

December 3, 2012

Res. #2012-273	Payment of Vouchers, \$ 512,830.49
Res. #2012-274	Authorizing Increases for Non Union Employees (annual resolution)
Res. # 2012-275	Authorization for Refund of Taxes (2 properties - disabled veterans)
Res. # 2012-276	Authorization to Cancel Uncashed Checks (\$16.49 total - 7 checks)
Res. # 2012-277	Authorization for the Payout of Accumulated Compensatory Time (B. McEwing \$1,508.90)
Res. # 2012-278	Authorization for the Payout of Accumulated Compensatory Time (M. Plenn \$1,694.30)
Res. # 2012-279	Transfer of 2012 Appropriations (\$37,000.00)
Res. # 2012-280	Amending Resolution #2012-13: Designation of Depositories (closing the LLEBG account)
Res. # 2012-281	Rejection of Bids - Millman Community Center (bids exceed appropriation)
Res. # 2012-282	Authorization for Waiver of Fees for Saint John of God Church (lighting improvement permits)
Res. #2012- 284	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. (Contract Updates/Employment Relationships)

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00784	CAPE MAY STAR & WAVE							
	12-03172	11/20/12	ONE INSERTION 11/07/12	Open	60.76	0.00		
	12-03183	11/21/12	NOTICE OF DECISION 11/14/12	Open	<u>25.42</u>	0.00		
					86.18			
00807	CDW-GOVERNMENT INC*							
	12-02712	10/11/12	OFFICE EQUIPMENT	Open	103.13	0.00		
00820	COMCAST OF WILDWOOD* DPW							
	12-03241	11/28/12	MONTHLY INTERNET	Open	102.19	0.00		
00825	COMCAST*							
	12-03203	11/26/12	MONTHLY INTERNET-FIRE/SAFETY	Open	94.19	0.00		
01055	ERIC COOMBS							
	11-01366	05/16/11	2011 EQUIP. ALLOWANCE	Open	149.95	0.00		B
01072	WILLIAM CORDES JR							
	12-03157	11/19/12	CONTRACTUAL REIMBURSEMENT	Open	800.00	0.00		
01239	DIANA L DeNOTE							
	12-03170	11/19/12	CONTRACTUAL REIMBURSEMENT	Open	238.00	0.00		
01641	GALL'S INC*							
	12-01671	06/15/12	POLICE OPERATION SUPPLIES	Open	1,385.00	0.00		
01649	GARDEN STATE HWY PRODUCTS, INC*							
	12-02195	08/13/12	SUPPLIES FOR SIGNS	Open	2,127.50	0.00		
01768	ROBERT HARTMAN JR							
	11-01372	05/16/11	2011 EQUIP. ALLOWANCE	Open	150.00	0.00		
	12-01298	05/16/12	2012 EQUIP. ALLOWANCE	Open	<u>150.00</u>	0.00		
					300.00			
01785	ROBERT HARTMAN SR							
	12-03244	11/28/12	CONTRACTUAL REIMBURSEMENT	Open	299.70	0.00		
01803	HORIZON DENTAL OPTION*							
	12-03228	11/27/12	DECEMBER 2012 DENTAL INSURANCE	Open	15,925.11	0.00		
01859	HESS CORPORATION							
	12-03204	11/26/12	ELECTRICITY 10/22/12-11/19/12	Open	5,836.89	0.00		
02025	HUNTER JERSEY PETERBILT*							
	12-03131	11/14/12	PARTS FOR TRASH TRUCK	Open	47.54	0.00		
02027	JESCO INC*							
	12-03130	11/14/12	PARTS FOR BACKHOE	Open	1,590.30	0.00		
02108	KEEN COMPRESSED GAS CO*							
	12-02688	10/09/12	BOTTLED GAS FOR GARAGE/DPW	Open	118.56	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02247	LAWSON PRODUCTS, INC.*							
	12-02898	11/02/12	SUPPLIES FOR DPW GARAGE	Open	25.46	0.00		
	12-03129	11/14/12	SUPPLIES FOR GARAGE	Open	<u>1,050.50</u>	0.00		
					1,075.96			
02248	LAWMEN SUPPLY*							
	12-01506	06/08/12	BALLISTIC VESTS	Open	4,524.00	0.00		
02334	LOWER TWP CHAMBER OF COMMERCE							
	12-03150	11/15/12	HOSPITALITY NIGHT CONTRIB	Open	4,000.00	0.00		
02749	MODERN GAS COMPANY/INDERGY*							
	12-02902	11/02/12	FUEL- EMERGENCY GENERATOR	Open	73.62	0.00		
03072	NJ STATE LEAGUE OF MUNICIPALITI*							
	12-03184	11/21/12	1/12/13 NEWLY ELECTED OFFICALS	Open	230.00	0.00		
03109	TRU GREEN CHEMLAWN							
	12-00686	03/09/12	FERTILIZER/SLICE SEED	Open	1,815.00	0.00		B
03160	OFFICE BASICS, INC*							
	12-02822	10/23/12	FILE CABINETS	Open	1,039.56	0.00		
	12-02828	10/24/12	GUEST CHAIRS	Open	469.90	0.00		
	12-03132	11/14/12	INK FOR GARAGE PRINTER	Open	<u>76.96</u>	0.00		
					1,586.42			
03179	OFF-SHORE GETTY STATION*							
	12-03125	11/14/12	TOWING FOR 2 VEHICLES-HAYRIDE	Open	225.00	0.00		
03241	SARGENT OSHEA							
	12-03246	11/28/12	CONTRACTUAL REIMBURSEMENT	Open	4,735.32	0.00		
03280	PARAMOUNT SANITARY SUPPLY*							
	12-03126	11/14/12	TRASH BAGS 36X60	Open	415.35	0.00		
03290	PARKWAY VETERINARY HOSPITAL							
	12-03160	11/19/12	SHOTS, MEDICAL, ETC.	Open	727.58	0.00		
03293	BLAINE PAYNTER							
	12-03159	11/19/12	CONTRACTUAL REIMBURSEMENT	Open	61.00	0.00		
03305	PEDRONI FUEL*							
	12-03230	11/28/12	NO LEAD GAS/DPW	Open	1,373.84	0.00		
03350	MICHAEL PERRY							
	11-01382	05/16/11	2011 EQUIP. ALLOWANCE	Open	150.00	0.00		
	12-01285	05/16/12	2012 EQUIP. ALLOWANCE	Open	<u>108.87</u>	0.00		B
					258.87			
03366	AMERI-GAS*							
	12-03222	11/27/12	FUEL FOR BENNETS CROSSING	Open	323.54	0.00		

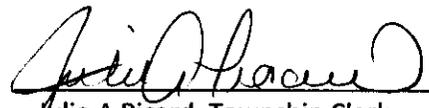
Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03372 JOHN PIGGOT	12-03158	11/19/12	CONTRACTUAL REIMBURSEMENT-V	Open	215.00	0.00		
03466 R & R SPECIALTIES	12-03171	11/19/12	DESK WEDGES-COUNCIL	Open	50.00	0.00		
03518 RIGGINS, INC.*	12-02970	11/13/12	HIGHWAY DIESEL	Open	1,343.25	0.00		
	12-03192	11/21/12	OFF HIGHWAY DIESEL	Open	<u>1,730.55</u>	0.00		
					3,073.80			
03521 LOUIS RUSSO	12-03182	11/21/12	CONTRACTUAL REIMBURSEMENT	Open	95.68	0.00		
03553 RANSOME INTERNATIONAL, LLC*	12-02896	11/02/12	PARTS FOR COUNTY VEHICLE	Open	659.63	0.00		
03611 SERVICE TIRE TRUCK CENTERS*	12-02895	11/02/12	TIRES/RDS/SANT/RECY/DPW	Open	3,388.99	0.00		
03619 THOMAS SOLENSKI	12-03181	11/21/12	CONTRACTUAL REIMBURSEMENT-V	Open	260.96	0.00		
03692 SOUTH JERSEY GAS CO*	12-03198	11/26/12	GAS NOVEMBER 2012	Open	2,614.83	0.00		
03723 STAPLES, INC.*	12-03135	11/14/12	SUPPLIES	Open	158.29	0.00		
03820 MUNICIPAL UTIL. AUTH ON CALL	12-02901	11/02/12	ONE CALL MESSAGES	Open	112.66	0.00		
03969 VERIZON	12-03243	11/28/12	PHONES 11/13/12-12/12/12	Open	3,946.82	0.00		
03971 VERIZON WIRELESS	12-03147	11/15/12	VERIZON - MDT	Open	645.12	0.00		
04101 SPANKY'S BBQ CATERING*	12-02722	10/11/12	FOOD FOR THE HAUNTED TRAILS	Open	250.00	0.00		
04105 PITNEY BOWES GLOBAL FINANCIAL	12-00131	01/12/12	2012 POSTAGE LEASE	Open	451.00	0.00		B
04126 NICK OLEXA	12-03122	11/14/12	REF PAYMENT FOR SOCCER	Open	200.00	0.00		
04300 W B MASON CO INC*	12-02589	09/27/12	SUPPLIES	Open	390.66	0.00		
	12-02833	10/24/12	CALENDERS/MISC SUPPLIES	Open	<u>454.61</u>	0.00		
					845.27			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04320 PREMIER OFFICE SUPPLY*								
	12-02965	11/13/12	2013 CALENDERS	Open	55.36	0.00		
05071 SHORE SOUND ENTERTAINMENT*								
	12-02844	10/25/12	MOVIE FOR HAUNTED TRAILS 10/27	Open	350.00	0.00		
05074 KG MARINE CONTRACTING INC*								
	12-02673	10/09/12	RES 2012-236 OUTFALL PIPES M-7	Open	78,490.55	0.00		B
05078 JAY GRESS INC*								
	12-02869	10/31/12	BULK MOTOR OIL/GARAGE/DPW	Open	4,846.62	0.00		
BISCEGLI ANDY & EMILY BISCEGLIE								
	12-03216	11/27/12	REFUND OVER OVERPAYMENT-TAXES	Open	4,385.55	0.00		
BROOKSK KAREN R BROOKS								
	12-03190	11/21/12	FINGERPRINT CHEERLEADING COACH	Open	26.00	0.00		
CARROLL TERRY A CARROLL								
	12-03071	11/13/12	GENERAL ELECTION 2012	Open	200.00	0.00		
CARROT CARROT-TOP INDUSTRIES, INC*								
	12-02906	11/02/12	FLAGS	Open	198.99	0.00		
CITIM CITIMORTGAGE, INC								
	12-03218	11/27/12	REFUND OVERPAYMENT DUE-TAXES	Open	1,824.55	0.00		
CWEBER COLLEEN WEBER								
	12-02805	10/19/12	REFUNDS-SOCCER	Open	61.00	0.00		
DHAUCK DUANE R. HAUCK								
	12-03227	11/27/12	RETURN ESCROW-STREETOPENPERMIT	Open	700.00	0.00		
RABINO NACASIO & ANICETA RABINO								
	12-03217	11/27/12	REFUND OVERPAYMENT DUE-TAXES	Open	231.80	0.00		
<hr/>								
Total Purchase Orders:	84	Total P.O. Line Items:	241	Total List Amount:	507,851.16	Total Void Amount:		0.00

**Resolution # 2012-273
MANUAL CHECK LISTING**

<u>Vendor</u>	<u>PO#</u>	<u>Description</u>	<u>Amount</u>
WAWA	12-03154	Supplies needed for SWAT	\$ 179.33
Systems and Network Engineers	12-03175	Network Engineer 11/20/12-11/19/13	\$ 4,800.00
			<hr/>
Total Manual Checks:			\$ 4,979.33
Total brought forward from computer generated bill list:			\$ 507,851.16
TOTAL BILL LIST:			<u>\$ 512,830.49</u>

I hereby certify the foregoing to be a Resolution adopted by the Township of Council at a meeting held on December 3, 2012


 Julie A Picard, Township Clerk

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

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

RESOLUTION # 2012-274

TITLE: AUTHORIZING INCREASES FOR NON UNION EMPLOYEES

WHEREAS, the Township has negotiated contracts with the Lower Township Teamsters Union #676, PBA Local 59 and AFSCME District Council #71; and

WHEREAS, the Township is currently in negotiations with the Lower Township Supervisor's Union and AFSCME Recreational Aides; and

WHEREAS, certain employees and titles are not covered by any union.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower that certain non-union employees as shown on the attached list be granted increases as noted on Schedule A.

I hereby certify the foregoing to be a Resolution adopted by the Township Council at a meeting held on December 3, 2012.


Julie A. Picard, Township Clerk

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

Schedule "A"

Increase Pursuant to AFSCME Union Contract 2012 – 2016

<u>Department</u>	<u>Employees</u>	<u>Title</u>
Manager	Kreis, Eileen	Principal Clerk Typist
Construction	Neill, James	Fire Sub-Code official (pt)

Seasonal Pool Employees

Recreation	New Ticket Takers – 8.00 per hour Returning Ticket Takers - 8.25
Recreation	New Lifeguards 10.50 per hour Returning Lifeguards – .25 above previous salary

Increase Pursuant to Teamsters Union Contract 2012 – 2016

<u>Department</u>	<u>Employees</u>	<u>Title</u>
Public Safety	Montgomery, Donald	Animal Control Officer
Public Safety	Parker, Stephen	Animal Control Officer
Public Safety	Magnavita, Zachary	Animal Control Officer

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

RESOLUTION #2012-275

TITLE: AUTHORIZATION FOR REFUND OF TAXES

WHEREAS, the Township Tax Collector has certified an overpayment due to the reasons listed below:
and

WHEREAS, a refund is due.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the CFO/Treasurer be and the same is authorized and directed to refund the overpayments according to the Tax Collector's certification on file with the CFO/Treasurer.

<u>Block</u>	<u>Lot</u>	<u>Refund To</u>	<u>Reason</u>	<u>Tax</u>
497.01	24.05	Andy & Emily Bisceglie	disabled veteran	4,385.55
499.02	10	Citimortgage	disabled veteran	1,824.55
499.02	10	Nacasio & Aniceta Rabino	disabled veteran	231.80

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on December 3, 2012.


Julie A. Picard, Township Clerk

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

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

RESOLUTION #2012-276

Title: AUTHORIZATION TO CANCEL UNCASHED CHECKS

WHEREAS, the Municipal Court checks listed below have been returned in the mail and payees are unable to locate; and

WHEREAS, the Chief Financial Officer has requested that such checks be officially canceled in order to properly maintain the Township records, and

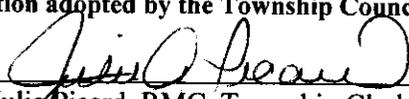
WHEREAS, the checks will be turned over to the Current Fund for proper disposition according to accounting regulations regarding unclaimed property.

NOW, THEREFORE BE IT RESOLVED by the Township Council that the following list of checks are hereby canceled.

Date	Payee	Ck. #	Amt.
ACCOUNT: COURT GENERAL			
4/8/2011	Joel Gonzalez	1304	1.00
4/8/2011	Alexander Christoph	1305	1.00
4/8/2011	Brian Wunder	1307	1.00
8/11/2011	Basiligo Rivera	1366	1.00
8/11/2011	Sandra Johnson	1367	0.99
10/18/2011	Thomas Ottara	1394	0.50
			<u>5.49</u>

ACCOUNT: COURT BAIL			
6/17/2011	Melissa Conlin	10003	11.00
			<u>11.00</u>

I hereby certify the foregoing to be a resolution adopted by the Township Council on December 3, 2012.


 Julie Picard, RMC, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			+			
NEVILLE		+	+			
DOUGLASS	+		+			
LARE			+			
BECK			+			

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
RESOLUTION # 2012-277**

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

WHEREAS, the employee listed below has accrued compensatory time due from the Township and has requested payment for this time, 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 such payment in the current year's budget for Salaries and Wages.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that payment to Brian McEwing in the amount of **\$1,508.90** is authorized and chargeable to the 2012 Budget account 2-01-25-240-124.

I hereby certify the foregoing to be a resolution adopted by the Township Council on December 3, 2012.


Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			+			
NEVILLE		+	+			
DOUGLASS	+		+			
LARE			+			
BECK			+			

LOWER TOWNSHIP POLICE DEPARTMENT

SPECIAL REPORT

TO: Chief Marker

FROM: Ptl. McEwing

DATE: 11-15-2012

SUBJECT: Comp Time

Sir,

I am writing to formally request to cash out forty (40) hours of compensatory time to pay for the deposit reserving the date for my wedding in the coming year.

Respectfully Submitted,



Brian McEwing
Patrolman Badge #185



C	File	Date	Officer	Comments
		11-16-12	LT. Pam Busby	
		11-28-12	Chief B. Marker	approved.

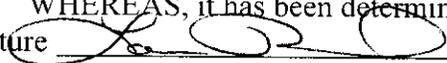
Huly = 37.7226
1508.90

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
RESOLUTION # 2012-278**

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

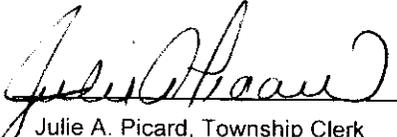
WHEREAS, the employee listed below has accrued compensatory time due from the Township and has requested payment for this time, and

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 such payment in the current year's budget for Salaries and Wages.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that payment to Mitchell Plenn in the amount of **\$1,694.30** is authorized and chargeable to the 2012 Budget account 2-01-28-370-101.

**I hereby certify the foregoing to be a resolution adopted by the
Township Council on December 3, 2012.**


Julie A. Picard, Township Clerk

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

Lower Township Department of Parks & Recreation

Mitchell B. Plenn

Asst. Supt. of Parks & Recreation

Jim Ridgway

Asst. Supt. of Parks & Recreation

2600 Bayshore Road
Villas, New Jersey 08251

Telephone (609) 886- 7880 ext.8

Fax (609) 886-7838

E-mail recreation@townshipoflower.org

To: Treasurer's Office

Attn: Lauren Read

From: Mitchell B. Plenn 

Re: Comp Time Buyback

Date: November 23, 2012

2-01-28. 370-101

At this time I would like to request the opportunity to sell back sixty (60) hours of comp time . I understand that this is only available after the determination of funds has been completed. Any considerations given to this request would be greatly appreciated. Thanking you in advance.

*OK
RM*

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
RESOLUTION #2012- 280**

Title: Amending Resolution #2012-13: Designation of Depositories

WHEREAS, the following bank account was opened with grant funds that have since been expended and;

WHEREAS, it has been determined by the Chief Financial Officer that there is no longer a need to maintain this bank account;

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, State of New Jersey that the following account be closed and the remaining funds \$29.65 be transferred to the Current Fund.

Bank: Sturdy Savings

Account Title: Local Law Enforcement Block Grant

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on December 3, 2012.



Julie Picard, RMC, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			+			
NEVILLE		+	+			
DOUGLASS	+		+			
LARE			+			
BECK			+			

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

RESOLUTION #2012 - 281

TITLE: REJECTION OF BIDS - MILLMAN CENTER RENOVATIONS

WHEREAS, Lower Township advertised a bid for the Millman Center Renovations October 31, 2012, and five (5) sealed bids were received by the Township QPA on November 29, 2012; and

WHEREAS, the bids were opened and reviewed by the QPA, Construction Official and Blaine Steinman Architects; and

WHEREAS, the Township is rejecting all of the bids as per 40A:11-13.2, the bids exceed the amount the Township has appropriated for the goods or services.

NOW, THEREFORE, BE IT RESOLVED by the Township Council, of the Township of Lower that all five (5) bids are hereby rejected.

I hereby certify the foregoing to be a resolution adopted by the Township Council on December 3, 2012.


Julie A. Picard, Township Clerk

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

11/29/2012 11:00 am

BID OPENING MILLMAN CENTER RENOVATION

	BASE BID	ALT #1	ALT#2
MJJ	\$461,000.00	\$17,600.00	\$7,650
PORRETTA BUILDER	\$519,000.00	\$27,000.00	\$5715.00
SCIAVONE	\$472,145.99	\$23,855.00	\$4,400.00
BAYSHORE LANDSCAPE	\$360,000.00	\$12,800.00	
CONSTRUCTION DEPOT	\$728,450.00	\$14,960.00	\$22,450.00

BIDS ARE OVER OUR BUDGETED AMOUNT AND WILL BE REJECTED

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

RESOLUTION #2012-282

TITLE: AUTHORIZATION FOR WAIVER OF FEES FOR SAINT JOHN OF GOD CHURCH

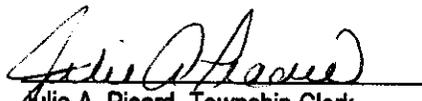
WHEREAS, Saint John of God, located at 680 Townbank Road is installing lighting improvements to the parking area; and

WHEREAS, Saint John of God is a charitable non- profit organization and has requested the Township waive any and all permit fees associated with their application; and

WHEREAS, the Township Council has reviewed their request and deems it appropriate to support local charitable organizations and non-profit organizations that support and enhance the township and its community.

NOW, THEREFORE, BE IT RESOLVED that all permissible Township permit fees associated with the Saint John of God application be waived.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on December 3, 2012.


Julie A. Picard, Township Clerk

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

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

RESOLUTION # 2012- 284

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.
- _____ (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.

X (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 December 3, 2012 that an Executive Session closed to the public shall be held on this date at approximately 6:40 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 December 3, 2012.



Julie A. Picard, Township Clerk

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