

## RESOLUTIONS ADOPTED MARCH 19, 2012

- Res. #2012-81 Payment of Vouchers, \$1,962,121.66
- Res. #2012-82 A Resolution Requesting Release of Maintenance Guarantee for Cape Bank, 1899 Bayshore Road, Villas; Block 297, Lots 6-12, 20.02 & 22; Escrow P06-09-07)
- Res. #2012-83 Authorizing Pay Out of Terminal Leave (Pay out of 480 sick hours - pursuant to employment contract)
- Res. #2012-84 Approval of Holy Sprit Lutheran Church's Application To Conduct Flea Markets (June 9 & Sept. 29)
- Res. #2012-85 Resolution Requesting Cape May County Establish a No Parking Zone on a Portion of Seashore Road (Area in front of Seashore Church of the Nazarene)
- Res. #2012-86 Approval for Roadside Solicitation by Villas Volunteer Fire Company, Inc. (May 26, June 30 & Sept. 1)
- Res. #2012-87 Appointment of Public Defender for the Balance of 2012 (replacing C. Gibson who resigned due to appt. as a Superior Court Judge)
- Res. #2012-88 Appointment to Recreation Advisory Board (Regular member position - 3 yr term)
- Res. 2012-89 Payment of Voucher, Douglass Landscaping (pursuant to contract)
- Res. #2012-90 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." (Labor Relations - Negotiations Update)
- Res. #2012-91 A Resolution Approving the Municipal Public Access Plan



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00406	BLANEY & DONOHUE, PA							
	12-00490	02/21/12	EXPENSE 2012	Open	3,675.00	0.00		B
00432	MICHAEL BROGAN							
	12-00585	03/01/12	MEDICAL CLAIMS	Open	213.74	0.00		
00480	BURKE CHEVROLET*							
	12-00330	02/01/12	PARTS FOR POLICE VEH/DPS	Open	54.80	0.00		
00616	ANIMAL ALLIANCE OF CAPE							
	12-00691	03/09/12	TNR SPAY/NEUTER PROGRAM	Open	650.00	0.00		
00776	CAPE MEDIATION SERVICES, INC.							
	12-00200	01/20/12	2012 MEDIATION SERVICES	Open	2,743.92	0.00		
00784	CAPE MAY STAR & WAVE							
	12-00597	03/02/12	LEGAL NOTICES	Open	76.68	0.00		
	12-00698	03/12/12	LEGAL NOTICES	Open	<u>114.70</u>	0.00		
					191.38			
00807	CDW-GOVERNMENT INC*							
	12-00630	03/06/12	PRINTER	Open	373.00	0.00		
00825	COMCAST*							
	12-00644	03/07/12	INTERNET-TOWNHALL	Open	95.18	0.00		
	12-00677	03/09/12	MONTHLY INTERNET ACCESS	Open	<u>67.07</u>	0.00		
					162.25			
00933	CAPE MAY CO.COURT ADMIN. ASSN.							
	12-00524	02/23/12	DUES	Open	200.00	0.00		
01170	VERIZON WIRELESS* F/S							
	12-00671	03/08/12	CELL SERVICE 01/27-02/26/12	Open	94.47	0.00		
01171	VERIZON WIRELESS - TOWNHALL							
	12-00622	03/05/12	CELL PHONE MONTH OF FEBRUARY	Open	1,123.79	0.00		
	12-00662	03/08/12	CELL-MARCH 2012	Open	<u>113.45</u>	0.00		
					1,237.24			
01220	DRAEGER SAFETY DIAGNOSTICS*							
	11-03352	12/05/11	ALCOTEST SOLUTION	Open	278.95	0.00		
01241	BRIAN MCEWING							
	11-01379	05/16/11	2011 EQUIP. ALLOWANCE	Open	45.00	0.00		
	12-00629	03/06/12	2012 EQUIP. ALLOWANCE	Open	<u>110.25</u>	0.00		B
					155.25			
01245	G & K SERVICES CO*							
	12-00586	03/01/12	UNIFORM RENTALS/DPW	Open	740.11	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01365 GARY DOUGLASS	12-00704	03/12/12	MOTOR VEHICLE REIMBURSEMENT	Open	60.00	0.00		
01540 FIRE DISTRICT #2	12-00663	03/08/12	2012 TAXES - FIRE DISTRICT #2	Open	348,717.60	0.00		
01590 FORD, SCOTT & ASSOCIATES*	12-00635	03/06/12	SERVICES THRU DECEMBER 31,2011	Open	5,500.00	0.00		
01641 GALL'S INC*	11-03435	12/12/11	VEHICLE LIGHTS	Open	665.00	0.00		
	12-00481	02/16/12	UNIFORMS	Open	<u>151.00</u>	0.00		
					816.00			
01655 GANN LAW BOOKS*	12-00300	01/27/12	LAND USE BOOK	Open	102.00	0.00		
01703 HARBOR SALES COMPANY*	12-00467	02/16/12	SIGN MATERIALS FOR DPS/POLICE	Open	542.91	0.00		
	12-00530	02/24/12	SIGN MATERIAL FOR POLICE VEHIC	Open	<u>198.52</u>	0.00		
					741.43			
01781 HATCH MOTT MACDONALD, LLC*	12-00619	03/05/12	PROFESSIONAL ENGINEERING	Open	194.99	0.00		
01785 ROBERT HARTMAN SR	12-00690	03/09/12	MEDICAL CLAIMS	Open	199.80	0.00		
01806 ANTHONY J HARVATT, II, ESQ	12-00526	02/23/12	BOARD SOLICITOR SALARY	Open	383.33	0.00		
	12-00620	03/05/12	REOSLUTIONS	Open	<u>600.00</u>	0.00		
					983.33			
01837 ROBERT HODSDEN	12-00716	03/14/12	MEDICAL CLAIMS	Open	1,056.95	0.00		
	12-00717	03/14/12	MEDICAL CLAIMS	Open	<u>34.82</u>	0.00		
					1,091.77			
02016 JERSEY ARCH DOOR & SUPPLY INC*	12-00581	03/01/12	CLOSERS FOR DOORS AT TWP HALL	Open	370.00	0.00		
02108 KEEN COMPRESSED GAS CO*	12-00331	02/01/12	BOTTLED GAS FOR SHOP/DPW	Open	235.90	0.00		
02223 LANDSMAN UNIFORMS*	11-03388	12/06/11	UNIFORMS	Open	951.50	0.00		
02334 LOWER TWP CHAMBER OF COMMERCE	12-00625	03/05/12	CHAMBER LUNCHEON 3/8/12	Open	30.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02349 ROBERT LUBBERMAN	12-00673	03/09/12	BASKETBALL REF FEES BIDDY DIV.	Open	722.00	0.00		
02417 MAGELLAN HILL TECHNOLOGIES*	12-00595	03/02/12	PHONE SERVICE	Open	417.84	0.00		
02541 ROBERT D. MARTIN, JR	12-00641	03/07/12	MEDICAL CLAIMS	Open	82.87	0.00		
02647 KATHLEEN MCPHERSON	12-00584	03/01/12	MEDICAL CLAIMS	Open	68.07	0.00		
	12-00592	03/01/12	MEDICAL CLAIM	Open	<u>23.00</u>	0.00		
					91.07			
02970 KEITH PALEK JR.	12-00675	03/09/12	BASKETBALL REF FEES GIRLS DIV.	Open	68.00	0.00		
02998 NJ DEPT OF TREASURY	12-00482	02/16/12	Notary	Open	25.00	0.00		
03008 NJ DEPT OF TREASURY	12-00357	02/03/12	ENVIRONMENTAL REGULATIONS	Open	5,250.00	0.00		
03075 NEW JERSEY PUBLIC SAFETY	12-00366	02/06/12	AQNNUAL MAINT.	Open	300.00	0.00		
03104 NORTHEAST IND.&MARINE SUPPLY*	12-00359	02/03/12	PARTS FOR RDS/DPW	Open	255.12	0.00		
	12-00486	02/17/12	PARTS FOR COUNTY DUMP TRUCK	Open	<u>846.56</u>	0.00		
					1,101.68			
03279 PARDO'S TRUCK PARTS WHSE*	12-00336	02/01/12	PARTS FOR RDS/SANT/RECY/DPW	Open	340.76	0.00		
03284 STEPHEN H. PARKER(REF FEES)	12-00674	03/09/12	BASKETBALL REF FEES BIDDY DIV.	Open	1,228.00	0.00		
03305 PEDRONI FUEL*	12-00589	03/01/12	NO LEAD GAS/DPW	Open	1,015.42	0.00		
03366 AMERI-GAS*	12-00593	03/01/12	PROPANE FOR STORAGE SHED	Open	276.37	0.00		
	12-00678	03/09/12	PROPANE FOR CONCESSION STAND	Open	<u>290.53</u>	0.00		
					566.90			
03476 REMINGTON ARMS CO INC.	12-00460	02/16/12	TRAINING	Open	775.00	0.00		
03478 RED THE UNIFORM TAILOR, INC.*	11-02686	09/28/11	RAIN GEAR	Open	13,323.50	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03518 RIGGINS, INC.*	12-00590	03/01/12	OFF-HIGHWAY DIESEL/DPW	Open	2,257.63	0.00		
03659 SOUTH JERSEY WIPING CLOTH*	12-00580	03/01/12	RAGS FOR GARAGE SHOP/DPW	Open	432.00	0.00		
03691 SJ COURT ADMINISTRATOR'S ASSN*	12-00564	02/28/12	DUES	Open	90.00	0.00		
03717 DEPT OF COMMUNITY AFFAIRS	12-00408	02/08/12	NJ CONSTRUCTION CODE SUBSCRIP	Open	50.00	0.00		
03733 JAMES D. STRICKLAND	12-00711	03/13/12	MEDICAL CLAIMS	Open	650.70	0.00		
03810 MUNICIPAL UTIL AUTH USAGE COST	12-00576	03/01/12	SEWER CHARGES DUE 04/01/12	Open	1,160.00	0.00		
03820 MUNICIPAL UTIL. AUTH ON CALL	12-00303	01/27/12	ONE CALL MESSAGES/DPW	Open	75.99	0.00		
03898 STATE OF NJ DIV OF PENSIONS	12-00713	03/13/12	ANNUAL PERS CONTRIBUTION	Open	1,465,047.00	0.00		
	12-00714	03/13/12	PENSION SHORTAGE	Open	12.38	0.00		
					<u>1,465,059.38</u>			
03935 STAPLES BUSINESS ADVANTAGE*	12-00391	02/08/12	CUSTOM STAMP	Open	23.00	0.00		
03969 VERIZON	12-00702	03/12/12	MONTHLY PHONE BILL MARCH 2012	Open	120.98	0.00		
03972 ROBERT THOMAS III	12-00712	03/13/12	MEDICAL CLAIMS-V	Open	167.50	0.00		
03978 USPS ACCT#48503619	12-00724	03/15/12	POSTAGE	Open	4,000.00	0.00		
03985 VILLAS NAPA AUTO PARTS	12-00333	02/01/12	PARTS FOR RDS/SANT/RECY/POLICE	Open	2,149.27	0.00		
04097 CINTAS FIRST AID AND SAFETY*	12-00337	02/01/12	FIRST-AID KIT SUPPLIES/DPW	Open	253.85	0.00		
	12-00415	02/08/12	FIST AID SUPPLIES-TOWNHALL	Open	174.82	0.00		
					<u>428.67</u>			
04105 PITNEY BOWES GLOBAL FINANCIAL	12-00131	01/12/12	2012 POSTAGE EXPIRES 6/01/12	Open	902.00	0.00		B
04266 NJ DEPT OF HEALTH&SENIOR SVCS	12-00699	03/12/12	STATE DOG LICENSE FEES-FEBRUAR	Open	558.00	0.00		

March 15, 2012  
11:50 AM

Lower Township  
Bill List By Vendor Id

Page No: 6

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04276 WPCS INTERNATIONAL- LAKEWOOD*	12-00314	01/30/12	VEHICLE OUTFITTING	Open	284.21	0.00		
04300 W B MASON CO INC*	12-00525	02/23/12	CREDIT CARD PAPER	Open	19.50	0.00		
04301 SEASHORE ASPHALT CORPORATION*	12-00579	03/01/12	PATCH FOR RDS/DPW	Open	252.50	0.00		
04315 GLOBAL CONNECT*	12-00634	03/06/12	2012 REVERSE 911 SERVICE	Open	5,650.00	0.00		
04320 PREMIER OFFICE SUPPLY*	12-00488	02/17/12	OFFICE SUPPLIES	Open	172.76	0.00		
5007 COMMAND CONCEPTS	11-03599	12/29/11	PORTABLE COMMAND CENTER	Open	579.30	0.00		
5021 MICHAEL D. LOPER	12-00700	03/12/12	RETURN OF UNUSED ESCROW	Open	10.00	0.00		
ALPHACAR ALPHA CARD SYSTEMS*	12-00433	02/14/12	ID CARD SYSTEM FOR REC.	Open	2,323.00	0.00		
AMENH TOM AMENHAUSER	12-00676	03/09/12	BASKETBALL REF FEES GIRLS DIV.	Open	68.00	0.00		
CALLINAN JOHN F CALLINAN, ESQUIRE	12-00495	02/22/12	HEARING OFFICER-POLICE DISCIPL	Open	600.00	0.00		
KRICH HARLAN P. KRICHMAN	12-00640	03/07/12	RETURN OF UNUSED ESCROW	Open	9.00	0.00		
MARGATE MARGATE RECREATION	12-00596	03/02/12	YOUTH BASKETBALL TOURNAMENT	Open	150.00	0.00		
MASTJ JAMES W. MASTRIANI, ARBITRATOR	12-00496	02/22/12	TOWNSHIP/PBA MEDIATION	Open	845.00	0.00		
OPTOM OPTIMIST CLUB OF THE WILDWOODS	12-00689	03/09/12	BASKETBALL ENTRY FEE 7/8 BOYS	Open	150.00	0.00		
SIXSM LLOYD SIXSMITH*	11-03562	12/27/11	4 OEM SHIRTS	Open	101.35	0.00		
<hr/>								
Total Purchase Orders:	107	Total P.O. Line Items:	260	Total List Amount:	1,912,190.94	Total Void Amount:		0.00

**RESOLUTION #  
Lower Township  
Bill List  
2012**

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
CMC Sheriffs Office	12-00627	5 Project Life Saver Bracelets	047102	03/06/2012	\$1,650.00
Hatch Mott MacDonald	12-00444	Additional Inspections	047101	03/06/2012	\$20,342.50
LTMUA	12-00643	Villas Groundwater	047103	03/07/2012	\$27,938.22

Total Manual Checks \$ 49,930.72

Total brought forward from computer generated bill list \$ 1,912,190.94

**TOTAL BILL LIST \$ 1,962,121.66**

I certify the foregoing to be a Resolution adopted by the Township Council on March 19 2012.

  
\_\_\_\_\_  
Claudia R. Kammer, RMC, 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 #2012-82**

**TITLE:** A resolution requesting release of Maintenance Guarantee for Cape Bank  
1899 Bayshore Road, Villas; Block 297, Lots 6-12, 20.02 & 22;  
Escrow P06-09-07

WHEREAS, Cape Bank posted a Maintenance Guarantee with the Township of Lower, in the amount of \$3,635.70; and

WHEREAS, the Township Engineer has recommended that the improvements have been properly installed and are presently acceptable; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, the Governing body thereof, that the Maintenance Guarantee is released.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on March 19, 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

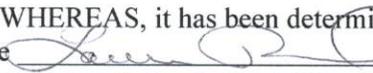
RESOLUTION # 2012-83

Title: AUTHORIZING PAY OUT OF TERMINAL LEAVE

WHEREAS, the employee listed below has requested that his maximum of 1440 sick hours be paid out in three installments per his employment contract, and

WHEREAS, this pay out constitutes the second of three installments, and

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 Township Treasurer as evidenced by signature  that adequate funding is available for accumulated time in the dedicated line item "Reserved for Accumulated Absences".

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that a revised payment due to Brian Marker in the amount of \$ 30,000 is authorized and chargeable to the Reserve for Accumulated Absences.

I hereby certify the foregoing to be a resolution adopted by the Township Council on March 19, 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 #2012-84**

**TITLE: APPROVAL OF HOLY SPIRIT LUTHERAN CHURCH'S APPLICATION TO CONDUCT FLEA MARKETS**

WHEREAS, Section 359-13 of the Code of Lower Township prohibits outdoor flea markets within the confines of Lower Township except as provided for in Section 359.13b, and

WHEREAS, Section 359-13 of the General Ordinances of the Township of Lower permits non-profit, charitable, civic and religious organizations to conduct four (4) outdoor flea markets within the confines of the Township if approved by the Township Council.

WHEREAS, the Township Council has reviewed the application of Holy Spirit Lutheran Church to conduct flea markets on June 9, 2012 with a rain date of June 16, 2012 and September 29, 2012 with a rain date of October 6, 2012 at 1220 Bayshore Road, and

WHEREAS, the Council has determined the applicant meets the ordinance requirements of a non-profit, charitable, civic and/or religious organization.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, that approval is hereby granted.

I hereby certify this is the original resolution adopted by the Township Council at the meeting held on March 19, 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 #2012-85

**TITLE: RESOLUTION REQUESTING CAPE MAY COUNTY ESTABLISH A NO PARKING ZONE ON A PORTION OF SEASHORE ROAD**

**WHEREAS**, Seashore Road is a heavily traveled road, especially during summer when tourists, visitors and county residents use it to travel from Route 47 to points south such as Historic Cold Spring Village, the Ferry and Cape May, and

**WHEREAS**, Seashore Church of the Nazarene, 446 Seashore Road, has submitted a letter to the Township voicing their concern over a potentially dangerous condition that exists along the front of their property, and

**WHEREAS**, they have requested the area be designated a No Parking Zone with signs posted and the roadway marked , and

**WHEREAS**, the Lower Township Police Department has investigated the request and deems it an appropriate request for the safety and welfare of residents and visitors.

**NOW, THEREFORE, BE IT RESOLVED** the Township Council, the governing body of the Township of Lower, hereby requests the Cape May County Freeholders consider the attached request of Seashore Church of the Nazarene.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on March 19 , 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 #2012-86

**TITLE: APPROVAL FOR ROADSIDE SOLICITATION BY VILLAS VOLUNTEER FIRE COMPANY, INC.**

WHEREAS, the Villas Volunteer Fire Company, Inc. has requested permission to solicit contributions from the public on Bayshore Road in front of the Fire Company, between Georgia Avenue and East Wilde Avenue, and

WHEREAS, the Lower Township Board of Fire Commissioners have provided the required Certificate of Insurance, and

WHEREAS, the Villas Volunteer Fire Company has also submitted the required paperwork to the County of Cape May for approval, and

NOW, THEREFORE, BE IT RESOLVED by the Township Council, the governing body thereof, that the application for the Solicitation of funds on County Roads #603 (Bayshore Road) in front of the fire company be and is hereby approved upon receipt of the resolution of approval by the Cape May County Board of Chosen Freeholders for **May 26, June 30 and September 1, 2012 with rain dates, if necessary, the following day.**

FURTHER RESOLVED that pursuant to Public Law 1997, C. 82 which provides that the Township "shall not be liable in any civil action for damages for property damage or personal injury resulting from a motor vehicle accident arising out of or in the course of roadway solicitations for the purpose of soliciting contributions, conducted by charitable organizations...".

I hereby certify the foregoing is the resolution adopted by the Township Council at their meeting on March 19, 2012

  
Claudia R. Kammer, Twp. Clerk

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



**ACORD**<sup>TM</sup>**CERTIFICATE OF LIABILITY INSURANCE**DATE (MM/DD/YY)  
9/20/2011

PRODUCER  
Conner Strong Companies, Inc.  
MEL/JIF Underwriting Unit  
231 Main Street, CN 2017  
Toms River, NJ 08754

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

**INSURERS AFFORDING COVERAGE**

INSURED  
Member Towns of the Atlantic County Municipal  
Joint Insurance Fund  
PO Box 488  
Marlton, NJ 08053

INSURER A: Atlantic County Municipal Joint Insurance Fund  
INSURER B: Municipal Excess Liability Joint Insurance Fund  
INSURER C:  
INSURER D:  
INSURER E:

**COVERAGES**

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES, AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INS LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR. GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> Policy <input type="checkbox"/> Project <input type="checkbox"/> LOC	ATL120401-87	1/1/2012	1/1/2013	EACH OCCURRENCE \$ 300,000 FIRE DAMAGE (Any One Fire) \$ MED. EXP. (Any one person) \$ PERSONAL & ADV. INJURY \$ GENERAL AGGREGATE \$ PRODUCTS-COMP/OP AGG. \$
A	<b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	ATL120401-87	1/1/2012	1/1/2013	COMBINED SINGLE LIMIT (EA accident) \$ 300,000 BODILY INJURY (Per Person) \$ BODILY INJURY (Per Accident) \$ PROPERTY DAMAGE (Per accident) \$ AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY EA ACC \$ AGG \$
	<b>GARAGE LIABILITY</b> <input type="checkbox"/> ANY AUTO				
B	<b>EXCESS LIABILITY</b> <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE RETENTION \$	MEL01210187	1/1/2012	1/1/2013	EACH OCCURRENCE \$ 4,700,000 AGGREGATE \$ 4,700,000
A	<b>WORKERS' COMPENSATION AND EMPLOYERS LIABILITY</b>	ATL120401-87	1/1/2012	1/1/2013	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 2,000,000 E.L. DISEASE - EA EMPLOYEE \$ 2,000,000 E.L. DISEASE - POLICY LIMIT \$ 2,000,000
	OTHER				

DESCRIPTION OF OPERATIONS: ANY ALTERATIONS WILL VOID THIS CERTIFICATE.  
SEE ATTACHED FOR LIST OF MEMBER TOWNS. KAF

**CERTIFICATE HOLDER**

ADDITIONAL INSURED;INSURER LETTER:

**CANCELLATION**

County of Cape May  
Attn: Stephen O'Connor, Administrator  
Crest Haven Complex  
4 Moore Road  
Cape May Court House, NJ 08210

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Description of Operations Continuation:

The following member municipalities of the Atlantic County Municipal Joint Insurance Fund are Named Insureds and limits shown on this certificate of insurance apply separately to each member municipality and not jointly.

Borough of Avalon	City of Absecon
City of Brigantine	City of Port Republic
Borough of Buena	
City of Cape May	
Cape May Point	
Commercial Township	
City of Corbin City	
Township of Deerfield	
Township of Dennis	
Township of Downe	
Egg Harbor Township	
City of Estell Manor	
Borough of Folsom	
Township of Galloway	
Township of Hamilton	
Hammonton Township	
City of Linwood	
Borough of Longport	
Lower Township	
City of Margate	
Middle Township	
City of Millville	
Mullica Township	
Borough of Newfield	
City of North Wildwood	
City of Northfield	
City of Ocean City	
City of Pleasantville	
City of Sea Isle City	
City of Somers Point	
Borough of Stone Harbor	
Upper Township	
Upper Deerfield Township	
City of Ventnor	
Waterford Township	
Borough of West Cape May	
Borough of West Wildwood	
Weymouth Township	
Wildwood City	
Wildwood Crest	
Borough of Woodbine	
City of Absecon	

Police Professional is included in the General Liability Coverage.

Certificate holder is included as additional insured ATIMA for General and Excess liability pursuant to the terms, conditions, limitations and exclusions of the JIF Casualty Insurance Policy only as respects to street openings, street and road closings, parades, hanging of banners, and use of County premises and facilities by a member of the Atlantic JIF as per the membership listed above.

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

**RESOLUTION #2012-87**

**TITLE: APPOINTMENT OF MUNICIPAL PUBLIC DEFENDER FOR THE BALANCE OF 2012**

WHEREAS, Resolution #2012-06 adopted on January 4, 2012 appointed Christopher Gibson as the Township's Public Defender; and,

WHEREAS, Christopher Gibson has recently been appointed as a Superior Court Judge and has resigned his position as the public defender, and

WHEREAS, the Township Council has reviewed the applications submitted for the Public Defender position for the balance of 2012, and

WHEREAS, the CFO had previously certified the funds for the Public Defender position pursuant to Resolution #2012-06 and no changes are necessary, and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for Professional Services without competitive bids and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower of Lower in the County of Cape May as follows:

The Mayor and Clerk are hereby authorized and directed to execute an agreement with Seth Fuscellaro.

This contract is awarded without competitive bidding as a Professional Service in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law as the contract is for a service performed by a person authorized by law to practice a recognized professional that is regulated by law.

A notice of this action shall be printed once in the Township's Official newspaper.

I hereby certify this is the original resolution adopted by the Township Council on March 19, 2012.

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

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

# **SETH A. FUSCELLARO**

200 E. Rosemary Road, Wildwood Crest, NJ 08260, (H)609-729-2244, (O)522-5599

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## **EDUCATION**

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### **QUINNIPIAC UNIVERSITY SCHOOL OF LAW, HAMDEN, CT.**

*Juris Doctor*, May 1998, Admitted in New York and New Jersey

**Activities:** National ABA Representative, 1997-1998; Organized charity road race, 1997; Created Student Bar Association Charity Fund for Children of the YMCA, 1998; Connecticut National Jurist Representative, 1997-1998; Student Bar Association Executive Board, 1997-1998; Student Bar Association Senator, 1995-1997; Rugby Club, 1995-1998; Italian Law Society, 1995-1998; Brehon Law Society, 1995-1998.

### **TRINITY COLLEGE, DUBLIN IRELAND**

Law Study Abroad Program (Summer 1997)

### **RUTGERS UNIVERSITY, NEW BRUNSWICK, NJ.**

Bachelor of Science, double major, May 1994

Majors: Administration of Justice, Psychology

Academics: GPA 3.35

**Honors:** Academic Excellence Award in Irish Legal System, 1997; American Cancer Society Scholarship, 1990-1994; Lions Club Scholarship, 1990-1994; Sons of Italy Scholarship, 1990-1994; Elizabeth Schroeder Award, 1990-1994; Dean's List, 1993.

## **EXPERIENCE**

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**STAGLIANO, DEWEESE & FUSCELLARO, P.A.** *Partner*, 2009- present,  
General Litigation with extensive work in Civil Litigation including Personal Injury Law, Matrimonial Law, Commercial and Business Transactions

### **TOWNSHIP OF MIDDLE**

2 South Boyd Street

Cape May Court House, NJ 08210

*Public Defender* – January, 2012 to present

### **CITY OF NORTH WILDWOOD**

901 Atlantic Avenue

North Wildwood, New Jersey 08260

*Public Defender* –February, 2011 to present

### **STAGLIANO & DEWEESE, P.A.** *Associate Attorney*, 2002-2009

General Litigation, extensive work in Matrimonial Law, Personal Injury Law, and Real Estate Law.

### **PARK & WEINSTEIN, LLP**, *Associate Attorney*, 2001-2002

Extensive work in Criminal Law at the Municipal and Superior Court levels, Matrimonial Law and Real Estate Law.

### **SOLOMON LEFKOWITZ, PA**, *Associate Attorney*, 1998-2001

Responsible for all levels of case preparation through trial. Drafted pleadings, discovery motions and notices for appearances in Civil, Criminal, Family and Workers Compensation Courts. Superior background in Personal Injury, Auto Insurance Liability, Criminal, Workers Compensation, and Municipal law.

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

RESOLUTION #2012-88

TITLE: APPOINTMENT TO THE RECREATION ADVISORY BOARD

WHEREAS, Mark DiDonato's Regular Member, term expired on December 31, 2011, and

WHEREAS, he has reapplied for membership and the Chairman has recommended reappointment, and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the following appointment to the Recreation Advisory Board be made as noted below:

<u>Name</u>	<u>Type</u>	<u>Term Exp.</u>
Mark Di Donato	Regular Member (reappointment)	December 31, 2014

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on March 19, 2012.

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

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD						
CRAIG						
DOUGLASS						
LARE						
BECK						

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

RESOLUTION #2012-89

TITLE: AUTHORIZING THE PAYMENT OF VOUCHERS

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Amount</u>
DOUGLASS LANDSCAPING	12-00687	LANDSCAPING-1 <sup>ST</sup> PAYMENT	\$6490.63

TOTAL BILL LIST      \$6490.63

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on March 19, 2012.

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

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

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

**RESOLUTION # 2012-90**

**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.
- X   (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. (Contract update - all unions)
- \_\_\_\_\_ (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.
- \_\_\_\_\_ (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.

\_\_\_\_\_ (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 March 19, 2012 that an Executive Session closed to the public shall be held on this date at approximately 8:05 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 March 19, 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 #2012-91

**TITLE: A RESOLUTION APPROVING THE MUNICIPAL PUBLIC ACCESS PLAN**

Whereas, the Township of Lower Municipal Access Plan was submitted to the Township Council and reviewed at the regular meeting of March 19, 2012, and

WHEREAS, the governing body has approved the plan as submitted.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower the "Township of Lower Municipal Access Plan", a copy of which is attached is hereby approved.

FURTHER RESOLVED a copy of the plan shall be sent to the New Jersey Department of Environmental Protection for review and approval in accordance with N.J.A.C. C7.7 and N.J.A.C. 7.7.E.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on March 19, 2012.

  
Claudia R. Kammer, Township Clerk

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