

Signed Resolutions - September 15, 2014

- Res. #2014-253            Payment of Vouchers \$ 911,091.87
- Res. #2014-254            Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Drive Sober or Get Pulled Over Year End Holiday \$4,400 re-submitted)
- Res. #2014-255            Authorization for Refund of Taxes (2 properties \$1,996.78 dup. pymt)
- Res. #2014-256            Authorization for Waiver of Fees for Historic Cold Spring Village (waiver of \$1,150 planning/zoning development application fee)
- Res. #2014-257            Resolution Authorizing Indemnification and Defense of lower Township Employees in Accordance with Chapter 25 of the Code of the Township of Lower (indemnifying and holding harmless Manager Voll, Chief Mastriana, Retired Chief Marker & Lt Biersbach in Stango v Township lawsuit)
- Res. # 2014-258            Payment of Vouchers – Lower Township Rescue \$10,000
- Res. #2014-259            Resolution of the Lower Township Council Opposing the City of Cape May's Proposal to Modify the Method of Raising Taxes for the Operation of the Lower Cape May Regional School District and Urging Lower Township Voters to Vote "NO" On the Referendum Question on Tuesday, November 4, 2014



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00991 COLONIAL ELECTRIC SUPPLY*								
	14-02117	08/08/14	EMERGENCY LIGHTS- TOWNHALL	Open	189.84	0.00		
	14-02183	08/18/14	LIGHTS FOR DISPATCH	Open	<u>30.00</u>	0.00		
					219.84			
01075 COPIERS PLUS*								
	14-02259	08/25/14	COPIERS 05/20/14-08/19/14	Open	445.54	0.00		
01170 VERIZON WIRELESS* F/S								
	14-02374	09/09/14	07/27/14-08/26/14 CELL FIRE SA	Open	67.47	0.00		
01171 VERIZON WIRELESS - TOWNHALL								
	14-02345	09/05/14	CELL SERVICE 08/24/14-09/23/14	Open	499.86	0.00		
	14-02351	09/08/14	I PHONE BILL AUG 29-SEPT 28	Open	<u>834.35</u>	0.00		
					1,334.21			
01196 H A DEHART & SON*								
	14-01690	06/16/14	PARTS FOR VEHICLES/JULY	Open	527.14	0.00		
01200 DELTA DENTAL PLAN OF NJ								
	14-02321	09/05/14	DENTAL SEPTEMBER 2014	Open	13,207.60	0.00		
01365 GARY DOUGLASS								
	14-02357	09/08/14	REIMBURSEMENT/TITLE//DPW	Open	85.00	0.00		
01519 TOM FOLS ELECTRICALCONTRACTOR*								
	14-02315	09/03/14	REPLACE PUMP LONG BROS. POND	Open	425.00	0.00		
01530 FIRE DISTRICT #1								
	14-00429	02/14/14	2014 FIRE DISTRICT TAXES	Open	127,284.50	0.00		
01540 FIRE DISTRICT #2								
	14-00787	03/27/14	2014 FIRE TAXES DUE	Open	272,607.00	0.00		
01550 FIRE DISTRICT #3								
	14-00614	03/11/14	2014 FIRE DISTRICT TAXES	Open	185,286.00	0.00		
01590 FORD, SCOTT & ASSOCIATES*								
	14-00835	04/02/14	PROFESSIONAL SERVICES MUA	Open	15,000.00	0.00		
01690 GRANTURK EQUIPMENT CO*								
	14-01689	06/16/14	PARTS FOR RECYCLING/AUGUST	Open	327.78	0.00		
	14-01970	07/21/14	TUB GRINDER REBUILD KIT	Open	<u>2,438.09</u>	0.00		
					2,765.87			
01781 HATCH MOTT MACDONALD, LLC*								
	14-01343	05/15/14	CONFLICT ENGINEER	Open	1,570.59	0.00		B
01806 ANTHONY J HARVATT, II, ESQ								
	14-01204	05/01/14	BOARD SOLICITOR SALARY	Open	625.00	0.00		
	14-02325	09/05/14	RESOLUTIONS	Open	<u>600.00</u>	0.00		
					1,225.00			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01820 DARRIN D. HICKOK	14-01075	04/25/14	2014 EQUIP. ALLOWANCE	Open	50.00	0.00		B
02025 HUNTER JERSEY PETERBILT*	14-01693	06/16/14	PARTS FOR TRUCKS/AUG	Open	780.02	0.00		
02140 KINDLE FORD LINC/MERC., INC.*	14-01696	06/16/14	PARTS FOR POLICE VEHICLE/AUG	Open	605.20	0.00		
02183 KLENSWITE POOL SPA SUP.CO INC*	14-02158	08/12/14	PUMP REPLACEMENT MOTOR	Open	425.00	0.00		
02223 LANDSMAN UNIFORMS*	14-02020	07/24/14	BADGES	Open	110.00	0.00		
02247 LAWSON PRODUCTS, INC.*	14-01697	06/16/14	SUPPLIES FOR DPW/JULY	Open	696.45	0.00		
02248 LAWMEN SUPPLY*	14-02182	08/18/14	BALLISTIC VEST OUTER CARRIER	Open	143.55	0.00		
02334 LOWER TWP CHAMBER OF COMMERCE	14-02111	08/06/14	MEMBERSHIP DUES 10/2014-9/2015	Open	125.00	0.00		
02411 MENEAR'S TREE SERVICE*	14-02196	08/18/14	REMOVAL OF TREES IN 2 PARKS	Open	1,200.00	0.00		
02800 MURPHY FENCE COMPANY*	14-01821	06/30/14	FENCE FOR MITNICK PARK-VOLLEYB	Open	1,367.77	0.00		
03072 NJ STATE LEAGUE OF MUNICIPALIT*	14-02359	09/08/14	LEGISLATIVE BULLETIN 2014-2015	Open	28.00	0.00		
03109 TRU GREEN CHEMLAWN	14-01164	04/29/14	FERTILIZER/SLICE SEED FOR L.T.	Open	196.00	0.00		B
03158 NYSCA*	14-02121	08/08/14	NYSCA COACHING CERTIFICATIONS	Open	80.00	0.00		
03280 PARAMOUNT SANITARY SUPPLY*	14-02188	08/18/14	TRASH BAGS- RECREATION CENTER	Open	374.84	0.00		
03305 PEDRONI FUEL*	14-02314	09/03/14	NO LEAD GASOLINE	Open	453.41	0.00		
03427 POLAR BEAR*	14-01803	06/26/14	TWP. HALL/REC/DPW/DPS	Open	701.17	0.00		
03466 R & R SPECIALTIES	14-02136	08/11/14	7 x 9 SPONSOR PLAQUE FAA TECH	Open	18.50	0.00		
	14-02151	08/12/14	BASKETBALL TROPHY	Open	55.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03466 R & R SPECIALTIES				Continued				
	14-02203	08/19/14	DESK WEDGE- ANN WILUSZ	Open	<u>28.00</u>	0.00		
					101.50			
03518 RIGGINS, INC.*								
	14-02343	09/05/14	OFF HIGHWAY DIESEL	Open	1,107.93	0.00		
03537 RUTGERS, THE STATE UNIVERSITY*								
	14-01840	07/02/14	LOCAL ELECTIONS ADMIN CLASS	Open	649.00	0.00		
03611 SERVICE TIRE TRUCK CENTERS*								
	14-01701	06/16/14	PARTS/RDS/SANT/RECY/AUG	Open	2,782.29	0.00		
03660 SIRCHIE FINGERPRINT LAB. INV.*								
	14-02260	08/25/14	INVESTIGATIVE SUPPLIES	Open	568.53	0.00		
03723 STAPLES, INC.*								
	14-02199	08/18/14	LANYARDS,HOLDERS,BINDERS	Open	175.91	0.00		
	14-02313	09/03/14	OFFICE SUPPLIES	Open	<u>125.69</u>	0.00		
					301.60			
03834 CAPE MAY COUNTY TREASURER/HAVE								
	14-02141	08/12/14	HAVEN HOUSE IN LIEU-DUE COUNTY	Open	521.73	0.00		
03904 LOWE'S HOME CENTER INC*								
	14-01426	05/28/14	SUPPLIES/RDS/DPW/JULY	Open	127.52	0.00		
03915 TURF EQUIPMENT & SUPPLY CO*								
	14-01152	04/28/14	SUPPLIES/JUNE	Open	121.20	0.00		
03971 VERIZON WIRELESS MDT POLICE								
	14-02337	09/05/14	MDT WIRELESS	Open	539.35	0.00		
03978 USPS ACCT#48503619								
	14-02370	09/09/14	POSTAGE	Open	15,000.00	0.00		
03985 VILLAS NAPA AUTO PARTS								
	14-01705	07/08/14	RDS/SANT/RECY/AUG	Open	1,993.01	0.00		
04077 RONALD J. GELZUNAS*								
	14-00018	01/07/14	2014 LEGAL SERVICES DNE \$90	Open	4,059.50	0.00		
04083 JIM WOLFORD								
	14-02376	09/09/14	REIMBURSEMENT- SOCCER COACH	Open	30.00	0.00		
04097 CINTAS FIRST AID AND SAFETY*								
	14-02284	08/28/14	FIRST AID SUPPLIES- TOWNHALL	Open	114.45	0.00		
	14-02298	09/02/14	FIRST AID SUPPLIES	Open	<u>81.31</u>	0.00		
					195.76			
04104 PITNEY BOWES SUPPLIES OPERATIO								
	14-00895	04/03/14	POSTAGE SUPPLIES	Open	178.77	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04115 WHITE & WILLIAMS, LLP	14-02317	09/03/14	TWP B BALDINI 04/14/14-06/27/	Open	1,664.44	0.00		
04176 CHRISTOPHER J WINTER SR*CALEA	14-01400	05/23/14	CALEA- ACCRED. CONSULT SERVICE	Open	450.00	0.00		
04216 PRIVATE ISLAND EMBROIDERY*	14-02114	08/06/14	20 ADDITIONAL BAYRUN SHIRTS	Open	120.00	0.00		
04266 NJ DEPT OF HEALTH&SENIOR SVCS	14-02323	09/05/14	STATE DOG LICENSE FEES-AUGUST	Open	64.80	0.00		
04300 W B MASON CO INC*	14-01972	07/21/14	OFFICE SUPPLIES-TAX OFFICE	Open	222.00	0.00		
	14-02238	08/21/14	OFFICE SUPPLIES	Open	446.33	0.00		
					<u>668.33</u>			
04514 WILLIAM BLANEY*	14-00398	02/10/14	DNE 25K RES 2014-23 CONTRACTS	Open	1,337.50	0.00		B
05101 VITELLI ELECTRIC*	13-02730	09/18/13	BENNETT'S NEW DISPLAY SIGN	Open	1,200.00	0.00		
4104 DOUGLASS LANDSCAPING LLC*	14-00833	04/01/14	LANDSCAPING CONTRACT PAYMENTS	Open	5,547.50	0.00		B
6061 AMERIHEALTH ADMINISTRATORS	14-02283	08/27/14	SEPTEMBER 2014 ADMIN	Open	39,884.00	0.00		
	14-02322	09/05/14	AUGUST 31 HEALTH & RX	Open	50,897.57	0.00		
	14-02363	09/08/14	SEPTEMBER 8 HEALTH & RX	Open	113,496.20	0.00		
					<u>204,277.77</u>			
6071 UNITED UNIFORMS LIMITED LIAB*	14-01458	05/30/14	UNIFORMS	Open	1,961.90	0.00		
	14-01837	07/02/14	UNIFORMS	Open	208.00	0.00		
					<u>2,169.90</u>			
6074 CAPE ATLANTIC JUNIOR FOOTBALL	14-01861	07/08/14	FOOTBALL LEAGUE & OFFICAL FEES	Open	2,970.00	0.00		
7044 A SHORE THING CLEANING*	14-02267	08/26/14	CLEANING OF MILLMAN CENTER	Open	175.00	0.00		
7119 ENGINEERING DESIGN ASSOC*	14-02371	09/09/14	ENGINEERING SERVICES AT PARK	Open	600.00	0.00		
7131 DAN WAGNER	14-02294	09/02/14	REFUND- SOCCER REGISTRATION	Open	15.00	0.00		
7142 LINDSAY BECHTLER	14-02297	09/02/14	ZUMBA INSTRUCTOR AUG 2014	Open	30.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type	
7143 VERONICA LUGO	14-02334	09/05/14	REFUND-SOCCER REGISTRATION	Open	15.00	0.00			
7199 STAPLES CREDIT PLAN-INSTORE PU	14-02290	09/02/14	SHEET PROTECTORS FOR FOOTBALL	Open	50.32	0.00			
7214 ANN WILUSZ	14-02335	09/05/14	MEDICAL REIM- DENTAL	Open	124.10	0.00			
7231 MIRSHA GUETA-SERRA	14-02296	09/02/14	AQUA ZUMBA INSTRUCTOR AUG '14	Open	115.00	0.00			
7246 DANIELLE LOSASSO	14-02291	09/02/14	REFUND-FOOTBALL REGISTRATION	Open	20.00	0.00			
	14-02292	09/02/14	REFUND- FOOTBALL REGISTRATION	Open	20.00	0.00			
					40.00				
7249 PHILLIPP WEIDLICH	14-02326	09/05/14	RES 2014-255 REFUND 3RD QRT TA	Open	548.12	0.00			
7250 GREGORY STRETCH & CATHERINE	14-02327	09/05/14	RES 2014-255 REFUND 3RD QRT TA	Open	1,448.66	0.00			
7254 LISA HICKEY	14-02366	09/09/14	REIMBURSEMENT FOR FOOTBALL	Open	15.00	0.00			
7255 JENNIFER ANDERSON	14-02379	09/09/14	REIMBURSEMENT- FOOTBALL	Open	30.00	0.00			
8201 DIRECT ENERGY BUSINESS	14-02287	08/28/14	07/16/14-08/14/14 ELECTRIC	Open	207.08	0.00			
	14-02346	09/05/14	ELECTRIC 7/18/14-08/18/14	Open	85.18	0.00			
					292.26				
ALLIANO A. ALLIANO MASONRY	14-02209	08/20/14	INSTALLATION OF SIDEWALK	Open	1,780.00	0.00			
BOSNA KAREN MANETTE BOSNA	14-02295	09/02/14	AQUA YOGA INSTRUCTOR AUG 2014	Open	155.00	0.00			
IAMES MICHAEL IAMES	14-01076	04/25/14	2014 EQUIP. ALLOWANCE	Open	78.49	0.00		B	
PRINCE STEPHEN PRINCE	14-02293	09/02/14	REFUND- FOOTBALL REGISTRATION	Open	20.00	0.00			
Total Purchase Orders: 112					Total P.O. Line Items: 256	Total List Amount: 911,091.87	Total Void Amount: 0.00		

Resolution #2014-253

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on September 15, 2014.

  
Julie A Picard

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

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

RESOLUTION #2014-254

TITLE: INSERTION OF SPECIAL ITEM OF REVENUE PURSUANT TO N.J.S.A. 40A:4-87, CHAPTER 159

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount,

**SECTION 1.**

NOW, THEREFORE BE IT RESOLVED that the Township of Lower, County of Cape May, hereby requests the Director of the Division of Local Government Services to approve the increase of \$4,400.00 for an item of revenue in the budget of the year 2014 as follows:

Miscellaneous Revenues –  
 Revenue Offset with Appropriations - Drive Sober or Get Pulled Over Year End Holiday  
 Total with increase to be \$4,400.00

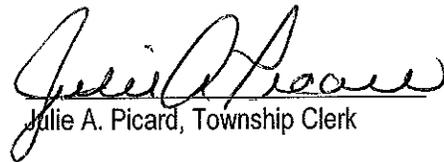
**SECTION 2.**

BE IT FURTHER RESOLVED that a like sum of \$4,400.00 be and the same is hereby appropriated under the caption of:

General Appropriations –  
 Public & Private Programs Offset by Revenues - Drive Sober or Get Pulled Over Year End Holiday  
 State/Federal Share \$ 4,400.00  
 Non State Share \$  
 Total with increase to be \$ 4,400.00

BE IT FURTHER RESOLVED that a certified copy of this resolution with a copy of the appropriate documentation be filed with the Division of Local Government Services.

I hereby the foregoing to be the original resolution adopted by the Township Council at a meeting held on September 15, 2014

  
 Julie A. Picard, Township Clerk

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

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

RESOLUTION #2014-255

TITLE: AUTHORIZATION FOR REFUND OF TAXES

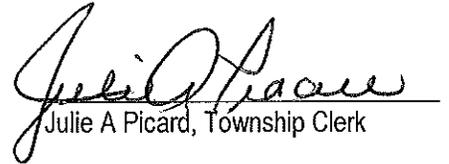
WHEREAS, the Township Tax Collector has certified an overpayment due to the reasons listed below:  
and

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>
396	19	Philipp Weidlich	paid by mortgage co.	548.12
823.01	3 C0203	Gregory Stretch & Catherine Wisda	paid by mortgage co	1,448.66

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on September 15, 2014.

  
Julie A Picard, Township Clerk

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

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

RESOLUTION #2014-256

TITLE: AUTHORIZATION FOR WAIVER OF FEES FOR HISTORIC COLD SPRING VILLAGE

WHEREAS, Historic Cold Spring Village, a New Jersey non-profit corporation, is applying for a site plan review on the Village property to construct a micro/nano brewery, which requires a development application and escrow fees; and

WHEREAS, Historic Cold Spring Village has requested the Township waive the application fee associated with their application; and

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

NOW, THEREFORE, BE IT RESOLVED that the \$1,150.00 Township application fee associated with Historic Cold Spring Village's micro/nano brewery application be waived.

I hereby certify the foregoing to be the original Resolution adopted by the Township Council at a meeting held on September 15, 2014.

  
Julie A. Picard, Township Clerk

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

**Historic Cold Spring Village  
720 Route 9  
Cape May, New Jersey 08204**

Telephone (609) 898-2300  
Fax (609) 884-5926  
Website: [www.hcsv.org](http://www.hcsv.org)  
[salvatop@hcsv.org](mailto:salvatop@hcsv.org)

September 5, 2014

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

Dear Mayor Michael Beck and Councilmen Clark, Conrad, Neville and Simonsen:

Historic Cold Spring Village, a New Jersey non-profit corporation, is applying for a site plan review on the Village property to construct a micro/nano brewery. The museum has purchased an early 1800s three-bay Cape May County English barn from Upper Township in the hopes that permission will be received to develop a small brewery in the barn. Its purpose is to provide stabilized revenue for the continued operation of the Village as funding has been decreasing on a yearly basis. In preparation for the application to the Zoning Board, we are in the process of having 24 sets of the architect's rendering and plans printed in addition the site plan maps.

On behalf of the Board of Trustees, I am writing to you in the hopes that you would waive the \$1,150.00 application fee; it is my understanding that the escrow fee of \$450 is definitely required and will be with the application. Your consideration of the Village's request is greatly appreciated.

With kindest regards,

Anne Salvatore  
Executive Director/President

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

RESOLUTION # 2014-257

**TITLE: RESOLUTION AUTHORIZING INDEMNIFICATION AND DEFENSE OF LOWER TOWNSHIP EMPLOYEES IN ACCORDANCE WITH CHAPTER 25 OF THE CODE OF THE TOWNSHIP OF LOWER**

**WHEREAS**, a civil action has been commenced in the United States District Court, District of New Jersey captioned Samuel Stango v. Township of Lower, et al., Docket Number 1:14-CV01973\_RBK\_AMD naming the Township of Lower (the "Township") and certain individuals employed by the Township as defendants (the "Litigation"); and

**WHEREAS**, the individuals named in the Litigation as defendants in their individual and official capacities are the Township Manager Michael Voll, Chief of Police William Mastriana, Retired Chief of Police Brian Marker, and Lieutenant Martin Biersbach (the "Individual Defendants"); and

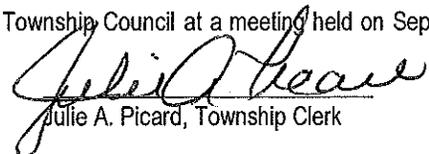
**WHEREAS**, Chapter 25 of the Code of the Township of Lower, titled Defense and Indemnification, (the "Township Code") requires the Township to indemnify and hold harmless its present and former employees from any liability arising out of acts performed by them during the ordinary course of their duties and within the scope of their employment or authority; and

**WHEREAS**, the Township Council of the Township of Lower determines that it is in the best interests of the Township to indemnify and hold harmless the Individual Defendants in accordance with the terms and provisions of the Township Code against all claims and damages, including punitive damages as the alleged acts do not constitute actual fraud, actual malice, willful misconduct or an intentional wrong doing as provided for in the New Jersey Tort Claims Act, N.J.S.A. 59:10-1 et seq.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, as follows:

1. That the Individual Defendants shall be indemnified and held harmless in accordance with the Township Code and above recital paragraphs which are incorporated herein.
2. The Township Solicitor and special appointed counsel are hereby authorized to defend the Individual Defendants in connection with the Litigation.

I hereby certify the foregoing to be the original resolution adopted by the Township Council at a meeting held on September 15, 2014.

  
Julie A. Picard, Township Clerk

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

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

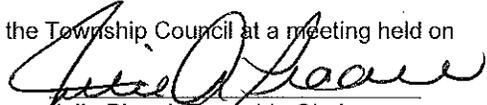
RESOLUTION #

TITLE: AUTHORIZING THE PAYMENT OF VOUCHERS

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>CK</u>	<u>Amount</u>
LOWER TWP RESCUE	14-01013	EXPENSES		\$10,000.00

Total Bill List \$ 10,000.00

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on September 15, 2014.

  
Julie Picard, Township Clerk

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

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

**RESOLUTION # 2014 - 259**

**TITLE: Resolution of the Lower Township Council Opposing the City of Cape May's Proposal to Modify the Method of Raising Taxes for the Operation of the Lower Cape May Regional School District and Urging Lower Township Voters to Vote "NO" On the Referendum Question on Tuesday, November 4, 2014**

**WHEREAS**, the Township Council of the Township of Lower represents the taxpayers, the residents, and the resident students of the Lower Cape May Regional School District; and

**WHEREAS**, the Lower Township Council firmly believes that the system of taxation for the support of regional school districts established by the State Legislature and the Governor of New Jersey in July 1976 is a fair and equitable system that is used for distributing the tax burden to support the Lower Cape May Regional School District; and

**WHEREAS**, the Lower Township Council strongly agrees that the current statutory method now in use in the Lower Cape May Regional School District set forth in N.J.S.A. 18A:13-23(a) is the fairest method of raising taxes to support the Lower Cape May Regional School District because it equalizes the tax effort required of the taxpayers in each of the three participating municipalities in the Lower Cape May Regional School District by assessing all taxable real property within the Lower Cape May Regional School District at the same region-wide tax rate; and

**WHEREAS**, the Lower Township Council disagrees with the efforts of the representatives of the City of Cape May to change the fair and equitable method currently in place for distributing the tax burden for the support of the Lower Cape Regional School District, and strongly opposes the efforts of the City of Cape May to change the distribution of the tax burden among the three participating municipalities in the Lower Cape May Regional School, which effort is motivated only by the City of Cape May's desire to avoid paying its fair share of taxes to support the operation of the Lower Cape May Regional School District; and

**WHEREAS**, the Township Council agrees with the Commissioner of Education's most recent decision relating to the methods of funding regional school districts, issued on June 2, 2014, where the Commissioner stated in his decision involving the River Dell Regional School District, "that property valuation, not per-capita counts, has been regarded by the Supreme Court [of New Jersey] as the most equitable basis for school funding"; and

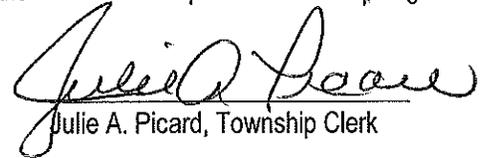
**WHEREAS**, the Township Council further agrees with the statement of Interim Executive Regional Superintendent, Robert L. Bumpus, in his Report, dated March 2014, wherein he stated that "New Jersey's practice of basing a municipality's contribution on the equalized valuation of property is exactly that...equalized. It creates a level playing field so that all students, no matter what their zip code, or amount of their family's income, have equal access to a quality education"; and

**WHEREAS**, if the City of Cape May prevails in passage of its proposal to modify the method of taxation for the Lower Cape May Regional School District, school district taxes on the average value home in Lower Township would increase by an estimated \$427 a year.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, that the Township Council strongly opposes the proposal of the City of Cape May to change the method of taxation and therefore opposes passage of the referendum question to be decided by the voters on the date of the annual school election on November 4, 2014,

**BE IT FURTHER RESOLVED** by the Township Council of the Township of Lower, that the Township Council urgently solicits the voters of the Township of Lower and the voters throughout the Lower Cape May Regional School District to cast their votes against the proposal made to modify the method of taxation used for distributing the tax burden to support the Lower Cape May Regional School District, by **VOTING NO** on that referendum question, on Tuesday, November 4, 2014.

I hereby certify the foregoing to be the original resolution adopted by the Lower Township Council at a meeting held on September 15, 2014.

  
 Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			+			
NEVILLE	+		+			
SIMONSEN					+	
CLARK		+	+			
BECK			+			