

RESOLUTIONS ADOPTED JANUARY 25, 2012

- Res. #2012-31 Appointment to Lower Township MUA (5 year term - beginning Feb. 1 - prev. on Jan 4 agenda)  
Res. #2012-34 Payment of Vouchers, \$1,694,808.28  
Res. #2012-35 A Resolution Authorizing and Approving a Shared Services Agreement Between the Township of Lower and the Lower Township Board of Education for Certain Maintenance Items (Twp will maintain Douglass school property and clear parking lot when necessary in return for school maintaining athletic fields at Mitnick school used by Township)
- Res. #2012-36 Resolution Authorizing the Donation of Winter Police Jackets No Longer Needed for Public Use To Lower Cape May Regional High School's School Based Youth Services (Donating 25 jackets to be used for families in need)
- Res. #2012-37 Transfer of Appropriations, \$2,500 (From health insurance to Uniform Fire Safety Act)  
Res. #2012-38 Resolution Approving the Memorandum of Understanding for 2012 for Michael Voll, Manager (MOU updating terms & conditions of employment)
- Res. #2012-39 Authorization for the Payout of Accumulated Sick Time (annual resolution for qualifying employees \$3,248.64)
- Res. #2012-40 Resolution Amending Resolution #2011-01, Entitled Appointment of Municipal Solicitor for 2011 Without Public Bidding (Amends 2011 resolution to increase total contract amount by \$7,114.25)
- Res. #2012-41 Payment of Vouchers, \$900.00 (CPR training for Twp. Hall & Annex Employees)  
Res. #2012-42 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." (Personnel Matter Related to Decision of Division of Pension on Status of Police Officer)

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

RESOLUTION #2012-31

TITLE: APPOINTMENT TO THE LOWER TOWNSHIP MUA

WHEREAS, the term of Thomas Brown, Regular Member of the LTMUA expires on February 1, 2012,  
and

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

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

<u>Name</u>	<u>Type</u>	<u>Term Expires</u>
Thomas Frisoli Jr.	Regular Member	Feb. 1, 2017

I hereby certify the foregoing resolution was adopted by the Township Council on January 25, 2012.

  
Claudia R. Kammer, Twp. Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
CRAIG			X			
DOUGLASS				X		
LARE		X	X			
BECK				X		



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Lower Township  
Bill List By Vendor Id

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00651 MUNICIPAL UTIL AUTH DUMP FEES								
	12-00072	01/09/12	DUMPING FEES NOV 2011-DPW	Open	58,792.82	0.00		
00741 CMC CHIEF'S OF POLICE ASSOC.								
	11-02727	10/04/11	TRAINING	Open	250.00	0.00		
	11-03420	12/08/11	DUES	Open	1,000.00	0.00		
					-----			
					1,250.00			
00807 CDW-GOVERNMENT INC*								
	11-03390	12/06/11	COMPUTER SUPPLIES	Open	22.00	0.00		
00852 CHERRY VALLEY TRACTOR CO.*								
	11-03365	12/05/11	PARTS FOR RDS/DPW	Open	74.80	0.00		
00991 COLONIAL ELECTRIC SUPPLY*								
	11-03561	12/27/11	LIGHTING	Open	67.29	0.00		
01072 WILLIAM CORDES JR								
	12-00016	01/06/12	MEDICAL CLAIMS	Open	186.00	0.00		
01083 COMTEC SYSTEMS INC*								
	11-02953	10/28/11	EMERGENCY TELEPHONE POLICE SUB	Open	2,180.10	0.00		
01130 GAYLE HADLEY								
	11-03593	12/29/11	INSTRUCTOR FOR ZUMBA	Open	85.00	0.00		
01170 VERIZON WIRELESS* F/S								
	12-00046	01/09/12	CELL SERVICE DECEMBER 2011	Open	79.17	0.00		
01171 VERIZON WIRELESS - TOWNHALL								
	12-00044	01/09/12	CELL PHONES DEC 2011	Open	1,125.08	0.00		
01245 G & K SERVICES CO*								
	12-00059	01/09/12	UNIFORM RENTALS -DPW	Open	917.14	0.00		
01269 DISCOUNT HYDRAULICS*								
	11-03397	12/06/11	PARTS FOR TRASH TRUCK/DPW	Open	399.46	0.00		
01289 ROBERT DOUGLASS								
	11-03604	12/30/11	VISION CLAIMS	Open	250.00	0.00		
	11-03605	12/30/11	MEDICAL CLAIMS	Open	1,649.50	0.00		
	12-00020	01/06/12	MEDICAL CLAIMS	Open	401.57	0.00		
					-----			
					2,301.07			
01519 TOM FOLS ELECTRICALCONTRACTOR*								
	11-03559	12/27/11	WIRING FLAGPOLE/ LOWER LIGHTIN	Open	450.00	0.00		
	11-03601	12/29/11	ELECTRICAL	Open	550.00	0.00		
	12-00081	01/10/12	INSTALL & SUPPLY WIRING	Open	190.00	0.00		
					-----			
					1,190.00			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01526 GERALD FINNEGAN	12-00070	01/09/12	SHOW ALLOWANCE FOR 2011-DPW	Open	257.90	0.00		
01601 ORION SAFETY PRODUCTS*	11-03509	12/19/11	ROAD FLARES	Open	779.60	0.00		
01631 FUTURE MINING & RECYCLING*	11-03396	12/06/11	SCREENED TOPSOIL/DPW	Open	332.91	0.00		
01641 GALL'S INC*	11-02945	10/27/11	NEW VEHICLE OUTFITTING	Open	2,101.00	0.00		
	11-03173	11/09/11	TACTICAL SERIES POLOS	Open	204.87	0.00		
					-----			
					2,305.87			
01713 PATRICK GREENE	10-01753	07/06/10	2010 EQUIP ALLOW	Open	131.46	0.00		
01781 HATCH MOTT MACDONALD, LLC*	11-00781	03/25/11	ENGINEERING SERVICES/OUTFALLS	Open	4,059.77	0.00		B
	11-01456	05/20/11	PKG LOT/STATION RD PHASE 3	Open	4,544.89	0.00		
					-----			
					8,604.66			
01820 DARRIN D. HICKOK	11-03545	12/22/11	TRAINING MEALS	Open	73.68	0.00		
01898 HERITAGE BUSINESS SYSTEMS, INC*	11-03523	12/20/11	PRORATED SERVICE INVOICE	Open	17.49	0.00		
02025 HUNTER JERSEY PETERBILT*	11-03363	12/05/11	PARTS FOR TRASH TRUCKS/DPW	Open	170.94	0.00		
02089 K-MART STORE #9133*	11-03575	12/28/11	SUPPLIES FOR OEM	Open	215.92	0.00		
02100 CLAUDIA KAMMER	11-03603	12/30/11	MEDICAL CLAIMS	Open	359.00	0.00		
	11-03610	12/30/11	AFLAC REIMBURSEMENT	Open	360.04	0.00		
					-----			
					719.04			
02108 KEEN COMPRESSED GAS CO*	11-03362	12/05/11	BOTTLED GAS FOR GARAGE/DPW	Open	370.72	0.00		
02140 KINDLE FORD LINC/MERC., INC.*	11-03357	12/05/11	PARTS FOR DPS VEH.	Open	1,042.50	0.00		
02229 CHRISTIAN J. LAMBERT	10-01757	07/06/10	2010 EQUIP ALLOW	Open	150.00	0.00		
02247 LAWSON PRODUCTS, INC.*	11-02179	08/02/11	SUPPLIES FOR GARAGE SHOP/DPW	Open	1,252.10	0.00		

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	11-02566	09/14/11	SUPPLIES FOR GARAGE SHOP/DPW	Open	1,306.75	0.00		
	11-03284	11/28/11	SUPPLIES/PARTS FOR GARAGE/DPW	Open	585.94	0.00		
					-----			
					3,144.79			
02248			LAWMEN SUPPLY*					
	11-02976	11/01/11	VESTS	Open	1,560.00	0.00		
	11-03151	11/09/11	LIGHTS	Open	2,764.50	0.00		
					-----			
					4,324.50			
02292			DONALD LOMBARDO					
	12-00025	01/06/12	MEDICAL CLAIMS	Open	310.04	0.00		
02294			MARIE A. LOMONACO					
	12-00026	01/06/12	MEDICAL CLAIMS	Open	60.00	0.00		
02320			LOWER TOWNSHIP BRD OF EDUCATN					
	12-00033	01/06/12	2012 SCHOOL TAXES DUE 1ST	Open	1,465,932.70	0.00		
02349			ROBERT LUBBERMAN					
	12-00043	01/09/12	1 GAME OFFICIAL FEE	Open	40.00	0.00		
02419			MALL CHEVROLET, INC					
	11-02431	09/01/11	2012 TAHOE 4 X 4 POLICE	Open	29,700.00	0.00		
02443			ALLEN MAGNAVITA					
	12-00071	01/09/12	SHOE ALLOWANCE FOR 2011-DPW	Open	252.00	0.00		
02461			JOHN MAHER					
	12-00023	01/06/12	MEDICAL CLAIMS	Open	363.04	0.00		
02538			MARSH & MCLENNAN AGENCY, LLC*					
	12-00113	01/11/12	2012 RECREATION INSUR	Open	11,463.00	0.00		
02590			ARTHUR MASON					
	12-00019	01/06/12	MEDICAL CLAIMS	Open	88.15	0.00		
02632			N J PLANNING OFFICIALS*					
	11-03404	12/07/11	MEMBERSHIP DUES	Open	306.00	0.00		
02635			ARTHUR MCCLOSKEY					
	12-00074	01/09/12	SHOE ALLOWANCE 2011 DPW	Open	270.40	0.00		
02728			MIDDLE TOWNSHIP RECREATION DPT					
	11-03025	11/07/11	TRAVEL TEAM GAME OFFICIAL FEES	Open	1,000.00	0.00		
	11-03159	11/09/11	LEAGUE FEES	Open	300.00	0.00		
					-----			
					1,300.00			
02968			PATTI'S PARTY WORLD*					
	11-03497	12/16/11	MISC. ITEMS FOR NEW YEAR'S EVE	Open	177.93	0.00		



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	12-00031	01/06/12	STATE PERMIT FEE 10-12/11	Open	6,144.00	0.00		
	12-00032	01/06/12	WCM STATE CHARGES 10-12/2011	Open	337.00	0.00		
					6,481.00			
03902	DONALD VANAMAN JR							
	12-00018	01/06/12	VISION CLAIMS	Open	195.00	0.00		
03917	STATE OF NJ DEPT OF CHILD/FAML							
	12-00040	01/06/12	OCT-DEC 2011 MARRIAGE LICENSE	Open	875.00	0.00		
	12-00082	01/10/12	3RD QUARTER CIVIL UNION FEES	Open	50.00	0.00		
					925.00			
03935	STAPLES BUSINESS ADVANTAGE*							
	11-03607	12/30/11	OEM OFFICE SUPPLIES	Open	613.81	0.00		
	11-03621	12/30/11	DVD FOR TRAINING VIDEOS	Open	39.19	0.00		
					653.00			
03971	VERIZON WIRELESS							
	11-03618	12/30/11	MDT WIRELESS	Open	644.12	0.00		
03978	USPS ACCT#48503619							
	12-00021	01/06/12	POSTAGE	Open	7,500.00	0.00		
03985	VILLAS NAPA AUTO PARTS							
	11-03347	12/05/11	PARTS FOR RDS/SANT/RECY/DPW	Open	2,521.54	0.00		
	11-03366	12/05/11	PARTS FOR COUNTY VEH.	Open	368.89	0.00		
					2,890.43			
03992	VAL-U AUTO PARTS LLC*							
	11-03349	12/05/11	PARTS FOR RDS/SANT/RECY/DPS	Open	2,942.58	0.00		
04075	BARBER CONSULTING SERVICES LLC							
	11-03556	12/27/11	REFORMATTING SERVER- EMERGENCY	Open	941.25	0.00		
04089	WIZARD'S FESTIVAL OF FUN, INC*							
	11-02979	11/01/11	ENTERTAINMENT FOR NEW YEAR'S	Open	2,650.00	0.00		
04097	CINTAS FIRST AID AND SAFETY*							
	12-00045	01/09/12	FIRST AID KIT SUPPLIES	Open	124.39	0.00		
04266	NJ DEPT OF HEALTH&SENIOR SVCS							
	12-00014	01/06/12	DECEMBER 2011 DOG LICENSE FEES	Open	8.40	0.00		
04300	W B MASON CO INC*							
	11-02903	10/25/11	SUPPLIES	Open	143.63	0.00		
	11-03377	12/05/11	HANGING FILE FOLDERS ESS-81615	Open	223.76	0.00		
	11-03383	12/06/11	PAPER 8 1/2 X 11 BOCA/TOWNHALL	Open	675.00	0.00		
	11-03411	12/07/11	SOAP DISPENSERS	Open	292.05	0.00		
	11-03426	12/09/11	OFFICE SUPPLIES	Open	77.74	0.00		

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
11-03503	12/16/11	FILE FOLDERS	Open	17.38	0.00			
11-03514	12/19/11	OFFICE SUPPLIES	Open	31.96	0.00			
					----- 1,461.52			
5004	MICHAEL MATTHEWS							
11-03494	12/16/11	DJ FOR NEW YEAR'S EVE PARTY	Open	300.00	0.00			
5005	THE MASTERS OF MAGIC AND FUN							
11-03495	12/16/11	FACE PAINTER FOR NEW YEAR'S	Open	300.00	0.00			
BOSNA	KAREN MANETTE BOSNA							
11-03592	12/29/11	YOGA CLASS INSTRUCTOR	Open	80.00	0.00			
LOFTUS	KAITLYN LOFTUS							
12-00052	01/09/12	REIMBURSEMENT FOR BACKGROUND	Open	51.25	0.00			
MOLLIN	WALTER R MOLLINEAUX - CHAIR							
11-02663	09/27/11	CONFERENCE	Open	50.00	0.00			
TOOGOOD	ANDREW & CATHERINE TOOGOOD							
12-00039	01/06/12	RETURN OF UNUSED ESCROW	Open	32.50	0.00			
TOWNS	BOBBIE TOWNSEND							
11-03589	12/29/11	SOCCER REFUND FOR SHANE/DEVON	Open	25.00	0.00			
VKLINE	VERNON KLINE							
12-00036	01/06/12	REIMBURSEMENT FOR ITEMS	Open	18.20	0.00			
<hr/>								
Total Purchase Orders:	122	Total P.O. Line Items:	333	Total List Amount:	1,678,595.46	Total Void Amount:		0.00
<hr/>								

**RESOLUTION # 2012-34  
Lower Township  
Bill List  
January 18, 2012**

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
Lower Township BOE	12-00033	2012 School Taxes	046685	01/06/12	\$14371.90
Wawa Inc	11-03602	Safety Incentive Cards	046610	12/29/11	\$ 90.00
Magellan Hill	12-00028	Telephone	046686	01/11/12	\$ 1750.92
Total Manual Checks					\$ 16,212.82
Total brought forward from computer generated bill list					\$ 1,678,595.46
<b><i>TOTAL BILL LIST</i></b>					<b><u>\$ 1,694,808.28</u></b>

I certify the foregoing to be a Resolution adopted by the Township Council on January 25, 2012

*Claudia R Kammer*  
 \_\_\_\_\_  
 Claudia R. Kammer, RMC, Township Clerk

	Motion	Second	Aye	Nay	Abstain	Absent
<b>Conrad</b>	X		X			
CRAIG			X			
<b>Douglass</b>		X	X			
Lare			X			
Beck			X			

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

RESOLUTION #2012-35

**TITLE: A RESOLUTION AUTHORIZING AND APPROVING A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF LOWER AND THE LOWER TOWNSHIP BOARD OF EDUCATION FOR CERTAIN MAINTENANCE ITEMS**

WHEREAS, the Township of Lower desires to contract with the Lower Township Board of Education in order to share certain maintenance items in the interest of minimizing costs for the citizens of the Township of Lower; and

WHEREAS, the Board of Education has proposed to take responsibility for the maintenance of the athletic fields at the Mitnick School, which had previously been handled by the Township; in exchange, the Township will maintain the landscaping and lawns of the Douglas Memorial School and will handle the plowing of snow at the parking lot of the Douglas Memorial School; and

WHEREAS, such agreements are authorized pursuant to N.J.S.A. 40A:65-1 et seq.; and

WHEREAS, this contract is in the best interest of the Township of Lower; and

WHEREAS, the Chief Financial Officer has provided a Certification of Funds for the provision of such services by the Township;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Lower, in the County of Cape May and State of New Jersey, that the shared services contract between the Township of Lower and the Lower Township Board of Education be and is hereby authorized and accepted and that the proper officials of the Township of Lower are authorized to execute said contract; and

BE IT FURTHER RESOLVED, that the contract shall take effect upon the adoption of the appropriate resolution by the Lower Township Board of Education and the execution of the contract by the parties in accordance with N.J.S.A. 40A:65-1 et seq.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on January 25, 2012.

  
Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
CRAIG			X			
DOUGLASS		X	X			
LARE			X			
BECK			X			

**SHARED SERVICES AGREEMENT  
BY AND BETWEEN THE TOWNSHIP OF LOWER  
AND  
THE LOWER TOWNSHIP BOARD OF EDUCATION**

The Township of Lower and the Lower Township Board of Education are authorized pursuant to N.J.S.A. 40A:65-1 et seq. to enter into certain Shared Services Agreements.

For several years, the Township and the Board have cooperated in the maintenance of certain grounds belonging to the Board and utilized by the Township. The Board and the Township are desirous of formalizing such arrangements by way of this Shared Services Agreement.

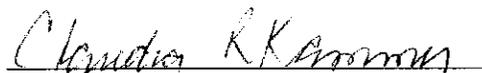
By way of this agreement, the Board of Education has proposed to take responsibility for the maintenance of the athletic fields at the Mitnick School, which had previously been handled by the Township; in exchange, the Township will maintain the landscaping and lawns of the Douglas Memorial School and will handle the plowing of snow at the parking lot of the Douglas Memorial School.

The Township shall bear the cost of the items related to the maintenance of the items at the Douglas Memorial School in consideration of the continuing cooperation between the Board and the Township for the occasional use of school facilities by the Township and this is deemed by both parties to be full, fair and adequate consideration for this agreement.

Intending to be bound by the provisions hereof, the authorized parties have set their signatures herein below. This agreement shall be effective upon the date of the full execution of same and continue for a period of ten years, pursuant to 40A:65-7.

For the Township of Lower:

Signed this 25<sup>th</sup> day of January, 2012.

  
Witness: Claudia Kammer, Clerk

  
By: Michael Beck, Mayor

For the Lower Township Board of Education

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Witness:

\_\_\_\_\_  
By:

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

RESOLUTION #2012-36

**TITLE: RESOLUTION AUTHORIZING THE DONATION OF WINTER POLICE JACKETS NO LONGER NEEDED FOR PUBLIC USE TO LOWER CAPE MAY REGIONAL HIGH SCHOOL'S SCHOOL BASED YOUTH SERVICES**

WHEREAS, Chief Brian Marker of the Lower Township Police Department currently has winter police jackets deemed are no longer needed for public use and which are of minimal monetary value, and,

WHEREAS, Lower Cape May Regional High School, through the school nurse and the School Based Youth Services has a program to assist local residents and children in need, and

WHEREAS, Lower Township would like to participate in this worthwhile objective to assist our local residents and children, through Bonnie Walker the Regional High School Nurse and the School Based Youth Services.

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the winter jackets from the Lower Township Police Department are hereby authorized to be donated to Lower Cape May Regional High School to be distributed to those in need through the School Based Youth Service program.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on January 25, 2012.

  
Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
CRAIG			X			
DOUGLASS		X	X			
LARE			X			
BECK			X			

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

**RESOLUTION #2012-37**

**Title: TRANSFER OF 2011 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 \$2,500.00 be made between the 2011 budget appropriation reserves.

LINE ITEM		ACCT. NUMBER	TO	FROM
HEALTH INSURANCE	S&W	1-01-27-340-101	2,500.00	
UFSA	OE	1-01-25-265-299		2,500.00
			<u>2,500.00</u>	<u>2,500.00</u>

**I hereby certify the foregoing to be a resolution adopted by the Township Council on January 25, 2011.**

*Claudia R Kammer*  
 \_\_\_\_\_  
 Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
CRAIG			X			
DOUGLASS		X	X			
LARE			X			
BECK			X			

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

RESOLUTION #2012-38

**TITLE: RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING FOR 2012 FOR MICHAEL VOLL, MANAGER**

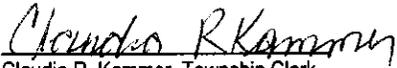
WHEREAS, Michael Voll was appointed Township Manager by the Township Council on January 3, 2011 in accordance with N.J.S.A. 40:69A-93 by Resolution #2011-29 which established the initial terms and conditions of employment, and

WHEREAS, Council is in agreement to amend certain terms & conditions as originally stated in Res. #2011-29, and

WHEREAS, this Resolution, to the extent of any conflict, shall supersede and replace the provisions of any prior Resolution and the provisions of this Resolution shall control.

NOW, THEREFORE BE IT RESOLVED, the attached Memorandum of Understanding is hereby approved and ratified.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on January 25, 2012.

  
Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		X	X			
CRAIG			X			
DOUGLASS	X		X			
LARE			X			
BECK			X			

## **MEMORANDUM OF UNDERSTANDING BETWEEN MICHAEL VOLL AND THE TOWNSHIP OF LOWER**

Res. 2011-29 shall be amended as follows:

### **VACATION, PERSONAL, SICK & FUNERAL LEAVE**

Annually

Vacation - 25 days

Personal - 4 days

Sick - 15 days

Funeral Leave - 5 days (immediate family)

### **VEHICLE USE**

The Township agrees to supply the Manager with a vehicle to be used on Township business and when necessary during the course of employment duties for limited personal use.

### **COMPENSATION**

2012 Annual salary - \$92,500

2013 Annual salary - \$100,000

### **WORK WEEK**

It is understood that the Manager will dedicated himself to performing his duties as in accordance with NJSA 40:69A-95, however the Manager shall work an average of 40 hours per work week with time requirements for optimal job performance varying based on specific assignments, emergencies, seasonal demands and other unexpected factors. All parties endorse a policy of flexibility which will allow the Manager to adjust normal working hours as conditions require for the duties of his office and to perform special duties, attend meetings and work hours as required in order to properly represent the Township. All other terms and conditions not specifically outlined above are governed by the employee manual.

### **HEALTH BENEFITS**

The Manager shall receive from the township as all other employees dental, vision and life insurance coverage.

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

**RESOLUTION # 2012-39**

**Title: AUTHORIZATION FOR THE PAYOUT OF ACCUMULATED SICK TIME**

WHEREAS, the employees listed on the attached schedule have accrued sick time due from the Township and per union contract the Township will at the employees request, annually buy back five (5) days of unused sick leave in December of any year, from employees who have not used more than five (5) sick days that calendar year.

WHEREAS, it is necessary to obtain authorization for any salary and wage disbursement to a Township employee that is not specified in the salary ordinance, and

WHEREAS, it has been determined by the Assistant Township Treasurer as evidenced by signature *Colleen Casper* that adequate funding is available for such payment in the 2011 budget for Salaries and Wages

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that payment to the employees listed on the attached schedule not to exceed the amount of \$3,248.64 is authorized and chargeable to the 2011 Budget:

**I hereby certify the foregoing to be a resolution adopted by the Township Council on January 25, 2012.**

*Claudia R Kammer*  
Claudia R. Kammer, RMC, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAIN
CONRAD		X	X			
CRAIG			X			
DOUGLASS	X		X			
LARE			X			
BECK			X			



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

RESOLUTION #2012-40

**TITLE: RESOLUTION AMENDING RESOLUTION 2011-01, ENTITLED APPOINTMENT OF MUNICIPAL SOLICITOR FOR 2011 WITHOUT PUBLIC BIDDING**

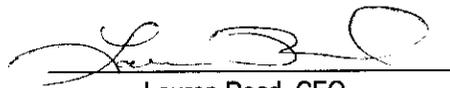
WHEREAS, the Township of Lower ("Township") has a need to acquire legal counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, Resolution #2011-01 adopted on January 3, 2011 appointing the Solicitor for the year stated the anticipated amount of the contract for 2011 would not exceed Ninety Thousand Dollars (\$90,000), and

WHEREAS, during the course of the year additional services requiring legal advice and expertise were necessary which created additional billing that exceeded the original contract amount, and

WHEREAS, the additional amount necessary to pay for the services rendered in 2011 is Seven Thousand One Hundred Fourteen Dollars and Twenty-Five Cents (\$7,114.25) which funds are certified by the CFO as listed below:

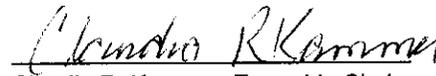
1-01-20-155-200



Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lower hereby amends Res. #2011-01 as noted above.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council at a meeting held on January 25 2012.

  
Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		X	X			
CRAIG			X			
DOUGLASS	X		X			
LARE			X			
BECK			X			

RESOLUTION # 2012- 41  
 LOWER TOWNSHIP  
 BILL LIST II  
 JANUARY 18, 2012

<u>VENDOR</u>	<u>PO#</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
Lower Twp Rescue Squad	11-03577	CPR Training	\$ 900.00
<b>TOTAL BILL LIST</b>			<b><u>\$ 900.00</u></b>

I certify the foregoing to be a Resolution adopted by the Lower Township Council on January 25 2012

*Claudia R Kammer*  
 Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD					X	
CRAIG		X	X			
DOUGLASS	X		X			
LARE			X			
BECK			X			

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

RESOLUTION # 2012-42

**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.
- \_\_\_\_\_ (5) Matters Relating to the Purchase, Lease of 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.
- 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 of possible violations of the law.
- \_\_\_\_\_ (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.

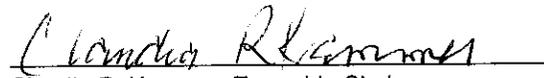
\_\_\_\_\_ (8) Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current 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. **(Personnel Matter Related to Decision of Division of Pension on Status of Police Officer)**

\_\_\_\_\_ (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 25, 2012 that an Executive Session closed to the public shall be held on this date at approximately 7:30 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.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 25, 2012.

  
 Claudia R. Kammer, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		X	X			
CRAIG			X			
DOUGLASS	X		X			
LARE			X			
BECK			X			