

CITY COUNCIL OF THE CITY OF CAPE MAY

RESOLUTION NO. 174-07-2015

RESOLUTION CERTIFYING THE 2014 CITY OF CAPE MAY ANNUAL AUDIT

MOTION:

SECOND:

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year **2013** has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, at a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the **City Council of the City of Cape May**, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this Resolution and the required affidavit to said Board to show evidence of said compliance.

I hereby certify that this is a true copy of the resolution passed at the meeting held on July 21, 2015.

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Meier				
Swain				
Pessagno				
Wichterman				
Mahaney				

cc: Director, Division of Local Government Services
CFO
Leon P. Costello, CPA

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 175-07-2015

**RESOLUTION APPROVING LIQUOR LICENSE RENEWALS
FOR THE 2015-2016 LICENSE YEAR**

MOTION:

SECOND:

BE IT RESOLVED by the City Council of the City of Cape May, that the liquor license(s) listed on Schedule A (attached hereto and made a part hereof) are renewed for the period July 1, 2015 through June 30, 2016, subject to the conditions set forth therein.

BE IT FURTHER RESOLVED that the City Clerk shall notify licensee(s) of the condition aforesaid, shall supply a copy of this Resolution to the licensed establishment(s) and shall take all further steps necessary to effectuate this Resolution.

BE IT FURTHER RESOLVED that the City Clerk issue to the person(s) and premise(s) enumerated in Schedule A, the class of license listed, upon receipt of all necessary documents, fees and the licensee's signature therefore.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on July 21, 2015.

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Wichterman				
Meier				
Pessagno				
Swain				
Mahaney				

cc: Police Department
State Division of ABC (Certified)
Cape May County Health Department (Certified)
Licensed establishment(s)

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 176-07-2015

**RELEASE OF PERFORMANCE GUARANTEE FOR
HENRY'S JEWELERS-ZUMA ENTERPRISE
BLOCK 1043, LOT 3, 407 WASHINGTON STREET**

MOTION:

SECOND:

WHEREAS, Henry's Jewelers-Zuma Enterprise, Block 1043, Lot 3, 407 Washington Street, Cape May, NJ posted with the City of Cape May a Performance Guarantee in the amount of \$3,831.00 in the form of a cash payment; and

WHEREAS, the Board Engineer has advised that the developer has completed all required improvements for this project and recommends release of the Performance Guarantee; and

WHEREAS, in accordance with N.J.S.A. 40:55D53a.(2), it is recommended that the developer be required to post a maintenance guarantee for a period not to exceed two years after final acceptance of the project in an amount of 15% of the cost of the improvements (\$3,831.00) or \$574.65.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cape May, the governing body thereof, that the performance guarantee of Henry's Jewelers-Zuma Enterprise, in the amount of Three Thousand eight hundred thirty-one dollars and 00/100 (\$3,831.00) be reduced to \$574.65 for maintenance purposes.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on July 21, 2015.

Louise Cummiskey, City Clerk

cc: Chief Financial Officer
Planning Board Secretary

Roll Call	Ayes	Nays	Absent	Abstain
Wichterman				
Meier				
Pessagno				
Swain				
Mahaney				

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 177-07-2015

**AUTHORIZING UTILITY BILL ADJUSTMENT
DUE TO CATASTROPHIC OCCURRENCE**

MOTION:

SECOND:

WHEREAS, pursuant to the provisions of Chapter 510, section 33 of the Revised General Ordinances of the City of Cape May, the Water and Sewer Utility Superintendent recommended adjustments to utility bills due to catastrophic occurrences; and

WHEREAS, said adjustments exceed the \$1,500.00 limit set forth in Chapter 510, section 32, Revised General Ordinances of the City of Cape May, for staff approval; and

WHEREAS, City Council has reviewed the recommended adjustments to correct billing due to catastrophic occurrences;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cape May that the following adjustments be approved:

<u>Bl/Lot</u>	<u>Address</u>	<u>Customer</u>	<u>Adjustment</u>
1047/4	22 Ocean Street	Susan Zingman-Leith	\$1,732.50

BE IT FURTHER RESOLVED that the Tax Collector is hereby authorized to make said adjustments and adjust the records of the Water & Sewer Utility accordingly.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on July 21, 2015

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Mahaney				
Swain				
Wichterman				
Pessagno				
Meier				

cc: Water/Sewer Department

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 178-07-2015

**SUPPORT FOR BICYCLE AND PEDESTRIAN SAFETY PLANNING
FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION**

MOTION:

SECOND:

WHEREAS, the City of Cape May recognizes a concern for the safe, orderly and efficient movement of vehicular traffic and pedestrians throughout the City; and

WHEREAS, the safety of pedestrians and bicyclists is of utmost importance and the City has and plans to continue to explore ways to provide for safe access throughout the community; and

WHEREAS, the New Jersey Bicycle and Pedestrian Master Plan has established a vision for the State of New Jersey as a place where people choose to walk or bicycle with confidence and a sense of security; and

WHEREAS, the New Jersey Department of Transportation provides assistance by assigning consultants with expertise on local bicycle and pedestrian planning to help communities conduct circulation studies focusing on key corridor or activity centers; and

WHEREAS, the City of Cape May wishes to work with the nearby communities, Cape May County and the State of New Jersey, to provide safer access for pedestrians and bicyclists throughout the community; and

WHEREAS, the City of Cape May understands that this is a partnership program and the City would commit staff and resources to assist in this effort as needed; and

WHEREAS, the City of Cape May is interested in obtaining Local Pedestrian and Bicycle Planning Assistance.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the City of Cape May supports an application for Local Pedestrian and Bicycle Planning Assistance;

BE IT FURTHER RESOLVED, that the City of Cape May, with the support of the State and County, will make a good faith effort to implement the recommendation of this planning study.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on July 21, 2015

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Mahaney				
Swain				
Wichterman				
Pessagno				
Meier				

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 179-07-2015

RESOLUTION OF THE CITY OF CAPE MAY AUTHORIZING
CHANGE ORDER NO. 1 FOR CONTRACT NO. 3 WITH LANDBERG
CONSTRUCTION, LLC FOR THE PHILADELPHIA AVENUE
STORM DRAIN REPLACEMENT

MOTION:

SECOND:

WHEREAS, the City of Cape May is currently under contract with Landberg Construction LLC for the FY 2014 Utility and Road Program, Contract No. 3 Philadelphia Avenue Storm Drain Replacement; and

WHEREAS, it is requested that the City authorize Change Order No. 1 to reflect the following listed below:

All items are "City of Cape May" participating items.

1. The unanticipated utility conflict beneath the roadway which required that the proposed 12" Reinforced Concrete Pipe be replaced with 12" Ductile Iron Pipe.
2. An additional 0.5" of Milling was required when the thickness of the surface course was increased.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cape May, as follows:

1. The Mayor is hereby authorized to execute and sign Change Order No. 1 to the contract with Landberg Construction LLC in the amount of \$3,911.90 more than the original contract price of \$316,880.00 for an amended contract price of \$320,791.90.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on July 21, 2015.

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Meier				
Pessagno				
Wichterman				
Swain				
Mahaney				

cc: Chief Financial Officer
Supt. of Public Works
Remington Vernick & Walberg Engineers

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 180-0702015

**RESOLUTION APPROVING NEW COLLECTIVE BARGAINING AGREEMENT
WITH UAW LOCAL 2327 REPRESENTING
CITY OF CAPE MAY LIFEGUARDS**

MOTION:

SECOND:

WHEREAS, the City of Cape May (the "City") and UAW Local 2327 representing City of Cape May Lifeguards (the "Union") have negotiated a new Collective Bargaining Agreement, a copy of which is attached hereto as EXHIBIT A ("Collective Bargaining Agreement"), which has been approved by the Union; and

WHEREAS, the City Mayor and Council have determined the Collective Bargaining Agreement contains a long range wage and benefits guide and thus also desired to approve the Collective Bargaining Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cape May, County of Cape May, State of New Jersey, with the foregoing recital paragraphs incorporated herein, as follows:

1. The Collective Bargaining Agreement, a copy of which is attached hereto as EXHIBIT A, is hereby approved.

2. The Mayor and Clerk are hereby authorized and directed to execute the Collective Bargaining Agreement and to take any and all other actions necessary to effectuate the purposes thereof.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the City Council at a meeting held on July 21, 2015.

Louise Cummiskey, Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Dr. Mahaney				
Mr. Meier				
Ms. Pessagno				
Ms. Swain				
Mr. Wichterman				

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 181-07-2015

**RESOLUTION APPROVING NEW COLLECTIVE BARGAINING AGREEMENT
WITH UAW LOCAL 2327 REPRESENTING
CITY OF CAPE MAY LIEUTENANT LIFEGUARDS**

MOTION:

SECOND:

WHEREAS, the City of Cape May (the "City") and UAW Local 2327 representing City of Cape May Lieutenant Lifeguards (the "Union") have negotiated a new Collective Bargaining Agreement, a copy of which is attached hereto as EXHIBIT A ("Collective Bargaining Agreement"), which has been approved by the Union; and

WHEREAS, the City Mayor and Council have determined the Collective Bargaining Agreement contains a long range wage and benefits guide and thus also desired to approve the Collective Bargaining Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cape May, County of Cape May, State of New Jersey, with the foregoing recital paragraphs incorporated herein, as follows:

1. The Collective Bargaining Agreement, a copy of which is attached hereto as EXHIBIT A, is hereby approved.
2. The Mayor and Clerk are hereby authorized and directed to execute the Collective Bargaining Agreement and to take any and all other actions necessary to effectuate the purposes thereof.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the City Council at a meeting held on July 21, 2015.

Louise Cummiskey, Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Dr. Mahaney				
Mr. Meier				
Ms. Pessagno				
Ms. Swain				
Mr. Wichterman				

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 182-07-2015

**RESOLUTION APPROVING NEW COLLECTIVE BARGAINING AGREEMENT
WITH LOCAL 59 POLICE BENEVOLENT ASSOCIATION
REPRESENTING CITY OF CAPE MAY POLICE OFFICERS**

MOTION:

SECOND:

WHEREAS, the City of Cape May (the "City") and Local 59 Police Benevolent Association representing City of Cape May Police Officers ("Union") have negotiated a new Collective Bargaining Agreement, a copy of which is attached hereto as EXHIBIT A ("Collective Bargaining Agreement"), which has been approved by the Union; and

WHEREAS, the City Mayor and Council have determined the Collective Bargaining Agreement contains a long range wage and benefits package that will enable the City to continue to provide high level police services within the City as well as to the Boroughs of Cape May Point and West Cape May without any foreseeable reduction in personnel, and thus also desired to approve the Collective Bargaining Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cape May, County of Cape May, State of New Jersey, with the foregoing recital paragraphs incorporated herein, as follows:

1. The Collective Bargaining Agreement is hereby approved.
2. The Mayor and Clerk are hereby authorized and directed to execute the Collective Bargaining Agreement and to take any and all other actions necessary to effectuate the purposes thereof.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the City Council at a meeting held on July 21, 2015.

Louise Cummiskey, Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Dr. Mahaney				
Mr. Meier				
Ms. Pessagno				
Ms. Swain				
Mr. Wichterman				

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 183-07-2015

**RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT
BETWEEN REMINGTON, VERNICK & WALBERG ENGINEERS AND
THE CITY OF CAPE MAY FOR RECONSTRUCTION OF E. LYLE LANE (JACKSON
STREET TO DECATUR STREET) AND RENOVATIONS TO ROTARY PARK**

MOTION:

SECOND:

WHEREAS, the City of Cape May (the "City") desires to enter into a Professional Services Agreement with Remington, Vernick & Walberg Engineers (the "Professional Services Agreement") in the form attached hereto as EXHIBIT A, to perform survey, engineering and construction related activities in conjunction with FY2016 NJDCA Small Cities CDBG Program-Public Facilities-ADA Reconstruction to E. Lyle Lane (Jackson Street to Decatur Street) and Renovations to Rotary Park (the "Engineering Services");

WHEREAS, the Professional Services Agreement is awarded pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., which provides for the award of a Professional Services Agreement without competitive bids, and further provides that the resolution authorizing the award and the Professional Services Agreement itself is available for public inspection; and

WHEREAS, Remington, Vernick & Walberg Engineers has completed and submitted a Business Entity Disclosure Certification which certifies that Remington, Vernick & Walberg Engineers has not made any reportable contributions to a political or candidate committee in the City of Cape May in the previous one year, and that the contract will prohibit Remington, Vernick & Walberg Engineers from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED, by the City of Cape May, County of Cape May, State of New Jersey, that:

1. The Professional Services Agreement between Remington, Vernick & Walberg Engineers, located at 4907 New Jersey Avenue, Wildwood, New Jersey 08260, and the City of Cape May, in the form attached hereto as EXHIBIT A, in an amount not to exceed TWO HUNDRED SEVENTY ONE NINE HUNDRED (\$271,900.00) DOLLARS, is hereby approved.

2. That the Mayor and Clerk are hereby authorized and directed to execute the Professional Services Agreement on behalf of the City of Cape May, and the City Manager and other City officials are also authorized and directed to take any and all other actions necessary to effectuate the purposes thereof.

3. That the Professional Services Agreement has been reviewed and approved by the City Solicitor as to form, content and legal procedure.

4. This resolution is contingent upon the Professional Services Agreement being executed by the Mayor and City Clerk within thirty (30) days from the date of this resolution.

5. A Notice of Award of Professional Services Agreement for the above services shall be published in the *Cape May County Herald Times/Cape May County Herald*.

6. The Business Disclosure Entity Certification shall be placed on file with this resolution.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on July 21, 2015.

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Dr. Mahaney				
Mr. Meier				
Ms. Pessagno				
Ms. Swain				
Mr. Wichterman				

CITY OF CAPE MAY

RESOLUTION NO. 184-07-2015A

RESOLUTION FOR THE PAYMENT OF BILLS

MOTION:

SECOND:

BE IT RESOLVED by the City Council of the City of Cape May, that the following bills, approved for payment by the City Manager, be paid and that the Chief Financial Officer/Treasurer of the City of Cape May, is hereby authorized to draw orders for the amounts of same, as shown on bill list dated July 17, 2015 for payments excluding those related to Swain's Ace Hardware Inc. Total Bill List: \$560,579.28.

Current Fund Appropriations	\$ 233,937.29
Water/Sewer Utility Operating Fund Appropriations	\$ 55,461.84
Tourism Utility Fund	\$ 103,379.12
General Capital Improvements	\$ 102,148.36
Water/Sewer Capital Improvements	\$ 9,922.19
Escrow Special Account	\$ 5,986.25
Trust Fund	\$ 12.00
Grant Fund	\$ 6,515.05
Beach Utility Fund Appropriations	\$ 41,654.97
Beach Utility Capital Improvements	\$ -
	\$ 559,017.07



 Neil Young, CFO/Treasurer

Roll Call	Ayes	Nays	Absent	Abstain
Mahaney				
Swain				
Wichterman				
Pessagno				
Meier				

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on July 21, 2015.

 Louise Cummiskey, City Clerk

CITY OF CAPE MAY

RESOLUTION NO. 184-07-2015B

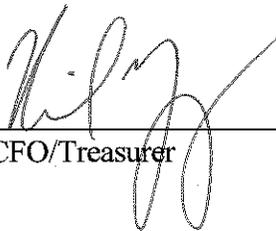
RESOLUTION FOR THE PAYMENT OF BILLS

MOTION:

SECOND:

BE IT RESOLVED by the City Council of the City of Cape May, that the following bills, approved for payment by the City Manager, be paid and that the Chief Financial Officer/Treasurer of the City of Cape May, is hereby authorized to draw orders for the amounts of same, as shown on bill list dated July 17, 2015 for payments related to Swain's Ace Hardware Inc:
 Total Bill List: \$560,579.28.

Current Fund Appropriations	\$	794.94
Utility Operating Fund Appropriations	\$	86.66
General Capital Improvements	\$	-
Water/Sewer Capital Improvements	\$	-
Escrow Special Account	\$	-
Trust Fund	\$	-
Tourism Utility	\$	-
Grant Fund	\$	-
Beach Utility Fund Appropriations	\$	680.61
Beach Utility Capital Improvements	\$	-
	<u>\$</u>	<u>1,562.21</u>



 Neil Young, CFO/Treasurer

Roll Call	Ayes	Nays	Absent	Abstain
Mahaney				
Swain				
Wichterman				
Pessagno				
Meier				

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on July 21, 2015.

 Louise Cummiskey, City Clerk

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO.185-07-2015

**RESOLUTION OF THE CITY OF CAPE MAY FOR
LEGAL DEFENSE OF CITY MANAGER BRUCE MACLEOD**

MOTION:

SECOND:

WHEREAS, there is an ongoing investigation by the Cape May County Prosecutor's Office pertaining to the City of Cape May (the "City") and its Officials in connection with matters involving the Cape May City Police Department (the "Police Department");

WHEREAS, pursuant to Resolution No. 94-04-2014, any Cape May City Officials and Employees not assigned to the Police Department that are asked to provide testimony or give interviews to the Cape May County Prosecutor's Office in connection matters pertaining to the Police Department shall be provided with a legal defense pursuant to Cape May Code §32-2;

WHEREAS, any such affected City Officials and Employees will provide professional services agreements for review and approval by the Cape May City Council in accordance with the City's customary fee schedule for special counsel;

WHEREAS, the City of Cape May (the "City") desires to enter into a Professional Services Agreement with D. William Subin, Esquire, in the form (the "Professional Services Agreement") attached hereto as EXHIBIT A to provide legal counsel to City Manager Bruce MacLeod with respect to the ongoing investigation being conducted by the Cape May County Prosecutor's Office;

WHEREAS, the Professional Services Agreement is awarded pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, etseq., which provides for the award of a Professional Services Agreement without competitive bids, and further provides that the resolution authorizing the award and the Professional Services Agreement itself is available for public inspection;

WHEREAS, D. William Subin, Esquire has completed and submitted a Business Entity Disclosure Certification which certifies that D. William Subin, Esquire, has not made any reportable contributions to a political or candidate committee in the City of Cape May in the previous one year, and that the contract will prohibit PDP from making any reportable contributions through the term of the contract.

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

1. The Professional Services Agreement between D. William Subin, Esquire and the City of Cape May, in the form attached hereto as EXHIBIT A is hereby approved.

2. That the Mayor or Deputy Mayor and Clerk are hereby authorized and directed to execute the Professional Services Agreement on behalf of the City of Cape May, and to take any and all other actions necessary to effectuate the purposes thereof.

3. That the Professional Services Agreement has been reviewed and approved by the City Solicitor as to form, content and legal procedure.

4. That those provisions as set forth in Resolution No. 94-04-2014 are incorporated herein by this reference.

5. This resolution is contingent upon the Professional Services Agreement being executed by the Mayor or Deputy Mayor and City Clerk within thirty (30) days from the date of this resolution.

6. The Business Disclosure Entity Certification shall be placed on file with this resolution.

BE IT FURTHER RESOLVED and decided that this Resolution shall take effect immediately.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the City Council at a meeting held on July 21, 2015.

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Dr. Mahaney				
Mr. Meier				
Ms. Pessagno				
Ms. Swain				
Mr. Wichterman				

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 186-07-2015

**RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT
BETWEEN REMINGTON, VERNICK & WALBERG ENGINEERS
AND THE CITY OF CAPE MAY FOR NEW CITY WELL**

MOTION:

SECOND:

WHEREAS, the City of Cape May (the "City") desires to enter into a Professional Services Agreement with Remington, Vernick & Walberg Engineers (the "Professional Services Agreement") in the form attached hereto as EXHIBIT A, to perform engineering services required by the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for a new city well (the "Engineering Services");

WHEREAS, the Professional Services Agreement is awarded pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., which provides for the award of a Professional Services Agreement without competitive bids, and further provides that the resolution authorizing the award and the Professional Services Agreement itself is available for public inspection; and

WHEREAS, Remington, Vernick & Walberg Engineers has completed and submitted a Business Entity Disclosure Certification which certifies that Remington, Vernick & Walberg Engineers has not made any reportable contributions to a political or candidate committee in the City of Cape May in the previous one year, and that the contract will prohibit Remington, Vernick & Walberg Engineers from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED, by the City of Cape May, County of Cape May, State of New Jersey, that:

1. The Professional Services Agreement between Remington, Vernick & Walberg Engineers, located at 4907 New Jersey Avenue, Wildwood, New Jersey 08260, and the City of Cape May, in the form attached hereto as EXHIBIT A, in an amount not to exceed TEN THOUSAND FIVE HUNDRED (\$10,500.00) DOLLARS, is hereby approved.

2. That the Mayor and Clerk are hereby authorized and directed to execute the Professional Services Agreement on behalf of the City of Cape May, and the City Manager and other City officials are also authorized and directed to take any and all other actions necessary to effectuate the purposes thereof.

3. That the Professional Services Agreement has been reviewed and approved by the City Solicitor as to form, content and legal procedure.

4. This resolution is contingent upon the Professional Services Agreement being executed by the Mayor and City Clerk within thirty (30) days from the date of this resolution.

5. A Notice of Award of Professional Services Agreement for the above services shall be published in the *Cape May County Herald Times/Cape May County Herald*.

6. The Business Disclosure Entity Certification shall be placed on file with this resolution.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on July 21, 2015.

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Dr. Mahaney				
Mr. Meier				
Ms. Pessagno				
Ms. Swain				
Mr. Wichterman				