Type: All
Range: First to Last
Format: Condensed

Include Project Line Items: Yes

Open: N Paid: N Void: N
Rcvd: Y Held: Y Aprv: N
Bid: Y State: Y Other: Y Exempt: Y

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00037 AGATE CONSTRUCTION CO.,INC.							
18-01333	05/14/18	RES 18-162 ROSEANNE $7,026,450	Open	249,683.87	0.00		
00153 ATLANTIC CITY ELECTRIC*							
19-03530	12/30/19	DECEMBER ELECTRIC ENCUMBERANCE	Open	18,180.90	0.00		
00179 AVERY TEITLER*							
19-00799	03/21/19	BOARD SOLICITOR SALARY	Open	625.00	0.00		
19-03418	12/13/19	12/9/19 RESOLUTIONS	Open	300.00	0.00		
				925.00			
00231 HOWARD A BAILEY III							
19-03555	12/31/19	REIMBURSEMENT PER CONTRACT	Open	75.00	0.00		
00255 WILLIAM BARCAS							
18-02368	09/06/18	NNO- REIMBURSMENT	Open	28.76	0.00		
00257 BAYSHORE LANDSCAPING INC*							
19-00795	03/20/19	LANDSCAPING SERVICES	Open	11,257.14	0.00		
19-00796	03/20/19	FERTILIZING SERVICES	Open	3,771.42	0.00		
				15,028.56			
00323 JOHN BEERS							
19-03564	12/31/19	CONTRACT REIMB	Open	753.98	0.00		
00363 MARTIN J. BIERSBACH							
19-03535	12/30/19	2019 CONTRACT REIMBURSE	Open	2,980.80	0.00		
00611 COUNTY OF CAPE MAY (FUEL)							
19-03162	11/15/19	GASOLINE/DIESEL	Open	17,282.11	0.00		
00651 MUNICIPAL UTIL AUTH DUMP FEES							
19-03164	11/15/19	ENCUMBER/NOVEMBER/TIPPING FEES	Open	55,365.82	0.00		
00710 CAPE MAY COUNTY SHERIFF							
19-03313	12/04/19	REIMBURSMENT FOR TRAINING	Open	8,166.73	0.00		
00736 CAPE PRINTING EXPRESS*							
19-03256	11/26/19	11/26/19 2000 PRINTED LETTERS	Open	279.00	0.00		
00739 CAPE MAY VETERINARY HOSPITAL							
19-03455	12/18/19	6/6-7/16/19 VET COST	Open	221.00	0.00		
00784 CAPE MAY STAR & WAVE							
19-03434	12/16/19	12/4/19 LEGAL PUBLICATION	Open	55.80	0.00		
19-03463	12/19/19	12/11/19 LEGAL PUBLICATION	Open	41.54	0.00		
19-03472	12/20/19	12/18/19 LEGAL PUBLICATION	Open	70.68	0.00		
				168.02			

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00807 CDW-GOVERNMENT INC*							
19-03188	11/19/19	CAMERAS	Open	1,023.60	0.00		
00825 COMCAST*							
19-03458	12/19/19	DEC 2019 INTERNET	Open	1,004.02	0.00		PC1
19-03503	12/24/19	COMCAST ACCT 2954 12/1-12/31	Open	166.72	0.00		PC1
19-03574	12/31/19	DEC 19 INTERNET FIRE SAFETY	Open	143.26	0.00		
				1,314.00			
01171 VERIZON WIRELESS - TOWNHALL							
19-03573	12/31/19	11/24-12/23/19 CELL PHONE	Open	501.62	0.00		
01200 DELTA DENTAL PLAN OF NJ							
19-03481	12/23/19	DEC 2019 ADMIN GP#9427	Open	1,303.20	0.00		
01239 DIANA L DeNOTE							
19-03536	12/30/19	CONTRACT REIMB	Open	651.00	0.00		
01365 GARY DOUGLASS							
19-03556	12/31/19	REIMBURSEMENT PER CONTRACT	Open	75.00	0.00		
01603 GENERAL CODE PUBLISHERS*							
19-03326	12/09/19	SUP # 33	Open	1,030.97	0.00		
01657 GOPHER SPORT*							
19-03292	12/03/19	PORTABLE ALUMINUM BENCH 15'	Open	1,144.26	0.00		
19-03415	12/13/19	BASKETBALLS	Open	498.06	0.00		
				1,642.32			
01837 ROBERT HODSDEN							
19-03466	12/19/19	CONTRACTUAL REIMBURSEMENT M	Open	280.64	0.00		
02134 THOMAS KEYWOOD							
19-03483	12/23/19	CONTRACTUAL REIMBURSEMENT M	Open	757.20	0.00		
02175 BRUCE KLAUSING							
19-03436	12/17/19	CONTRACTUAL REIMBURSEMENT M	Open	1,626.00	0.00		
02200 KOHLER'S AUTO GLASS*							
19-03393	12/11/19	INSTALL WINDSHIELD ON LOADER	Open	225.00	0.00		
02292 DONALD LOMBARDO							
19-03553	12/31/19	CONTRACT REIMB	Open	1,526.63	0.00		
02402 MGL PRINTING SOLUTIONS							
19-03387	12/11/19	ENVELOPES, PD 5 FORMS	Open	917.00	0.00		
02411 MENEAR'S TREE SERVICE*							
19-03394	12/11/19	REMOVE TREES	Open	800.00	0.00		
02461 JOHN MAHER							
19-03550	12/31/19	CONTRACT REIMB	Open	2,986.90	0.00		

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02810 MOUNT CONSTRUCTION CO*							
19-02035	07/16/19	ROSEANN PHASE 3 DNE $2464865.0	Open	70,222.15	0.00		
02968 PATTI'S PARTY WORLD*							
19-03528	12/30/19	NEW YEAR'S EVE DECORATIONS	Open	250.00	0.00		
03008 NJ DEPT OF TREASURY/FEES							
19-03316	12/04/19	VEHICLE REGISTRATION/DECAL	Open	94.00	0.00		
03021 NJ MOTOR VEHICLE COMMISION							
19-03441	12/17/19	2020 ANNUAL ADMINISTRATIVE FEE	Open	150.00	0.00		
03086 NJ STATE ASSN CHIEFS OF POL*							
19-01733	06/10/19	TRAINING 8-14-19 THRU 11-20-19	Open	2,400.00	0.00		
03104 NORTHEAST IND.&MARINE SUPPLY*							
19-00821	03/21/19	SUPPLIES/MATERIALS/APIL	Open	1,079.04	0.00		
03158 NYSCA*							
19-03276	11/27/19	RENEW COACHES CERTS/BASKETBALL	Open	200.00	0.00		
03226 OLD DOMINION BRUSH CO.*							
19-03209	11/21/19	HOSE/ LEAF TRUCK	Open	1,015.98	0.00		
03305 PEDRONI FUEL*							
19-03522	12/30/19	NO LEAD GAS	Open	332.89	0.00		
03387 POGUE INC. *							
19-03362	12/10/19	SAFETRY AND HEALTH	Open	133.00	0.00		
03465 R&R ELECTRONICS, INC.*							
19-03157	11/15/19	RADAR BRACKET	Open	240.00	0.00		
03466 R & R SPECIALTIES							
19-03467	12/19/19	CHIRSTMAS TOURNAMENT TROPHIES	Open	153.00	0.00		
03518 RIGGINS, INC.*							
19-03414	12/13/19	OFF HIGHWAY DIESEL	Open	389.97	0.00		
19-03438	12/17/19	OFF HIGHWAY DIESEL	Open	296.37	0.00		
19-03521	12/30/19	OFF HIGHWAY DIESEL	Open	863.93	0.00		
				1,550.27			
03522 TSI INC							
19-03241	11/25/19	CALIBRATION OF FIT TESTING	Open	742.89	0.00		
03608 SEAWAVE CORPORATION*							
19-03243	11/25/19	SALUTE TO VETS PARADE AD	Open	400.00	0.00		
19-03388	12/11/19		Open	150.00	0.00		
				550.00			
03619 THOMAS SOLENSKI							
19-03417	12/13/19	CONTRACTUAL REIMBURSEMENT V	Open	184.00	0.00		

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03692 SOUTH JERSEY GAS CO*							
19-03519	12/26/19	11/15-12/13/19 NATURAL GAS	Open	4,584.67	0.00		
03820 MUNICIPAL UTIIL. AUTH ON CALL							
19-03413	12/13/19	ONE CALL MESSAGE	Open	231.33	0.00		
03844 GIACOMO TROMBETTA							
19-03462	12/19/19	CONTRACTUAL REIMBURSEMENT M	Open	63.00	0.00		
19-03482	12/23/19	CONTRACTUAL REIMBURSEMENT M	Open	13.94	0.00		
				76.94			
03863 TREASURER, STATE OF NEW JERSEY							
19-03579	12/30/19	JAN-MARCH QTRLY STATE PERMIT	Open	10,450.00	0.00		
03914 ULINE INC*							
19-03277	11/27/19	DOGI POT BAGS AND LINERS	Open	562.56	0.00		
03954 VAN NOTE-HARVEY ASSOCIATES*							
17-02751	10/25/17	RES 2017-281 TAX MAP	Open	16,835.00	0.00		B
03960 VECTOR SECURITY*							
19-03214	11/22/19	CLERKS OFFICE KEY MASTER	Open	245.00	0.00		
03969 VERIZON							
19-03457	12/19/19	12/13-1/12/19 LANDLINES	Open	258.61	0.00		
03995 VITAL COMMUNICATIONS, INC.*							
19-02855	10/24/19	NOTICE OF ASSESSMENT POSTCARDS	Open	5,372.15	0.00		
04075 BARBER CONSULTING SERVICES LLC							
19-03295	12/03/19	10/11/19 & 11/8/19 MIS	Open	187.50	0.00		
19-03500	12/24/19	WIRELESS ACCESS POINT	Open	249.98	0.00		
				437.48			
04085 CHRISTOPHER WINTER (EMPLOYEE)							
19-03465	12/19/19	CONTRACTUAL REIMBURSEMENT M	Open	337.50	0.00		
04089 WIZARD'S FESTIVAL OF FUN, INC*							
19-02525	09/17/19	NEW YEARS EVE GAME SHOW	Open	2,500.00	0.00		
04101 GREGORY HOUSER SR (SPANKY'S)							
19-03459	12/19/19	HOT DOGS & WATER - NYEVE PARTY	Open	560.00	0.00		
04300 W B MASON CO INC*							
19-02928	10/30/19	SUPPLIES	Open	236.10	0.00		
04445 TRICOMM SERVICES CORP*							
19-03311	12/04/19	TELEPHONE FIRE SAFETY	Open	777.50	0.00		
05066 MICHAEL REEB							
19-03484	12/23/19	DJ FOR CHRISTMAS PARADE 12/14	Open	150.00	0.00		

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
5016 BROOKAIRE COMPANY							
19-03403	12/12/19	FILTERS	Open	628.33	0.00		
5053 ANTHONY GRETO							
18-00816	03/27/18	2018 EQUIP. ALLOWANCE	Open	30.01	0.00		
19-00941	03/29/19	2019 EQUIPMENT ALLOWANCE	Open	44.98	0.00		B
				74.99			
5055 MATTHEW GAMBLE							
18-00815	03/27/18	2018 EQUIP. ALLOWANCE	Open	32.93	0.00		
6028 JAMES RIDGEWAY							
19-03473	12/20/19	CONTRACTUAL REIMBURSEMENT V	Open	234.00	0.00		
6074 CAPE ATLANTIC JUNIOR FOOTBALL							
18-02238	08/20/18	2018 LEAGUE FEES - MEMBERSHIP	Open	1,000.00	0.00		
6079 KAITLIN BLACK							
19-00930	03/29/19	2019 EQUIPMENT ALLOWANCE	Open	150.00	0.00		
7062 LOUIS BARTLESON							
18-00803	03/27/18	2018 EQUIP. ALLOWANCE	Open	150.00	0.00		
7079 SUBURBAN PROPANE L P*							
19-03559	12/31/19	PROPANE-FREEMAN & CLEM	Open	365.02	0.00		
7199 STAPLES CREDIT PLAN-INSTORE PU							
19-03183	11/18/19	COLORED PAPER FOR FLIERS	Open	129.90	0.00		
19-03392	12/11/19	OFFICE SUPPLIES	Open	118.58	0.00		
				248.48			
7251 REIT LUBRICANTS CO*							
19-03272	11/27/19	HD32 HYDRAULIC OIL	Open	1,389.13	0.00		
7354 FLEETPRIDE INC.*							
19-03517	12/26/19	SPRING BRAKE AND FREIGHT	Open	289.34	0.00		
19-03524	12/30/19	WHEEL END KIT	Open	1,733.96	0.00		
				2,023.30			
7359 ANTHONY MICCICHE							
18-00827	03/27/18	2018 EQUIP. ALLOWANCE	Open	19.97	0.00		
19-00953	03/29/19	2019 EQUIPMENT ALLOWANCE	Open	43.99	0.00		B
				63.96			
7385 JASON FELSING							
18-00812	03/27/18	2018 EQUIP. ALLOWANCE	Open	150.00	0.00		
7475 SUZANNE M SCHEID							
19-03516	12/26/19	CONTRACTUAL REIMBURSEMENT M	Open	128.98	0.00		
7478 WINDSTREAM COMMUNICATION INC*							
19-03532	12/30/19	DECEMBER ENCUMBERANCE	Open	5,570.68	0.00		

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7502 SMARTPROCURE INC*							
19-02949	11/01/19	12/19-12/20 GOVSPEND	Open	2,000.00	0.00		
7508 BLANEY & KARAVAN PC*							
19-01518	05/29/19	RES 2019-180 DNE 14K	Open	187.50	0.00		B
7535 KYLE BOYLE							
18-00808	03/27/18	2018 EQUIP. ALLOWANCE	Open	150.00	0.00		
7618 MEGONIGAL ELECTRIC LLC*							
19-03204	11/21/19		Open	200.00	0.00		
19-03287	12/03/19	POOL ELECTRIC SERVICE	Open	1,600.00	0.00		
19-03453	12/18/19	Install recepticals-C Chambers	Open	750.00	0.00		
				2,550.00			
7622 USA FOOTBALL							
19-02783	10/11/19	2019 YOUTH TACKLE COACH CERTS.	Open	100.00	0.00		
7636 MOTT MACDONALD LLC*							
19-01699	06/07/19	C/o 2 RES 19-205 ROSEANN IMPR	Open	33,063.44	0.00		B
19-02098	07/23/19	SURVEY/LAYOUT SERV SHADELAND	Open	3,300.00	0.00		
19-02853	10/24/19	ROSEANNE #15-231 $19,377.30	Open	7,841.50	0.00		B
19-03419	12/13/19	PROFESSIONAL ENGINEERING	Open	692.88	0.00		
19-03420	12/13/19	PROFESSIONAL ENGINEERING	Open	69.25	0.00		
19-03421	12/13/19	PROFESSIONAL ENGINEERING	Open	280.63	0.00		
19-03422	12/13/19	PROFESSIONAL ENGINEERING	Open	38.25	0.00		
19-03423	12/13/19	PROFESSIONAL ENGINEERING	Open	349.88	0.00		
19-03424	12/13/19	PROFESSIONAL ENGINEERING	Open	72.62	0.00		
19-03425	12/13/19	PROFESSIONAL ENGINEERING	Open	484.76	0.00		
19-03426	12/13/19	PROFESSIONAL ENGINEERING	Open	187.19	0.00		
19-03427	12/13/19	PROFESSIONAL ENGINEERING	Open	834.88	0.00		
19-03428	12/13/19	PROFESSIONAL ENGINEERING	Open	199.65	0.00		
19-03429	12/13/19	PROFESSIONAL ENGINEERING	Open	107.50	0.00		
19-03430	12/13/19	PROFESSIONAL ENGINEERING	Open	803.02	0.00		
19-03431	12/13/19	PROFESSIONAL ENGINEERING	Open	184.00	0.00		
19-03432	12/13/19	PROFESSIONAL ENGINEERING	Open	3,990.75	0.00		
				52,500.20			
7650 JUMPIN' JOES LLC*							
19-03408	12/12/19	NEW YEAR'S EVE EVENT	Open	1,850.00	0.00		
7689 GOVERNMENT FORMS AND SUPPLIES*							
18-03083	11/20/18	BUISINESS CARDS - REGISTRAR	Open	55.00	0.00		
7696 UPPER TOWNSHIP WRESTLING ASSOC							
19-03558	12/31/19	WRESTLING OFFICIAL	Open	160.00	0.00		
7734 SUSAN WILSON							
19-03451	12/18/19	TRAINING MEALS	Open	10.00	0.00		
7765 SCHUTT RECONDITION*							
18-01426	05/23/18	RECON OF HELMETS,PADS,SHOULDER	Open	3,511.40	0.00		

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7782 TRUCK VAULT, INC. *							
19-03114	11/12/19	TRUCK VAIULT	Open	1,676.00	0.00		
19-03186	11/19/19	TRUCK VAIULT	Open	152.00	0.00		
				1,828.00			
7792 JPMONZO MUNICIPAL CONSULTING							
19-03101	11/08/19	WEBINAR 2.0 ceu ETHICS	Open	150.00	0.00		
7826 CASANI CANDY CO. INC*							
19-02711	10/03/19	HALLOWEEN CANDY-TRUNK OR TREAT	Open	766.80	0.00		
7879 SNAP BOLT*							
19-03270	11/27/19	FERRY MERRY - PHOTO BOOTH	Open	450.00	0.00		
7929 AMAZON CAPITAL SERVICES, INC							
19-03364	12/10/19	SUPPLIES	Open	136.33	0.00		
19-03401	12/12/19	SUPPLIES	Open	208.52	0.00		
19-03410	12/12/19	12/12/19 SUPPLIES FIRE SAFETY	Open	142.13	0.00		
19-03411	12/12/19	OFFICE SUPPLIES	Open	57.65	0.00		
19-03440	12/17/19	OFFICE SUPPLIES	Open	176.07	0.00		
19-03470	12/20/19	MANAGER PRINTER HPM148DW	Open	168.90	0.00		
19-03506	12/24/19	2020 WALL CALENDAR	Open	13.49	0.00		
				903.09			
7951 SEASHORE HOME SUPPLY INC							
19-03317	12/04/19	PLAQUE FOR HPC - HAWTHORNE	Open	88.50	0.00		
7959 ALL PRO TEAM SPORTS							
19-02920	10/30/19	BASKETBALL UNIFORM SETS	Open	1,680.00	0.00		
19-02921	10/30/19	LACROSSE JERSEYS	Open	626.25	0.00		
				2,306.25			
8035 LANGUAGE LINE SERVICES INC							
19-03370	12/10/19	PHONE INTERPRETATION	Open	11.94	0.00		
8037 GINA BRONSON							
19-03416	12/13/19	10/9-12/12/19 FILM CLUB	Open	1,250.00	0.00		
8038 LISA JUREWICZ							
19-03439	12/17/19	10/9-12/12/19 FALL MUSIC PROG	Open	2,500.00	0.00		
8117 ADAPT PHARMA INC							
19-03291	12/03/19	NALOXONE	Open	1,800.00	0.00		
8194 S & Y TRADING CORP							
19-03268	11/27/19	FLOOR SCRUBBER	Open	2,419.39	0.00		
8197 GREAT AMERICAN FINANCIAL SERV							
19-03518	12/26/19	DEC 2019 LEASE PAYMENT	Open	560.00	0.00		
8198 JSYWL							
19-03328	12/09/19	YOUTH WRESTLING LEAGUE FEES	Open	300.00	0.00		

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
8200 MICHAEL'S STORE							
19-03464	12/19/19	12/19/19 MEMORIAL FLAG	Open	265.49	0.00		PC1
8216 BRENDA MATOS							
19-03480	12/23/19	REIMBURSEMENT FOR BASKETBALL	Open	10.00	0.00		
8217 SARAH VAN SEETERS							
19-03501	12/24/19	REIMBURSEMENT FOR CATERING	Open	139.58	0.00		
8218 RYAN OSMUNDSEN							
19-03533	12/30/19	REFUND FOR BASKETBALL	Open	15.00	0.00		
8219 WILLIAM O EVERLY							
19-03534	12/30/19	REFUND TAXES VETERANS DED	Open	738.16	0.00		
8220 BRIANNA TURNER							
19-03557	12/31/19	REIMBURSEMENT FOR BASKETBALL	Open	59.05	0.00		
8221 WILLIAM H MARTIN SR							
19-03576	12/31/19	12/17 REFUND 2019 TAXES	Open	2,051.15	0.00		
ANZE JENNIFER ELWELL							
18-00800	03/27/18	2018 EQUIP. ALLOWANCE	Open	73.96	0.00		
19-00925	03/29/19	2019 EQUIPMENT ALLOWANCE	Open	28.04	0.00		B
				102.00			
FOURNIER KAREN FOURNIER							
19-03563	12/31/19	REIMB TRAINING	Open	128.36	0.00		

Total Purchase Orders: 154 Total P.O. Line Items: 0 Total List Amount: 602,839.35 Total Void Amount: 0.00

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

RESOLUTION #2020-47

Title: **AUTHORIZING THE PAYMENT OF VOUCHERS**

Vendor	Description	Amount
SEASHORE COMMUNITY CHURCH	SHARED WARMING CENTER	$3000.00
HEART TO HEART	FUNERAL FLOWERS	$710.00

TOTAL Manual Checks	$3710.00
TOTAL Computer Generated	$602,839.35
TOTAL BILL LIST	$606,549.94

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on JAN 06, 2020.

Julie A Picard, Township Clerk

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

ORDINANCE #2020-01

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

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

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

WHEREAS, the Township Council of the Township of Lower in the County of Cape May finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township of Lower hereby determines that a 3.5% increase in the budget for said year, amounting to $789,472.05 in excess of the increase in final appropriations otherwise permitted by the Local Government Cape Law is advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Lower, in the County of Cape May, a majority of the full authorized membership of this governing body affirmatively concurring, that in the CY 2020 budget year, the final appropriation of the Township of Lower shall, in accordance with this ordinance and N.J.S.A. 40A: 4-15.14, be increased by 3.5 % amounting to $789,472.05, and the CY 2020 municipal budget for the Township of Lower be approved and adopted in accordance with this ordinance.

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

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

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

Thomas Conrad, Councilmember

David Perry, Councilmember

Roland Roy, Councilmember

Frank Sippel, Deputy Mayor

Erik Simonsen, Mayor

Introduced: January 6, 2020

Adopted:

Attest: _____
Julie A Picard, Township Clerk

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

RESOLUTION #2020-48

Title: **APPOINTMENT OF CLASS III MEMBER TO THE PLANNING BOARD**

WHEREAS, the term of Councilman Roland Roy, Jr., Class III Member on the Lower Township Planning Board, expired on Dec. 31, 2019.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the following re-appointment to the Lower Township Planning Board is hereby confirmed.

Name	Type/Class	Exp. Date
Roland Roy, Jr.	**Class III**	**12-31-2020**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

Julie A Picard, Township Clerk

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

RESOLUTION #2020-49

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 2020, 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 1, 2020 and the second in the amount of THIRTY-FIVE THOUSAND ($35,000.00) DOLLARS due on or before November 2, 2020. In the event the Township designates and recognizes the Rescue Squad as the provider of Emergency Services in the Township beyond one (1) year from the effective date of this Resolution, the payments will continue on or about the same days of the following year(s).

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

Appropriation # 01-25-260-272

CFO Signature: _____
Lauren Read, CFO

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

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

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

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

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

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

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

_____

Julie A Picard, Township Clerk

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

RESOLUTION #2020- 50

Title: **AUTHORIZING THE PAYMENT OF VOUCHERS**

Vendor	Description	Amount
DAVID PERRY	CONTRACTUAL REIMBURSEMENT	$112.00
DAVID PERRY	CONTRACTUAL REIMBURSEMENT	$138.45
	TOTAL BILL LIST	$250.45

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on JAN, 06,2020

Julie A Picard, Township Clerk

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

RESOLUTION #2020-51

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

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

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

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

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

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

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

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

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

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

_X_(7) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer. **Contract Negotiations/Possible Litigation Attorney/Client Privilege**

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, assembled in public session on January 6, 2020 that an Executive Session closed to the public shall be held on this date at approximately_____ P.M. in the Conference Room of the Township Hall, 2600 Bayshore Road, Villas for the discussion of matters relating to the specific items designated above.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020

_____
Julie A Picard, Township Clerk

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

RESOLUTION #2020-52

Title: **BID ACCEPTANCE AND CONTRACT AWARD FOR SCHELLENGERS LANDING SAFETY IMPROVEMENTS AND IDENTIFICATION PROGRAM**

WHEREAS, the Notice to Bidders for Schellengers Landing Safety Improvements and Identification Program was advertised on October 9, 2019 and accepted on November 13, 2019 at 11:00 a.m. prevailing time; and

WHEREAS, Two (2) sealed bid were submitted and reviewed by the engineer and QPA; and

WHEREAS, Charles Marandino, LLC was the lowest qualified bidder; including base and alternate, complied with the specifications, supplied all required bid documents and the CFO has certified the availability of funds as evidenced by her signature below:

Appropriation: _____

Signature: _____
Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the above stated contract is hereby awarded to:

AWARD TO: **Charles Marandino, LLC**
TOTAL: **$1,240,725.00**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
PERRY						
ROY						
SIPPEL						
SIMONSEN						

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 6, 2020.

_____
Julie A Picard, Township Clerk

ENGINEERING DESIGN ASSOCIATES, P.A.
ENGINEERS ENVIRONMENTAL PLANNERS LANDSCAPE ARCHITECTS

December 16, 2019

VIA E-MAIL (CLERK@TOWNSHIPOFLOWER.ORG) & REGULAR MAIL

Lower Township
2600 Bayshore Road
Villas, NJ 08251

ATTN: Julie Picard, Township Clerk

Re: Schellengers Landing Safety Improvements and Identification Program
State Highway 109
Lower Township, Cape May County, NJ
EDA #8326

Dear Julie:

Sealed construction bids were received by Lower Township on Wednesday, November 13, 2019 at 11:00 am, for the above referenced project. The bids were publicly opened and read aloud on the same day.

Based on our review of the submitted bids, a summary of the bidders is as follows:

BIDDER	BASE BID	ALTERNATE BID #1	TOTAL
Charles Marandino, LLC	$1,187,425.00	$53,300.00	$1,240,725.00
Lexa Concrete	$1,177,860.00	$81,900.00	$1,259,760.00

We recommend the project be awarded to the apparent responsible, lowest bidder, Charles Marandino, LLC, for the Base Bid plus Alternate Bid #1 in the amount of $1,240,725.00, pending certification of available funds.

A copy of the bid tabulation is enclosed for your review.

If you have any questions, please don't hesitate to contact our office.

Sincerely,

Joseph H. Maffei, P.E., P.P.

JHM/km
Enclosure

cc: Mayor & Council
Margaret Vitelli, QPA
Jim Ridgway, Township Manager
Bill Galestok, PP, AICP, Planning Director
All Bidders

Final/EDA/8326/Corr/L7

Cambridge Professional Offices
5 Cambridge Drive, Ocean View, New Jersey 08230
PHONE: (609) 390-0332 • FAX: (609) 390-9204

ENGINEERING DESIGN ASSOCIATES, P.A.
ENGINEERS ENVIRONMENTAL PLANNERS LANDSCAPE ARCHITECTS

BID TABULATION
SCHELLENGERS LANDING SAFETY IMPROVEMENTS AND INDENTIFICATION PROGRAM DESIGN PLANS
Township of Lower, Cape May County, New Jersey
EDA #8326
Bid Opening Date : November 13, 2019

				Charles Marandino LLC P.O. Box 20 Milmay, NJ 08340		Loxa Concrete 11 Commerce Way Drive Hammonton, NJ 08037	
ITEM NO.	DESCRIPTION	UNITS	QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Site Clearing	LS	1	$300,000.00	$300,000.00	$15,000.00	$15,000.00
2	Brick Paver Sidewalk w/ 4" Concrete Base	SF	8,900	$34.00	$302,600.00	$40.00	$356,000.00
3	Brick Paver Street Crosswalk w/ 6" Concrete Base	SF	6,400	$36.00	$230,400.00	$50.00	$320,000.00
4	Concrete Driveway Restoration	SF	360	$6.00	$2,160.00	$15.00	$5,400.00
5	Concrete Vertical Curb	LF	1,200	$40.00	$48,000.00	$70.00	$84,000.00
6	Concrete Flush Curb	LF	220	$40.00	$8,800.00	$70.00	$15,400.00
7	Concrete Depressed Curb	LF	275	$40.00	$11,000.00	$70.00	$19,250.00
8	Detectable Warning Surface	SF	350	$20.00	$7,000.00	$40.00	$14,000.00
9	Pole Mounted Light Complete	EA	1	$3,380.00	$3,380.00	$10,000.00	$10,000.00
10	Business Sign Relocation	LS	1	$10,000.00	$10,000.00	$5,000.00	$5,000.00
11	Traffic Sign Replacement	LS	1	$10,000.00	$10,000.00	$8,000.00	$8,000.00
12	Topsoil & Seed	SF	125	$1.00	$125.00	$10.00	$1,250.00
13	Asphalt Driveway Restoration	SF	430	$6.00	$2,580.00	$10.00	$4,300.00
14	Relocate Fire Hydrant	UNIT	2	$5,000.00	$10,000.00	$8,500.00	$17,000.00
15	Pavement Markings	LS	1	$450.00	$450.00	$4,000.00	$4,000.00
16	No Item						
17	Rumble Strips	LS	1	$2,760.00	$2,760.00	$3,600.00	$3,600.00
18	Maintenance & Protection of Traffic	LS	1	$150,000.00	$150,000.00	$155,000.00	$155,000.00
19	2" Sch. 80 PVC Electrical Conduit	LF	320	$31.00	$9,920.00	$33.00	$10,560.00
20	2" Sch. 40 PVC Electrical Conduit	LF	2000	$23.00	$46,000.00	$20.00	$40,000.00
21	Lightpole Foundation	EA	14	$1,150.00	$16,100.00	$2,150.00	$30,100.00
22	Remove & Replace Light Service Conduit & Wires	LS	1	$16,150.00	$16,150.00	$60,000.00	$60,000.00
	TOTAL BASE BID AMOUNT				$1,167,425.00		$1,177,860.00
	ALTERNATE BID A						
A-1	Street Light Complete	EA	13	$4,100.00	$53,300.00	$6,300.00	$81,900.00

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Cambridge Professional Offices
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