

**September 7, 2016 - 7:00 P.M.**

**Meeting called to order.**

- Opening Announcement
- Pledge of Allegiance & Moment of Silence
- Roll Call & Determination of Quorum

**Consent Agenda**

- Approval of NJ State Firemen's Association Membership Application – B.McCloskey, Villas Vol Fire Co
- Approval of Minutes August 15, 2016
- Res. #2016-240 Payment of Vouchers \$777,592.63
- Res. #2016-241 Appointment of Donna Blackley as the Lower Township Fire Coordinator (requested by OEM Coordinator R. Harron – to reflect updated OEM Policies)
- Res. #2016-242 A Resolution to Affirm the Township of Lower's Civil Rights Policy with Respect to all Officials, Appointees, Employees, Perspective Employees, Volunteers, Independent Contractors and Members of the Public That Come Into Contact with Municipal Employees, Officials and Volunteers (required by JIF annually)
- Res. #2016-243 Approval of a Shared Service Agreement Between the City of Wildwood and the Township of Lower Regarding Law Enforcement Event Support (Roar to the Shore Sept 8 thru 11)
- Res. #2016-244 Amending Resolution #2016-175; Annual Renewal of Liquor Licenses for the Year 2016-2017; by Rescinding Approval of 0505-33-004-5 and Approving Renewal of Liquor License for Spicer Creek North 0505-33-004-5 Under a Special Ruling (inactive license)
- Res. #2016-245 Resolution Approving an Inter Local Services Agreement Between the Township of Lower and Lower Cape May Regional School District (School Resource Officer \$253,188.78 – 3 years)
- Res. #2016-246 Authorization for Refund of Taxes (3 properties \$2,497.16)
- Res. #2016-247 Authorizing the Relocating of a Bus Stop on Bayshore Road, Lower Township (at Woodland Ave from Back Bay to Bistro to the Car Wash)
- Res. #2016-248 Resolution Authorizing Increases for Non-Union Employees (as per Supervisors Union Contract)
- Res. #2016-249 Submission of a Small Cities Housing Rehabilitation Application \$200,000
- Res. #2016-250 Approval for CARA Candlelight Vigil at Lower Township Municipal Complex (Oct. 19<sup>th</sup> – 6:00pm)
- Res. #2016-251 Approval of Greater Cape May Elks Lodge #2839 Request to conduct a Flea Market
- Res. #2016-252 Authorizing the Sale of Township of Lower Surplus No Longer Needed for Public Use on Govdeals Online Auction (2009 Dodge Charger)
- Res. #2016-253 Bid acceptance and Award of two (2) 2016 or Newer Rear Loading Refuse Trucks (Hunter Jersey Peterbilt \$377,800)
- Res. #2016-254 Amending Resolution #2016-143; Approving a Professional Service Contract with Mott MacDonald for General Engineering Services (\$5,000)
- Res. #2016-255 Appointment to the Historic Preservation Commission (moving M.Rosenberg from alt member to the vacated regular member position)
- Res. #2016-256 A Resolution Approving the Mutual Release and Quitclaim Deed Regarding 721 Foster Avenue, Lower Township, Block 747.03 Lot 9.02
- Res. #2016-257 Resolution Authorizing the Township of Lower to Enter into a Donation Agreement for Unimproved Real Property with the State of New Jersey Department of Environmental Protection (Land Exchange)

**Regular Agenda**

- Res. #2016-258 Authorizing the Payment of Vouchers – L/T Rescue – Expense payment \$10,000

**Administrative Reports**

Monthly Report - Finance

**Council Comments**

**Call to the Public**

**Closed Session**

- Res. #2016-259 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. **PBA CONTRACT UPDATE**

**COUNCIL MAY RETURN TO OPEN SESSION TO TAKE ACTION**

- Res. #2016-260 A Resolution to Ratify the Memorandum of Understanding Between Lower Township and the Lower Township PBA Local 59

**Adjournment**

## COUNCIL MEETING MINUTES – August 15, 2016

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on August 15, 2016 at 7:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

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

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

Councilmember David Perry  
Councilmember Erik Simonsen  
Deputy Mayor Clark  
Mayor Michael Beck

Also present: James Ridgway, Township Manager, David Stefankiewicz, Township Solicitor and Karen Fournier, Deputy Township Clerk

### Work Session

Presentation – Early Childhood Education Program at the Fishing Creek School – LCMR Elementary Superintendent Jeff Samaniego and Manager Jim Ridgway

Deputy Mayor Clark shared the history of the one-room schoolhouse, built in 1888; now known as the Fishing Creek School. He thanked the many people involved with the preservation of the facility and talked about the vision to use it as a host school for early childhood education. Manager Ridgway voiced enthusiasm about the program and introduced Jeff Samaniego, Superintendent of Lower Township Elementary School District. Mr. Samaniego thanked Mayor Beck and Council, Manager Ridgway, Mitch Plenn and John Louderback for their support and expressed excitement about using the Fishing Creek School for the 3 Year-Old Visitation Program (3VP). He spoke of the benefits of the program and shared his story as the parent of children who participated and succeeded in the program. "Miss Mary" Penn, Lower Township Elementary School Teacher, spoke briefly about the curriculum and current routine of the 3VP Program and how the program helps families get involved in their child's learning experience. She also voiced excitement and gratitude for the opportunity to use the Fishing Creek School. "Miss Meagan" Young, Lower Township Elementary School Teacher, touched upon 3 points of application with the Fishing Creek School: enhancing social and emotional development, increasing enrollment in group lessons, and promoting home, school and community partnership.

Deputy Mayor Clark stressed the importance of partnerships between home and school and thanked the Lower Township Elementary School Team for their commitment. Manager Ridgway and Mayor Beck concurred.

Presentation - Smart Vents Inc - Community Outreach Program (FEMA NFIP Community Rating System) - Jen Dowe, CRS Coordinator

Manager Ridgway introduced Jen Dowe, Township Tax Assessor and CRS Coordinator.

Jen Dowe explained the Community Rating System, implemented by FEMA's National Flood Insurance Program (NFIP), and introduced Tyler Ardron from Smart Vent, Inc.

Tyler Ardron, Certified Floodplain Manager with Smart Vent Inc, talked about the Community Outreach Program and Flood Risk Evaluator Service and communicated how homeowners can get into compliance and save on flood insurance premiums. He also discussed the elevation certificate and informed that financing and/or grants may be available to some homeowners. Manager Ridgway assured that the goal is to lower the Township's rating through the CRS program.

### Consent Agenda

Approval of NJ State Firemen's Association Membership Application – D. Cochran, Villas Vol Fire Co

Approval of Minutes August 1, 2016

Res. #2016-231 Payment of Vouchers \$ 207,907.71

Res. #2016-232 Bid Acceptance and Award of one (1) New Giant Vac TM 6600 JD 30 Yard Vacuum Unit or Equivalent (Granturk Equipment Co Inc \$44,572.)

Res. #2016-233 Authorization for Refund of Taxes (1 property \$56.26)

Res. #2016-234 Authorization for Aarts Transportation, Inc to Transfer Taxi License (to new vehicle)

- Res. #2016-235 A Resolution Adopting Personnel Policies and Procedures for Lower Township (updated as required by JIF)

Res. #2016-236 Amendment to the Municipal Engineer Contract Due to Name Change (Mott MacDonald)

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         | X      |
| PERRY    | X      |        | X   |     |         |        |
| SIMONSEN |        | X      | X   |     |         |        |
| CLARK    |        |        | X   |     |         |        |
| BECK     |        |        | X   |     |         |        |

**Regular Agenda**

Res. #2016-237A

Appointments to the Zoning Board of Adjustments (alternate member vacancies)  
Motion to appoint Michael Kennedy (2 year term)

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         | X      |
| PERRY    | X      |        | X   |     |         |        |
| SIMONSEN |        | X      | X   |     |         |        |
| CLARK    |        |        | X   |     |         |        |
| BECK     |        |        | X   |     |         |        |

Res. #2016-237AB

Appointments to the Zoning Board of Adjustments (alternate member vacancies)  
Motion to appoint George Doherty (1 year term)

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         | X      |
| PERRY    |        | X      | X   |     |         |        |
| SIMONSEN | X      |        | X   |     |         |        |
| CLARK    |        |        | X   |     |         |        |
| BECK     |        |        | X   |     |         |        |

Deputy Mayor Clark encouraged anyone interested in being a member of the Zoning Board to mail their application to Township Hall.

**Administrative Reports**

Monthly Reports – Clerk, Construction, Dog, Fire, Police, Tax, Vital Statistics

**Council Comments**

Councilman Perry announced that the Township has been granted beach access permits from the DEP with some good conditions attached. He hopes to meet with Manager Ridgway next week to discuss moving forward.

Councilman Simonsen sent his wishes to Councilman Conrad for a speedy recovery. He gave a brief update on improvements at the schools as a result of the bond, and commended the Fishing Creek School and the Lower Township Elementary School District for their initiative with the early childhood education program.

Manager Ridgway shared some upbeat news about local superstars Billy Matthews and Matt Szczur. He also thanked Township Clerk, Julie Picard, Eileen Kreis and Colleen Crippen for their work on the Township Personnel Policy Manual and Employee Handbook.

Deputy Mayor Clark thanked John Louderback and Lou Thomas for their efforts with the Fishing Creek School and encouraged everyone to visit their website to learn more about the organization and upcoming events.

Mayor Beck stressed the importance of education and the positive impact of parental involvement.

Deputy Mayor Clark inquired about donations to the Education Program.

Mayor Beck announced the upcoming Concert Series and a fund raiser at Mulligan Field. He also reminded that school is back in session starting Tuesday, September 6<sup>th</sup>.

**Call to Public**

Bill Greenfield, Villas, inquired about the conditions put on the beach maintenance permit from the DEP. Councilman Perry explained that the conditions apply to the access points.

Ray Flickenger, Washington Boulevard, voiced content with the approval of the beach maintenance permit and brought to Council's attention the safety hazard caused by overgrown hedges in the road along Beach Drive and Washington Boulevard. He also inquired about "We support our Police" signs. Councilman Perry advised that the Lower Township GOP organization bought the signs.

**Closed Session**

Res. #2016-238

Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12. **POSSIBLE LITIGATION**

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         | X      |
| PERRY    | X      |        | X   |     |         |        |
| SIMONSEN |        |        | X   |     |         |        |
| CLARK    |        | X      | X   |     |         |        |
| BECK     |        |        | X   |     |         |        |

**Action may be taken upon return to Open Session**

Council Adjourned to Closed Session at 7:55 p.m.

Council returned to Open Session at 8:20 p.m.

Res. #2016-239

A Resolution Approving the Agreement of Sale of Certain Real Property Located in the Township of Lower

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         | X      |
| PERRY    |        | X      | X   |     |         |        |
| SIMONSEN | X      |        | X   |     |         |        |
| CLARK    |        |        | X   |     |         |        |
| BECK     |        |        | X   |     |         |        |

**Adjournment**

There being no further business to address, motion to adjourn moved by Councilmember Simonsen, seconded by Deputy Mayor Clark. Motion to adjourn unanimous. Meeting adjourned at 8:22 p.m.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Township Clerk

Approved:

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

RESOLUTION #2016-040

TITLE: AUTHORIZING THE PAYMENT OF VOUCHERS

|                |             |                     |           |               |
|----------------|-------------|---------------------|-----------|---------------|
| <u>Vendor</u>  | <u>PO #</u> | <u>Description</u>  | <u>CK</u> | <u>Amount</u> |
| MOTT MACDONALD | 16-02311    | GENERAL ENGINEERING | 058048    | \$ 4,560.45   |

Total Manual Check \$ 4560.45

Total Computer List \$ 773,032.18

Total Bill List \$ 777,592.63

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |
| CLARK    |        |        |     |     |         |        |
| BECK     |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on September 7, 2016.

Julie A Picard, Township Clerk



| Vendor # Name                         | PO #     | PO Date  | Description                    | Status | Amount        | Void Amount | Contract | PO Type |
|---------------------------------------|----------|----------|--------------------------------|--------|---------------|-------------|----------|---------|
| 00710 CAPE MAY COUNTY SHERIFF         | 16-02176 | 08/09/16 | 2016 TRIATHLON PAYMENT         | Open   | 3,240.00      | 0.00        |          |         |
| 00730 CAREER TRACK                    | 16-02090 | 07/28/16 | HR SEMINAR                     | Open   | 99.00         | 0.00        |          |         |
| 00736 CAPE PRINTING EXPRESS*          | 16-02234 | 08/18/16 | NUMBERED RAFFLE TICKETS W/STUB | Open   | 71.00         | 0.00        |          |         |
| 00775 CAPRIONI PORTABLE TOILETS, INC* | 16-01511 | 06/06/16 | PORTA-POTTIES-SUMMER CONCERTS  | Open   | 297.25        | 0.00        |          |         |
|                                       | 16-02294 | 08/25/16 | MONTHLY SERVICES               | Open   | <u>233.00</u> | 0.00        |          |         |
|                                       |          |          |                                |        | 530.25        |             |          |         |
| 00784 CAPE MAY STAR & WAVE            | 16-02210 | 08/12/16 | LEGAL PUBLICATION 8-3-16       | Open   | 53.32         | 0.00        |          |         |
|                                       | 16-02239 | 08/19/16 | 8/10/2016 NOTICE OF DECISION   | Open   | <u>45.88</u>  | 0.00        |          |         |
|                                       |          |          |                                |        | 99.20         |             |          |         |
| 00825 COMCAST*                        | 16-02227 | 08/17/16 | FIRE SFTY 8499 05 009 0248697  | Open   | 125.90        | 0.00        |          |         |
|                                       | 16-02345 | 08/31/16 | INTERNET SERVICE               | Open   | <u>16.25</u>  | 0.00        |          |         |
|                                       |          |          |                                |        | 142.15        |             |          |         |
| 01055 ERIC COOMBS                     | 15-01014 | 04/28/15 | 2015 EQUIP. ALLOWANCE          | Open   | 52.25         | 0.00        |          | B       |
|                                       | 16-00573 | 03/02/16 | 2016 EQUIP. ALLOWANCE          | Open   | <u>46.75</u>  | 0.00        |          | B       |
|                                       |          |          |                                |        | 99.00         |             |          |         |
| 01171 VERIZON WIRELESS - TOWNHALL     | 16-02349 | 08/31/16 | CELL PHONE 08/24/16-9/23/16    | Open   | 520.39        | 0.00        |          |         |
| 01196 H A DEHART & SON*               | 16-00757 | 03/14/16 | PARTS FOR VEHICLES/APRIL       | Open   | 148.80        | 0.00        |          |         |
| 01200 DELTA DENTAL PLAN OF NJ         | 16-02328 | 08/30/16 | AUGUST ADMIN                   | Open   | 1,135.60      | 0.00        |          |         |
| 01219 CONTRACTOR SERVICE*             | 16-01807 | 06/23/16 | CONCRETE DRILL BITS            | Open   | 594.00        | 0.00        |          |         |
| 01239 DIANA L DeNOTE                  | 16-02237 | 08/19/16 | CONTRACT REIMB                 | Open   | 135.50        | 0.00        |          |         |
| 01265 BRIAN DONAHUE                   | 16-02236 | 08/19/16 | CONTRACT REIMB V               | Open   | 155.00        | 0.00        |          |         |
| 01267 EDWARD DONOHUE                  | 16-02352 | 09/01/16 | CONTRACTUAL REIMBURSEMENT-V    | Open   | 185.00        | 0.00        |          |         |
| 01403 ENFORSSYS FIRE SYSTEMS, INC*    | 16-02230 | 08/17/16 | INSPECTION MAINT 10/16-10/17   | Open   | 525.00        | 0.00        |          |         |

| Vendor # Name                       | PO #     | PO Date  | Description                    | Status | Amount          | Void Amount | Contract | PO Type |
|-------------------------------------|----------|----------|--------------------------------|--------|-----------------|-------------|----------|---------|
| 01590 FORD, SCOTT & ASSOCIATES*     | 16-01895 | 07/08/16 | 2016 BOND SALE \$4.52M         | Open   | 8,700.00        | 0.00        |          |         |
| 01660 GENERAL SPRING SERVICE*       | 16-02222 | 08/16/16 | REPLACE REAR SPRINGS/DPW       | Open   | 3,993.20        | 0.00        |          |         |
| 01661 GENERAL SALES ADMINISTRATION* | 16-02174 | 08/09/16 | OUTFITTING NEW POLARIS         | Open   | 930.15          | 0.00        |          |         |
| 01690 GRANTURK EQUIPMENT CO*        | 16-00962 | 04/08/16 | PARTS FOR RECYCLING/JUNE       | Open   | 1,277.59        | 0.00        |          |         |
| 01785 ROBERT HARTMAN SR             | 16-01477 | 06/01/16 | CONTRACTUAL REIMBURSEMENT-M    | Open   | 314.70          | 0.00        |          |         |
|                                     | 16-02261 | 08/23/16 | CONTRACTUAL REIMBURSEMENT-M    | Open   | <u>689.31</u>   | 0.00        |          |         |
|                                     |          |          |                                |        | 1,004.01        |             |          |         |
| 01807 MARLIN HEDUM                  | 16-02353 | 09/01/16 | CONTRACTUAL REIMBURSEMENT-M    | Open   | 135.81          | 0.00        |          |         |
| 01824 ROBERT J. HERITAGE            | 16-02260 | 08/23/16 | CONTRACTUAL REIMBURSEMENT-M    | Open   | 720.00          | 0.00        |          |         |
| 01973 LOGIN INC.                    | 16-01996 | 07/20/16 |                                | Open   | 875.00          | 0.00        |          |         |
| 01974 I.A.C.P MEMBERSHIP*           | 16-02084 | 07/27/16 | IACP 2016 ANNUAL CONFERENCE    | Open   | 350.00          | 0.00        |          |         |
| 02108 KEEN COMPRESSED GAS CO*       | 16-01076 | 04/22/16 | BOTTLED WATER/MAY              | Open   | 292.75          | 0.00        |          |         |
| 02136 TED KINGSTON INC*             | 16-00692 | 03/11/16 | APRIL 2016 MAINT. DPS          | Open   | 547.90          | 0.00        |          |         |
|                                     | 16-00693 | 03/11/16 | MAY 2016 MAINT. DPS            | Open   | 549.00          | 0.00        |          |         |
|                                     | 16-02092 | 07/29/16 | RADIOS                         | Open   | <u>1,243.70</u> | 0.00        |          |         |
|                                     |          |          |                                |        | 2,340.60        |             |          |         |
| 02140 KINDLE FORD LINC/MERC., INC.* | 16-01802 | 06/23/16 | PARTS FOR POLICE VEHICLES/JULY | Open   | 716.46          | 0.00        |          |         |
| 02223 LANDSMAN UNIFORMS*            | 16-01932 | 07/12/16 | BADGE                          | Open   | 87.00           | 0.00        |          |         |
| 02247 LAWSON PRODUCTS, INC.*        | 16-01890 | 07/08/16 | GARGE SUPPLIES/AUG             | Open   | 699.58          | 0.00        |          |         |
| 02334 LOWER TWP CHAMBER OF COMMERCE | 16-02196 | 08/10/16 | MEMBERSHIP DUES 10/2016-9/2017 | Open   | 150.00          | 0.00        |          |         |
|                                     | 16-02229 | 08/17/16 | 8/11/16 MEETING                | Open   | <u>80.00</u>    | 0.00        |          |         |
|                                     |          |          |                                |        | 230.00          |             |          |         |

| Vendor # Name                         | PO #     | PO Date  | Description                    | Status | Amount           | Void Amount | Contract | PO Type |
|---------------------------------------|----------|----------|--------------------------------|--------|------------------|-------------|----------|---------|
| 02411 MENEAR'S TREE SERVICE*          | 16-02201 | 08/11/16 | MILLMAN TREE/STORM DAMAGE      | Open   | 1,500.00         | 0.00        |          |         |
| 02541 ROBERT D. MARTIN, JR            | 16-02332 | 08/30/16 | CONTRACTUAL REIMBURSEMENT- M   | Open   | 61.45            | 0.00        |          |         |
| 02585 WILLIAM MASTRIANA               | 16-02238 | 08/19/16 | COUNTY CHIEF MEETING           | Open   | 20.00            | 0.00        |          |         |
| 02632 N J PLANNING OFFICIALS*         | 16-02193 | 08/10/16 | BOARD MEMBER TRAINING          | Open   | 80.00            | 0.00        |          |         |
| 02756 PHILADELPHIA TURF CO INC*       | 16-01548 | 06/08/16 | PARTS FOR MOWERS/DPW           | Open   | 110.68           | 0.00        |          |         |
|                                       | 16-02005 | 07/21/16 | SUPPLIES FOR TRUCK REPAIRS     | Open   | 422.90           | 0.00        |          |         |
|                                       |          |          |                                |        | <u>533.58</u>    |             |          |         |
| 02800 MURPHY FENCE COMPANY*           | 16-01752 | 06/16/16 | VINYL FENCE FOR POOL           | Open   | 763.60           | 0.00        |          |         |
| 02862 MUNICIPAL CLERK'S ASSN. NJ, INC | 16-02257 | 08/23/16 | 2016/2017 MEMBERSHIP           | Open   | 100.00           | 0.00        |          |         |
| 03008 NJ DEPT OF TREASURY/FEES        | 16-02117 | 08/04/16 | RECYCLING COMPLIANCE MONITORIN | Open   | 1,015.00         | 0.00        |          |         |
| 03026 NJ STATE HEALTH BENEFITS        | 16-02297 | 08/25/16 | HEALTH BENEFITS-SEPTEMBER 2016 | Open   | 298,990.98       | 0.00        |          |         |
| 03029 NJ DIVISION OF FIRE SAFETY      | 16-02255 | 08/19/16 | LIFE HAZARD-FISHING CREEK SCHO | Open   | 296.00           | 0.00        |          |         |
| 03052 NATIONAL FIRE PROTECTION ASSN*  | 16-01870 | 07/07/16 | NFPA CODE SUBSCRIPTION         | Open   | 1,305.00         | 0.00        |          |         |
| 03172 OFFICE BUSINESS SYSTEMS INC*    | 16-01348 | 05/17/16 | EVOLUTIONneo RECORDING SOLUTI  | Open   | 31,134.00        | 0.00        |          |         |
|                                       | 16-01977 | 07/15/16 | MULTI PMP PRI INTERFACE RECORD | Open   | 1,549.00         | 0.00        |          |         |
|                                       |          |          |                                |        | <u>32,683.00</u> |             |          |         |
| 03280 PARAMOUNT SANITARY SUPPLY*      | 16-01565 | 06/08/16 | BAYRUN SUPPLIES                | Open   | 55.43            | 0.00        |          |         |
|                                       | 16-02134 | 08/04/16 | TRASH BAGS - VARIOUS LOCATIONS | Open   | 531.25           | 0.00        |          |         |
|                                       | 16-02192 | 08/10/16 | TERRY RAGS/DPW                 | Open   | 249.45           | 0.00        |          |         |
|                                       |          |          |                                |        | <u>836.13</u>    |             |          |         |
| 03305 PEDRONI FUEL*                   | 16-02220 | 08/16/16 | NO LEAD GAS                    | Open   | 450.06           | 0.00        |          |         |
|                                       | 16-02299 | 08/26/16 | NO LEAD GAS/DPW                | Open   | 226.32           | 0.00        |          |         |
|                                       |          |          |                                |        | <u>676.38</u>    |             |          |         |
| 03387 POGUE INC. *                    | 16-02132 | 08/04/16 | CONTROLLED SUBSTANCE TEST      | Open   | 250.00           | 0.00        |          |         |

| Vendor # Name                        | PO #     | PO Date  | Description                    | Status | Amount        | Void Amount | Contract | PO Type |
|--------------------------------------|----------|----------|--------------------------------|--------|---------------|-------------|----------|---------|
| 03466 R & R SPECIALTIES              |          |          |                                |        |               |             |          |         |
|                                      | 16-01552 | 06/08/16 | 8 X 10 SPONSOR PLAQUE          | Open   | 247.50        | 0.00        |          |         |
|                                      | 16-02036 | 07/25/16 | SIGNS                          | Open   | 47.50         | 0.00        |          |         |
|                                      | 16-02107 | 08/01/16 | PLAQUES- 4 X 8-PYLE            | Open   | 270.00        | 0.00        |          |         |
|                                      | 16-02324 | 08/30/16 | MEMORIAL PLAQUE-HENDRICKSON    | Open   | 270.00        | 0.00        |          |         |
|                                      |          |          |                                |        | <u>835.00</u> |             |          |         |
| 03495 ELIZABETH BYRNE                |          |          |                                |        |               |             |          |         |
|                                      | 16-02321 | 08/30/16 | CONTRACTUAL REIMBURSEMENT-M    | Open   | 206.65        | 0.00        |          |         |
| 03518 RIGGINS, INC.*                 |          |          |                                |        |               |             |          |         |
|                                      | 16-02172 | 08/09/16 | OFF HIGHWAY DIESEL             | Open   | 155.22        | 0.00        |          |         |
|                                      | 16-02221 | 08/16/16 | OFF HIGHWAY DIESEL/DPW         | Open   | 266.59        | 0.00        |          |         |
|                                      | 16-02347 | 08/31/16 | OFF HIGHWAY DIESEL             | Open   | 342.76        | 0.00        |          |         |
|                                      |          |          |                                |        | <u>764.57</u> |             |          |         |
| 03537 RUTGERS, THE STATE UNIVERSITY* |          |          |                                |        |               |             |          |         |
|                                      | 16-01982 | 07/18/16 | CONTINUING EDUCATION-MUNRO     | Open   | 573.00        | 0.00        |          |         |
| 03607 SEASHORE FOOD SUPPLY*          |          |          |                                |        |               |             |          |         |
|                                      | 16-02138 | 08/04/16 | BAYRUN SUPPLIES                | Open   | 155.95        | 0.00        |          |         |
| 03613 SEA ISLE ICE CO, INC.*         |          |          |                                |        |               |             |          |         |
|                                      | 16-02076 | 07/26/16 | REFILL ICE MACHINE/AUG CONT.   | Open   | 162.50        | 0.00        |          |         |
|                                      | 16-02077 | 07/26/16 | REFILL ICE MACHINE/DPW/SEPT.   | Open   | 180.00        | 0.00        |          |         |
|                                      |          |          |                                |        | <u>342.50</u> |             |          |         |
| 03692 SOUTH JERSEY GAS CO*           |          |          |                                |        |               |             |          |         |
|                                      | 16-02342 | 08/31/16 | AUGUST 2016 GAS BILL           | Open   | 297.91        | 0.00        |          |         |
| 03820 MUNICIPAL UTIL. AUTH ON CALL   |          |          |                                |        |               |             |          |         |
|                                      | 16-02133 | 08/04/16 | REIMBURSE HALF OF TOTAL BILL   | Open   | 149.38        | 0.00        |          |         |
| 03899 UPS                            |          |          |                                |        |               |             |          |         |
|                                      | 16-02264 | 08/23/16 | SHIPPING                       | Open   | 25.42         | 0.00        |          |         |
| 03902 DONALD VANAMAN JR              |          |          |                                |        |               |             |          |         |
|                                      | 16-02256 | 08/23/16 | CONTRACTUAL REIMBURSEMENT-V    | Open   | 190.00        | 0.00        |          |         |
| 03923 STANDARD AND POOR'S*           |          |          |                                |        |               |             |          |         |
|                                      | 16-01893 | 07/08/16 | 2016 BOND SALE \$4.52M         | Open   | 11,000.00     | 0.00        |          |         |
| 03969 VERIZON                        |          |          |                                |        |               |             |          |         |
|                                      | 16-02344 | 08/31/16 | VERIZON PHONE BILL JUN/JU 2016 | Open   | 4,200.09      | 0.00        |          |         |
| 03992 VAL-U AUTO PARTS LLC*          |          |          |                                |        |               |             |          |         |
|                                      | 16-01266 | 05/09/16 | RDS/SANT/BLDG/JULY             | Open   | 1,816.42      | 0.00        |          |         |
| 04075 BARBER CONSULTING SERVICES LLC |          |          |                                |        |               |             |          |         |
|                                      | 16-02228 | 08/17/16 | FIRE SFTY MIS MOVE TO REC      | Open   | 292.50        | 0.00        |          |         |
| 04080 WINNER FORD*                   |          |          |                                |        |               |             |          |         |
|                                      | 16-00716 | 03/11/16 | 16 PD INTERCEPTOR UTILITY      | Open   | 31,901.00     | 0.00        |          |         |

| Vendor # Name                       | PO #     | PO Date  | Description                   | Status | Amount          | Void Amount | Contract | PO Type |
|-------------------------------------|----------|----------|-------------------------------|--------|-----------------|-------------|----------|---------|
| 04083 JIM WOLFORD                   | 16-02267 | 08/23/16 | REFUND REGISTRATION - COACH   | Open   | 25.00           | 0.00        |          |         |
| 04085 CHRISTOPHER WINTER (EMPLOYEE) | 16-02329 | 08/30/16 | CONTRACTUAL REIMBURSEMENT-V   | Open   | 226.00          | 0.00        |          |         |
| 04097 CINTAS FIRST AID AND SAFETY*  | 16-02265 | 08/23/16 | FIRST AID SUPPLIES            | Open   | 110.18          | 0.00        |          |         |
| 04261 STATE OF NEW JERSEY           | 16-02272 | 08/23/16 | 2ND QTR 2016                  | Open   | 15,327.45       | 0.00        |          |         |
| 04300 W B MASON CO INC*             | 16-02099 | 07/29/16 | OFFICE SUPPLIES- FIRE SAFETY  | Open   | 573.79          | 0.00        |          |         |
|                                     | 16-02197 | 08/11/16 | STAPLER/SHREDDER BAGS         | Open   | 7.94            | 0.00        |          |         |
|                                     | 16-02198 | 08/11/16 | STAPLER - FIRE SAFETY         | Open   | 129.25          | 0.00        |          |         |
|                                     |          |          |                               |        | <u>710.98</u>   |             |          |         |
| 05064 CAPE ISLAND GRAPHICS*         | 16-02211 | 08/12/16 | DECAL NEW CARS                | Open   | 270.50          | 0.00        |          |         |
| 06034 SOUTH JERSEY PAPER PRODUCTS*  | 16-02206 | 08/12/16 | CLEANING SUPPLIES             | Open   | 376.87          | 0.00        |          |         |
| 2023 ATLANTIC TACTICAL INC*         | 16-01228 | 05/05/16 | PATROL SUPPLIES               | Open   | 741.83          | 0.00        |          |         |
| 6004 LERETA, LLC                    | 16-02323 | 08/30/16 | RES#16-246 REFUND 1/2 QRT TAX | Open   | 974.92          | 0.00        |          |         |
| 6059 USABLE LIFE                    | 16-02330 | 08/30/16 | SEPTEMBER 2016 LIFE INSURANCE | Open   | 523.45          | 0.00        |          |         |
| 6061 AMERIHEALTH ADMINISTRATORS     | 16-02232 | 08/17/16 | 8/15/2016 HEALTH INS          | Open   | 7.99            | 0.00        |          |         |
|                                     | 16-02259 | 08/23/16 | 8/22/2016 HEALTH INS          | Open   | 2,079.52        | 0.00        |          |         |
|                                     | 16-02341 | 08/31/16 | 8/28/2016 HEALTH INS          | Open   | 532.35-         | 0.00        |          |         |
|                                     |          |          |                               |        | <u>1,555.16</u> |             |          |         |
| 6063 CAPE MINING & RECYCLING, LLC*  | 16-01768 | 06/20/16 | STUMPS AND TREES              | Open   | 3,641.00        | 0.00        |          |         |
| 6071 UNITED UNIFORMS LIMITED LIAB*  | 16-01918 | 07/08/16 | NAME TAGS                     | Open   | 24.00           | 0.00        |          |         |
| 7074 J & B LOCKSMITHS*              | 16-02135 | 08/04/16 | RE KEY LOCKS @ MILLMAN CENTER | Open   | 90.00           | 0.00        |          |         |
|                                     | 16-02136 | 08/04/16 | CHANGE LOCK ASSEMBLY @ POOL   | Open   | 135.00          | 0.00        |          |         |
|                                     |          |          |                               |        | <u>225.00</u>   |             |          |         |
| 7098 SHORE VETERINARIAN ANIMAL *    | 16-00064 | 01/07/16 | 16-26 FINAL YEAR ANIMAL CONT  | Open   | 4,250.00        | 0.00        |          | B       |

| Vendor # Name                       | PO #     | PO Date  | Description                    | Status | Amount          | Void Amount | Contract | PO Type |
|-------------------------------------|----------|----------|--------------------------------|--------|-----------------|-------------|----------|---------|
| 7119 ENGINEERING DESIGN ASSOC*      |          |          |                                |        |                 |             |          |         |
|                                     | 15-01760 | 07/06/15 | 2014-323 COASTAL RESIL GRANT   | Open   | 3,813.75        | 0.00        |          | B       |
| 7147 VICTORIAN GARDENS LANDSCAPING* |          |          |                                |        |                 |             |          |         |
|                                     | 16-00907 | 04/04/16 | IRRIGATION INSTALLATION        | Open   | 3,135.00        | 0.00        |          |         |
|                                     | 16-00948 | 04/06/16 | IRRIGATION MATERIALS           | Open   | 638.96          | 0.00        |          |         |
|                                     | 16-01062 | 04/19/16 | INSTALL TRACK STONE & FABRIC   | Open   | 3,885.00        | 0.00        |          |         |
|                                     | 16-01712 | 06/13/16 | INFIELD MIX - BASEBALL         | Open   | <u>1,200.00</u> | 0.00        |          |         |
|                                     |          |          |                                |        | 8,858.96        |             |          |         |
| 7179 JIMS MR. SOFTEE                |          |          |                                |        |                 |             |          |         |
|                                     | 16-02235 | 08/18/16 | SMALL ICE CREAM GIFT CERT      | Open   | 300.00          | 0.00        |          |         |
| 7181 JENNIFER KELLY, PHD, LLC*      |          |          |                                |        |                 |             |          |         |
|                                     | 16-02204 | 08/12/16 | PSYCHOLOGICAL EVAL             | Open   | 400.00          | 0.00        |          |         |
| 7196 LAUREN HUGGINS SUIT*           |          |          |                                |        |                 |             |          |         |
|                                     | 16-00063 | 01/07/16 | RES 2016-30 PIO DNE \$10,400   | Open   | 866.67          | 0.00        |          |         |
| 7199 STAPLES CREDIT PLAN-INSTORE PU |          |          |                                |        |                 |             |          |         |
|                                     | 16-01772 | 06/20/16 | CONFERENCE TABLE & CHAIRS      | Open   | 516.69          | 0.00        |          |         |
|                                     | 16-02015 | 07/21/16 | OFFICE SUPPLIES                | Open   | 44.17           | 0.00        |          |         |
|                                     | 16-02049 | 07/25/16 | WHITE OUT BOARD                | Open   | 76.59           | 0.00        |          |         |
|                                     | 16-02101 | 07/29/16 | OFFICE SUPPLIES                | Open   | 92.38           | 0.00        |          |         |
|                                     | 16-02116 | 08/04/16 | OFFICE CHAIRS                  | Open   | 1,829.87        | 0.00        |          |         |
|                                     | 16-02149 | 08/05/16 | OFFICE SUPPLIES                | Open   | <u>1,105.47</u> | 0.00        |          |         |
|                                     |          |          |                                |        | 3,665.17        |             |          |         |
| 7233 BARBARA HOWELL                 |          |          |                                |        |                 |             |          |         |
|                                     | 16-01994 | 07/20/16 | NNO PONY RIDES                 | Open   | 350.00          | 0.00        |          |         |
| 7310 CORELOGIC REAL ESTATE TAX SER  |          |          |                                |        |                 |             |          |         |
|                                     | 16-02326 | 08/30/16 | RES#2016-246 REFUND TAX OVERPA | Open   | 1,186.91        | 0.00        |          |         |
|                                     | 16-02327 | 08/30/16 | RES#2016-246 REFUND TAX OVERPA | Open   | <u>335.33</u>   | 0.00        |          |         |
|                                     |          |          |                                |        | 1,522.24        |             |          |         |
| 7325 LARRY MCNAIR                   |          |          |                                |        |                 |             |          |         |
|                                     | 16-02269 | 08/23/16 | REGISTRATION REFUND- COACH     | Open   | 25.00           | 0.00        |          |         |
| 7335 MAIL FINANCE/NEOPOST           |          |          |                                |        |                 |             |          |         |
|                                     | 16-02003 | 07/21/16 | 5/16-8/16/2016 POSTAGE MACHI   | Open   | 1,890.00        | 0.00        |          |         |
| 7336 DEBRA QUINN                    |          |          |                                |        |                 |             |          |         |
|                                     | 16-02331 | 08/30/16 | CONTRACTUAL REIMBURSEMENT-M    | Open   | 212.62          | 0.00        |          |         |
| 7354 FLEETPRIDE INC.*               |          |          |                                |        |                 |             |          |         |
|                                     | 16-01799 | 06/23/16 | RDS/SANT/RECY/DPW/JULY         | Open   | 1,710.39        | 0.00        |          |         |
|                                     | 16-01800 | 06/23/16 | RDS/SANT/RECY/DPW/AUG          | Open   | <u>1,787.63</u> | 0.00        |          |         |
|                                     |          |          |                                |        | 3,498.02        |             |          |         |
| 7382 ADVANCED ELECTRONIC DESIGN INC |          |          |                                |        |                 |             |          |         |
|                                     | 16-01063 | 04/20/16 | BODY CAMERAS RES 16-98         | Open   | 89,951.00       | 0.00        |          |         |

| Vendor # Name                      | PO #     | PO Date  | Description                    | Status | Amount           | Void Amount | Contract | PO Type |
|------------------------------------|----------|----------|--------------------------------|--------|------------------|-------------|----------|---------|
| 7440 RICKY BRANDS LLC*             | 16-02195 | 08/10/16 | BAYRUN TSHIRTS -SET UP FEE     | Open   | 266.84           | 0.00        |          |         |
| 7441 ARCHER & GREINER*             | 16-00800 | 03/16/16 | PREPARE ORD.AMENDMENT          | Open   | 1,350.00         | 0.00        |          |         |
|                                    | 16-01894 | 07/08/16 | 2016 BOND SALE \$4.52M         | Open   | <u>11,249.85</u> | 0.00        |          |         |
|                                    |          |          |                                |        | 12,599.85        |             |          |         |
| 7466 MARCUS H. KARAVAN, P.C *      | 15-02415 | 09/28/15 | RITE AID TAX COURT APPEAL      | Open   | 50.00            | 0.00        |          | B       |
|                                    | 15-02416 | 09/28/15 | CVS TAX COURT APPEAL           | Open   | <u>650.00</u>    | 0.00        |          | B       |
|                                    |          |          |                                |        | 700.00           |             |          |         |
| 7497 BIRCHMEIER & POWELL LLC*      | 16-02175 | 08/09/16 | CLAIM #X33073                  | Open   | 111.88           | 0.00        |          |         |
| 7507 STEFANKIEWICZ & BELASCO LLC   | 16-00059 | 01/07/16 | 2016 LEGAL MONTHLY DNE \$28k   | Open   | 2,333.33         | 0.00        |          | B       |
| 7508 BLANEY & KARAVAN PC*          | 16-00062 | 01/07/16 | 2016-33 PROSECUTOR \$23 DNE    | Open   | 1,916.66         | 0.00        |          | B       |
|                                    | 16-01316 | 05/12/16 | RES#16-127 TAX APPEAL ATTORNEY | Open   | <u>687.50</u>    | 0.00        |          | B       |
|                                    |          |          |                                |        | 2,604.16         |             |          |         |
| 7515 LIFELINE TRAINING LP*         | 16-00768 | 03/14/16 | TRAINING                       | Open   | 278.00           | 0.00        |          |         |
| 7533 GO2GUIDES LLC*                | 16-00536 | 03/01/16 | MANUAL                         | Open   | 61.45            | 0.00        |          |         |
| 7534 ADAM HEGARTY                  | 16-00608 | 03/03/16 | 2016 EQUIP. ALLOWANCE          | Open   | 150.00           | 0.00        |          | B       |
| 7560 KEVIN WILSON                  | 16-02268 | 08/23/16 | REFUND REGISTRATION-COACH      | Open   | 30.00            | 0.00        |          |         |
| 7562 AUDIO PLEASUREZ*              | 16-01422 | 05/25/16 | TINT COURT WINDOWS             | Open   | 200.00           | 0.00        |          |         |
| 7607 POLARIS SALES INC*            | 16-01758 | 06/16/16 | RANGER CREW XP 570-6 SAGE GRN  | Open   | 12,868.82        | 0.00        |          |         |
| 7618 MEGONIGAL ELECTRIC LLC*       | 16-02194 | 08/10/16 | LT POOL - CEILING FAN MENSROOM | Open   | 250.00           | 0.00        |          |         |
| 7619 SOUTH JERSEY AGRICULTURE      | 16-01959 | 07/13/16 | REMOVAL OF STORM RELATED DEBRI | Open   | 29,500.00        | 0.00        |          | B       |
| 7620 ESQUIRE DEPOSITION SOLUTIONS* | 16-01999 | 07/20/16 | DEPOSITION LOWER VS BALDINI    | Open   | 720.00           | 0.00        |          |         |
| 7624 MCGRUFF SAFE KIDS*            | 16-01995 | 07/20/16 | NNO TATTOOS                    | Open   | 225.47           | 0.00        |          |         |

| Vendor # Name                          | PO #     | PO Date  | Description                    | Status | Amount        | Void Amount | Contract | PO Type |
|--|----------|----------|--------------------------------|--------|---------------|-------------|----------|---------|
| 7625 MARK HOLTZAPFEL                   |          |          |                                |        |               |             |          |         |
|  | 16-02094 | 07/29/16 | RETURN OF APPLICATION FEES     | Open   | 1,200.00      | 0.00        |          |         |
|  | 16-02199 | 08/11/16 | RETURN OF UNUSED ESCROW        | Open   | <u>158.50</u> | 0.00        |          |         |
|  |          |          |                                |        | 1,358.50      |             |          |         |
| 7627 FAIRVIEW 95 LLC*                  |          |          |                                |        |               |             |          |         |
|  | 16-02173 | 08/09/16 | REPAIR POOL AND FOOSBALL TABLE | Open   | 345.00        | 0.00        |          |         |
| 7628 MICHAEL METCHNIK                  |          |          |                                |        |               |             |          |         |
|  | 16-02179 | 08/10/16 | RES#16-233 REFUND TAX OVERPAY  | Open   | 56.26         | 0.00        |          |         |
| 7632 PYROTECNOCO INC                   |          |          |                                |        |               |             |          |         |
|  | 16-02200 | 08/11/16 | RETURN OF UNUSED ESCROW        | Open   | 426.87        | 0.00        |          |         |
| 7633 COUNTY CONSERVATION*              |          |          |                                |        |               |             |          |         |
|  | 16-02233 | 08/17/16 | REMOVAL OF STORM RELATED DEBRI | Open   | 5,072.00      | 0.00        |          | B       |
| 7634 JOHN BOBIK                        |          |          |                                |        |               |             |          |         |
|  | 16-02270 | 08/23/16 | REFUND REGISTRATION- COACH     | Open   | 15.00         | 0.00        |          |         |
| 7636 MOTT MACDONALD LLC*               |          |          |                                |        |               |             |          |         |
|  | 16-02307 | 08/29/16 | SIMPLE SUBDIVISION DIAMOND BCH | Open   | 940.00        | 0.00        |          | B       |
|  | 16-02313 | 08/29/16 | RENOVATIONS @ DOUGLASS PARK    | Open   | 3,248.54      | 0.00        |          | B       |
|  | 16-02343 | 08/31/16 | CAPE HARBOR ENT                | Open   | <u>636.79</u> | 0.00        |          |         |
|  |          |          |                                |        | 4,825.33      |             |          |         |
| 7637 BUCKLEY CABLE COMPANY             |          |          |                                |        |               |             |          |         |
|  | 16-02339 | 08/30/16 | RETURN UNUSED ESCROW           | Open   | 502.50        | 0.00        |          |         |
| G=UNITED UNITED UNIFORMS OF NEW JERSEY |          |          |                                |        |               |             |          |         |
|  | 16-02217 | 08/16/16 | UNIFORM FOR ACADEMY            | Open   | 1,709.97      | 0.00        |          |         |
| G=YAP CENTER FOR COMMUNITY ARTS        |          |          |                                |        |               |             |          |         |
|  | 16-01558 | 06/08/16 | SUMMER ART PROGRAM - 2016      | Open   | 3,500.00      | 0.00        |          | B       |
| NJEPA NJEPA                            |          |          |                                |        |               |             |          |         |
|  | 16-02006 | 07/21/16 | CONFERENCE FOR NJEPA           | Open   | 135.00        | 0.00        |          |         |
| SEAGE SEAGEAR MARINE SUPPLY*           |          |          |                                |        |               |             |          |         |
|  | 16-02038 | 07/25/16 | TK.20 ROLL BACK WIRE           | Open   | 193.86        | 0.00        |          |         |
| SJMAR SOUTH JERSEY MARINA              |          |          |                                |        |               |             |          |         |
|  | 16-02322 | 08/30/16 | REFUND UNUSED ESCROW           | Open   | 208.12        | 0.00        |          |         |
| SOURCE SOURCEMEDIA LLC                 |          |          |                                |        |               |             |          |         |
|  | 16-01898 | 07/08/16 | 2016 BOND SALE \$4.52M         | Open   | 1,575.00      | 0.00        |          |         |
| TILL TILL PAINT CO CORP*               |          |          |                                |        |               |             |          |         |
|  | 16-02041 | 07/25/16 | CASES OF ATHLETIC WHITE PAINT  | Open   | 1,720.00      | 0.00        |          |         |

Total Purchase Orders: 177 Total P.O. Line Items: 0 Total List Amount: 773,032.18 Total Void Amount: 0.00

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

RESOLUTION #2016-241

TITLE: APPOINTMENT OF DONNA BLACKLEY AS THE LOWER TOWNSHIP FIRE COORDINATOR

WHEREAS, Township Manager James Ridgway appointed, and Lower Township Council approved the Emergency Management Council at the Reorganizational Meeting of Lower Township Council on January 4, 2016; and

WHEREAS, Rich Harron, Lower Township Emergency Management Coordinator, has requested that Donna Blackley be designated as the Township of Lower's Fire Coordinator.

NOW, THEREFORE, BE IT RESOLVED by the Township Council, the governing body thereof, that Donna Blackley is hereby appointed Lower Township Fire Coordinator effective immediately.

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |
| CLARK    |        |        |     |     |         |        |
| BECK     |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on September 7, 2016.

Julie A Picard, Township Clerk

## Julie Picard

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**From:** Richard Harron <rharron@townshipoflower.org>  
**Sent:** Wednesday, August 17, 2016 8:05 AM  
**To:** clerk@townshipoflower.org  
**Cc:** Manager Jim Ridgway; ltbfsc@comcast.net  
**Subject:** Appointment of Township Fire Coordinator

Julie, Can you put a resolution together appointing Donna Blackley as the Township's Fire Coordinator. I have discussed this with both Donna and the Manager. She will be added to our OEM Council next year as well. This is required to meet the needs of our updated OEM policies. If you have any questions please get in touch with me. Thanks,

Rich Harron

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

RESOLUTION #2016-242

**Title: A RESOLUTION TO AFFIRM THE TOWNSHIP OF LOWER'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS**

**WHEREAS**, it is the policy of the Township of Lower to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act; and

**WHEREAS**, the governing body of the Township of Lower has determined that certain procedures need to be established to accomplish this policy.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council that:

**Section 1:** No official, employee, appointee or volunteer of the Township of Lower by whatever title known, or any entity that is in any way a part of the Township shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township's business or using the facilities or property of the Township.

**Section 2:** The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township to provide services that otherwise could be performed by the Township.

**Section 3:** Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

**Section 4:** The Township Manager shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

**Section 5:** No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

**Section 6:** The Township Manager shall establish written procedures that require all officials, employees, appointees and volunteers of the Township as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

**Section 7:** The Township Manager shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

**Section 8:** At least annually, the Township Manager shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Township's web site.

**Section 9:** This resolution shall take effect immediately.

**Section 10:** A copy of this resolution shall be published in the official newspaper of the Township in order for the public to be made aware of this policy and the Township's commitment to the implementation and enforcement of this policy.

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |
| CLARK    |        |        |     |     |         |        |
| BECK     |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on September 7, 2016.

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

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

RESOLUTION #2016-243

**TITLE: A RESOLUTION AUTHORIZING AND APPROVING A SHARED SERVICE AGREEMENT BETWEEN THE CITY OF WILDWOOD AND THE TOWNSHIP OF LOWER REGARDING LAW ENFORCEMENT EVENT SUPPORT**

**WHEREAS**, the City of Wildwood desires to enter into a Shared Service Agreement with The Township of Lower regarding Law Enforcement Event Support for the "Roar to the Shore" event scheduled for September 8, 2016 thru September 11, 2016; and

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

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

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |
| CLARK    |        |        |     |     |         |        |
| BECK     |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on September 7, 2016.

Julie A Picard, Township Clerk

## SHARED SERVICES AGREEMENT

**THIS SHARED SERVICES AGREEMENT** ("Agreement") is entered into this 10<sup>th</sup> day of August, 2016, by the CITY OF WILDWOOD ("Wildwood"), a New Jersey municipality with municipal offices at 4400 New Jersey Avenue, Wildwood, New Jersey 08260 and the Township of Lower ("Lower Township"), a New Jersey municipality with municipal offices at 2600 Bayshore Road, Villas, NJ 08251;

**WHEREAS**, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., authorizes governmental units to enter into agreements for the exchange and sharing of services;

**WHEREAS**, the City of Wildwood annually hosts a number of community events;

**WHEREAS**, one such community event is Roar to the Shore being held on September 8, 2016 to September 11, 2016 ("event");

**WHEREAS**, due to the number of attendees expected at the event, in order to provide appropriate law enforcement services within the area of the event without a concomitant decrease in law enforcement services elsewhere in the Wildwood, it is necessary for Wildwood to engage the services of additional law enforcement personnel;

**WHEREAS**, the temporary assignment of police officers from Lower Township for the event can assist Wildwood in meeting its law enforcement needs created by the event; and,

**WHEREAS**, due to the special needs posed by the event, in order to provide appropriate law enforcement services within the area of the special events, it is necessary to employ additional and/or special equipment not in the possession of Wildwood's Police Department.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:** For and in consideration of the exchange of mutual covenants and conditions and such other consideration as is set forth in this Agreement and as authorized by the provisions of N.J.S.A. 40A:65-1, et seq., Wildwood and Lower Township agree as follows:

1. Incorporation of Preamble. All of the provisions of the preamble that are set forth above are repeated and incorporated herein by this reference thereto as if set forth at length.
2. Provision of Services and Equipment. Upon request made by wildwood, Lower Township agrees to provide to Wildwood law enforcement personnel from the Lower Township Police Department during the event.
3. Remuneration. Wildwood shall pay the Township of Lower for the use of such officers at a rate of \$60.00 per hour/per officer for temporary assignment.
4. Insurance. Wildwood is a member of the Atlantic County Joint Insurance Fund and the Municipal Excess Liability Fund and agrees to remain insured by said entities for so long as this Agreement remains in effect. The parties hereto agree, however, that, as to worker's compensation insurance, Lower Township employees shall be deemed to be only Lower Township employees without regard to whether they are providing a service to Wildwood in furtherance of the purpose and intent of this

Agreement and nothing in this Agreement shall be interpreted as forming an employer-employee relationship between Wildwood and Lower Township employees that are temporarily assigned to duty in Wildwood pursuant to the terms of this Agreement.

5. Effective Date; Termination. This Agreement shall be approved by resolution for the governing bodies of Wildwood and Lower Township duly adopted in accordance with law at public meetings held in accordance with the provisions of the Open Public Meetings Act and the provisions of the Uniform Shared Services and Consolidation Act. Upon execution of this Agreement on behalf of the parties hereto, the effective date of this Agreement shall be the date of adoption of the last resolution necessary to make this Agreement effective. This Agreement shall expire at the termination of the event.
  
6. Miscellaneous.
  - a. This agreement shall be governed by the laws of the State of New Jersey. In the event of a dispute arising out of this Agreement, the parties agree that they immediately will meet and make a good faith effort to resolve said dispute. In the event that the dispute cannot be resolved amicably then any litigation arising out of this Agreement shall be litigated in the Superior Court of New Jersey, Cape May County.
  - b. The parties have read this Agreement and it is a full statement of their understandings. This Agreement is not subject to oral modification and may only be changed by a writing approved, adopted and executed with the same formalities as were attendant to the approval, adoption and execution of this Agreement.
  - c. The headings contained in this Agreement are for reference purposes only and shall not affect the meaning or interpretation of the substantive provisions of this agreement.
  - d. Wildwood and Lower Township agree that no inference concerning the meaning or interpretation of this Agreement shall be drawn based upon the fact that it was drafted by Wildwood's legal counsel.

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

ATTEST:

CITY OF WILDWOOD

\_\_\_\_\_  
Christopher H. Wood, City Clerk

\_\_\_\_\_  
Ernest Troiano, Jr. Mayor

ATTEST:

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

\_\_\_\_\_  
Michael Beck, Mayor

**CITY OF WILDWOOD**  
Cape May County, New Jersey  
**RESOLUTION**

AUTHORIZING SHARED SERVICES AGREEMENT WITH  
TOWNSHIP OF LOWER, N.J.  
REGARDING LAW ENFORCEMENT EVENT SUPPORT

WHEREAS, the City of Wildwood is hosting Roar to the Shore on September 8, 2016 to September 11, 2016 which will attract a number of attendees ("event");

WHEREAS, to ensure appropriate law enforcement services are provided for the event without a decrease in police services elsewhere in the City it is considered necessary and appropriate to engage the law enforcement services of the Lower Township Police Department;

WHEREAS, the Township of Lower, has requested a Shared Services Agreement to document the temporary assignment of law enforcement personnel and loaning of certain equipment to the City of Wildwood; and,

WHEREAS, the terms and conditions of the attached Shared Services Agreement are appropriate and agreed to by the Board of Commissioners.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:** The Board of Commissioners of the City of Wildwood hereby approves and adopts the attached Shared Services Agreement with Township of Lower regarding law enforcement event support and authorizes and directs the Mayor to execute same.

**BE IT FURTHER RESOLVED:** This Resolution and copy of the attached Shared Services Agreement shall remain on file in the Clerk's Office and available for public inspection.

Resolution No. \_\_\_\_\_

\_\_\_\_\_  
Peter Byron, Commissioner

\_\_\_\_\_  
Anthony Leonetti, Commissioner

\_\_\_\_\_  
Ernest Troiano, Jr., Mayor

Offered By \_\_\_\_\_

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

Adopted \_\_\_\_\_

I, Christopher Wood, City Clerk of the City of Wildwood, do hereby certify that the foregoing Resolution was adopted at a Regular Meeting of the Wildwood Board of Commissioners, held \_\_\_\_\_ day of \_\_\_\_\_, 2016, and in witness whereof I have hereunder set my hand and official seal on this date written.

\_\_\_\_\_  
CHRISTOPHER WOOD, CITY CLERK

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

RESOLUTION #2016-244

Title: **AMENDING RESOLUTION #2016-175; ANNUAL RENEWAL OF LIQUOR LICENSES FOR THE YEAR 2016-2017 BY RESCINDING APPROVAL OF 0505-33-004-5 AND APPROVING RENEWAL OF LIQUOR LICENSE FOR SPICER CREEK NORTH 0505-33-004-5 UNDER A SPECIAL RULING**

**WHEREAS**, application has been made by Spicer Creek North Lower Township Liquor License # 0505-33-004-005 for renewal of Plenary Retail Consumption Licenses heretofore granted by this issuing authority; and

**WHEREAS**, a Special Ruling to Permit Approval of Inactive License pursuant to N.J.S.A. 33:1-12.39 was required; and

**WHEREAS**, all things required to be done by the said applicant have been done, including the payment of the required fees and all laws and regulations for the control of alcoholic beverages; and

**WHEREAS**, no written objections to the renewal has been received; and

**WHEREAS**, this governing body is of the opinion that said application should be renewed as an "Inactive License" per the approval attached hereto by the Acting Director of the State of New Jersey Department of Law and Public Safety Division of Alcoholic Beverage Control for the license year 2016-2017.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council, the Municipal Issuing Authority, that the license be issued to Spicer Creek North, Inc. for the period of one year commencing July 1, 2016 through June 30, 2017.

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |
| CLARK    |        |        |     |     |         |        |
| BECK     |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on September 7, 2016.

Julie A Picard, Township Clerk

**STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL**

LIC. NO. 0505-33-004-005

DOCKET NO. 08-16-545.96808

|                                      |   |                |
|--------------------------------------|---|----------------|
| IN THE MATTER OF THE APPLICATION     | ) |                |
| TO PERMIT THE RENEWAL OF AN          | ) |                |
| INACTIVE LICENSE PURSUANT TO         | ) | SPECIAL RULING |
| N.J.S.A. 33:1-12.39 FOR THE 2016-17, | ) |                |
| 2017-18 and 2018-19 LICENSE TERM(S)  | ) |                |
|                                      | ) |                |
|                                      | ) |                |
| SPICER CREEK NORTH INC               | ) |                |
|                                      | ) |                |

BY THE DIRECTOR:

The petitioner or licensee has filed a verified petition requesting authorization for the local issuing authority to consider a renewal application for License No. 0505-33-004-005 for the 2016-17, 2017-18 and 2018-19 license term(s) pursuant to the provisions of N.J.S.A. 33:1-12.39.

I have reviewed the petition filed in this matter and have considered all the facts and circumstances related to the inactive status of this license. I find that the petitioner or licensee has established good cause in accordance with the statutory requirements to warrant an application for renewal of the license for the 2016-17, 2017-18 and 2018-19 license term(s).

Accordingly, the municipal issuing authority is hereby authorized to consider the application for renewal of the subject license for the 2016-17, 2017-18 and 2018-19 license term(s) and to thereupon grant or deny said application in the reasonable exercise of its discretion. This authorization does not abrogate the licensee's obligation to timely submit the license renewal application and requisite fees prior to any consideration of renewal, including obtaining a tax clearance.

Please note that the approval granted herein is conditional, and is based upon the representations set forth in the petitioner's notarized letter(s). This approval is subject to review and/or modification should the factual circumstances warrant.

  
\_\_\_\_\_  
JONATHAN A. ORSEN  
ACTING DIRECTOR

DATED: August 12, 2016

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

RESOLUTION #2016-245

Title: RESOLUTION APPROVING AN INTERLOCAL SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF LOWER AND LOWER CAPE MAY REGIONAL SCHOOL DISTRICT

WHEREAS, the Township of Lower (the "Township") operates a Police Department within the Township; and

WHEREAS, the Lower Cape May Regional School District operates secondary schools (collectively, the "Schools") within the Township; and

WHEREAS, the Lower Cape May Regional School District and the Township desire to enter an agreement whereby the Township shall make a police officer available to the Board for the purpose of providing security at the School upon the terms and conditions set forth in the attached Interlocal agreement (the "Agreement"); and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, in the County of Cape May, State of New Jersey, that the Mayor and Township Clerk are hereby authorized and directed to execute an Interlocal Agreement with the Lower Cape May Regional School District, a copy of which is attached hereto as Exhibit A.

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |
| CLARK    |        |        |     |     |         |        |
| BECK     |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on September 7, 2016.

Julie A Picard, Township Clerk

## INTERLOCAL SERVICES AGREEMENT

THIS INTERLOCAL SERVICES AGREEMENT ("Agreement") dated this \_\_\_\_ day of \_\_\_\_\_, 2016 by and between the LOWER CAPE MAY REGIONAL SCHOOL DISTRICT, a duly authorized New Jersey school district (hereinafter referred to as "Lower Cape May Regional School District") and THE TOWNSHIP OF LOWER, a duly authorized New Jersey municipality ( hereinafter referred to as "Township").

1. **Background of Agreement and Term:** Lower Cape May Regional School District operates secondary schools within the Lower Township, Cape May County, New Jersey (the "Schools"). Lower Cape May Regional School District and Township have agreed to have one (1) police officer assigned to the Schools on a full-time basis for a 36 month period commencing January 1, 2017 and ending on December 31, 2019, and the purpose of this Agreement is to set forth the parties' understanding of the Agreement.

2. **Assignment of Officer:** Township will assign one (1) full-time police officer to Lower Cape May Regional School District during the Term, with such officer to be assigned to the school on a full-time basis.

3. **Selection of Officer:** The one (1) officer to be assigned shall have a minimum of three (3) years of experience. The officer shall be jointly selected by the Superintendent of Lower Cape May Regional School District ("Superintendent") and the Township Police Chief ("Chief of Police").

4. **Payment:** Lower Cape May Regional Board of Education shall pay the Township the total sum of \$ 253,188.78 for such services to be allocated and paid as follows:

- |     |              |                                    |
|-----|--------------|------------------------------------|
| (a) | \$ 40,634.46 | due on or before June 30, 2017     |
| (b) | \$ 40,634.46 | due on or before December 31, 2017 |
| (c) | \$42,178.57  | due on or before June 30, 2018     |
| (d) | \$ 42,178.57 | due on or before December 31, 2018 |
| (e) | \$ 43,781.36 | due on or before June 30, 2019     |
| (f) | \$ 43,781.36 | due on or before December 31, 2019 |

5. **Officer to be Employee of Township and not Lower Cape May Regional School District:** Although assigned to school on a full-time basis, the one (1) police officer to be assigned, pursuant to the Agreement, shall remain an employee of the Township and its Police Department and not to Lower Cape May Regional School District. The Township shall remain responsible for payment of his salary and

benefits, as well as insurance coverage. Such officer shall remain subject to all rules and regulations of the Township and its police officers and shall not be considered a member of the staff of the Lower Cape May Regional School District.

6. **Duties and Hours:** The one (1) police officer to be assigned shall be expected to work a forty-two (42) hour work week; and shall perform such duties as are assigned to him by the Chief of Police in consultation with the Superintendent. During the time school is in session from September through June, He shall work Full Time at the school, except in the case of an emergency as directed by the Chief of Police. The Superintendent shall not schedule any officer assigned to work additional hours that will result in the total hours worked exceeding forty-two (42) hours without the advanced written authorization of the Township Manager. During vacation periods when school is not actually in session, he shall report to the Chief of Police. The duties to be performed at the school by such officer shall be pursuant to a job description which shall be agreed upon between the Superintendent and the Chief of Police and which shall be reduced to writing prior to the opening of school.

7. **Reports:** The Superintendent shall periodically report to the Chief of Police as to the work efforts of this one (1) officer as well as the actual hours worked. It is generally anticipated that the one (1) police officer will be present at school each day from its opening until the end of classes. He shall be assigned to extracurricular duties such as sporting events, but in a manner so as to make his work week a total of forty-two (42) hours.

8. **Modification or Amendment of Agreement:** This Agreement may only be modified or amended in writing by both Lower Cape May Regional School District and Township and, therefore, no oral modifications or amendments shall be binding on either Lower Cape May Regional School District or Township.

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

WITNESS:

LOWER CAPE MAY REGIONAL  
SCHOOL DISTRICT

\_\_\_\_\_  
, Secretary

BY: \_\_\_\_\_  
, President

WITNESS:

TOWNSHIP OF LOWER,

\_\_\_\_\_  
Julie A. Picard, Clerk

BY: \_\_\_\_\_  
Michael E. Beck, Mayor

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

**RESOLUTION #2016-246**

**TITLE: AUTHORIZATION FOR REFUND OF TAXES**

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

**WHEREAS**, a refund is due.

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

| <u>Block</u> | <u>Lot</u> | <u>Refund To</u> | <u>Reason</u>    | <u>Tax</u> |
|--------------|------------|------------------|------------------|------------|
| 93           | 47         | Corelogic        | disabled veteran | 335.33     |
| 226          | 10         | Corelogic        | disabled veteran | 1,186.91   |
| 349.13       | 28         | Lereta           | paid twice       | 974.92     |

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |
| CLARK    |        |        |     |     |         |        |
| BECK     |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on September 7, 2016.

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

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

RESOLUTION #2016-247

Title: AUTHORIZING THE RELOCATING OF A BUS STOP ON BAYSHORE ROAD,  
LOWER TOWNSHIP

BE IT RESOLVED by the Township Council, in the Township of Lower, County of Cape May, State of New Jersey, that:

Pursuant to N.J.S.A. Title 39:4-197, described herein shall be, and hereby is, deleted as a No Parking Bus Stop zone:

1. Along Bayshore Road – southbound, on the easterly side thereof at:

- a. Woodland Avenue – far side  
Beginning at the southerly curblineline of Woodland Avenue and extending 100 feet southerly therefrom. (Back Bay Bistro)

BE IT RESOLVED by the Township Council, in the Township of Lower, County of Cape May, State of New Jersey, that:

Pursuant to N.J.S.A. Title 39:4-197, described herein shall be, and hereby is, added as a No Parking Bus Stop zone:

1. Along Bayshore Road, southbound, on the westerly side thereof at:

- a. Woodland Avenue – near side  
Beginning at the northerly curblineline of Woodland Avenue and extending 100 feet northerly therefrom. (Car Wash)

BE IT FURTHER RESOLVED that the Mayor and Council of Lower Township will enforce the needed traffic regulations governing the aforementioned bus stops location and provide the necessary police security to ensure the safety of the traveling public.

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |
| CLARK    |        |        |     |     |         |        |
| BECK     |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on September 7, 2016.

Julie A Picard, Township Clerk

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

RESOLUTION #2016-248

Title: RESOLUTION AUTHORIZING INCREASES FOR NON UNION EMPLOYEES

WHEREAS, The Township negotiated a contract with the Lower Township Supervisor's Union; and

WHEREAS, the employees and titles listed below are not covered by any union:

Julie Picard, Municipal Clerk  
Karen Fournier, Deputy Clerk  
Lauren Read, CFO/ Treasurer

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the non-union employees listed above be granted the increase pursuant to the Supervisor's Union Contract for the years 2016-2019

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |
| CLARK    |        |        |     |     |         |        |
| BECK     |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on September 7, 2016.

Julie A Picard, Township Clerk

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

RESOLUTION #2016-249

Title: SUBMISSION OF A SMALL CITIES HOUSING REHABILITATION APPLICATION \$200,000

WHEREAS, the Township of Lower desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$200,000 to carry out a project for the purpose of subsidizing the rehabilitation of homes owned and occupied by low and moderate income homeowners in Lower Township.

NOW THEREFORE, BE IT THEREFORE RESOLVED:

- 1) that the Mayor and Township Council does hereby authorize the application for such a grant; and,
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of the agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of said agreement between the Township of Lower and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

\_\_\_\_\_  
(signature)  
Michael E. Beck  
Mayor

\_\_\_\_\_  
(signature)  
James Ridgway  
Township Manager

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |
| CLARK    |        |        |     |     |         |        |
| BECK     |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on September 7, 2016.

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

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

RESOLUTION #2016-250

**TITLE: APPROVAL FOR CARA CANDLELIGHT VIGIL AT LOWER TOWNSHIP  
MUNICIPAL COMPLEX**

**WHEREAS**, the Coalition Against Rape and Abuse has requested permission to host a candlelight vigil at the Lower Township Municipal Complex on Wednesday, October 19, 2016 at 6:00pm; and

**WHEREAS**, CARA has provided the Township with the proper Insurance documents for the use of this facility.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, that permission is hereby granted for the event to take place.

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |
| CLARK    |        |        |     |     |         |        |
| BECK     |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on September 7, 2016.

Julie A Picard, Township Clerk

# Coalition Against Rape and Abuse, Inc.

---

Kristen Raring Bixby, Esquire  
Executive Director  
2272  
0967

P.O. Box 774  
Cape May Court House  
New Jersey 08210-0774

Phone: (609) 522-6489  
Toll Free – 24 hours – 1-877-294-  
Fax: (609) 463-

Julie Picard  
Lower Township Clerk  
Lower Township Municipal Complex  
2600 Bayshore Road  
Villas, NJ 08251

Hello Julie,

My name is Nikki Nichols, Director of Community and Volunteer Relations for CARA – The Coalition Against Rape and Abuse. As Cape May County's lead Domestic Violence Agency, it is our duty to educate, support, and honor the citizens of our county who have been effected by Domestic Violence. With statistics stating that 1 in 3 women and 1 in 4 men have been victims of physical violence by an intimate partner within their lifetime, we at CARA know that Domestic Violence effects our community here in Cape May County.

With October being Domestic Violence Awareness Month we would like to spread awareness and education about the issue of Domestic Violence. To do this we would like to hold a candlelight vigil in your township. I am writing you today to request use of the Lower Township Municipal Building front yard as well as parking lot located at 2600 Bayshore Road Villas, NJ 08251, for said vigil on October 19<sup>th</sup> 2016 at 6:00pm. This vigil would be for an hour and would draw upwards of 35-45 people to the event.

We want to break the silence, and stop Domestic Violence, once and for all. With your help we can do so, starting in our very own community.

If you have any questions, please contact me at 609-522-6489 or via email at [nnichols@cara-inc.net](mailto:nnichols@cara-inc.net)

Thank you for your time and consideration,

Nikki Nichols, MSW, LSW

*Director of Community and Volunteer Relations*  
CARA- The Coalition Against Rape and Abuse



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

RESOLUTION #2016-251

**TITLE: APPROVAL OF GREATER CAPE MAY ELKS LODGE #2839's REQUEST TO CONDUCT A FLEA MARKET**

**WHEREAS**, Section 359-13 of the Code of Lower Township prohibits outdoor flea markets within the confines of Lower Township except as provided for in Section 359.13b; and

**WHEREAS**, Section 359-13 of the General Ordinances of the Township of Lower permits non-profit, charitable, civic and religious organizations to conduct four (4) outdoor flea markets per year within the confines of the Township if approved by the Township Council; and

**WHEREAS**, the Township Council has reviewed the request of the Greater Cape May Elks Lodge #2829, 917 Bayshore Road, Villas, NJ to conduct a Flea Market on October 15<sup>th</sup> and October 22<sup>nd</sup> (or October 29<sup>th</sup>) on their property; and

**WHEREAS**, the Council has determined the applicant meets the ordinance requirements of a non-profit, charitable, civic and/or religious organization.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, that approval is hereby granted.

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |
| CLARK    |        |        |     |     |         |        |
| BECK     |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on September 7, 2016.

Julie A Picard, Township Clerk

+

GREATER CAPE MAY ELKS LODGE # 2829  
917 BAYSHORE ROAD  
VILLAS, NJ 08251 (609-770-7314)

August 31, 2016

To whom it may concern:

We are requesting to hold a outdoor flea market in the parking lot of 917 Bayshore Road Villas, New Jersey (lower township) on October 15<sup>th</sup> 22<sup>nd</sup> or 29<sup>th</sup>.

The hours would be 7:00 AM – 3:00 PM

THANKING YOU IN ADVANCE

JUDITH TITUS

CHAIR PERSON/FUND RAISER

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

RESOLUTION # 2016-252

**TITLE: AUTHORIZING THE SALE OF TOWNSHIP OF LOWER SURPLUS NO LONGER NEEDED FOR PUBLIC USE ON GOVDEALS ONLINE AUCTION WEBSITE**

**WHEREAS**, the Township of Lower has determined that the property described on Schedule A attached hereto is no longer needed for public use; and

**WHEREAS**, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

**WHEREAS**, the Township of Lower intends to utilize the online auction services of GovDeals located at [www.govdeals.com](http://www.govdeals.com); and sell the Township surplus property.

**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 Township of Lower is hereby authorized to utilize the online auction services of GovDeals located at [www.govdeals.com](http://www.govdeals.com); and sell the surplus property as indicated on Schedule A on an online auction website.

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |
| CLARK    |        |        |     |     |         |        |
| BECK     |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on September 7, 2016.

Julie A Picard, Township Clerk

2009 DODGE CHARGER- FA# 3069

Police Department

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

RESOLUTION # 2016-253

Title: **BID ACCEPTANCE AND AWARD OF (2) TWO 2016 OR NEWER REAR LOADING REFUSE TRUCKS**

**WHEREAS**, the Notice to Bidders for (2) Two 2016 or newer Rear Loading Refuse Trucks or equivalent, was advertised on August 3, 2016 and accepted on August 31, 2016 at 11:00 a.m. prevailing time; and

**WHEREAS**, One (1) sealed bid was submitted and reviewed by the QPA and Gary Douglass the Public Works Director; and

**WHEREAS**, the lowest qualified bidder complied with the specifications and supplied all required bid documents and the CFO has certified the availability of funds as evidenced by her signature below:

  
Lauren Read, CFO

Ord # C-04-55-418-220  
Budget Account

**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 contract is hereby awarded:

**AWARD TO:** **HUNTER JERSEY PETERBILT**  
**(2) Two 2017 Peterbilt Model 348 Cab & Chassis Equipped with Leach Rear Loading Refuse Bodies**

**TOTAL:** **\$377,800.00**

**BE IT FURTHER RESOLVED**, upon approval of the resolution, the fully executed Purchase Order together with the official bid documents shall serve as the Contract for the award of the bid.

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |
| CLARK    |        |        |     |     |         |        |
| BECK     |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on September 7, 2016.

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

**BID 2016-12 PROPOSAL FORM**

**2016 or newer unused (2) Two Rear Loading Refuse Trucks**

The undersigned proposes to furnish and deliver the above goods/services pursuant to the bid specification and made part hereof:

**(2) Two Rear Loading Refuse Trucks Complete**

\$ 377,800.00

Amount in numbers

Three hundred seventy seven Thousand

Amount in words eight hundred Dollars.

YEAR 2017

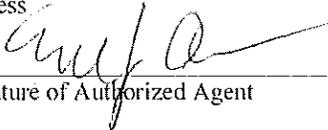
EXCEPTIONS:

One piece windshield is less of 2 piece.  
2-piece windshield is no longer Available on this model.

Hunter Jersey Peterbilt  
Company Name

23-2909829  
Federal I.D. # or Social Security #

529 Monmouth Rd. (P.O. Box 729) Clarksburg, NJ 08510  
Address

  
Signature of Authorized Agent

Ed J. Auler  
Type or Print Name

Title: General Manager

609-259-5950  
Telephone Number

8/30/2016  
Date

The Township of Lower reserves the right to reject any or all bids if it deems it in the best public interest to do so.

## Julie Picard

---

**From:** Gary Douglass <gdouglass@townshipoflower.org>  
**Sent:** Wednesday, August 31, 2016 11:52 AM  
**To:** Margaret Vitelli  
**Cc:** Julie Picard  
**Subject:** Refuse trucks

Margaret,  
Please award bid for two new refuse collection trucks to low bidder Hunter Jersey Peterbilt in the amount of \$377,800.00.  
This was under our budget of \$390,000.00 C-04-55-418-220 ORD. #2015-10.  
Thank you  
Gary

Sent from my iPhone=

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

RESOLUTION # 2016-254

Title: **AMENDING RESOLUTION #2016-143; APPROVING A PROFESSIONAL SERVICE CONTRACT WITH MOTT MACDONALD FOR GENERAL ENGINEERING SERVICES**

**WHEREAS**, the Township of Lower awarded Resolution #2016-143 on May 2, 2016 to provide professional General Engineering Services in the amount Not to Exceed \$5,000.00; and

**WHEREAS**, there is a need for an additional \$5,000.00 for upcoming projects throughout the Township, increasing the authorization by \$5,000 making the new total not to exceed \$10,000.00; and

**WHEREAS**, the Township Council desires to approve the increased amount, and the CFO has certified the availability of funds as evidenced by her signature below:



Lauren Read, CFO

Various Capital Ordinances  
Budget Account

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Professional Service Contract without public bidding be increased by \$5,000 making the total not to exceed \$10,000.

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

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |
| CLARK    |        |        |     |     |         |        |
| BECK     |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on September 7, 2016.

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

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

RESOLUTIUN #2016-255

TITLE: APPOINTMENT TO THE HISTORIC PRESERVATION COMMISSION

WHEREAS, Michael Rosenberg was appointed to the Historic Preservation Commission as an Alternate Member with a term expiration of September, 2016; and

WHEREAS, Margaret Strolle was appointed as a Regular Member to the Commission and has tenured her resignation, thus creating a vacancy for a Regular Member.

NOW, THEREFORE, BE IT RESOLVED by the Lower Township Council that the Michael Rosenberg assume Margaret Strolle's position as a Regular Member.

| <u>NAME</u>       | <u>TYPE</u>    | <u>CLASS</u> | <u>TERM EXP</u>    |
|-------------------|----------------|--------------|--------------------|
| Michael Rosenberg | Regular Member | Class C      | September 30, 2019 |

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |
| CLARK    |        |        |     |     |         |        |
| BECK     |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on September 7, 2016.

Julie A Picard, Township Clerk

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

RESOLUTION # 2016-256

Title: **A RESOLUTION APPROVING THE MUTUAL RELEASE AND QUITCLAIM DEED REGARDING 721 FOSTER AVENUE, LOWER TOWNSHIP, BLOCK 747.03 LOT 9.02**

**WHEREAS**, the Township of Lower is currently named as the assessed owner of Block 747.03 Lot 9.02, 721 Foster Avenue (the "Property"); and

**WHEREAS**, the ownership of the Property has been called into question by PNC Bank, N.A. the executor to the Estate of John Soffe, the owner in fee prior to the Township of Lower being named the assessed owner; and

**WHEREAS**, the ownership of the Property in question has been researched by the Township Solicitor and Tax Assessor and the Township of Lower's ownership interest in said Property has been determined to be non-verifiable and consequently said Property has been determined not to be owned by the Township of Lower, and, accordingly, the Lower Township Council is in agreement that the ownership interest of said Property be transferred as per the attached Mutual Release Agreement and Quitclaim Deed.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower that the Mutual Agreement and Quitclaim Deed be approved and the Township Manager is authorized to sign the agreements.

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |
| CLARK    |        |        |     |     |         |        |
| BECK     |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on September 7, 2016.

Julie A Picard, Township Clerk

## MUTUAL RELEASE

THIS MUTUAL RELEASE (this "Release") is made this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between **THE TOWNSHIP OF LOWER AND PNC BANK, N.A., EXECUTOR OF THE ESTATE OF JOHN SOFFE** who may collectively be denominated as the "Parties" in this Release and each may be called, separately, a "Party."

### RECITALS

WHEREAS, on October 2, 1953, John Soffe and Blanche R. Soffe, husband and wife, purchased certain real property, part of which is located at 721 Foster Avenue, Cape May, New Jersey 08204, and known as Block 747.03, Lot 9.02 (the "Subject Property") from James H. Graff and Alice L. Graff, husband of wife, for the agreed upon purchase price of One (\$1.00) dollar by way of Deed dated October 2, 1953, and recorded October 2, 1953, in the Cape May County Clerk/Register's Office in Deed Book 809, Page 27; and

WHEREAS, Blanche R. Soffe predeceased John Soffe, her husband, in whom title and ownership of the Subject Property then became vested in John Soffe by way of the right of survivorship; and

WHEREAS, John Soffe departed this life on August 24, 1970 and left behind a Last Will and Testament dated July 10, 1970 which was probated in the Cape May County Surrogate's Office on September 9, 1970, wherein John Soffe appointed Colonial National Bank as Executor of his Estate. Thereafter, Colonial National Bank merged with Midlantic National Bank and subsequently, Midlantic National Bank merged with PNC Bank, N.A., the current Executor of the Estate of John Soffe; and

WHEREAS, since the death of John Soffe on August 24, 1970, no property taxes have been paid to the Township of Lower with respect to the Subject Property; and

WHEREAS, in or around 1978 the Township of Lower named itself the assessed owner of the Subject Property and began maintaining the Subject Property at its sole expense; and

WHEREAS, the Township of Lower was recently contacted by Henry Boenning, Esquire, attorney for PNC Bank, N.A., regarding the Estate of John Soffe's claim of ownership with respect to the Subject Property; and

WHEREAS, the Township of Lower in reviewing its records has been unable to locate an official document wherein the Township obtained title to the Subject Property, and in an effort to avoid the expenses associated with protracted litigation in connection with a potential quiet title action has agreed to convey any interest it maintains in the Subject Property to PNC Bank, N.A. in exchange for a one-time lump sum payment of \$3,000 from PNC Bank, N.A. on behalf of the Estate of John Soffe to address unpaid taxes and the expenses associated with the maintenance of the Subject Property.

WITNESSETH

NOW, THEREFORE, in consideration of the representations and covenants set forth in this Release and for the releases mutually made by each of the Parties below, and for other good and valuable consideration, the receipt of which the Parties hereto acknowledge, the Parties intending to be legally bound, hereby AGREE as follows:

1. Recitals. The recitals set forth above in this Release are incorporated into this paragraph as though set forth in verbatim.

2. Release. The Parties, each to the other, hereby specifically mutually release, acquit, and forever discharge the other Party and give up any and all claims, demands, causes of actions, debts, liabilities, lawsuits, and rights of whatsoever nature, which each of the Parties may have against each other, whether known or unknown, asserted or unasserted, liquidated or unliquidated, contingent or fixed, whether in contract or tort, such as all claims for bodily injuries; property damage; loss and expense which heretofore has been paid or which hereafter may be sustained or suffered, which have accrued, may accrue, or could accrue from the beginning of time until the date of this Release, relating to all claims and demands and causes of action, or otherwise, which the Township of Lower could have, should have, may have or was required to have and asserted with regards to the above referenced property ownership dispute or PNC Bank, N.A., Executor of the Estate of John Soffe may have asserted against the Township of Lower. The Parties hereby do and by this Release further waive, remise, release, and forever discharge each other and their predecessors, successors, assigns, executors, administrators, heirs, affiliates, and legal representatives, and their officers, directors, employees, and agents from and against such claims, demands, liabilities, actions, causes of actions, lawsuits, accounts, covenants and damages whatsoever of every name and nature they may each have against the other.

The fulfillment of the requirements set forth within Paragraph 3 below shall constitute a full accord and satisfaction and be in complete compromise of all disputed claims by and between the Parties, their predecessors, successors, executors, administrators, heirs, assigns, affiliate, and legal representatives, provided, however, that payment of the aforesaid sum is not an admission of liability, but is made for the purpose of settling and resolving such disputes, demands, causes of action, claims, and related matters between the Parties as set forth in this Release.

3. Requirements. In accordance with the recitals set forth above, the Township of Lower agrees to prepare and execute a Quitclaim Deed to PNC Bank, N.A., Executor of the Estate of John Soffe, for the agreed upon purchase price of \$1.00. In satisfaction of all claims for real estate taxes and maintenance of the Subject Property and further in exchange for the preparation and execution of said Quitclaim Deed and the conveyance of any interest that the Township of Lower maintains in the Subject Property, PNC Bank, N.A., Executor of the Estate of John Soffe, shall make a one-time lump sum payment of Three Thousand (\$3,000.00) Dollars. The Township of Lower agrees that no added, omitted or similar assessment shall be made with respect to the Subject Property. The Subject Property shall be assessed to the owner of same on October 1, 2016 for the calendar year 2017 and all years going forward.

4. Binding Effect. This Release shall be binding upon and may be enforced by each Party hereto and their respective heirs, executors, administrators, successors, assigns, affiliates, and legal representatives.

5. Third Party Beneficiary. This Release shall not expand the rights of any persons who are not parties to this Release, and no person or entity which is not a party to this Release shall acquire any rights hereunder, whether as a purported third party beneficiary or otherwise.

6. No Oral Changes. This Release may be amended or changed only by a written document executed by all of the Parties hereto.

7. Effective Date. This Release shall be effective only after each of the Parties shall have duly executed at least two (2) originals for distribution to each of the respective Parties. This Release may be signed by the Parties in multiple counterparts, each of which once executed, shall be deemed an original, but all of which together shall constitute one and the same Release.

8. Non-Disclosure Agreement. The Township of Lower and PNC Bank, N.A., Executor of the Estate of John Soffe agree that the terms and conditions of this Release are confidential and the Parties may not disclose them to any person or other entity for any reason other than accountant, attorney, lending institution, financial adviser or as required by operation of law such as the issuance of a subpoena or Court Order. In the event of a breach of any provision of this Release by any Party, the other Party shall be entitled to enforce the terms of this Release and recover any legal damages, all attorney fees and all costs incurred in connection with the enforcement of this Release and any other remedies available either at Law or in Equity. Notwithstanding the forgoing, this Release may be introduced into evidence in any proceeding for the purpose of enforcing its terms. This Release shall not be admissible as evidence in any proceeding for any other purpose.

9. Representation. Both Parties have been represented by independent counsel of its choice throughout this matter and the consequences hereof have been fully explained to each other. Each Party certifies that no pressure or duress has been executed by anyone to accept the terms of this Release, settle this matter, and such is being done voluntarily.

10. Headings. The headings in this Release are for the purpose of reference only and shall not limit or otherwise affect the meaning hereof.

11. Governing Law. This Release shall be construed and interpreted in accordance with the Laws of the State of New Jersey, without applying or giving effect to conflicts of law rules.

[SIGNATURES BEGIN ON THE NEXT PAGE]

IN WITNESS WHEREOF, the Parties hereto have set their hands and seals on the day and date first above written.

WITNESS:

\_\_\_\_\_

TOWNSHIP OF LOWER

By: \_\_\_\_\_  
Jim Ridgway, Township Manager

WITNESS:

\_\_\_\_\_

THE ESTATE OF JOHN SOFFE

BY: PNC Bank, N.A.,

By: \_\_\_\_\_  
Heather S. Dorr, Vice President

114786778v2

# QUITCLAIM DEED

Prepared by:  
  
ROBERT T. BELASCO, ESQUIRE

This Deed is made on \_\_\_\_\_, 2016

**BETWEEN THE TOWNSHIP OF LOWER**, a municipal corporation of the State of New Jersey located in the County of Cape May, State of New Jersey, whose address is 2600 Bayshore Road, Villas, New Jersey 08251 (hereinafter the "Grantor"),

**AND PNC BANK, N.A., EXECUTOR OF THE ESTATE OF JOHN SOFFE**, whose principal place of business is located at One PNC Plaza 249 Fifth Avenue, Pittsburgh, Pennsylvania 15222 (hereinafter the "Grantee").

The words "Grantor" and "Grantee" shall mean all Grantors and Grantees listed above.

**Transfer of Ownership.** The Grantor grants and conveys to Grantee the Premises described herein. This transfer is made for the sum of **ONE (\$1.00) DOLLAR**. The Grantor acknowledges receipt of this money.

**Tax Map Reference.** Pursuant to Public Laws of 2011, Chapter 217 (N.J.S.A. 46:26A-3(a)(5)(b)) the above premises are also known as **Lot 9.02, Block 747.03**, on the Official Tax Map of the Municipality of Lower Township, County of Cape May, State of New Jersey.

**Premises.** ALL THAT CERTAIN tract or parcel of land and premises lying, being and situate in Lower Township, Cape May County, and State of New Jersey being more particularly described as follows:

BEGINNING at a point in the Northeasterly line of Foster Avenue 142.43 feet Northwestwardly from the Northwesterly line of New England Road and extending; thence

1. Northeastwardly a distance of 35 feet to a point; thence
2. Northeastwardly a distance of 80 feet to a point in the Southwesterly line of Cape May County Canal; thence
3. Southeastwardly along said line of Cape May County Canal a distance of 44.33 feet to a point; thence
4. Southeastwardly a distance of 59.19 feet to a point; thence
5. Southwestwardly a distance of 118.56 feet to a point in said Northeasterly line of Foster Avenue and the point and place of beginning.

BEING known and designated as a portion of Lot 9 as shown on Plan of Canal Beach made by C.M. Corson, Professional Engineer and Land Surveyor and duly filed in the Cape May County Clerk's Office on 12/26/1956 as Map No. 980.

BEING premises No. 721 Foster Avenue.

BEING Block: 747.03, Lot 9.02.

IN compliance with Chapter 157, Laws of 1977 premises herein is known as Lot 9.02 in Block 747.03 on the official tax map of the Municipality of Lower Township, NJ.

UNDER AND SUBJECT TO all valid covenants, conditions, restriction, reservations and easements of record.

**Type of Deed:** This Deed is called a Quitclaim Deed. The Grantor makes no promises as to ownership or title, but simply transfers whatever interest the Grantor has to the Grantee.

**Property Address: 721 Foster Avenue  
Cape May, NJ 08204**

**Signatures.** The Grantor signs this Deed as of the date at the top the first page.

Witnessed by:

\_\_\_\_\_

James Ridgway, Township Manager  
Lower Township, NJ

STATE OF \_\_\_\_\_

:  
SS:

COUNTY OF \_\_\_\_\_

:

**I CERTIFY** that on \_\_\_\_\_, 2016, James Ridgway, Lower Township Manager, personally came before me and acknowledged under oath, to my satisfaction, that:

- a) this person is an authorized agent of the municipal corporation named in this document;
- b) this deed was signed and delivered by the municipal corporation as its voluntary act duly authorized by the governing body of the Township of Lower;
- c) this person signed this proof to attest to the truth of these facts; and
- c) made this Deed for \$1.00 as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5.)

Signed and sworn to before me  
this \_\_\_\_ day of \_\_\_\_\_, 2016

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

RESOLUTION # 2016-257

**TITLE: RESOLUTION AUTHORIZING THE TOWNSHIP OF LOWER TO ENTER INTO A DONATION AGREEMENT FOR UNIMPROVED REAL PROPERTY WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION (LAND EXCHANGE)**

**WHEREAS**, the Township Council of the Township of Lower approved an exchange of land with the New Jersey Department of Environmental Protection (DEP) via Resolution #2016-134; Authorizing to Enter Into a Management Agreement with the State DEP; and

**WHEREAS**, the attached Donation Agreement for Unimproved Real Property is required for the finalization of this exchange.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the attached Donation Agreement for Unimproved Real Property is hereby authorized and the proper Township Officials are directed to sign the agreement.

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |
| CLARK    |        |        |     |     |         |        |
| BECK     |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on September 7, 2016.

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

DONATION AGREEMENT FOR UNIMPROVED REAL PROPERTY

AGREEMENT made this      day of                      20   , between the Township of Lower, a municipal corporation of the State of New Jersey 2600 Bayshore Road, Villas, New Jersey 08251 (hereinafter referred to as “Grantor”), and

THE STATE OF NEW JERSEY, DEPARTMENT OF ENVIRONMENTAL PROTECTION, with its principal office in the Department of Environmental Protection Building, 401 East State Street, Trenton, New Jersey 08625 (hereinafter referred to as “Grantee”),

Whereas, Grantor is the owner of real property described in Paragraph 1 of this Agreement (hereinafter referred to as the “Property”), and

Whereas, Grantor desires to donate the Property to the Grantee:

Now, therefore, for and in consideration of \$1.00 (One and 00/100 Dollar) and also in consideration of the covenants contained herein, Grantor agrees to convey to the Grantee, free from all liens, encumbrances, or adverse claims, except as this Agreement may otherwise provide, by Bargain and Sale Deed with Covenants Against Grantor’s Acts, the Property upon the following terms:

1. Property to be Donated: All those certain lots, tracts or parcels of land, all rights therein, together with any buildings, improvements, and fixtures thereon, situate in the Township of Lower, County of Cape May, State of New Jersey, identified as Block 505, Lot 15 on the official municipal tax map, and more particularly described by the metes and bounds description attached hereto as Schedule A. This description is to be used only for the purposes of this Agreement. The actual metes and bounds description of the Property will be in accordance with the survey to be prepared by the Grantee as stated in Paragraph 2.

2. Survey: The Grantee, at its own cost and expense, will obtain a survey of the Property, together with a metes and bounds description. That description will be utilized as the description of the Property to be conveyed. In the event a survey is not obtained, a pre-existing metes and bounds description may be used to describe the Property in the deed of conveyance at the time of closing.

3. Title: Grantee shall, at its own cost and expense, obtain a title commitment, and ultimately a final policy, from a title insurance company and shall provide a copy of the title commitment to Grantor in advance of closing. Grantor shall give clear, valid record title, marketable and insurable at regular rates by Grantee’s title insurance company, subject only to those exceptions acceptable to Grantee. Grantor shall remove all easements, liens, mortgages, encumbrances, or other exceptions to title as requested by Grantee prior to closing. If such title cannot be conveyed by Grantor at closing, Grantee shall have the right to declare this Agreement null and void, in which case neither the Grantor nor the Grantee shall have any further obligation

to the other.

4. Right of Entry: The Grantor agrees to permit Grantee or its duly authorized representatives onto the Property to examine, survey, and undertake any tests necessary concerning the Property at any reasonable time(s) prior to the conveyance of title.

5. Real Estate Taxes: Taxes for the first half of the year shall be paid in full by Grantor prior to the closing when the conveyance of title takes place in the first half of the year. Real estate taxes shall be paid for the entire year by Grantor prior to closing when the conveyance of title takes place in the second half of the year. Taxes shall be adjusted on a per diem basis as of the date of closing. Overpayment of taxes by Grantor shall be reimbursed by separate payment voucher after closing provided to Grantor at the time of closing for signature and processing.

6. Farmland Assessment/Rollback Taxes: The Grantor represents that the Property is not subject to Farmland Assessment and that there are no rollback taxes due. Any rollback taxes shall be the sole responsibility of the Grantor. This provision shall survive closing of title.

7. Special Assessments: All assessments for public improvements, whether confirmed or unconfirmed, which have been commenced as of the date hereof, are to be paid in full by Grantor prior to or at the time of closing.

8. Possession: Grantor shall deliver full possession of the Property to the Grantee on the date of closing, free and clear of all tenancies and rights and claims of any other party not acceptable to Grantee.

9. Condition of Property: The Property has not previously been developed, is now vacant and undeveloped, and is being conveyed in its condition as of the date of this Agreement being fully executed, subject to Grantee's approval of the results of any on-site inspections. Grantor shall undertake all actions requested by Grantee because of Grantee's on-site inspections. If Grantor refuses to conduct any activity requested by Grantee, Grantee may terminate this Agreement. Grantor shall undertake no actions, nor permit others to undertake any actions, that may affect the existing condition of the Property (including the removal of trees) without Grantee's consent, except as may be otherwise expressly provided in this Agreement.

10. Debris Removal: Grantor shall remove all debris, rubbish, solid waste, and/or hazardous materials located on the Property prior to closing, subject to the approval of the Grantee. Debris, rubbish, solid waste, and/or hazardous materials shall include but is not limited to equipment, vehicles, household chemicals, pesticides, petroleum products, paints, tires, wood, tree parts, tree stumps, concrete, asphalt, bricks, plaster and wallboard, roofing materials, paper, metal, plastic, glass, and any other materials identified for removal by Grantee. Grantor shall properly dispose of all debris, rubbish, solid waste, and/or hazardous materials in accordance with all applicable Federal, State, and local regulations. All disturbed areas shall be graded and stabilized prior to closing.

Donation Agreement  
Last revised 2/25/16

11. Closing Documents: At the time of closing, Grantor shall deliver to Grantee the appropriate documents of title, including a Bargain and Sale Deed with Covenants Against Grantor's Acts, an Affidavit of Consideration, an Affidavit of Title, a GIT/REP 1, 2, or 3 (as appropriate), and any other necessary documents required by Grantee or its title insurance company. Grantee shall, at its own cost and expense, record said documents at the time of closing. Grantee further shall acknowledge, in writing, its actual acceptance of the donation and the conveyance of title on the date of closing.

12. Warranty of No Solicitation: Grantor hereby warrants that this Agreement has not been procured in violation of Chapter 48 of the Laws of 1954, N.J.S.A. 52:34-15 et seq., or in violation of Executive Order No. 189.

13. Grantor's Representations:

(a) Grantor represents that the Property shall be free of any tenancies or any written or oral licenses or leases at the time of closing.

(b) Grantor represents that Grantor has not permitted or authorized the storage of any hazardous or toxic material on the Property.

(c) Grantor represents that there are no underground storage tanks (USTs) on the Property.

(d) Grantor represents that there are no improvements on adjoining properties that extend across the boundary lines of the Property.

(e) Grantor represents that Grantor is in substantial compliance with the laws, orders, and regulations of each governmental department, commission, board, or agency having jurisdiction over the Property and has received no notices of non-compliance or violation.

(f) Grantor represents that the Property will be free of all debris, rubbish, solid, and/or hazardous materials at the time of closing.

14. Closing of Title: Unless Grantor expressly requests otherwise, the parties anticipate that the closing of title shall take place as soon as is reasonably practicable after Grantor has satisfied all of Grantor's obligations under this Agreement. The closing of title shall be handled through the mail.

15. Miscellaneous:

(a) Heirs, etc. Bound: For the performance of any and all covenants or representations herein, the parties hereby bind themselves, their respective heirs, executors, administrators, successors, and assigns.

(b) Captions and Headings: Captions and headings used herein are for reference only and shall in no way be deemed to define, limit, explain, or amplify any provision hereof.

(c) Survival: The Grantor agrees that the representations set forth in this Agreement shall survive closing of title.

(d) Third-Party Beneficiaries: This Agreement shall not create in any individual or entity the status of a third-party beneficiary, and nothing in this Agreement shall be construed to create such status. The rights, duties, and obligations contained herein shall operate only between the parties and shall inure solely to the benefit of the parties. The parties expressly agree that only they shall have any legal or equitable right to seek enforcement of this Agreement, seek any remedy arising out of performance or failure to perform by one of the parties, or bring any action for breach of this Agreement.

(e) Amendment: This Agreement may be amended, supplemented, changed, modified, or altered only by mutual agreement of the parties in writing that shall be effective as of the date stipulated therein.

(f) Severability/Waiver: All agreements and covenants contained herein are severable, and in the event any of them shall be held to be invalid by any competent court, this Agreement shall be interpreted as if such invalid agreements or covenants were not contained herein. Should one or more covenants or conditions be waived by either party, such waiver shall not be deemed to waive or render unnecessary the consent or approval of the waiving party to or of any subsequent similar act by the other party.

(g) Governing Law: This Agreement shall be construed and interpreted in accordance with the laws of the State of New Jersey.

16. Entire Agreement: It is understood and agreed that all understandings and agreements previously had between the parties are merged in this Agreement, which alone fully and completely expresses their understanding, and that this Agreement is entered into after full investigation, neither party relying upon any statement or representation by the other that is not contained in this Agreement.

17. Notice: All notices that must be given under this Agreement are to be given by personal service or regular mail.

18. Closing Costs: Unless otherwise agreed to in writing, each party shall be responsible for bearing any and all respective costs incurred by performing under this Agreement, including, but not limited to, attorneys' fees, recording charges, and mailing costs.

19. Date of Agreement: This Agreement shall become final upon signing by the Grantee.

Donation Agreement  
Last revised 2/25/16

IN WITNESS WHEREOF, the Grantor and the Grantee have signed this Agreement, and in the case of a corporation, this Agreement has been signed by its proper corporate officers, and its corporate seal has been affixed.

Grantee:

State of New Jersey  
Department of  
Environmental Protection

---

Rich Boornazian  
Assistant Commissioner for  
Natural and Historic Resources

Grantor

---

Witness as to Signature of Grantor

This Agreement has been approved as to form by:

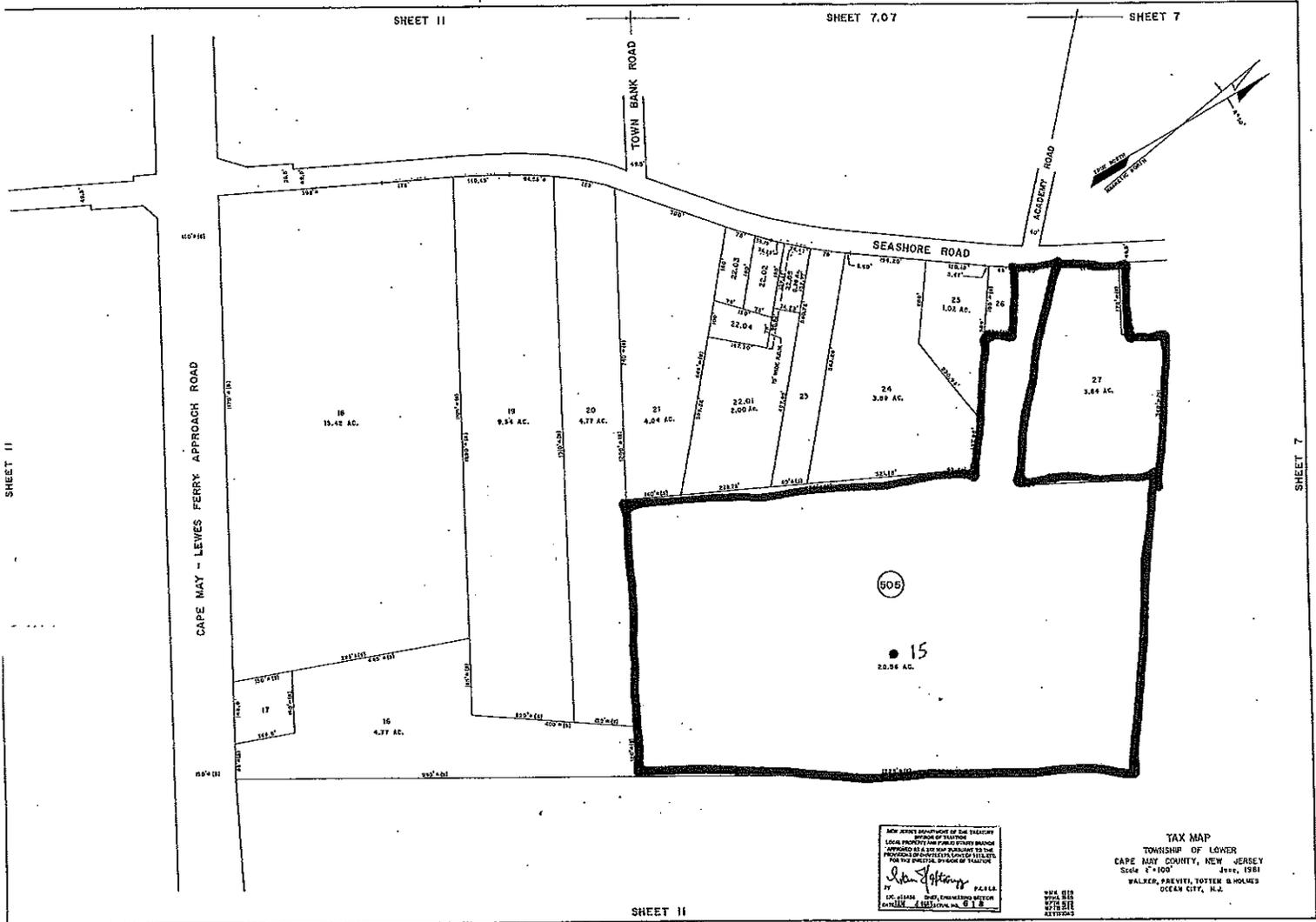
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Deputy Attorney General  
State of New Jersey

Donation Agreement  
Last revised 2/25/16

**SCHEDULE A**

**Tax Map / Existing Legal Description**



NEW JERSEY DEPARTMENT OF TREASURY  
 DIVISION OF TAXATION  
 LOCAL PROPERTY TAX MAPS SHALL BE  
 APPROVED AS A PRELIMINARY STEP TO THE  
 PROVISION OF PROPERTY TAX SERVICES  
 FOR THE DISTRICTS OF THE STATE OF NEW JERSEY  
 BY  
*John J. Gaffney* F.A.C.S.  
 COUNTY ENGINEER, TREASURER'S OFFICE  
 COUNTY OF SHERBURNE, N.J.

TAX MAP  
 TOWNSHIP OF LOWER  
 CAPE MAY COUNTY, NEW JERSEY  
 2004 - 100' - 150'  
 WALKER, PREVITI, TOTTER & HOLMES  
 OCEAN CITY, N.J.

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

**RESOLUTION #2016- 258**

**TITLE: AUTHORIZING THE PAYMENT OF VOUCHERS**

|               |             |                    |           |               |
|---------------|-------------|--------------------|-----------|---------------|
| <u>Vendor</u> | <u>PO #</u> | <u>Description</u> | <u>CK</u> | <u>Amount</u> |
| LT RESCUE     | 16-00070    | EXPENSE PAYMENT    |           | \$ 10,000.00  |

**Total Bill List \$ 10,000.00**

|          | MOTION | SECOND | AYE | NAY | ABSTAIN | ABSENT |
|----------|--------|--------|-----|-----|---------|--------|
| CONRAD   |        |        |     |     |         |        |
| PERRY    |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |
| CLARK    |        |        |     |     |         |        |
| BECK     |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on September 7, 2016.

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

|                                | Total                | Jan                 | Feb                  | Mar                  | Apr                  | May                  | June                 |
|--------------------------------|----------------------|---------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| <b>BEG. BAL. JAN. 1, 2016</b>  | <b>8,187,891.43</b>  | <b>8,187,891.43</b> | <b>7,585,890.64</b>  | <b>11,148,385.84</b> | <b>5,302,628.54</b>  | <b>10,197,157.44</b> | <b>11,979,358.52</b> |
| <b>RECEIPTS:</b>               |                      |                     |                      |                      |                      |                      |                      |
| <b>Per Revenue Status</b>      | 42,259,523.63        | 3,960,999.37        | 10,606,216.27        | 5,810,061.58         | 5,860,728.30         | 8,506,182.17         | 898,926.74           |
| less: post cash surplus        | (2,180,000.00)       |                     |                      | (2,180,000.00)       |                      |                      |                      |
| Interest due from Capital      | (6,517.02)           | (1,774.05)          | (1,906.12)           | (1,811.81)           | (843.46)             | (64.81)              | (62.73)              |
| Interest due from Escrow       | (419.91)             |                     |                      | (113.35)             | (105.50)             | (103.25)             | (96.53)              |
|                                | <b>40,072,586.70</b> | <b>3,959,225.32</b> | <b>10,604,310.15</b> | <b>3,628,136.42</b>  | <b>5,859,779.34</b>  | <b>8,506,014.11</b>  | <b>898,767.48</b>    |
| <b>Transfers:</b>              |                      |                     |                      |                      |                      |                      |                      |
| Capital                        | 5,090,400.00         |                     |                      | (123,000.00)         | 5,123,000.00         |                      |                      |
| <b>Grants Received:</b>        |                      |                     |                      |                      |                      |                      |                      |
| SC \$ RECD 0144                | 2,500.50             |                     | 2,500.50             |                      |                      |                      |                      |
| COASTAL RES. \$ RECD           | 48,095.00            |                     |                      | 34,420.00            | 4,320.00             |                      | 9,355.00             |
| RECYCLING TONNAGE \$           | 46,517.52            | 46,517.52           |                      |                      |                      |                      |                      |
| CLICKIT OR TICKET \$           | 5,000.00             |                     |                      |                      | 5,000.00             |                      |                      |
| BODY CAMERA \$                 | 23,000.00            |                     |                      |                      |                      | 23,000.00            |                      |
| CC \$                          | 90,672.08            |                     |                      |                      |                      | 90,672.08            |                      |
| FEMA \$ - DUE TRUST            | 0.00                 |                     |                      |                      |                      | 6,393.73             |                      |
| BODY ARMOR \$                  | 745.00               |                     |                      |                      |                      | 745.00               |                      |
| DDEF \$ RECD                   | 1,027.39             |                     |                      |                      |                      |                      | 1,027.39             |
| OPEN SPACE \$                  | 36,260.00            |                     |                      |                      |                      |                      | 36,260.00            |
| DSGPO\$                        | 4,950.00             |                     |                      |                      |                      |                      |                      |
| 258,767.49                     |                      |                     |                      |                      |                      |                      |                      |
| <b>TOTAL RECEIPTS:</b>         | <b>45,421,754.19</b> | <b>4,005,742.84</b> | <b>10,606,810.65</b> | <b>3,539,556.42</b>  | <b>10,992,099.34</b> | <b>8,626,824.92</b>  | <b>945,409.87</b>    |
| <b>DISBURSEMENTS:</b>          |                      |                     |                      |                      |                      |                      |                      |
| 2015 Reserves                  | 783,531.39           | 379,018.26          | 167,587.65           | 88,956.66            | 109,615.44           | 11,820.87            | 14,900.60            |
| 2016 Current                   | 41,502,566.82        | 4,218,168.61        | 6,861,765.88         | 9,469,829.12         | 5,668,797.73         | 6,676,491.09         | 2,738,625.26         |
| June 30 pr posted to july      | 0.00                 |                     |                      |                      |                      |                      | 424,233.75           |
| 2016 Capital                   | 1,443,720.36         | 45,761.03           | 53,335.04            | 66,969.22            | 491,444.81           | 325,948.71           | 69,607.03            |
| less: CIF post                 | (150,000.00)         |                     |                      | (150,000.00)         |                      |                      |                      |
| less: Def chgs reassess        | (47,000.00)          |                     |                      | (47,000.00)          |                      |                      |                      |
| less: Due capital              | (1,000.00)           |                     |                      | (1,000.00)           |                      |                      |                      |
| 43,729,818.57                  |                      |                     |                      |                      |                      |                      |                      |
| <b>Appropriation Refunds:</b>  | (597,974.63)         | (35,204.27)         | (38,373.12)          | (42,441.28)          | (172,287.54)         | (169,636.83)         | (109,377.32)         |
| <b>TOTAL DISBURSEMENTS</b>     | <b>42,933,843.94</b> | <b>4,607,743.63</b> | <b>7,044,315.45</b>  | <b>9,385,313.72</b>  | <b>6,097,570.44</b>  | <b>6,844,623.84</b>  | <b>3,137,989.32</b>  |
| <b>END. BAL. DEC. 31, 2016</b> | <b>10,675,801.68</b> | <b>7,585,890.64</b> | <b>11,148,385.84</b> | <b>5,302,628.54</b>  | <b>10,197,157.44</b> | <b>11,979,358.52</b> | <b>9,786,779.07</b>  |
| Total Appropriation Refunds    | (597,974.63)         | (35,204.27)         | (38,373.12)          | (42,441.28)          | (172,287.54)         | (169,636.83)         | (109,377.32)         |

|  |                     |                      |                     |                      |                      |                     |          |
|--|---------------------|----------------------|---------------------|----------------------|----------------------|---------------------|----------|
| <b>Bank Balance</b>                        |                     |                      |                     |                      |                      |                     |          |
| Checking                                   | 6,854,679.89        | 10,595,373.52        | 5,860,075.05        | 9,439,670.51         | 11,217,362.50        | 10,099,147.17       |          |
| Online Payment Acct                        | 165,909.98          | 379,284.01           | 89,903.05           | 100,136.37           | 345,884.16           | 48,123.69           |          |
| Total Bank Balance                         | 7,020,589.87        | 10,974,657.53        | 5,949,978.10        | 9,539,806.88         | 11,563,246.66        | 10,147,270.86       |          |
| ADD: Deposits in Transit                   | 663,087.43          | 185,868.89           | 52,598.42           | 676,288.44           | 495,788.99           | 44,208.99           |          |
| LESS: Outstanding Checks                   | (97,786.66)         | (12,140.58)          | (699,947.98)        | (18,937.88)          | (79,677.13)          | (404,700.78)        |          |
| <b>Adjusted Bank Balance</b>               | <b>7,585,890.64</b> | <b>11,148,385.84</b> | <b>5,302,628.54</b> | <b>10,197,157.44</b> | <b>11,979,358.52</b> | <b>9,786,779.07</b> |          |
|  | 0.00                | 0.00                 | 0.00                | 0.00                 | 0.00                 | 0.00                |          |
| Monthly Interest Received-<br>Current Fund | 28,695.44           | 4,265.38             | 5,555.03            | 5,510.10             | 3,041.32             | 4,314.99            | 3,767.91 |
| Interest Rate                              |                     | 0.45%                | 0.45%               | 0.40%                | 0.40%                | 0.36%               | 0.36%    |

**OUTSTANDING CHECKS**

JULY 2016

Treasurer's Report

**PRIOR**

|       |               |
|-------|---------------|
| 55491 | 20.00         |
| 56083 | 21.17         |
| 56411 | 25.00         |
| 56596 | 15.84         |
| 57020 | 213.00        |
| 57130 | 12.00         |
| 57300 | 4.00          |
| 57476 | 30.00         |
| 57492 | 15.00         |
| 57535 | 10.89         |
| 57609 | 62.50         |
|       |               |
|       | <u>429.40</u> |

**JULY**

|       |                  |
|-------|------------------|
| 57737 | 100.00           |
| 57807 | 27.28            |
| 57818 | 20.00            |
| 57823 | 190.00           |
| 57825 | 47.94            |
| 57828 | 45.00            |
| 57829 | 545.00           |
| 57830 | 1,190.00         |
| 57854 | 759.25           |
| 57855 | 4,748.50         |
| 57858 | 4,000.00         |
| 57862 | 2,603.53         |
| 57864 | 358.40           |
| 57870 | 25.00            |
| 57874 | 4,000.00         |
|       |                  |
|       | <u>18,659.90</u> |
|       | <u>19,089.30</u> |

**DIT'S**

|                   |
|-------------------|
| 2,959.51          |
| 176.40            |
| 1,532.00          |
| 45.00             |
| 60.00             |
| 260.00            |
| 156.00            |
| 850.00            |
| 136,887.04        |
| 2,812.87          |
| 243,299.72        |
| 133,695.68        |
| 118,018.04        |
| 140,775.26        |
| 146.00            |
| 15,238.63         |
| 22,573.46         |
|                   |
| <u>819,485.61</u> |

## CASH RECONCILIATION JULY 31, 2016

|                          | Cash              |                      | Less Checks<br>Outstanding | Cash Book<br>Balance |
|--------------------------|-------------------|----------------------|----------------------------|----------------------|
|                          | *On Hand          | On Deposit           |                            |                      |
| Current                  | 820,347.50        | 9,958,029.48         | 74,875.62                  | 10,703,501.36        |
| Trust - Assessment       |                   |                      |                            |                      |
| Trust - Dog License      | 16.40             | 12,871.18            | 0.30                       | 12,887.28            |
| Trust - Other            | 432.23            | 2,436,971.79         | 41,107.19                  | 2,396,296.83         |
| Capital - General        |                   | 212,105.48           |                            | 212,105.48           |
| Water - Operating        |                   |                      |                            | 0.00                 |
| Water - Capital          |                   |                      |                            | 0.00                 |
| Assessment Utility Trust |                   |                      |                            | 0.00                 |
| Public Assistance**      |                   |                      |                            | 0.00                 |
| Garbage District         |                   |                      |                            | 0.00                 |
| Grant Fund               |                   |                      |                            | 0.00                 |
|                          |                   |                      |                            |                      |
|                          |                   |                      |                            |                      |
|                          |                   |                      |                            |                      |
|                          |                   |                      |                            |                      |
|                          |                   |                      |                            |                      |
|                          |                   |                      |                            |                      |
|                          |                   |                      |                            |                      |
|                          |                   |                      |                            |                      |
|                          |                   |                      |                            |                      |
|                          |                   |                      |                            |                      |
| <b>Total</b>             | <b>820,796.13</b> | <b>12,619,977.93</b> | <b>115,983.11</b>          | <b>13,324,790.95</b> |

\*Include Deposits In Transit (and change funds)

\*\*Be sure to include a Public Assistance Account reconciliation and trial balance if the municipality maintains such a bank account.

**REQUIRED CERTIFICATION**

I hereby certify that all amounts shown in the "Cash on Deposit" column on Sheet 9 and 9(a) have been verified with the applicable bank statements, certificates, agreements or passbooks at December 31, 2016

I also certify that all amounts, if any, shown for Investments in Savings and Loan Association on any trial balance have been verified with the applicable passbook at December 31, 2016

All "Certificates of Deposits," "Repurchase Agreements," and other investments must be reported as cash and included in this certification.

(THIS MUST BE SIGNED BY THE REGISTERED MUNICIPAL ACCOUNTANT (STATUTORY AUDITOR) OR CHIEF FINANCIAL OFFICER) depending on who prepared this Annual Financial Statement as certified to on Sheet 1 or 1(a).

Signature: 

Title: CFO, Township of Lower

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

RESOLUTION # 2016-259

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.

  **X**   (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. **PBA CONTRACT UPDATE**

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

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

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

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township council of the Township of Lower, assembled in public session on September 7, 2016 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    |        |        |     |     |         |        |
| SIMONSEN |        |        |     |     |         |        |
| CLARK    |        |        |     |     |         |        |
| BECK     |        |        |     |     |         |        |

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on September 7, 2016.

Julie A Picard, Township Clerk