

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

**RESOLUTION NO. 73-03-2016**

**AUTHORIZING THE READING OF THE 2016  
ANNUAL MUNICIPAL BUDGET BY TITLE ONLY**

**MOTION:**

**SECOND:**

**WHEREAS**, N.J.S.A. 40A:4-8 authorizes the reading of the budget by title only at the public hearing thereon, provided certain requirements are met; and

**WHEREAS**, the City Council of the City of Cape May, is satisfied that such conditions have been met.

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Cape May, in the County of Cape May and State of New Jersey, a majority of the full membership concurring, as follows:

1. The allegations of the preamble are incorporated herein by this reference;
2. The City Council of the City of Cape May, finds and determines that

(A) At least one (1) week prior to the date of this hearing, a complete copy of the approved budget was made available for public inspection at the Cape May Free Public Library Branch of the Cape May County Library and was made available to each person requesting the same during the week immediately preceding the public hearing and is available to each person requesting a copy during the public hearing, as required by N.J.S.A. 40A:4-8.

(B) The City Council of the City of Cape May, hereby declares that the conditions set forth in subsections 1.a and 1.b of N.J.S.A. 40A:4-8 have been met.

(C) The City Council of the City of Cape May, hereby determines that the 2016 Municipal Budget of the City of Cape May shall be read by its title only at the public hearing to be conducted thereon.

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 March 15, 2016.

\_\_\_\_\_  
Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Meier				
Pessagno				
Swain				
Mahaney				

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

**RESOLUTION NO. 75-03-2016**

**RESOLUTION DECLARING ELIGIBILITY TO CONDUCT SELF-EXAMINATION  
OF 2016 BUDGET**

**MOTION:**

**SECOND:**

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7 through 7.5 the City Council of the City of Cape May has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the City of Cape May meets the necessary conditions to participate in the program for the 2016 budget year.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Cape May, County of Cape May that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges;
  - b. Deferred charges and statutory expenditures;
  - c. Cash deficit of preceding year;
  - d. Reserve for uncollected taxes;
  - e. Other reserves and non-disbursement items;
  - f. Any inclusions of amount required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with "CAP" law.)
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate, and correctly state;
  - b. Items of appropriation are properly set forth;
  - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
  
5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provision of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
  
6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the Director of the Division of Local Government Services.

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 March 15, 2016.

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Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Meier				
Pessagno				
Swain				
Mahaney				

cc: Chief Financial Officer  
 Dir. of DLGS (1 certified)  
 Auditor

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

**RESOLUTION NO. 76-03-2016**

**RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT  
BETWEEN HATCH MOTT MACDONALD AND THE CITY OF CAPE MAY  
FOR ENGINEERING SERVICES RELATED TO THE CAPE MAY CITY  
ELEMENTARY SCHOOL POOL**

**MOTION:**

**SECOND:**

WHEREAS, the City of Cape May (the "City") desires to enter into a Professional Services Agreement with Hatch Mott MacDonald (the "Professional Services Agreement"), in the form attached hereto as EXHIBIT A, for professional engineering services for the review of plans and specifications for the Cape May City Elementary School pool and locker room renovations (the "Services"); and

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, Hatch Mott MacDonald has completed and submitted a Business Entity Disclosure Certification which certifies that Hatch Mott MacDonald 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 Hatch Mott MacDonald 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 Hatch Mott MacDonald, located at 833 Rt. 9 North, PO Box 373, Cape May Court House, New Jersey 08210, and the City of Cape May, in the form attached hereto as EXHIBIT A, in the amount of ELEVEN THOUSAND EIGHT HUNDRED (\$11,800.00) DOLLARS is hereby approved.

2. 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. 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 March 15, 2016.

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Louise Cummiskey, City Clerk

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

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

**RESOLUTION NO. 77-03-2016**

**AWARD OF CONTRACT FOR THE SUPPLY AND DELIVERY  
OF ONE (1) NEW, 4WD, HEAVY DUTY, WORK TRUCK**

**MOTION:**

**SECOND:**

**WHEREAS**, sealed bids were received on Thursday, March 10, 2016, following proper advertisement for one new 4WD, Heavy Duty, Work Truck; and

**WHEREAS**, two (2) bids were received and the bidder in compliance with the specifications was:

Gentilini Chevrolet  
500 John S Penn Blvd  
Woodbine, NJ 08270

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Cape May, that the bid of Gentilini Chevrolet, for one, new, 2016 Chevy 3500HD Work Truck with Dump Body and Snow Plow in the amount of \$43,037.00, be and is hereby accepted in accordance with the specifications.

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 March 15, 2016.

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Louise Cummiskey, City Clerk

cc: Gentilini Chevrolet  
Chief Financial Officer  
Public Works Supt.  
Purchasing Agent

Roll Call	Ayes	Nays	Absent	Abstain
Meier				
Furlin				
Swain				
Pessagno				
Mahaney				

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

**RESOLUTION NO. 78-03-2016**

**AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE  
CONTRACT VENDORS FOR CONTRACTING UNITS  
PURSUANT TO N.J.S.A. 40A:11-12a**

**MOTION:**

**SECOND:**

**Whereas**, the City of Cape May, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

**Whereas**, the City of Cape May has the need on a timely basis to purchase goods or services utilizing State contracts; and

**Whereas**, the City of Cape May intends to enter into contracts with the attached Referenced State Contract Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

**Now, Therefore, Be It Resolved**, that the City of Cape May authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts; and

**Be It Further Resolved**, that the governing body of the City of Cape May pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

**BE IT FURTHER RESOLVED**, that the duration of the contracts between the City of Cape May and the Referenced State Contract Vendors shall be from January 1, 2016 to December 31, 2016.

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 March 15, 2016.

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Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Meier				
Furlin				
Swain				
Pessagno				
Mahaney				

**Referenced State Contract Vendors**

<u>Commodity/Service</u>	<u>Vendor State</u>	<u>Contract #</u>
Mall/Promenade benches	General Recreation, Newtown Sq., PA	81422
Computers/Servers/Software	Dell Marketing LP	70256
Copiers – cost per copy	Ricoh USA Inc	64039
Office Supplies & Equipment	Staples	77249
Cell Phones & Services	AT&T Mobility	82584
Walk-in Bldg Supplies	Lowe's Home Centers	82951
Gasoline	Pedroni Fuel	80910
Mailroom Equipment	Pitney Bowes	75237
Copy Paper	Paper Mart Inc	81663
Heavy Duty Vehicle Parts	Villas NAPA Auto Parts	73743
Office Supplies & Equipment	W.B. Mason	88839

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

**RESOLUTION NO. 79-03-2016**

**RESOLUTION OF THE CITY OF CAPE MAY DETERMINING TO  
FINANCE ENERGY CONSERVATION MEASURES, PURSUANT TO AN  
“ENERGY SAVINGS IMPROVEMENT PLAN” FOR AN AMOUNT NOT EXCEEDING  
\$825,000; AUTHORIZING THE REQUEST FOR PROPOSALS FOR SELECTION  
OF A LESSOR AND INVESTOR IN CONNECTION WITH THE TRANSACTION;  
DELEGATING THE AWARD OF THE LEASE TO THE CHIEF FINANCIAL  
OFFICER; APPROVING THE FORM OF CERTAIN AGREEMENTS AND  
AUTHORIZING CERTAIN OFFICIALS OF THE CITY COUNCIL TO EXECUTE  
SUCH AGREEMENTS AND AUTHORIZING OTHER ACTIONS NECESSARY  
TO ACCOMPLISH THE TRANSACTION**

**MOTION:**

**SECOND:**

**WHEREAS**, the City of Cape May, in the County of Cape May, New Jersey (the “City”) is a political subdivision created by law and is charged by law with the responsibility of providing municipal services and has the authority to implement and to finance energy conservation measures and related equipment, pursuant to the requirements of the *Energy Savings Improvement Program*, N.J.S.A. 40A:11-4.6 *et seq.*; and

**WHEREAS**, the City has determined to undertake an *Energy Savings Improvement Program* (ESIP) in order to acquire and install several energy conservation measures and equipment at its facilities and at other public facilities located throughout the City; and

**WHEREAS**, the City performed energy audits of its facilities in accordance with the Board of Public Utilities Local Government Energy Audit Grant Program and thereafter determined to consider the adoption and implementation of an energy savings improvement program pursuant to N.J.S.A. 40A:11-4.6 and to seek the assistance of an energy services company through competitive contracting pursuant to N.J.S.A. 40A:11-4.6(b)(1) for assistance with the development and implementation of an energy savings plan; and

**WHEREAS**, the City advertised for receipt of proposals through competitive contracting in accordance select an Energy Services Company in order to prepare an energy savings plan with the intent to later enter into a contract to implement energy conservation measures selected by the City and described in the plan; and

**WHEREAS**, after receipt and review of proposals the City selected Johnson Controls, Inc. as the Energy Services Company to assist the City with its energy savings program in accordance with the requirements of the competitive contracting process; and

**WHEREAS**, Johnson Controls Inc. has worked with the representatives of the City to develop an energy savings plan and has presented the proposed plan to the City; and

**WHEREAS**, the City hired Hatch Mott MacDonald, a qualified independent third party, to verify that the projected energy savings to be realized from the proposed program has been calculated as required by law, Hatch Mott MacDonald has issued its report to this effect, the report and proposed plan have been submitted to BPU for review, and BPU has approved the proposed plan; and

**WHEREAS**, after reviewing the proposed plan, the City determined that it is in the best interest of the City to approve and adopt the Energy Savings Plan for the City and adopted the proposed plan on this date; and

**WHEREAS**, the Energy Savings Plan has been or will be posted on the City's website and submitted to the Board of Public Utilities for posting on its website; and

**WHEREAS**, the City has determined to finance the energy savings with a lease purchase agreement (the "Lease") for a term that does not exceed 15 years, pursuant to the requirements of N.J.S.A.40A:11-4.6; and

**WHEREAS**, the City has determined to implement the energy saving plan and finance it with a tax-exempt lease purchase agreement, pursuant to N.J.S.A. 40A:11-4.6(c)(2); and

**WHEREAS**, the City wants to finance the energy conservation measures identified in the energy savings plan in order to provide funds to implement the energy savings plan, pay the costs of the energy audit, if necessary, and the costs associated with the verification of the energy savings, and any related costs (collectively, the "Project"); and

**WHEREAS**, the City hereby authorizes the Mayor and/or the Chief Financial the ability to enter into agreements and to accept any related "Pay for Performance" incentives provided by the New Jersey Clean Energy Program administered by the New Jersey Board of Public Utilities; and

**WHEREAS**, the City has appointed McManimon, Scotland & Baumann, LLC, as special counsel (the "Special Counsel"), to prepare the necessary closing documents and legal opinions for the Lease, and Phoenix Advisors, LLC, as the financial advisor (the "Financial Advisor") to secure financing so that the City can finance and install the Project; and

**WHEREAS**, the City now wants to authorize the Financial Advisor to solicit bids to finance the Lease for an amount not to exceed \$825,000 in order to receive a competitive interest rate; and

**WHEREAS**, the City hereby authorizes the publication of the request for the receipt of proposals for the selection of a lessor and investor to enter into a lease purchase agreement to finance the Project; and

**WHEREAS**, the City wants to delegate to the Mayor or to the Chief Financial Officer the ability to award of the lease to the firm proposing with the most competitive financing; and

**WHEREAS**, the City desires to authorize its Mayor, the Chief Financial Officer, Clerk, the City's general counsel, Auditor, Special Counsel, Auditor and the Financial Adviser (collectively, the "Professionals") to prepare and execute the appropriate financing and lease documents and certain other agreements necessary or incidental to the transactions contemplated thereby;

**NOW THEREFORE BE IT RESOLVED BY THE CITY OF CAPE MAY, IN THE COUNTY OF CAPE MAY, NEW JERSEY** as follows:

Section 1. The City hereby authorizes the Financial Advisor to solicit bids from prospective purchasers of the Lease to finance the Project. The interest portion of the Lease is anticipated to be exempt from both federal and state income tax.

Section 2. The Mayor, and Chief Financial Officer, together with the Financial Advisor, the Auditor, the Special Counsel, the City Attorney and other appropriate representatives of the City (together, the "Professionals") are hereby authorized to advertise for the selection of a lessor and investor and to take other appropriate steps necessary to prepare for the proposed lease purchase financing of the *ESIP*, and all such actions taken to date are hereby ratified. The Chief Financial Officer is hereby authorized to award the Lease to the most competitive proposal. The Mayor and/or the Chief Financial Officer are hereby authorized and directed to execute and to deliver on behalf of the City the agreements referred to herein and any such other agreements as may be necessary to carry out the transaction authorized by this resolution. The Mayor, the Chief Financial Officer, Clerk, the Professionals, and other appropriate representatives of the City are hereby authorized and directed to take on behalf of the City such other actions as shall be necessary and appropriate to accomplish the transaction contemplated by this resolution and the agreements authorized herein.

Section 3. The City hereby authorizes the execution and the delivery of and the performance by the City of its obligations under the Lease and other related financing documents, which shall be substantially in the form on file with the Clerk. The City hereby authorizes and directs the Chief Financial Officer to approve any changes, additions or deletions to the Lease as may in the judgment of City's general counsel or Special Counsel be necessary or advisable, such approval to be evidenced by the execution of the Lease by the Mayor and/or the Chief Financial Officer.

Section 4. The payments of rent or other monies due under the Lease shall be made only from the general fund of the City. Neither the City, nor any political subdivision thereof shall be obligated to pay any sum under the Lease from any taxing source, except for any taxes levied to support the general fund budget of the City. The obligations of the City under the Lease shall not constitute indebtedness of the City, or of any department, agency or political subdivision thereof. The Lease will set forth the term of the lease purchase acquisition for the acquisition and installation of the Project and its related equipment, the rental payments to be paid by the City in respect thereof and the dates on which rents shall be due and payable. The City is obligated to appropriate funds to pay rent under the Lease, and such rent may or may not be subject to appropriation, as to be determined in the request for proposals, as permitted by the Energy Savings Improvement Program law.

Section 5. The proceeds of the sale of the Lease shall be applied to (i) pay costs to acquire and install the Project, and (ii) pay the costs of entering into the Lease.

Section 6. The Chief Financial Officer is authorized to direct the investment of funds under an escrow deposit agreement (the "Escrow Agreement") between the City and an escrow agent, for a fee to be negotiated by the Financial Advisor, consistent with the provisions of New Jersey law and the Mayor and/or the Chief Financial Officer Administration is authorized to enter into such agreements, to pay any agreed upon fee and to execute such documents on behalf of the City as may be necessary.

Section 7. The City hereby authorizes the Mayor and/or the Chief Financial Officer to execute and to enter into any contract that may be required to implement ESIP in a form consistent with John Control's RFP response and approved by Counsel to the City.

Section 8. The City hereby authorizes the submission, or, if necessary, retroactively authorizes, a "Pay for Performance" application pursuant to the New Jersey's Clean Energy Program. Any financial incentives received under "Pay for Performance" will be included in the cash-flow projections of the ESIP. The City also authorizes the Chief Financial Officer to enter into any and all agreements required under the "Pay for Performance" program.

Section 9. The City hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of the interest portion of the rental payments under the Lease, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Lease.

Section 10. If necessary, the City reasonably expects to reimburse its expenditure of Project costs paid prior to the issuance of the Lease with proceeds from the tax-exempt lease.

- (A) This resolution is intended to be and hereby is a declaration of the City's official intent to reimburse the expenditure of Project costs paid prior to the issuance of the Lease with the proceeds of the Lease, in accordance with Treasury Regulations §150-2.
- (B) The Project's costs to be reimbursed with the proceeds of the Lease will be "capital expenditures" in accordance with the meaning of Section 150 of the Code.
- (C) No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Code. The proceeds of the Lease used to reimburse the City for Project costs, will not be used in a manner that results in the creation of "replacement proceeds," including "sinking funds," "pledged funds," or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of the Lease, other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1).

- (D) All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than the Lease is paid, or (ii) the date the Project is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

Section 11. If applicable, the City will designate the Lease as a "qualified tax-exempt obligation," as defined in Section 265(b)(3)(B).

Section 12. The City hereby reaffirms and ratifies its determination that the energy savings generated from reduced energy use from the Energy Conservation Measures set for in the Energy Savings Plan will be sufficient to cover the cost of the program's Energy Conservation Measures, that it is in the best interest of the City to implement the Energy Savings plan pursuant to N.J.S.A. 40A:11-4.6 and that it reaffirms and ratifies its approval of the Energy Savings Plan in the form submitted to and approved by the BPU.

Section 13. This resolution shall take effect immediately.

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 March 15, 2016.

\_\_\_\_\_  
Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Mahaney				
Meier				
Pessagno				
Swain				
Furlin				

CERTIFICATE

I, Louise Cummiskey, City Clerk of the City of Cape May, in the County of Cape May, New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the City Council duly called and held on March 15, 2016 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the City Council and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City Council this \_\_\_ day of \_\_\_\_\_, 2016.

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Louise Cummiskey,  
City Clerk

CITY OF CAPE MAY

RESOLUTION NO. 80-03-2016A

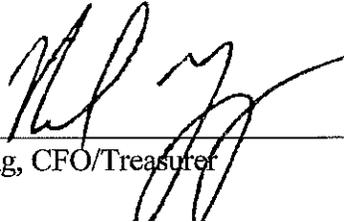
RESOLUTION FOR THE PAYMENT OF BILLS

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 March 11, 2016 for payments excluding those related to Swain's Ace Hardware Inc. Total Bill List: \$1,499,157.94.

Current Fund Appropriations	\$ 1,349,853.35
Water/Sewer Utility Operating Fund	\$ 56,319.74
Tourism Utility Fund	\$ 10,446.21
General Capital Improvements	\$ 57,725.05
Water/Sewer Capital Improvements	\$ -
Escrow Special Account	\$ 3,938.75
Trust Fund	\$ 10.80
Grant Fund	\$ 5,239.00
Beach Utility Fund Appropriations	\$ 1,819.45
Beach Utility Capital Improvements	\$ 13,700.00
	<u>\$ 1,499,052.35</u>

  
\_\_\_\_\_  
Neil Young, CFO/Treasurer

Roll Call	Ayes	Nays	Absent	Abstain
Mahaney				
Swain				
Meier				
Pessagno				
Furlin				

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 March 15, 2016.

\_\_\_\_\_  
Louise Cummiskey, City Clerk

CITY OF CAPE MAY

RESOLUTION NO. 80-03-2016B

RESOLUTION FOR THE PAYMENT OF BILLS

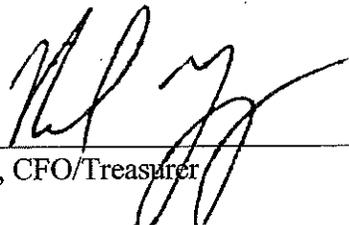
MOTION:

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 March 11, 2016 for payments related to Swain's Ace Hardware Inc:

Total Bill List: \$1,499,157.94.

Current Fund Appropriations	\$	105.59
Utility Operating Fund Appropriations	\$	-
General Capital Improvements	\$	-
Water/Sewer Capital Improvements	\$	-
Escrow Special Account	\$	-
Trust Fund	\$	-
Tourism Utility	\$	-
Grant Fund	\$	-
Beach Utility Fund Appropriations	\$	-
Beach Utility Capital Improvements	\$	-
	<u>\$</u>	<u>105.59</u>

  
\_\_\_\_\_  
Neil Young, CFO/Treasurer

Roll Call	Ayes	Nays	Absent	Abstain
Mahaney				
Swain				
Meier				
Pessagno				
Furlin				

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 March 15, 2016.

\_\_\_\_\_  
Louise Cummiskey, City Clerk

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

**RESOLUTION NO. 81-03-2016**

**RESOLUTION DECLARING CERTAIN SURPLUS ITEMS  
AS SURPLUS PROPERTY AND AUTHORIZING SALE OF SAME**

**Motion:**

**Second:**

**WHEREAS**, the City of Cape May has certain items which are no longer needed for City use; and

**WHEREAS**, miscellaneous equipment, computers, printers, fax machines, Beach Tag Booths, Baseball Scoreboard, police bikes, vehicle light bars, gun racks, 2004,2005,2006 Ford Crown Victoria and other miscellaneous items will be auctioned on GOVDEALS; and

**WHEREAS**, the sale of these items may be accomplished without Public advertising in keeping with NJSA 40A: 11-36 (2) and NJSA 40A: 23-13 (b){1}.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Cape May that the items set forth, but not limited to, are hereby declared surplus property.

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 March 15, 2016.

---

Louise Cummiskey, City Clerk

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

cc: CFO  
Superintendent, Dept. of Public Works  
Purchasing Agent

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

**RESOLUTION 82-03-2016**

**A RESOLUTION OF THE CITY OF CAPE MAY APPROVING  
THE AMENDED AND RESTATED SHARED SERVICES AGREEMENT  
WITH THE CAPE MAY CITY ELEMENTARY SCHOOL  
PROVIDING FOR THE SWIMMING POOL RECONSTRUCTION**

**MOTION:**

**SECOND:**

WHEREAS, N.J.S.A. 40A:65-1 et seq. (the “Interlocal Services Act”) authorizes local government units, including municipalities and counties, to enter into agreements for the exchange of services pursuant to the provisions of that statute known as the “Uniform Shared Services and Consolidation Act”;

WHEREAS, the City of Cape May (the “City”) had previously approved a Shared Services Agreement with the Cape May City Elementary School District (the “School District”) for the reconstruction of a swimming pool;

WHEREAS, at the time of approval the estimated budget was One Million (\$1,000,000.00) Dollars (the “Original Budget”);

WHEREAS, the City and the School District have determined that the costs will now greatly exceed the Original Budget, with the total cost being up to Two Million (\$2,000,000.00) Dollars;

WHEREAS, the City and the School District desire to enter into Amended and Restated Shared Services Agreement providing for the swimming pool reconstruction;

WHEREAS, the City has agreed to assume the excess costs and all construction responsibilities under the Amended and Restated Shared Services Agreement;

WHEREAS, the City previously approved an Amended and Restated Shared Services Agreement to address the items set forth in the previous recital paragraphs and submitted said Amended and Restated Shared Services Agreement to the School District for approval; and

WHEREAS, the School District required additional modifications to the Amended and Restated Shared Services Agreement which are incorporated into this revised Amended and Restated Shared Services Agreement attached hereto as EXHIBIT A.

NOW, THEREFORE, BE IT RESOLVED, by the City of Cape May, County of Cape May, State of New Jersey is hereby authorized and empowered to enter into an Amended and Restated Shared Services Agreement with the School District, a copy of which is attached hereto as EXHIBIT A.

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 March 15, 2016.

\_\_\_\_\_  
Louise Cummiskey, City Clerk

<b>Roll Call</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
<b>Dr. Mahaney</b>				
<b>Mr. Furlin</b>				
<b>Mr. Meier</b>				
<b>Ms. Pessagno</b>				
<b>Ms. Swain</b>				