

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

ORDINANCE #2025-6

Title: **AN ORDINANCE AMENDING CHAPTER 3, ADMINISTRATION OF GOVERNMENT, ARTICLE VI, OFFICE OF THE TOWNSHIP MANAGER; DEPARTMENTS, SUBSECTION 23, DEPARTMENTS OF REVENUE AND FINANCE; DIVISION OF TAXATION; DIVISION OF TAX COLLECTION; QUALIFIED PURCHASING AGENT, OF THE CODE OF THE TOWNSHIP OF LOWER**

WHEREAS, on July 20, 2009, the Township Council of the Township of Lower enacted Ordinance 2009-09 which effectively established the position of Qualified Purchasing Agent within the Township; and

WHEREAS, at the time that Ordinance 2009-09 was enacted, New Jersey Senate Bill S700 and New Jersey Assembly Bill A1645, which sought to redefine the role and qualifications of a purchasing agent had not yet been signed in to law, and the Ordinance provided that, until such time that those bills became law, a Qualified Purchasing Agent was afforded all of the authority, duties, and responsibilities set forth within N.J.S.A. 40A:11-9; and

WHEREAS, Ordinance 2009-09 contained blank sections which were intended to reference specific sections of the statutes which were proposed to be amended via the enactment of Assembly Bill A1645, and, subsequent to the enactment of the aforementioned Bill, the provisions of § 3-23(E) of the Township Code were never amended to identify the applicable statutes; and

WHEREAS, the Township Council of the Township of Lower finds it to be appropriate to adopt an Ordinance formally amending this section of the Township Code to correctly identify the applicable statutes associated with the role and qualifications of the Qualified Purchasing Agent.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that Chapter 3, Administration of Government, Article VI, Office of the Township Manager; Departments, Subsection 23, Department of Revenue and Finance; Division of Tax Assessment; Division of Tax Collection; Qualified Purchasing Agent, be and hereby is amended as follows:

Section 1. Chapter 3, Administration of Government, Article VI, Office of the Township Manager; Departments, Subsection 23, Department of Revenue and Finance; Division of Tax Assessment; Division of Tax Collection; Qualified Purchasing Agent, is hereby amended as follows:

3-23(E) Qualified Purchasing Agent.

- (1) "Qualified Purchasing Agent" shall mean a purchasing agent who is the holder of a Qualified Purchasing Agent certificate issued pursuant to N.J.S.A. 40A:11-9.
- (2) The Office of Qualified Purchasing Agent shall be a component of the Department of Revenue and Finance subject to the direction and control of the Chief Financial Officer of the Township.
- (3) The Qualified Purchasing Agent shall be authorized, responsible and accountable as the Township's contracting agent for all purchasing activity for the Township and perform all appropriate functions associated therewith as more fully set forth in N.J.S.A. 40A:11-9 which shall include, without limitation, the following:
 - a. Preparation of public advertising for bids and receipt of bids for the provision or performance of goods or services on behalf of the Township.
 - b. Award of all contracts permitted under N.J.S.A. 40A:11-3 in the name of the Township, subject to the approval of the Township Council and Township Manager, where appropriate.
 - c. Conducting any and all additional activities as may be necessary or appropriate for the

purchasing function of the Township.

- (4) The Qualified Purchasing Agent shall maintain all of the qualifications and shall have completed all of the training set forth in N.J.S.A. 40A:11-9.

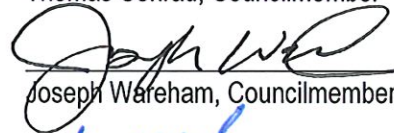
Section 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provision of this Ordinance are hereby declared to be severable.

Section 4. This Ordinance shall become effective 20 days after final passage and publication according to law.



Thomas Conrad, Councilmember



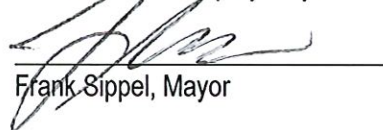
Joseph Wareham, Councilmember



Roland Roy, Jr., Councilmember



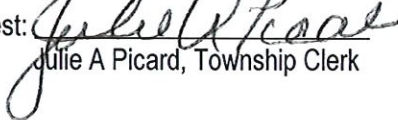
Kevin Coombs, Deputy Mayor



Frank Sippel, Mayor

First Reading: *Feb 19, 2025*

Adopted: *March 17, 2025*

Attest: 
Julie A Picard, Township Clerk