

Signed Resolutions - January 20, 2016

- Res. #2016-40 Payment of Vouchers \$ 283,879.52  
Res. #2016-41 Resolution Authorizing a Shared Services Agreement with the County of Cape May for Animal Sheltering Services (annual)
- Res. #2016-42 Authorization for Waiver of Fees for St. John Neumann Parish (church entrance reconstruction)
- Res. #2016-43 Approval of 2016 Rotary Towing License (Cape May Exxon & John's Auto Body)  
Res. #2016-44 Renewal of Junk Yard License for Cape May Used Auto Parts for the year 2016  
Res. #2016-45 Renewal of Trailer Park Licenses for the year 2016 (Broadway Mobile Park/Cape May Landing/Shawcrest Mobile Home Park/Cape May Crossing/Cape Meadows)
- Res. #2016-46 Issuance of 2016 Limousine, Taxi and Operator Licenses (Aarts Transportation/High Roller Limousine/G-Taxi and G Transportation)
- Res. #2016-47 Appointment of Class II Member to the Planning Board (J.Dowe, Assessor)  
Res. #2016-48 Re-Appointment to the Municipal Utilities Authority Board (H.Bitting)  
Res. #2016-49 Award of Extraordinary Unspecified Service Contract Without Public Bidding for an Event and Promotional Coordinator of the Lower Township Millman Center
- Res. #2016-50 Transfer of 2015 Appropriations (\$11,000)  
Res. #2016-51 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. **Investigation Update / Possible Sale/Acquisition of Property**



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00784 CAPE MAY STAR & WAVE			Continued					
	16-00182	01/13/16	LEGAL PUBLICATION 1-6-16	Open	55.80	0.00		
					145.70			
00825 COMCAST*								
	16-00171	01/13/16	INTERNET SERVICE -JANUARY	Open	299.32	0.00		
01170 VERIZON WIRELESS* F/S								
	16-00108	01/11/16	CELL FIRE 11/27/15-12/26/15	Open	52.35	0.00		
01171 VERIZON WIRELESS - TOWNHALL								
	16-00044	01/05/16	CELL PHONE JANUARY 2016	Open	544.54	0.00		
	16-00101	01/08/16	IPHONE BILL 12/29/15-1/28/16	Open	798.44	0.00		
					1,342.98			
01196 H A DEHART & SON*								
	15-01078	04/29/15	PARTS FOR VEHICLES/JUNE	Open	137.34	0.00		
01200 DELTA DENTAL PLAN OF NJ								
	16-00033	01/05/16	DEC ADMIN	Open	1,149.20	0.00		
	16-00165	01/12/16	DECEMBER CLAIMS	Open	10,766.40	0.00		
					11,915.60			
01201 DELL CORPORATION*								
	15-03076	12/10/15	OFFICE COMPUTER	Open	968.02	0.00		
	15-03190	12/24/15	2 LAPTOPS TOWNHALL 58525203	Open	2,752.31	0.00		
	15-03202	12/29/15	DELL	Open	1,000.60	0.00		
					4,720.93			
01239 DIANA L DeNOTE								
	16-00035	01/05/16	CONTRACTUAL REIMBURSEMENT	Open	149.00	0.00		
01685 W W GRAINGER, INC.*								
	15-03045	12/08/15	FILTERS FOR AIR PURIFYER PD	Open	235.89	0.00		
01781 HATCH MOTT MACDONALD, LLC*								
	15-01637	06/17/15	RES# 15-189 BIKE TRAIL ENGINR	Open	4,875.00	0.00		B
	15-02866	11/16/15	ENGINEERING FOR ROSEANN AVE	Open	2,580.00	0.00		B
	15-03068	12/09/15	RES#15-356 NJ DEP BEACH ACCESS	Open	1,232.40	0.00		B
	16-00147	01/11/16	PROFESSIONAL ENGINEERING	Open	780.00	0.00		
					9,467.40			
01785 ROBERT HARTMAN SR								
	16-00014	01/05/16	CONTRACT REIMBURSEMENT	Open	276.55	0.00		
01806 ANTHONY J HARVATT, II, ESQ								
	16-00148	01/11/16	RESOLUTIONS	Open	150.00	0.00		
01873 HOME DEPOT*								
	15-02996	12/01/15	DPW SUPPLIES/ DEC	Open	88.26	0.00		
02025 HUNTER JERSEY PETERBILT*								
	15-02995	12/01/15	PARTS FOR TRUCKS/ DEC	Open	256.32	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02045 LIBERTY PARKS AND PLAYGROUNDS*								
	15-02963	11/25/15	SWINGS FOR REC PARK	Open	2,104.71	0.00		
02136 TED KINGSTON INC*								
	15-01129	05/06/15	NOVEMBER 2015 RADIO MAINT	Open	549.94	0.00		
02280 LINDEMOM WINCKELMANN & ASSOC.								
	13-01475	05/29/13	ADA 1ST\$41227.00/CO#1DNE45727	Open	1,421.60	0.00		
	15-00398	02/09/15	RES#2015-50 ADA PHASE II REC	Open	1,078.40	0.00		
	15-02949	11/24/15	NATHANIEL FOSTER HOUSE	Open	630.00	0.00		
					3,130.00			
02292 DONALD LOMBARDO								
	16-00016	01/05/16	CONTRACT REIMBURSEMENT	Open	1,301.44	0.00		
02294 MARIE A. LOMONACO								
	16-00169	01/12/16	CONTRACTUAL REIMBURSEMENT-M	Open	167.12	0.00		B
02342 LOWER TOWNSHIP GRANTS								
	16-00179	01/13/16	REIMBURSE MOVIE NIGHT	Open	350.00	0.00		
02349 ROBERT LUBBERMAN								
	16-00119	01/11/16	BASKETBALL TOURNAMENT REF	Open	280.00	0.00		
02402 MGL PRINTING SOLUTIONS								
	15-03100	12/15/15	# 10 WINDOW ENVELOPES	Open	255.00	0.00		
02461 JOHN MAHER								
	16-00109	01/11/16	MEDICAL CLAIMS -D	Open	171.40	0.00		
02541 ROBERT D. MARTIN, JR								
	16-00049	01/06/16	CONTRACTUAL REIMBURSEMENT-M	Open	10.00	0.00		
02640 FRANK MCCLOSKEY								
	16-00013	01/05/16	CONTRACTUAL REIMBURSEMENT -V	Open	64.00	0.00		
02811 JAMES MOY								
	16-00017	01/05/16	CONTRACT REIMBURSEMENT	Open	1,394.01	0.00		
02968 PATTI'S PARTY WORLD*								
	15-03078	12/15/15	DECORATION NEW YEARS EVE	Open	143.00	0.00		
03008 NJ DEPT OF TREASURY/FEES								
	15-01273	05/19/15	AIR QUALITY PERMITTING PROGRAM	Open	820.00	0.00		
03022 PRICE CHOPPER, INC*								
	15-01827	07/09/15	POOL WRISTBANDS	Open	392.91	0.00		
03226 OLD DOMINION BRUSH CO.*								
	15-03109	12/16/15	LEAF TRUCK PARTS	Open	2,760.58	0.00		
03280 PARAMOUNT SANITARY SUPPLY*								
	15-03150	12/23/15	TOILET TISSUE/VARIOUS PARKS	Open	485.99	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03280	PARAMOUNT SANITARY SUPPLY*		Continued					
	15-03162	12/23/15	CLEANING SUPPLIES-ALL BUILDING	Open	923.68	0.00		
					1,409.67			
03285	PARA PLUS TRANSLATIONS, INC.*							
	15-03123	12/16/15	SPANISH INTERPRETER	Open	341.73	0.00		
03305	PEDRONI FUEL*							
	16-00107	01/11/16	NO LEAD GAS	Open	177.79	0.00		
03373	WILLIAM PIOTROWSKI JR.							
	16-00135	01/11/16	BASKETBALL TOURNAMENT REF	Open	80.00	0.00		
03518	RIGGINS, INC.*							
	16-00027	01/05/16	DIESEL	Open	284.98	0.00		
03611	SERVICE TIRE TRUCK CENTERS*							
	15-03154	12/23/15	L24570R17 COOPER TIRES 6500	Open	654.92	0.00		
03652	FRANK SIPPLE							
	16-00129	01/11/16	BASKETBALL TOURNAMENT REF	Open	80.00	0.00		
03720	SOUTH SHORE BASKETBALL LEAGUE							
	15-03113	12/16/15	REFEREE FEES FOR GAMES	Open	1,340.00	0.00		
03764	TCTANJ							
	16-00075	01/07/16	2016 MEMBERSHIP APPLICATION	Open	300.00	0.00		
03820	MUNICIPAL UTIL. AUTH ON CALL							
	15-03107	12/16/15	REIMBURSE HALF OF BILL/NOV	Open	116.61	0.00		
03844	GIACOMO TROMBETTA							
	16-00012	01/05/16	CONTRACT REIMBURSEMENT	Open	45.00	0.00		
03863	TREASURER, STATE OF NEW JERSEY							
	16-00047	01/06/16	2015 4TH QRT STATE FEES-WCM	Open	1,477.00	0.00		
	16-00048	01/06/16	2015 4TH QRT STATE FEES-LOWER	Open	9,916.00	0.00		
					11,393.00			
03904	LOWE'S HOME CENTER INC*							
	15-02992	12/01/15	SUPPLIES FOR DPW/ DEC	Open	110.68	0.00		
03917	STATE OF NJ DEPT OF CHILD/FAML							
	16-00072	01/07/16	OCT,NOV,DEC 2015 MAR/CU FEE	Open	900.00	0.00		
	16-00073	01/07/16	OCT,NOV,DEC 2015 BURIAL FEE	Open	15.00	0.00		
					915.00			
03947	VFIS*							
	16-00021	01/05/16	VFIS-TR-2061918-08 PORTFOLIO	Open	7,641.13	0.00		
03985	VILLAS NAPA AUTO PARTS							
	15-02989	12/01/15	RDS/SANT/RECYC/DEC	Open	2,376.91	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03992 VAL-U AUTO PARTS LLC*	15-02988	12/01/15	RDS/SANT/RECY/DPW DEC	Open	1,585.34	0.00		
04075 BARBER CONSULTING SERVICES LLC	16-00172	01/13/16	COMPUTER SERVICES	Open	568.75	0.00		
04101 SPANKY'S BBQ CATERING*	15-03209	12/30/15	WATER & HOTDOGS -NEW YEARS EVE	Open	350.00	0.00		
04111 RYAN DEVINE	16-00151	01/11/16	REFUND FOR MOVIE NIGHT SUPPLIE	Open	116.91	0.00		
04300 W B MASON CO INC*	15-03097	12/15/15	OFFICE SUPPLIES	Open	236.01	0.00		
04445 TRICOMM SERVICES CORP*	15-03194	12/28/15	PHONE SYSTEM TROUBLE SHOOTING	Open	127.50	0.00		
05083 SJSHORE MARKETING LIMITED	15-03160	12/23/15	boca supplies	Open	1,050.00	0.00		
4104 DOUGLASS LANDSCAPING LLC*	15-00622	03/12/15	2015 LANDSCAPING SERV \$45800.	Open	9,160.00	0.00		B
	15-03191	12/24/15	PARK AT RECREATION CENTER	Open	2,360.00	0.00		
					11,520.00			
5032 NORTH WILDWOOD \$ CREST SHIRT*	15-03114	12/16/15	YOUTH BASKETBALL SHIRTS	Open	1,944.00	0.00		
5089 MICHAEL LUCCHESI	16-00115	01/11/16	BASKETBALL TOURNAMENT REF	Open	200.00	0.00		
6059 USABLE LIFE	16-00034	01/05/16	JANUARY 2016 LIFE INSURANCE	Open	534.55	0.00		
6061 AMERIHEALTH ADMINISTRATORS	16-00020	01/05/16	12/31/2015 HEALTH	Open	7,658.69	0.00		
	16-00173	01/13/16	01/11/2016 HEALTH	Open	23,567.07	0.00		
					31,225.76			
6071 UNITED UNIFORMS LIMITED LIAB*	15-03029	12/07/15	ACADEMY UNIFORMS 3 RECRUITS	Open	1,152.00	0.00		
7019 OCEAN VIEW VETERINARY*	16-00100	01/08/16	VET SERVICES: MEDICAL EXPENSE	Open	233.00	0.00		
7091 STEVE SELBY	16-00130	01/11/16	BASKETBALL TOURNAMENT REF	Open	320.00	0.00		
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
7099 DAN BRADLEY	16-00125	01/11/16	BASKETBALL TOURNAMENT REF	Open	240.00	0.00		
7113 PAUL J. GILLESPIE INC*	15-03079	12/15/15	FLOOR DRAIN /YARD	Open	860.00	0.00		
7181 JENNIFER KELLY, PHD, LLC*	15-03139	12/21/15	PRE-EMPLOYMENT EVALUATIONS	Open	1,200.00	0.00		
7196 LAUREN HUGGINS SUIT*	16-00063	01/07/16	RES 2016-30 PIO DNE \$10,400	Open	866.67	0.00		
7322 BRUCE BRITTON	16-00133	01/11/16	BASKETBALL TOURNAMENT REF	Open	40.00	0.00		
7324 DAVID A. STEFANKIEWICZ	15-00114	01/09/15	RES 2015-01 SOLICITOR DNE \$99k	Open	2,434.10	0.00		
7354 FLEETPRIDE INC.*	16-00149	01/11/16	TARP 7.5 X 14FT	Open	104.10	0.00		
7380 GAILE ROCKEY	16-00114	01/11/16	BASKETBALL TOURNAMENT REF	Open	80.00	0.00		
7443 R. MAXWELL CONSTRUCTION INC*	15-02655	10/30/15	CHANGE ORDER #1 ADA UPGRADES	Open	5,813.00	0.00		
7452 KIMBERLY LEO	15-02167	08/25/15	REFUND FOR FOOTBALL REGISTRATI	Open	20.00	0.00		
7496 AMERICAN PARTS DISTRIBUTION*	15-03070	12/09/15	BLOWER FOR HVAC RESCUE DNE	Open	473.63	0.00		
7498 STRAIGHT CONSTRUCTION INC*	15-03075	12/10/15	CONCRETE PROPOSAL & SIDEWALK	Open	1,840.00	0.00		
7502 SMARTPROCURE INC*	15-03148	12/22/15	PROCUREMENT 4 USERS	Open	2,000.00	0.00		
7504 LIDS TEAM SPORTS*	15-03166	12/23/15	RECONDITIONING OF HELMETS	Open	3,044.45	0.00		
	15-03167	12/23/15	EMERGENCY RECONDITIONING	Open	536.10	0.00		
					3,580.55			
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
	16-00186	01/13/16	DECEMBER 2015 LABOR	Open	2,400.00	0.00		
					4,316.66			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
7510 SCHUYLAR ROCKEY	16-00110	01/11/16	BASKETBALL TOURNAMENT REF	Open	320.00	0.00		
7511 ED GORSKI	16-00111	01/11/16	BASKETBALL TOURNAMENT REF	Open	120.00	0.00		
7512 DIANA LILLO	16-00126	01/11/16	BASKETBALL TOURNAMENT REF	Open	40.00	0.00		
7513 JIMMY BARKALOW	16-00136	01/11/16	BASKETBALL TOURNAMENT REF	Open	200.00	0.00		
ALUNN FRANK CLUNN	16-00131	01/11/16	BASKETBALL TOURNAMENT REF	Open	120.00	0.00		
AMENH TOM AMENHAUSER	16-00120	01/11/16	BASKETBALL TOURNAMENT REF	Open	320.00	0.00		
BASILE FRANK BASILE	16-00112	01/11/16	BASKETBALL TOURNAMENT REF	Open	200.00	0.00		
BOSNA KAREN MANETTE BOSNA	16-00028	01/05/16	DECEMBER YOGA CLASS	Open	210.00	0.00		
CARTYW WALLACE CARTY	16-00113	01/11/16	BASKETBALL TOURNAMENT REF	Open	320.00	0.00		
CUNNIFF BRIAN CUNNIFF	16-00122	01/11/16	BASKETBALL TOURNAMENT REF	Open	80.00	0.00		
DSTEFANK DAN STEFANKIEWICZ	16-00128	01/11/16	BASKETBALL TOURNAMENT REF	Open	240.00	0.00		
FAIR JOHN FAIR	16-00116	01/11/16	BASKETBALL TOURNAMENT REF	Open	120.00	0.00		
FATH WILLIAM FATH	16-00123	01/11/16	BASKETBALL TOURNAMENT REF	Open	120.00	0.00		
HALLK KERRY HALL	16-00134	01/11/16	BASKETBALL TOURNAMENT REF	Open	120.00	0.00		
HOOVER ROBERT HOOVER & SONS INC*	15-01084	04/29/15	SUPPLIES FOR TRUCKS	Open	334.06	0.00		
JLLOYD JOSEPH LLOYD	16-00121	01/11/16	BASKETBALL TOURNAMENT REF	Open	200.00	0.00		
LKELLY LORETTA KELLY	16-00124	01/11/16	BASKETBALL TOURNAMENT REF	Open	240.00	0.00		
MATTHEWS ROBERT MATTHEWS SR	16-00118	01/11/16	BASKETBALL TOURNAMENT REF	Open	200.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
<b>OCONNOR BRIAN O'CONNOR</b>								
	16-00132	01/11/16	BASKETBALL TOURNAMENT REF	Open	80.00	0.00		
<b>ROSSIS STEVEN ROSSI</b>								
	16-00127	01/11/16	BASKETBALL TOURNAMENT REF	Open	200.00	0.00		
<b>SEAGE SEAGEAR MARINE SUPPLY*</b>								
	15-02885	11/18/15	PARTS FOR RECYCLING TRUCK	Open	182.38	0.00		
Total Purchase Orders:		134	Total P.O. Line Items:	0	Total List Amount:	266,283.61	Total Void Amount:	0.00

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

**RESOLUTION #2016- 40**

**TITLE: AUTHORIZING THE PAYMENT OF VOUCHERS**

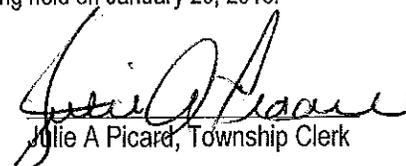
Vendor	PO #	Description	CK	Amount
NJ MOTOR VEHICLES	16-00053	TITLE & TAGS	56598	\$ 60.00
HEALTH & HUMAN SER	15-02570	ACA TRANSISTIONAL	16161	\$ 16,676.00
COMCAST	15-03132	FIRE INTERNET	56594	\$ 127.85
COMCAST	15-03208	INTERNET VAR LOCAT	56594	\$ 732.06

**Total Manual Checks \$ 17,595.91**  
**Total Computer \$ 266,283.61**

**Total Bill List \$ 283,879.52**

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 20, 2016.

  
Julie A Picard, Township Clerk

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

RESOLUTION #2016-41

**TITLE: RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE COUNTY OF CAPE MAY FOR ANIMAL SHELTERING SERVICES**

**WHEREAS**, the County of Cape May ("County") has agreed to provide animal sheltering services for the years commencing January 1, 2016 through December 31, 2020, thereafter upon renewed agreement; and

**WHEREAS**, Lower Township recognizes its requirements to provide such services in accordance with New Jersey State Law and has the need to utilize such services; and

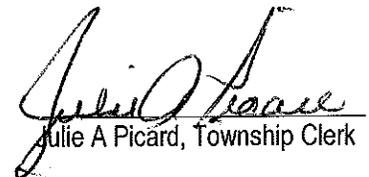
**WHEREAS**, in consideration for providing such services to the Township, the Township agrees to the terms and conditions set forth in the attached Shared Services Agreement; and

**WHEREAS**, the County and Township are authorized and empowered to jointly provide such mutually beneficial services for general government administration pursuant to the Inter-local Services Act, N.J.S.A. 40:8A-1 et. seq.,

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, it hereby approves the Shared Services Agreement, in the form and content attached hereto as Exhibit A and by this reference made a part hereof, and further authorizes and directs the Township's Mayor and Clerk to execute the Shared Services Agreement on behalf of the Township to take any and all actions reasonably necessary to effectuate the terms and conditions thereof.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 20, 2016.

  
Julie A. Picard, Township Clerk

SHARED SERVICES AGREEMENT  
BETWEEN THE COUNTY OF CAPE MAY AND  
THE TOWNSHIP OF LOWER  
FOR ANIMAL SHELTERING SERVICES

THIS AGREEMENT is entered into this this 20 day of January, 2016 by and between THE COUNTY OF CAPE MAY, hereinafter referred to "County", and THE TOWNSHIP OF LOWER, hereinafter referred to "Municipality".

WHEREAS, the "Uniform Shared Services and Consolidation Act", N.J.S.A. 40A:65-1, *et seq.* (the "Act"), authorizes counties and municipalities to enter into an agreement for the exchange of shared services pursuant to the provisions of that statute; and

WHEREAS, the County has operated the Cape May County Animal Shelter and Adoption Center in accordance with Interlocal Agreements with participating municipal partners since September 1, 2003; and

WHEREAS, the County recognizes the desirability of continuing to operate the Shelter on behalf of its partner municipalities; and

WHEREAS, the Municipality recognizes its requirements to provide animal control and shelter services in accordance with New Jersey State Law, and desires to continue to utilize such services through the County for the aforesaid period of time; and

WHEREAS, both the County and the Municipality have determined through their governing bodies that the exchange for such services is fair and equitable, and is in the best interests and the health and welfare for the citizens in those jurisdictions, and both parties deem it appropriate to define their rights and responsibilities with respect to the services provided for herein.

NOW, THEREFORE, FOR AND IN CONSIDERATION of the exchange of mutual covenants and conditions and such other consideration as set forth in this agreement, and as authorized by the provisions of N.J.S.A. 40A:65-1 et seq., the parties agree to the nature and extent of services to be performed as follows:

**I. PURPOSE.** The County shall continue to own and operate the Cape May County Animal Shelter and Adoption Center (“the “Shelter”), a properly licensed and inspected Animal Shelter established and operating in accordance with the provisions of N.J.S.A. 4:19-15.8) for use by the Municipality’s designated licensed Animal Control Officer (as required in accordance with the provisions of N.J.S.A. 4:19-15.16b) and on behalf of its municipal partners.

**II. GENERAL PROVISIONS:**

- A. The County will continue its operation of the Shelter for the term of the interlocal agreement.
- B. The County agrees to ensure that the Shelter meets all health and safety requirements for human and animal occupancy.
- C. The County agrees to provide for the humane treatment of all animals.
- D. The County agrees to provide for the medical treatment for cats and dogs in the Shelter in accordance with New Jersey State Law, and agrees to provide additional medical care (including inoculations) to animals being offered for adoption.
- E. The County agrees to provide for the acceptance, holding, and disposition of all cats and dogs, in accordance with New Jersey State Law, which the Municipality shall deliver to the Shelter.
- F. In addition to the provisions of State law or regulations, the County agrees to provide for municipal participation in determining the appropriate policies to facilitate the successful operation of the Shelter
- G. The Municipality agrees to ensure the strict adherence to the policies and procedures established by the Shelter and by that Municipality’s Animal Control Officer. The County agrees to provide that written documentation be transmitted to the Municipality of any problems or concerns regarding the professional conduct of the Municipality’s Animal Control Officer as witnessed at the Shelter.
- H. The County agrees to make a good faith effort to research and apply for grants from both the public and private sectors to defray the operational expenses of the Shelter. The County shall provide the resources for this purpose. Administrative costs attributable to successful grant awards will be eligible for reimbursement from the grant funds to the general fund of the county.

### III. ADVISORY BOARD:

- A. The County agrees to facilitate the establishment of the Cape May County Animal Shelter Advisory Board, hereinafter referred to as "the Advisory Board". This Board shall consist of no less than nine (9) and no more than eleven (11) members. The following shall constitute the membership of said Board, upon its formation:
1. One Freeholder, or designee of the Freeholder Board;
  2. two (2) Public Citizen members appointed by the Board of Chosen Freeholders;
  3. one (1) County based Veterinarian, appointed by the Board of Chosen Freeholders; and
  4. one (1) member from each participating municipality said members to be (i) Elected Officials, (ii) senior appointed managers of their respective municipality or (iii) a resident with experience in animal advocacy, veterinary medicine and/or animal sheltering.
- B. The Shelter Manager, Veterinarian of Record and one Municipal Animal Control Officer (as selected by the official members of the Advisory Board", shall serve as ex officio members. Municipal appointments will be confirmed by Resolution of the Board of Chosen Freeholders. Members of County Administration, as deemed helpful by the Shelter Manager, may be invited to participate in meetings of the Advisory Board as needed to address areas of Shelter operations within their area of expertise or experience.
- C. The Advisory Board, or similar agency, shall insure ongoing dialog between the municipal partners and the County.
- D. Meetings of the Advisory Board, or similar agency, shall take place twice a year or as called by the Shelter Manager; proper notice shall be given to the public in accordance with N.J. State Law. At each such meeting, the Shelter Director shall review animal intake and outtake and other issues related to animal control, staffing, and Shelter operations. The Advisory Board shall be entitled to comment on such report, and to take that information back to their communities.

### IV. ANIMAL HOUSING:

- A. The County agrees to accept any cat or dog from the Municipality's designated Animal Control Officer, and to provide care for such animal as dictated by N.J. State Law.

- B. The County agrees to provide for the acceptance of any cat or dog for surrender from a resident of the Municipality, upon furnishing of proper identification; the collection of any fees associated with this transaction shall be in accordance with duly adopted policies of the Shelter.
- C. The County agrees to provide for the quarantined housing of animals involved in "bite" cases or suspected rabies cases during the legally mandated holding period, as dictated by New Jersey State Law.
- D. Animals remaining in the Shelter after the mandatory holding period prescribed by New Jersey State Law shall become the property of the County Animal Shelter. The animals shall be cared for as directed by the policies established by the Advisory Board. The municipality holds no claim to any animal or to any fees collected or costs associated with the disposition of said animal.

#### **V. SPAY/NEUTER FUND**

- A. The County agrees to provide for the establishment of a County-wide Spay/Neuter Fund as part of the services offered by the Shelter. A dedicated Spay/Neuter account shall be established, and funds shall be utilized exclusively for the implementation of the Spay/Neuter Program.
- B. The County Spay/Neuter Fund shall provide funds for the sterilization of animals offered for adoption at the Shelter as well as providing funds as available for a program mirroring the eligibility requirements and process of the existing State of New Jersey Low Cost Spay-Neuter Program. County Spay/Neuter Funds shall supplement the State of New Jersey Low Cost Spay-Neuter Program. This program shall be known as the "Cape May County Animal Population Control Plan."
- C. As part of this Agreement for Animal Sheltering Services, the Municipality also agrees to participate in Spay/Neuter Program activities
- D. The amount payable to the County Spay/Neuter fund shall be due in "one lump sum payment" on or before February 1st of each year.

#### **VI. ACCESS TO ANIMAL SHELTER:**

- A. The County agrees to provide for public access to the Shelter in accordance with the provisions of N.J. State Law, including public hours and non-public working hours.
- B. The Municipality shall reserve the right, upon reasonable notice to the County, to inspect the Shelter at any time when said Shelter is in operation (public and non-public working hours).

- C. The Municipality's designated Animal Control Officer shall be granted 7 day a week, 24-hour access to a portion of the building for the purpose of animal intake. Such access shall be granted in the extent, form, and manner prescribed by the Shelter.

**VII. EQUIPMENT:**

- A. The County agrees to provide for the equipment, supplies, and materials necessary for the proper care of dogs and cats according to applicable N.J. State Law and Administrative Code.
- B. The Municipality acknowledges responsibility for all equipment related to the Animal Control function.

**VIII. INSURANCE:** The County agrees to provide for the maintenance of appropriate insurance coverage for the County Animal Shelter. The costs of said insurance will be incorporated into the operating budget of the County Animal Shelter.

**IX. REPORTING:**

- A. On the first day of each month, the Municipality shall make available to the Shelter records of all newly licensed dogs and cats within the municipality.
- B. Within 15 days of its completion, the Municipality shall provide the Shelter with the results of the annual canvass of dogs (required by N.J.S.A. 4:19-15.15).
- C. The Municipality shall make available monthly to the Shelter, detailed reports from the Municipality's designated Animal Control Officer detailing the date, time, location, conditions, animal description, and other such information as deemed necessary by the Shelter to aid in the determination of the ownership of the animal. This information is in addition to any forms required by the Shelter for intake or recordkeeping purposes.
- D. The County shall make available monthly reports detailing the processing of any intakes from that Municipality. Said reports shall contain information as required by State Statute and Administrative Code.

**X. TERM OF AGREEMENT:**

- A. The County agrees to provide for said services to the Municipality under the terms of this agreement through its term, as set forth herein, and unless said agreement may be modified by mutual agreement of the parties in

accordance with the "Uniform Shared Services and Consolidation Act", N.J.S.A. 40A:65-1 et seq.

- B. The term of this Agreement shall commence as of the effective date of the Resolutions adopted by the governing bodies of the County and the participating municipalities, and shall continue for a term of five (5) years (the "Initial Term"). At least six months prior to expiration of the Initial Term, the County shall provide to the participating municipalities an analysis reflecting the actual costs of operation during the Initial Term. These calculations shall be the basis for any revision to the Consideration to be paid to the County by the participating municipalities. Unless a participating municipality objects to any revised Consideration based upon actual Shelter operating costs and terminates its participation in the Shelter under this Agreement three months prior to the expiration of the Initial Term, this Agreement shall automatically review for an additional five (5) year term (the "Renewal Terms").
- C. Additional services, including but not limited to humane education and community outreach, may be provided by the Shelter if and only if the costs of these services are completely funded under a guaranteed revenue stream.
- D. By signing this Agreement, both parties acknowledge that the Agreement refers to Animal Sheltering Services only; no Animal Control services will be provided under this Agreement.

#### **XI. CONSIDERATION:**

- A. The Municipality shall have no ownership, capital, property rights, or equity in the Shelter.
- B. In return for the services outlined in this agreement, the Municipality agrees to provide payment to the County in the amounts and at the times specified on "Schedule A" of this Shared Services Agreement. At least six months prior to expiration of the Initial Term, the County shall provide to the participating municipalities an analysis reflecting the actual costs of operation during the Initial Term. These calculations shall be the basis for any revision to the Consideration to be paid to the County by the participating municipalities.
- C. All payments shall be due and owing on the date stated, without a grace period. In the event that any payment is not received by the due date, then the Municipality shall pay to the County interest at the rate of 18% per annum. If payment is late by more than 30 days, then the County in its sole discretion may terminate the Agreement upon ten days written notice to the Municipality.

**XI. SUBCONTRACTS.** The County of Cape May reserves the right to execute a subcontractor Agreement for the operation of the animal shelter, and any components thereof as described within this document, providing that said subcontractor subscribes wholly to the terms of this Shared Services Agreement to the satisfaction of the County of Cape May and the Municipality.

**IN WITNESS THEREOF,** the parties have set their hands and seals the day and year first above written.

ATTEST:

COUNTY OF CAPE MAY

\_\_\_\_\_  
Elizabeth Bozzelli  
Clerk of the Board

BY:

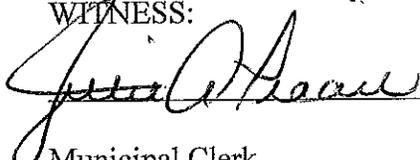
\_\_\_\_\_  
Gerald M. Thornton  
Freeholder Director

Date: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
James B. Arsenault, Jr., Esquire  
County Counsel

WITNESS:

  
\_\_\_\_\_  
Municipal Clerk

TOWNSHIP OF LOWER

\_\_\_\_\_  
Mayor

Date: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
Township Solicitor

Schedule A  
LOWER TOWNSHIP

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

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

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

RESOLUTION #2016-42

TITLE: AUTHORIZATION FOR WAIVER OF FEES FOR ST. JOHN NEUMANN PARISH

WHEREAS, the Parish of St. John Neumann, located at 680 Townbank Road, will be making application for permits/zoning application to enclose three (3) walls of the Church entrance at the Townbank Road address; and

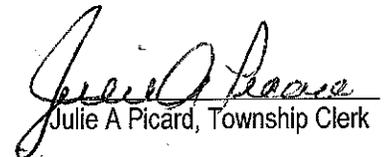
WHEREAS, the Parish of St. John Neumann is a non- profit organization and has requested the Township waive the permit fees associated with the reconstruction of the entrance; and

WHEREAS, the Township Council has reviewed their request and deems it appropriate to support local charitable organizations and non-profit organizations that support and enhance the township and its community.

NOW, THEREFORE, BE IT RESOLVED that all permissible Township permit fees associated with the reconstruction of the entrance to the Church be waived, but all other associated requirements (inspections, drawings and final certificate of approval) shall still be met.

	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 January 20, 2016.

  
Julie A Picard, Township Clerk



PARISH OF  
*St. John  
Neumann*

Township of Lower  
Bayshore Road  
Villas, NJ 08251  
January 5, 2016

To Members of the Lower Township Planning Board,

As I am submitting paperwork for an enclosure of three (3) walls to the Church entrance at St. John Neumann at Town Bank road address, I call to your attention we are a non-profit organization, and I am requesting the Township waive the fees associated with this project.

Sincerely,



Rev. Ernest Soprano

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

RESOLUTION #2016-43

Title: APPROVAL OF 2016 ROTARY TOWING LICENSE

WHEREAS, Chapter 600 of the Revised General Ordinances of the Township of Lower requires any contractor providing towing and storage services for the Township of Lower be licensed by the Township; and

WHEREAS, the following contractors have completed the required application, paid the fee and provided all documentation required by ordinance; and

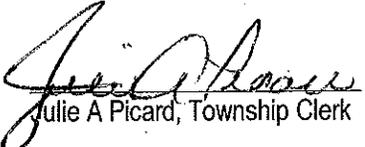
WHEREAS, the Police have reviewed said applications as required by Chapter 600, Subsection 4 and have no objection to the issuance of said license.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower that the following applicants shall be issued a Rotary Towing License for the year 2016.

Barney Linn - Cape May Exxon  
John D Snyder - John's Auto Body

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 20, 2016.

  
Julie A Picard, Township Clerk

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

RESOLUTION #2016-44

Title: RENEWAL OF JUNK YARD LICENSE FOR CAPE MAY USED AUTO PARTS FOR THE YEAR 2016

WHEREAS, application for the renewal of a junk yard license has been received from Macum Corp./Cape May Used Auto Parts, located at 1024 Shunpike Road, Block 749, Lot 6; and

WHEREAS, said application is in proper form and the required license fee has been paid; and

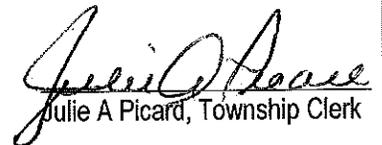
WHEREAS, no known reason exists why said license should not be renewed.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower that the renewal of a junk yard license for the year 2016 is hereby approved for Macum Corp t/a Cape May Used Auto Parts, expiring Dec. 31, 2016.

BE IT FURTHER RESOLVED the licensee shall conduct all business in accordance with Chapter 392 of the Code of the Township of Lower.

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 20, 2016.

  
Julie A Picard, Township Clerk

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

RESOLUTION #2016-45

Title: RENEWAL OF TRAILER PARK LICENSES FOR THE YEAR 2016

WHEREAS, the following applicants have submitted applications for renewal of their trailer park licenses for the year 2016; and

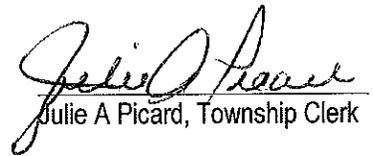
WHEREAS, the appropriate license fees have been received and the real estate taxes on subject properties are current.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower that the renewal of the following trailer park licenses for the year 2016 are hereby approved:

<u>NAME</u>	<u>LOCATION</u>
Victor & Patricia Major t/a Broadway Mobile Park	901 Broadway
William Herker t/a Cape May Landing	755 Route 9
Inter Coastal Enterprises, Inc. t/a Shawcrest Mobile Home Park	5200 Shawcrest Road
National RV Communities t/a Cape May Crossing	878 Route 109 South
William Herker t/a Cape Meadows	306 Route 9

	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 January 20, 2016.

  
 Julie A Picard, Township Clerk

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

RESOLUTION #2016-46

Title: ISSUANCE OF 2016 LIMOUSINE, TAXI AND OPERATOR LICENSES

WHEREAS, applications have been submitted by Aart's Transportation Service Corp., High Roller Limousine Inc, G Taxi and G Transportation pursuant to Ord. #2000-4 for Taxi, Limo and Operator Licenses; and

WHEREAS, the applicants submitted the appropriate fees, provided the required documentation, and the Police have reviewed and approved the application packet.

NOW, THEREFORE BE IT RESOLVED, the Clerk is hereby authorized to issue the following:

Aarts Transportation Service Corp

<u>License Type</u>	<u>Description</u>
Taxi	2000 Dodge Caravan, Vin# 1B4GP44G0YB806796
Taxi	2002 Chrysler Town & Country, Vin #2C8GP64L92R672339
Taxi	2006 Chrysler, Town & Country Vin#2A8GP44RX6R632117
Operators	Thomas Fontannaz, Roy Wolf, Keith Bancroft, Daniel Hankins, Jr., John Vodges, Tana Hader and Ernest M. Jones IV

High Roller Limousine, Inc

<u>License Type</u>	<u>Description</u>
Limo	2005 Dodge Grand Caravan, Vin #1D4GP24R55B201485
Limo	2005 Dodge Grand Caravan, Vin #2D4GP44LX5R394953
Operator	Karen Wolf and Arthur Wolf

G(Garibaldi) -Taxi

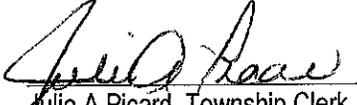
<u>License Type</u>	<u>Description</u>
Taxi	1996 Dodge Carivan, Vin#1B4GP44RT4B411966
Operator	Oleg Pismenny and Anna Kint

G(Garibaldi) Transportation

<u>License Type</u>	<u>Description</u>
Limo	2005 Dodge Carivan, Vin #1D4GP24R95B192368
Limo	2006 Chrysler Town & Country Vin #2A4GP44R66R852534
Operator	Oleg Pismenny and Anna Kint

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

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 20, 2016.

  
Julie A Picard, Township Clerk

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

RESOLUTION #2016-47

TITLE: APPOINTMENT OF CLASS II MEMBER TO THE PLANNING BOARD

WHEREAS, Jennifer Dowe holds the Class II position on the Lower Township Planning Board, and her appointment expired December 31, 2015; and

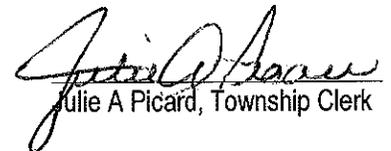
WHEREAS, Jenifer Dowe, Lower Township Tax Assessor, has requested reappointment to the Planning Board in the Class II capacity.

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

<u>Name</u>	<u>Type/Class</u>	<u>Exp. Date</u>
Jennifer Dowe	Class II	December 31, 2016

	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 January 20, 2016.

  
Julie A. Picard, Township Clerk

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

RESOLUTION #2016-48

TITLE: RE- APPOINTMENT TO THE MUNICIPAL UTILITIES AUTHORITY BOARD

WHEREAS, Harrison (Pete) Bitting, Regular Member, has a term which will be expiring February 1, 2016 for the Lower Township Municipal Utilities Authority; and

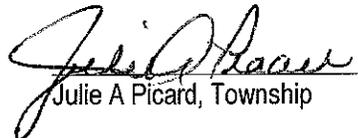
WHEREAS, Council has reviewed the applications on file with the Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower that the following appointment to the Municipal Utilities Authority is hereby made:

<u>Name</u>	<u>Type</u>	<u>Term Exp.</u>
Harrison Bitting	Regular Member	February, 2021

	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 January 20, 2016.

  
Julie A Picard, Township

RECEIVED  
12-8-15

Harrison A Bitting  
39 E. Miami Avenue  
Villas, NJ 08251

Lower Township Council  
2600 Bayshore Road  
Villas, NJ 08251

December 7, 2015

I submit this letter to you for the purpose of being considered for reappointment on the Lower Township MUA Board.

It has been my privilege to have served the Lower Township community for many years. I like to feel that I have made a difference, along with my colleagues, in delivering quality service and products to our water rate payers in an economic and efficient manner. We try our very best to carry out our duties and do what is at the best interest of our residents.

There have been some problems over the last few years that required immediate attention. I feel that we have been able to work through those issues at hand and maintain our business ethics for the benefit of our employees and ratepayers.

I will continue to work along with my fellow board members to keep costs down and maintain safe drinking water, and create a surplus to insure monies will be available for future projects. Your consideration on my behalf would be greatly appreciated.

Respectfully submitted:

*Harrison A Bitting*  
Harrison A. Bitting  
(A.K.A. Pete)

FOR TOWNSHIP USE ONLY

Res. # \_\_\_\_\_

Board/Comm./Auth. \_\_\_\_\_

Term Exp. \_\_\_\_\_

Replaced \_\_\_\_\_ or Reappointed

TOWNSHIP OF LOWER  
CITIZEN LEADERSHIP FORM

RECEIVED  
12-8-15

NAME Harrison Bitting

CITY AND STATE Villas, NJ

YEARS OF RESIDENCY IN TOWNSHIP 64 YRS OCCUPATION Retired

Please number in order of preference which ones you wish to be considered for.

- Cable Television Advisory Board
- Environmental Commission
- Historic Preservation Commission
- Citizen Advisory Board

- 1 Municipal Utilities Authority
- Planning Board
- Recreation Advisory Board
- Zoning Board of Adjustment

I hereby apply to perform public service on the following municipal authority, boards or commissions. List any education, prior volunteer experience or work related experience, or other civic involvement which could be of use to the authority, board or commission you have listed above.

15 years served on M.U.A. Advisory Board. Twenty Five years as Assistant Superintendent of Lower Township Public Works.

Serve on Advisory Board for Cape May County Zoo. Have served on School Board, as well as Lower Twp. Planning Board.

Volunteer Fireman - Villas (past) Served on Cape Assist Board (past)

Date: 12/8/2015 Signature: Harrison A Bitting

(VALID FOR ONE YEAR FROM DATE OF RECEIPT)

Return to: Clerk's Office, 2600 Bayshore Road, Villas, NJ 08251

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

RESOLUTION # 2016-49

TITLE: AWARD OF EXTRAORDINARY UNSPECIFIED SERVICE CONTRACT WITHOUT PUBLIC BIDDING FOR AN EVENT AND PROMOTIONAL COORDINATOR OF THE LOWER TOWNSHIP MILLMAN CENTER

WHEREAS, the Township of lower ("Township") has the need to acquire an Event and Promotional coordinator for the Millman Center as an Extraordinary Unspecified Service pursuant to the provisions of N.J.S.A. 40A:11 6.1 and N.J.A.C. 5:34 2, 2b; and

WHEREAS, the term of the contract shall be January 1, 2016 to December 31, 2016; and the CFO has determined funds shall be paid from proceeds of Millman Center rental fees from the budget as follows:

Appropriation: 6-01-70-910-013

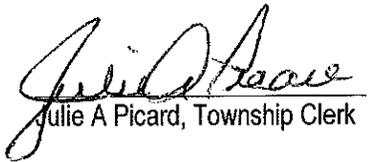
CFO Signature: 

WHEREAS, Shore Side Enterprises, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Shore Side Enterprises has not made any reportable contributions to a political candidate or committee within the Township of Lower in the previous year and this contract will prohibit them from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lower hereby approves a contract with Shore Side Enterprises for the services herein described and that the Business Disclosure Entity Certification and this resolution will be on file in the Clerk's office and that notice of this 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 January 20, 2016.

  
Julie A Picard, Township Clerk

## EXHIBIT A

### MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

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

N.J.A.C. 17:27

#### GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

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

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

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

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

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

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

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

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

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

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

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302

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

Firm Name: Shore Side Enterprises LLC

Name of Agent: Amanda Basse

Title: Owner

Date: 1/13/15

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

**Part I B Contractor Affirmation**

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

Michael E. Beck	
Norris Clark	Any present or future candidate committee or
Erik Simonsen	joint candidate committee or local political party
Thomas Conrad	committee formed for the election of members of
David Perry	the Lower Township governing body.

**Part II B Ownership Disclosure Certification**

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

Check the box that represents the type of business entity:

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

Name of Stock or Shareholder	Home Address
<u>Amanda Basse</u>	<u>22 Oslo Ave. Briarcliff NJ 08242</u>

**Part 3 B Signature and Attestation:**

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

Name of Business Entity: Shore Side Ent. LLC  
 Signed: Amanda Basse Title: Event Coordinator/owner  
 Print Name: Amanda Basse Date: 11/3/14

Subscribed and sworn before me this ___ day of _____, 20____.	_____ (Affiant)
My Commission expires:	_____ (Print name & title of affiant) (Corporate Seal)

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

**AFFIDAVIT OF PAY-TO-PLAY COMPLIANCE**

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

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

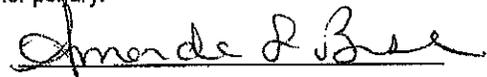
2. The Business Entity is seeking the award of a Professional Services Contract or Unspecifiable Services Contract pursuant to the exceptions from public bidding under Sections 5(1) of the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.

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

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

<u>Date</u>	<u>Name of Organization</u>	<u>Amount</u>
1/13/11	Shore Side Ent. LLC	

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



Sworn and Subscribed to before me  
this \_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## **Chapter 95, PROFESSIONAL SERVICE CONTRACTS, REGULATION OF**

[HISTORY: Adopted by the Township Council of the Township of Lower 10-4-2004 by Ord. No. 2004-10. Amendments noted where applicable.]

### **§ 95-1. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**BUSINESS ENTITY SEEKING A PUBLIC CONTRACT** -- An individual, including the individual's spouse, if any, and any child living at home, person, firm, corporation, professional corporation, partnership, organization or association. The definition of a business entity includes all principals who own 10% or more of the equity in the corporation or business trust, partners, and officers in aggregate employed by the entity as well as any subsidiaries directly controlled by the business entity.

**PROFESSIONAL BUSINESS ENTITY** -- A business entity as defined in this section which provides services by individuals who are required to be professionally licensed under the laws or regulations of this State or which provides "extraordinary unspecifiable services" pursuant to N.J.S.A. 40A:11-5(1)(a)(ii).

### **§ 95-2. Prohibition of awarding public contract to certain contributors.**

A. Any other provision of law to the contrary notwithstanding, the Township of Lower or any of its purchasing agents or agencies or those of its independent authorities, boards or commissions, as the case may be, shall not enter into an agreement or otherwise contract to procure services from any professional business entity if that entity has solicited or made any contribution of money or pledge of a contribution, including in-kind contributions, to a campaign committee of any candidate for or holder of the office of Mayor or Council of the Township of Lower or to any Township of Lower political party committee in excess of the thresholds specified in Subsection C of this section within one calendar year immediately preceding the date of the contract or agreement.

B. No professional business entity which enters into negotiations for or agrees to any contract or agreement with the Township of Lower or any department or agency thereof or of its independent authorities, boards or commissions for the provision of professional services shall knowingly solicit or make any contribution of money or pledge of a contribution including in-kind contributions in excess of the thresholds specified in Subsection C of this section to a campaign committee of any candidate for or holder of the office of Mayor or Council of the Township of Lower or to any Township of Lower political party committee between the time of first communications between that business entity and the Township of Lower regarding a specific professional services agreement and the later of the termination of negotiations or the completion of the contract or agreement.

C. Notwithstanding Subsections A and B above, any individual who is a professional business entity may annually contribute a maximum of \$250 each for any purpose to any candidate for or holder of the offices of Mayor or Council of the Township of Lower, or \$500 to any Township of Lower political party committee, without violating this § 95-2; provided, however, that no group of individuals meeting the definition of a professional business entity may, in the aggregate, contribute annually for any purpose in excess of \$2,500 to all Township of Lower candidates for or holders of the offices of Mayor or Council and all Township of Lower political party committees combined without violating § 95-2.

### **§ 95-3. Contributions made prior to the effective date.**

No contribution of money or any other thing of value, including in-kind contributions, made by a professional business entity to any candidate for or holder of the office of Mayor or Council of the Township of Lower or Township of Lower political party committee shall be deemed a

violation of this chapter, nor shall an agreement for services be disqualified thereby, if that contribution or agreement was made by the professional business entity prior to the effective date of this chapter.

**§ 95-4. Contribution statement required by professional business entity.**

A. Prior to awarding any contract or agreement to procure services with any professional business entity, the Township or any of its purchasing agents or agencies or independent authorities, boards or commissions, as the case may be, shall receive a sworn statement from the professional business entity made under penalty of perjury that the professional business entity has not made a contribution in violation of § 95-2.

B. Prior to awarding any contract or agreement to procure services with any professional business entity, the Township or any of its purchasing agents or agencies or independent authorities, boards or commissions, as the case may be, shall also receive a sworn statement from the professional business entity made under penalty of perjury disclosing all contributions made by the professional business entity during the immediately preceding 12 months to any New Jersey state and/or county political party committees which contributions, when added to any contributions made to any Township of Lower political party committees during the same time period, exceed the sum of \$500.

C. The professional business entity shall have a continuing duty to report any violations of this Chapter that may occur and to report any additional contributions to New Jersey state and/or county political party committees above the amounts set forth in Subsection B of this section during the negotiation or duration of a contract.

D. The sworn statement required under this section shall be made prior to entry into the contract or agreement with the Township and shall be in addition to any other certifications that may be required by any other provision of law.

**§ 95-5. Penalty.**

A. All Township of Lower professional service agreements shall provide that it shall be a breach of the terms of the government contract for a professional business entity to violate § 95-2 or to knowingly conceal or misrepresent contributions given or received or to make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution.

B. Any professional business entity who knowingly fails to reveal a contribution made in violation of § 95-2 or who knowingly makes or solicits contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution shall be disqualified from eligibility for future Township contracts for a period of four calendar years from the date of the violation.

C. Nothing herein shall be deemed to apply to contributions made to any county or state campaign committee, candidate or officeholder, or to any county or state political party committee, however, such contributions are subject to the disclosure provision that may apply as set out in § 95-4C.

**§ 95-6. Procedures to ensure compliance with regulation.**

A. Neither the Chief Financial Officer nor his or her designee shall issue a certification of availability of funds without first receiving a certification from the Township Manager that the disclosures required by this chapter have occurred and that such disclosures do not violate the contribution limits set forth herein.

B. No contract or agreement for professional services shall be signed and delivered to any professional business entity without full compliance with this chapter.

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

RESOLUTION #2016-50

Title: TRANSFER OF 2015 APPROPRIATIONS

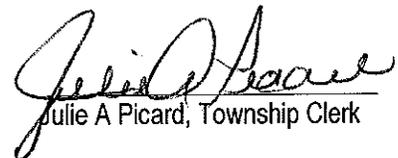
WHEREAS, N.J.S.A. 40A: 4-59 provides for appropriation transfers during the first three months of the succeeding year when it has been determined that any appropriation reserve for the immediately preceding fiscal year is insufficient to pay the claims authorized or incurred during the preceding year, which were chargeable to said appropriation, and there is an excess in any appropriation reserve over and above the amount deemed to be necessary to fulfill its purpose.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, State of New Jersey that the following transfers, and totaling \$45,300.00 be made between the 2015 budget appropriation reserves.

LINE ITEM		ACCT. NUMBER	FROM	TO
GASOLINE	OE	5-01-31-460-200	11,000.00	
TELEPHONE	OE	5-01-31-440-200		1,000.00
ELECTRIC	OE	5-01-31-430-200		10,000.00
			<u>11,000.00</u>	<u>11,000.00</u>

	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 January 20, 2016.

  
Julie A. Picard, Township Clerk

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

RESOLUTION # 2016-51

TITLE:

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

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

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

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

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

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

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

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

  X  (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.

**POSSIBLE SALE/ACQUISITION OF PROPERTY**

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

\_\_\_\_\_(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.

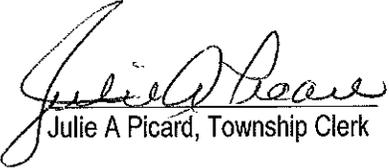
\_\_\_\_\_(9) Matters Relating to the Potential Imposition of a Penalty: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding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

**NOW, THEREFORE, BE IT RESOLVED** by the Township council of the Township of Lower, assembled in public session on January 20, 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	X		X			
PERRY			X			
SIMONSEN		X	X			
CLARK			X			
BECK			X			

I, Julie A. Picard, Township Clerk of the Township of Lower, County of Cape May, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council at a meeting held on January 20, 2016.

  
Julie A Picard, Township Clerk