

Signed Resolutions March 18, 2013

- Res. #2013-87 Payment of Vouchers \$ 2,939,754.77
- Res. #2013-88 Authorizing Payment of 2013 Employer Share of Pension (\$564,646. PERS and \$931,563. PFRS)
- Res. #2013-89 Authorization for Waiver of Fees for Seashore Community Church of the Nazarene
- Res. #2013-90 Authorization for Refund of Taxes ( 1 property paid twice \$602.09)
- Res. #2013-91 Resolution Opposing A2364/A3553 (opposing the senate creating an early voting system)
- Res. #2013-92 Approval of Change Order No. 2 for Delaware Bay Shore Outfall Extensions, Contract M-7 (net decrease of \$4,000.)
- Res. #2013-93 A Resolution Approving An Agreement with S. Vitale Pyrotechnic Industries, Inc. To Provide Fireworks Display (\$40,000. July 3, 2013 - second year option)
- Res. #2013-94 Bid Acceptance and Contract Award for Maintenance of Township Grounds and Parks/Fertilizer/Slice Seed (Tru-Green \$18,009. - second year option)
- Res. #2013-95 Approving Flea Markets - Villas Fire Company (April 6, May 4, July 6 and Aug 3, 2013)
- Res. #2013-96 Approval for Roadside Solicitation by Villas Volunteer Fire Company, Inc. ( May 25, June 29 and Aug 31, 2013)
- Res. #2013-97 Click it or Ticket 2013 Mobilization (May 20 - June 2, 2013)
- Res. # 2013-98 Bid Acceptance And Contract Award for Maintenance Of Township Grounds and Parks (Douglass Landscaping, LLC \$51,925. Second year option)
- Res. #2013-99 Authorizing the Payment of Vouchers (\$57,259.09 KG Marine)
- Res. #2013-100 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. (Litigation- Tax Appeals)



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00784	CAPE MAY STAR & WAVE		Continued					
	13-00610	03/01/13	LEGAL PUBLICATIONS	Open	63.86	0.00		
	13-00654	03/06/13	LEGAL PUBLICATIONS	Open	73.78	0.00		
	13-00689	03/11/13	LEGAL ADVERTISEMENTS	Open	<u>17.98</u>	0.00		
					187.96			
00807	CDW-GOVERNMENT INC*							
	13-00409	02/06/13	COMPUTER SUPPLIES	Open	295.75	0.00		
	13-00438	02/13/13		Open	<u>324.79</u>	0.00		
					620.54			
00825	COMCAST*							
	13-00730	03/12/13	INTERNET-TOWNHALL 03/15-04/14	Open	106.01	0.00		
00925	DONALD PAUL CLARK JR.							
	13-00749	03/13/13	MEDICAL CLAIMS-V	Open	230.00	0.00		
01075	COPIERS PLUS*							
	13-00590	02/27/13	COPIER CONTRACT 2013	Open	2,025.00	0.00		
01162	D.R. MYERS DISTRIBUTING CO*							
	13-00396	02/06/13	US IDENTIFICATION	Open	82.50	0.00		
01170	VERIZON WIRELESS* F/S							
	13-00697	03/11/13	CELL PHONE SERVICE- FIRE SAFET	Open	68.16	0.00		
01171	VERIZON WIRELESS - TOWNHALL							
	13-00683	03/07/13	JAN 24-FEB 23 #622310837-00001	Open	606.51	0.00		
	13-00750	03/13/13	CELL PHONE-IPHONE JAN29-FEB 28	Open	<u>910.71</u>	0.00		
					1,517.22			
01219	CONTRACTOR SERVICE*							
	13-00263	01/23/13	LEAF RAKES	Open	449.28	0.00		
01220	DRAEGER SAFETY DIAGNOSTICS*							
	13-00276	01/25/13	ANNUAL CERT	Open	155.00	0.00		
01239	DIANA L DeNOTE							
	13-00613	03/01/13	MEDICAL CLAIMS	Open	289.00	0.00		
01248	ENVIRONMENTAL SYSTEMS RESEARCH							
	13-00518	02/20/13	ARCGIS	Open	1,350.00	0.00		
01278	EDWARD DOUGHERTY							
	13-00751	03/14/13	MEDICAL CLAIMS	Open	63.00	0.00		
01389	EDDIE'S AUTO BODY*							
	13-00572	02/26/13	ALIGNMENT/F250 SUPERDUTY/06	Open	55.00	0.00		
01502	PAMELA FELDER							
	13-00614	03/01/13	MEDICAL CLAIMS	Open	82.70	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01550 FIRE DISTRICT #3	13-00474	02/19/13	2013 TAX PAYMENTS	Open	151,407.31	0.00		
01590 FORD, SCOTT & ASSOCIATES*	13-00594	02/28/13	PROGRESS BILL 2012 AUDIT/13 BU	Open	3,600.00	0.00		
01598 DEARBORN NATIONAL	13-00612	03/01/13	MARCH 2013 LIFE INSURANCE	Open	557.00	0.00		
01690 GRANTURK EQUIPMENT CO*	13-00519	02/20/13	ELBOW WELDMENT UPPER	Open	355.15	0.00		
01781 HATCH MOTT MACDONALD, LLC*	12-01428	05/30/12	SERVICES/UNDERGROUND TANKS	Open	11,285.00	0.00		B
	12-01983	07/18/12	BEACH DRIVE PEDESTRIAN ACCESS	Open	4,545.00	0.00		B
	12-02197	08/13/12	2011 DEL. BAY SHORE OUTFALL EX	Open	570.00	0.00		B
	13-00301	01/29/13	INSPECTION OF OUTFALL BLANKET	Open	2,927.54	0.00		
	13-00694	03/11/13	PROFESSIONAL ENGINEERING	Open	549.00	0.00		
	13-00695	03/11/13	PROFESSIONAL ENGINEERING	Open	317.40	0.00		
	13-00696	03/11/13	PROFESSIONAL ENGINEERING	Open	552.00	0.00		
					<u>20,745.94</u>			
01803 HORIZON DENTAL OPTION*	13-00659	03/06/13	DENTAL MARCH 2013	Open	15,940.23	0.00		
01806 ANTHONY J HARVATT, II, ESQ	13-00591	02/28/13	BOARD SOLICITOR SALARY	Open	466.66	0.00		
02108 KEEN COMPRESSED GAS CO*	13-00418	02/07/13	BOTTLED GASS/GARAGE/DPW	Open	423.46	0.00		
02136 TED KINGSTON INC*	13-00311	01/30/13	MDT SERVICE AND INSTALL	Open	492.67	0.00		
02140 KINDLE FORD LINC/MERC., INC.*	13-00360	02/04/13	PARTS FOR POLICE VEHICLE	Open	832.00	0.00		
02223 LANDSMAN UNIFORMS*	12-02905	11/02/12	UNIFORMS	Open	795.00	0.00		
02247 LAWSON PRODUCTS, INC.*	13-00362	02/04/13	SUPPLIES FOR DPW	Open	991.69	0.00		
02248 LAWMEN SUPPLY*	12-03272	12/03/12	EQUIP MAINT.	Open	500.40	0.00		
02320 LOWER TOWNSHIP BRD OF EDUCATN	13-00724	03/11/13	SCHOOL TAXES DUE 04/01/2013	Open	1,495,251.40	0.00		
02334 LOWER TWP CHAMBER OF COMMERCE	13-00742	03/13/13	MEMBERSHIP LUNCHEON	Open	30.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02402 MGL PRINTING SOLUTIONS	13-00531	02/21/13	FORMS- TAX OFFICE	Open	134.50	0.00		
02415 STEPHEN FLITCROFT	13-00677	03/06/13	MEDICAL CLAIMS-V	Open	130.00	0.00		
02473 FRANCIS P. MAJANE	13-00739	03/13/13	MEDICAL CLAIMS	Open	572.70	0.00		
02541 ROBERT D. MARTIN, JR	13-00692	03/11/13	MEDICAL CLAIMS	Open	29.00	0.00		
02647 KATHLEEN MCPHERSON	13-00660	03/06/13	MEDICAL CLAIMS	Open	103.01	0.00		
02719 MITCHELL PLENN	13-00565	02/26/13	PIZZA FOR VOLUNTEER/BASKETBALL	Open	40.00	0.00		
02940 MUNICIPAL RECORD SERVICE*	13-00408	02/06/13	TICKETS	Open	804.75	0.00		
02947 DONALD MURPHY	13-00740	03/13/13	MEDICAL CLAIMS	Open	720.00	0.00		
03086 NJ STATE ASSN CHIEFS OF POL*	13-00526	02/21/13	TRAINING	Open	120.00	0.00		
03160 OFFICE BASICS, INC*	13-00392	02/05/13	INK FOR/GARGAGE	Open	76.96	0.00		
	13-00468	02/15/13	REC AID POLICY BINDERS	Open	29.60	0.00		
	13-00573	02/26/13	DISP ROLL TOWEL/DPW OFFICE	Open	<u>191.47</u>	0.00		
					298.03			
03280 PARAMOUNT SANITARY SUPPLY*	13-00620	03/04/13	CLOROX WIPES WEIGHT ROOM	Open	109.26	0.00		
03282 STEPHEN H PARKER	13-00648	03/06/13	REF FEE'S FOR BASKETBALL	Open	272.00	0.00		
03366 AMERI-GAS*	13-00624	03/04/13	BENNETTS CROSSING PROPANE	Open	501.25	0.00		
	13-00736	03/13/13	PROPANE FOR BENNETTS	Open	<u>977.15</u>	0.00		
					1,478.40			
03374 SEASHORE SUPPLY*	13-00393	02/05/13	FIX WATER SPIGOT	Open	85.75	0.00		
	13-00550	02/25/13	REPAIRS AT BENNETTES CROSSING	Open	<u>93.72</u>	0.00		
					179.47			
03421 FRED PRYOR SEM/CARRER TRK*	13-00133	01/11/13	TRAINING	Open	149.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03427	POLAR BEAR*							
	13-00529	02/21/13	HVAC	Open	875.00	0.00		
03466	R & R SPECIALTIES							
	13-00563	02/26/13	MEDALS FOR BASKETBALL	Open	162.00	0.00		
	13-00564	02/26/13	PLASTIC SIGNS FOR OFFICE DOOR	Open	<u>44.25</u>	0.00		
					206.25			
03619	THOMAS SOLENSKI							
	13-00741	03/13/13	MEDICAL CLAIMS	Open	245.00	0.00		
03660	SIRCHIE FINGERPRINT LAB. INV.*							
	13-00424	02/13/13	INVESTIGATIVE SUPPLIES	Open	167.60	0.00		
03723	STAPLES, INC.*							
	13-00481	02/19/13	LASER PRINTER-MANAGERS OFFICE	Open	199.99	0.00		
	13-00560	02/26/13	OFFICE SUPPLIES- CLERKS OFFICE	Open	60.53	0.00		
	13-00561	02/26/13	OFFICE SUPPLIES- ENGINEER	Open	<u>582.63</u>	0.00		
					843.15			
03783	THIS AND THAT UNIFORMS*							
	13-00439	02/13/13	UNIFORMS	Open	422.00	0.00		
03820	MUNICIPAL UTIIL. AUTH ON CALL							
	13-00283	01/28/13	ONE CALL CONCEPTS 2012	Open	284.87	0.00		
	13-00556	02/25/13	ONE CALL REIMBURSEMENT	Open	<u>89.30</u>	0.00		
					374.17			
03876	UNITED WATER TREATMENT CO INC*							
	13-00403	02/06/13	HOT WATER TREATMENT FOR HEAT	Open	480.00	0.00		
03904	LOWE'S HOME CENTER INC*							
	13-00351	02/01/13	MONTHLY FEB	Open	421.72	0.00		
	13-00608	03/01/13	BLINDS - CLERK/TREASURER	Open	<u>175.94</u>	0.00		
					597.66			
03969	VERIZON							
	13-00619	03/04/13	PHONE SERVICE- FIRE SAFETY	Open	135.89	0.00		
03971	VERIZON WIRELESS							
	13-00370	02/05/13	IPAD WALT FIORE CODE ENF	Open	659.98	0.00		
	13-00653	03/06/13	VERIZON MDT'S	Open	<u>630.99</u>	0.00		
					1,290.97			
03985	VILLAS NAPA AUTO PARTS							
	13-00359	02/04/13	RDS/SANT/RECY	Open	2,035.16	0.00		
03992	VAL-U AUTO PARTS LLC*							
	13-00357	02/04/13	MONTHLY	Open	5,334.04	0.00		
04097	CINTAS FIRST AID AND SAFETY*							
	13-00655	03/06/13	FIRST AID SUPPLIES-TOWNHALL	Open	62.69	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04097 CINTAS FIRST AID AND SAFETY* Continued	13-00719	03/11/13	SUPPLIES FOR DPW FIRST AID	Open	<u>96.28</u> 158.97	0.00		
04103 UHY ADVISORS*	12-02526	09/19/12	ACTUARY SERVICES	Open	4,500.00	0.00		
04123 TAMMY DECKER	13-00622	03/04/13	PILATES INSTRUCTOR	Open	35.00	0.00		
04176 CHRISTOPHER J WINTER SR*CALEA	13-00726	03/11/13	MEDICAL CLAIMS	Open	22.00	0.00		
04221 DLT SOLUTIONS LLC*	13-00422	02/11/13	INFRASTRUCTURE DESIGN SUIT CAD	Open	6,777.00	0.00		
04266 NJ DEPT OF HEALTH&SENIOR SVCS	13-00616	03/04/13	STATE DOG LICENSE FEE-FEB 2013	Open	543.00	0.00		
04300 W B MASON CO INC*	12-03299	12/05/12	OFFICE SUPPLIES	Open	755.31	0.00		
	12-03392	12/17/12	CUSTOMER DUPLICATE FORMS	Open	150.99	0.00		
	12-03439	12/26/12	CHAIR FOR FRONT COUNTER	Open	<u>244.76</u> 1,151.06	0.00		
04301 SEASHORE ASPHALT CORPORATION*	13-00419	02/07/13	HP PATCH	Open	70.40	0.00		
	13-00520	02/20/13	HP PATCH	Open	<u>179.30</u> 249.70	0.00		
04514 WILLIAM BLANEY*	13-00441	02/13/13	DNE \$25k RES 2013-62 CONTRACTS	Open	2,112.50	0.00		B
05100 CHARLES W. SANDMAN, III ESQ	13-00269	01/23/13	2013 LITIGATION EXPENSE PYMT	Open	2,375.00	0.00		B
5004 MICHAEL MATTHEWS	13-00645	03/06/13	REF FEE'S FOR BASKETBALL	Open	398.00	0.00		
6002 CONNELL CONSULTING LLC*	13-00530	02/21/13	OPRA TRAINING	Open	190.00	0.00		
6006 LATOYA MILLER	13-00566	02/26/13	REFUND FOR JUDO- LATOYA MILLER	Open	40.00	0.00		
6009 MARYJANE DESALVO POA	13-00593	02/28/13	RETURN OF UNUSED ESCROW	Open	2.50	0.00		
6010 WILLIAM HENTZ	13-00618	03/04/13	RETURN OF UNUSED ESCROW	Open	64.00	0.00		
6011 5T'S LLC	13-00626	03/04/13	RETURN OF UNUSED ESCROW	Open	169.06	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
6013 NJ ENVIRONMENTAL HEALTH ASSOC*	13-00658	03/06/13	REGISTRARS SPRING CONFERENCE	Open	110.00	0.00		
6014 AMILCAR SERRA	13-00678	03/07/13	REFUND WRESTLING	Open	15.00	0.00		
6015 ESTATE OF HESSIE RAFF	13-00680	03/07/13	RETURN OF UNUSED ESCROW	Open	133.75	0.00		
6016 JAMES L CONWELL	13-00681	03/07/13	REFUND OF DOUBLE TAX PAYMENT	Open	602.09	0.00		
6017 JULIE BROWN	13-00735	03/13/13	REFUND- SOCCER	Open	10.00	0.00		
6018 KENNETH BROWN	13-00737	03/13/13	NYS CA COACH CERTIFICATION	Open	5.00	0.00		
6019 CAPE MEADOWS	13-00743	03/13/13	RETURN OF UNUSED ESCROW	Open	2,323.75	0.00		
BARB BARBARAS SEA SHELL FLORIST*	13-00411	02/06/13	WREATH FOR DAVID C. DOUGLASS	Open	49.00	0.00		
BERB BERNADETTE ERB	13-00738	03/13/13	NYS CA COACH CERTIFICATION	Open	20.00	0.00		
BLAUE BLAUER ASSOCIATES INC*	10-02446	09/29/10	SCPF APPLICATION & ADMIN	Open	3,725.00	0.00		B
CAPIZ KATHI CAPIZOLA, CMCA - SECY	13-00272	01/23/13	JUDGE'S DUES	Open	75.00	0.00		
CARTYW WALLACE CARTY	13-00647	03/06/13	REF FEE'S FOR BASKETBALL	Open	186.00	0.00		
LUBBERMA BOB LUBBERMAN	13-00646	03/06/13	REF FEE'S FOR BASKETBALL	Open	666.00	0.00		
MCGAFFNE MATT MCGAFFNEY JR	13-00643	03/06/13	REF BASKETBALL FEE'S	Open	462.00	0.00		
MCPH3 NANCY MCPHERSON	13-00615	03/01/13	RETURN OF UNUSED ESCROW	Open	1,018.75	0.00		
NJEPA NJEPA	13-00473	02/15/13	NJEPA CONFERENCE MAY 6-10,2013	Open	225.00	0.00		
ROSSI JOE ROSSI	13-00639	03/06/13	REF FEES FOR BASKETBALL	Open	86.00	0.00		
TRANSACT TRANSACTION CONFERENCE	13-00469	02/15/13	CONFERENCE	Open	265.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
Total Purchase Orders: 135 Total P.O. Line Items: 296 Total List Amount: 1,823,086.39 Total Void Amount: 0.00								

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

**RESOLUTION # 2013-87**

**TITLE: AUTHORIZING THE PAYMENT OF VOUCHERS**

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Amount</u>
LOWER C.M. REGIONAL	13-00003	SCHOOL TAXES DUE 3/15/13	\$1,116,668.38

**Total Manual Checks \$1,116,668.38**  
**Total Computer Generated \$1,823,086.39**

**Total Bill List \$2,939,754.77**

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on March 18, 2013.

  
Julie Picard, Township Clerk

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

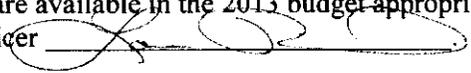
**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY  
RESOLUTION #2013- 88**

**Title: AUTHORIZING PAYMENT OF 2013 EMPLOYER SHARE PENSION**

**WHEREAS**, the amounts listed below are owed for the employer's share of pension in the current year 2013 and are due on April 1, 2013 and it is necessary to receive authorization for the payment of bills which affect the budget, and

**WHEREAS**, payment of employer's share of pension to the State is required to be remitted through electronic payment (EFT); and

**WHEREAS**, it is the recommendation of the Chief Financial Officer that authorization for electronic payments be made through a resolution so that such payments are made in a timely and efficient manner, and

**WHEREAS**, funds for pension payments are available in the 2013 budget appropriations for PERS and PFRS as certified by the Chief Financial Officer 

**NOW, THEREFORE BE IT RESOLVED** by the Township Council that the following pension payments totaling \$1,496,209.00 are hereby authorized:

PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS)	3-01-36-471-501	\$564,646.00
POLICE AND FIREMEM'S RETIREMENT SYSTEM (PFRS)	3-01-36-475-501	\$931,563.00

I hereby certify the foregoing to be a resolution adopted by the Township Council on March 18, 2013.

  
Julie A. Picard, Township Clerk

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	x		x			
NEVILLE		x	x			
DOUGLASS			x			
CLARK			x			
BECK			x			

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

RESOLUTION #2013-89

**TITLE: AUTHORIZATION FOR WAIVER OF FEES FOR SEASHORE COMMUNITY CHURCH OF THE NAZARENE**

**WHEREAS**, Seashore Community Church of the Nazarene, located at 446 Seashore Road, has filed for a minor site plan review to be heard at the April 18, 2013 Planning Board Meeting; and

**WHEREAS**, Seashore Community Church of the Nazarene is a charitable non-profit organization and has requested the Township waive any and all application, professional and 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 application, professional service & permit fees associated with the Seashore Community Church of the Nazarene's application be waived.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on March 18, 2013.

  
Julie A. Picard, Township Clerk

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



Lower Township Council  
2600 Bayshore Road  
Villas, NJ 08251

**Dr. Charles Gates**  
Lead Pastor

**Clinton Jones**  
Associate Pastor

**Timothy Golden**  
Youth Pastor

**Brian Marker Jr.**  
Office Administrator

**Mike Austin**  
Recovery Ministries  
and Small Groups

**David Macomber**  
Worship Arts

**Jim Estill**  
Senior Adult Pastor

**Bill Clark**  
Prayer Coordinator

**Brenda Harrison**  
Seashore Children's  
Learning Center

Dear Lower Township Council Members,

On behalf of the Seashore Community Church of the Nazarene we are filing a minor site plan review to be heard at the April 18th planning board meeting. We are hereby requesting that we be granted relief from any and all fees pertaining to land development ordinance 400-80 and ordinance 2001-02. We will be building within our original square footage (plans submitted in 1989). At that time, we limited completion of those plans because of limited finances in the church. We are a 501c corporation and we are now prepared to move forward with our plans. We respectfully request your consideration of this matter. Thank you.

In Christ's Service

Dr. I. Charles Gates  
Senior Pastor  
Seashore Community Church of the Nazarene  
Cell: 615-483-1756

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

RESOLUTION #2013-90

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>
36	22	James L Conwell	paid twice	602.09

I hereby certify the foregoing to be a resolution adopted by the governing body at a meeting held on March 18, 2013.

  
Julie Picard, Township Clerk

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

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

**RESOLUTION # 2013- 91**

**Title: RESOLUTION OPPOSING S2364/A3553**

**WHEREAS**, Senate Bill S-2364 and Assembly Bill A3553 propose to create a system of early voting in the State of New Jersey; and

**WHEREAS**, the goal of accommodating voters in pursuit of greater participation in the democratic process is a worthy goal; and

**WHEREAS**, these bills would in reality increase workloads, add more costs to the election process, and ultimately serve to confuse voters more than it would accommodate their needs; and

**WHEREAS**, these bills would require for each primary and general election a public facility, except a public school, located in each municipality in an area of a high concentration of population to be open and available to registered voters starting 15 days before an election for early polling, possibly conflicting with if not pushing out other important uses for these buildings, causing inconvenience to residents; and

**WHEREAS**, these bills require retraining of poll workers and dramatically increased hours, as well as chain of custody requirements to protect the voting process, despite the fact that recruiting and training polls workers is already a difficult process; and

**WHEREAS**, these bills would increase costs to municipalities, including overtime pay for workers; and

**WHEREAS**, although these bills allow municipalities to request reimbursement for extra costs and provide an appropriation, the appropriation does not outline a specific amount nor dedicated funding, only that which the State Treasurer and the Director of the Division of Budget and Accounting deem necessary, and they do not outline the procedure for a municipality whose reimbursement request is denied; and

**WHEREAS**, the opportunity for "Early Voting" already exists in the State of New Jersey through the Vote by Mail ballot process.

**NOW, THEREFORE, BE IT RESOLVED** that governing body of the Township of Lower in the County of Cape May does hereby oppose S2364 and A3553; and

**BE IT FURTHER RESOLVED**, the governing body of the Township of Lower does hereby call upon its representatives in the State Legislature to oppose the adoption of this bill; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution shall be sent to the Office of the Governor, Senate President Sweeney, Senators Gill and Whelan, sponsors of S2364, Speaker Oliver, Assemblymen Wisniewski, Diegnan, Benson, Conaway, and Coughlin, sponsors of A3553, our State Senator and Assembly representatives, the County Board of Elections, and the New Jersey League of Municipalities.

I hereby certify the foregoing to be a Resolution adopted by Township Council of the Township of Lower on March 18, 2013.

  
Julie A. Picard, Township Clerk

	MOITON	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
NEVILLE		X	X			
DOUGLASS			X			
CLARK			X			
BECK			X			

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

**RESOLUTION #2013- 92**

**TITLE: APPROVAL OF CHANGE ORDER NO. 2 FOR DELAWARE BAY SHORE  
OUTFALL EXTENSIONS, CONTRACT M-7**

**WHEREAS**, KG Marine Contracting was originally awarded a contract in the amount of \$ 178,261.00 and change order #1 amended the total contract amount to \$213,494.32 for the Delaware Bay Shore Outfall Extensions Contract M-7; and

**WHEREAS**, Change order # 2 requires the Lower Township Public Works Department complete a portion of previously authorized additional work at St John's Avenue which will result in a reduction of \$4,000.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, that Change Order No. 2 for the Delaware Bay Shore Outfall Extensions, Contract M-7 is hereby approved.

**BE IT FURTHER RESOLVED** the previous total contract amount of \$213,494.32 shall have a net decrease \$4,000.00. The revised contract total will be \$209,494.32.

I hereby certify the foregoing to be a Resolution adopted by the Township Council at a meeting held on March 18, 2013.

  
Julie A. Picard, Township Clerk

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



**Hatch Mott  
MacDonald**

**Hatch Mott MacDonald**  
833 Rt 9 North  
PO Box 373  
Cape May Court House, NJ 08210  
T 609.465.9377 www.hatchmott.com

March 1, 2013

Via email: gdouglasslowertownship@comcast.net & 1<sup>st</sup> Class Mail

Mr. Gary Douglass, Public Works Superintendent  
Township of Lower  
2600 Bayshore Road  
Villas, NJ 08251

**RE: Change Order No. 2  
Delaware Bay Shore Outfall Extensions, Contract M-7  
Township of Lower, Cape May County  
HMM No. 311948**

Dear Mr. Douglass:

Please find enclosed herewith Change Order No. 2 submitted by KG Marine Contracting, Inc. dated February 8, 2013 for the above referenced project.

As you are aware the Contractor requested that Township Public Works Department complete a portion of their previously authorized additional work at St. John's Avenue. This work involved the relaying of a portion of the A.D.S., N-12 pipe that was installed by the Contractor at incorrect elevations and slopes. The total cost agreed to by the Contractor and the Township for this work was valued at \$4,000.

This change order results in a reduction in the Contract Price of \$4,000.00 and upon execution of this change order the revised Contract Price will be \$209,494.32.

Should you have any questions regarding the above change order or should you require additional information, please do not hesitate to contact this office.

Very truly yours,

Hatch Mott MacDonald

Mark R. Sray PE, CME  
Senior Associate  
T 609.465.9377 F 609.465.5270  
mark.sray@hatchmott.com

cc (via Email): Michael Voll, Township Manager  
Margaret A. Vitelli, RPPS, QPA, Township Purchasing Agent  
Colleen Crippen, Coordinator of Federal and State Aid



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

RESOLUTION #2013- 93

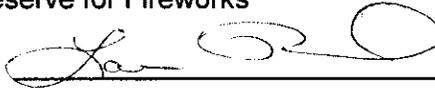
**TITLE: A RESOLUTION OF THE TOWNSHIP OF LOWER APPROVING AN AGREEMENT WITH S. VITALE PYROTECHNIC INDUSTRIES, INC. TO PROVIDE FIREWORKS DISPLAY**

**WHEREAS**, a Request for Proposals for the Fireworks Display including Barge was advertised on October 12, 2011 and proposals were accepted on October 27, 2011 at 11:00 a.m. and awarded on January 4, 2012 with a second year option for 2013; and

**WHEREAS**, the bidder has complied with the specifications and supplied all required certifications and bid documents and the CFO has determined sufficient funds are available in the budget as follows:

Current Budget- 01-30-420-299  
Trust Fund - Reserve for Fireworks

CFO Signature



**WHEREAS**, the Township therefore desires to enter into an Agreement (the "Agreement") with S. Vitale Pyrotechnic Industries, Inc. for the Fireworks Display in accordance with the terms and conditions set forth on EXHIBIT A attached hereto.

**NOW THEREFORE, BE IT RESOLVED**, the Township Council of the Township of Lower, County of Cape May, State of New Jersey, as follows:

1. The proposal shall be awarded to S. Vitale Pyrotechnic Industries, Inc. in the amount of \$40,000.00.
2. The Township hereby approves the Agreement with S. Vitale Pyrotechnic Industries, Inc. for the services and upon the terms and conditions set forth on EXHIBIT A attached hereto.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council at a meeting held on March 18, 2013.

  
Julie A. Picard, Township Clerk

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

---

A Proposal for  
**Township of Lower  
Villas, New Jersey**

Event Date  
**July 3, 2012**

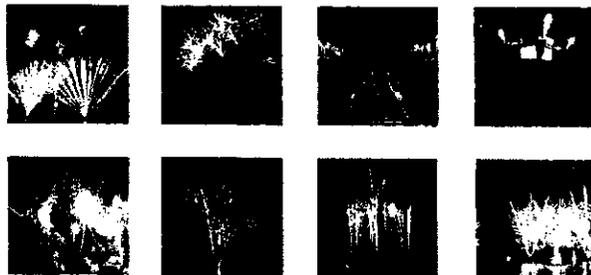
Prepared for  
**Margaret Vitelli**

To Provide  
**\$40,000 Electrical Aerial Display Presentation**

---

### **This Presentation Includes**

- Our trained technicians to produce the display.
- All necessary insurance to include: 10 million dollar general liability insurance, 10 million in commercial transportation insurance, and state worker's compensation.
- All transportation and delivery costs. Transportation provided by our commercially licensed drivers.
- All Materials and equipment to fire the display.
- All necessary safety precautions to provide a safe and spectacular display, assistance with local and state firework display permits.
- Highly choreographed display design.
- The widest variety of top quality shell and special effects from around the globe that includes our own American products



---

#### **4-inch Shells**

---

50	Multi Color Star Shells
50	Fancy and Color Changing Shells
25	Special Effect Shells
50	Variegated Crackling Shells
25	Pattern Shells
200	Shells Total

#### **5-inch Shells**

---

25	Multi Color Star Shells
25	Fancy and Color Changing Shells
25	Special Effect Shells
25	Pattern Shells
100	Shells Total

#### **6-inch Shells**

---

15	Multi Color Star Shells
10	Fancy and Color Changing Shells
10	Special Effect Shells
10	Pattern Shells
45	Shells Total

---

## **Your Opening Presentation**

Your Opening Presentation will start your display off "with a bang." A "mini-finale" will excite the crowd and get them energized for a great show.

- 50 3-inch Assorted Color Changing Star Shells  
and Titanium Salutes
- 6 4-inch Color Peony Shells
- 5 5-inch Multi Color Peony Shells
- 4 6-inch Large Spreading Chrysanthemum Shells
- 1 8-inch Large Multi Color Chrysanthemum Shells

96 Shells Total

## **Body**

The majority of your display will be fired during the Body presentation. It will have a balanced pace with constant action. Radiant color combinations like Violet & Lemon, Aqua & Pink, and the always treasured Red, White, & Blue. Amazing effects such as Crossette, Twitter Glittering, Rings, and Color Changing Chrysanthemums will be mixed in to illuminate your skies!

### **3-inch shells**

- 
- 10 Multi Color Star Shells
  - 10 Fancy and Color Changing Shells
  - 10 Special Effect Shells
  - 10 Variegated Crackling Shells
  - 10 Pattern Shells
  - 50 Shells Total

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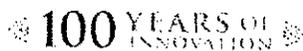
### **8-inch Shells**

5	Multi Color Star Shells
5	Fancy and Color Changing Shells
5	Special Effect Shells
3	Pattern Shells
18	Shells Total

### **Your Grand Finale Presentation**

The Grand Finale Presentation is the ultimate crowd pleaser and most exhilarating part of your display. When the sky erupts with Multi-Color Peonies and Thunderous Salutes, there is no better visual experience. They will end your event in style and leave the audience wanting more!

380	3-inch Assorted Color Star Shells with Titanium Salutes
40	4-inch Color Changing Chrysanthemum Shells
20	5-inch Two Color Peony Shells
18	6-inch Large Spreading Chrysanthemum Shells
2	8-inch Large Multi Color Chrysanthemum Shell
460	Shells Total



The Vitale family has been thrilling audiences for four generations. We produce more than 2,000 shows a year for customers who expect ingenuity and drama. The pride we feel for our work shows in the events we produce and in every customer interaction.

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

RESOLUTION #2013-94

**TITLE: BID ACCEPTANCE AND CONTRACT AWARD FOR MAINTENANCE OF TOWNSHIP GROUNDS AND PARKS/FERTILIZER/SLICE SEED**

**WHEREAS**, the Township advertised bids for the Maintenance of Township Grounds & Parks on December 21, 2011, accepted on January 11, 2012 at 9:00 a.m. and awarded contract on February 22, 2012 with options for years 2013 and 2014 ; but only after approval by a resolution of the governing body in each year of extension.

**WHEREAS**, Tru-Green had the lowest base bid and complied with all specifications including all required certifications and bid documents, and

**WHEREAS**, the CFO has certified the availability of funds as evidenced by her signature below:

  
Lauren Read, CFO

3-01-28-370-298  
Budget Account

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the following contract is hereby awarded:

**FERTILIZER/SLICE SEED**

**TERM:** February 1, 2013 – December 31, 2013  
**AWARD TO:** Tru-Green  
**TOTAL:** \$18,009. per year

**FURTHER RESOLVED**, upon approval of the resolution, the fully executed Purchase Order together with the official bid documents shall serve as the Contract for the award of the bids

I hereby certify the foregoing resolution was adopted by the Township Council at a meeting held on March 18, 2013.

  
Julie A. Picard, Township Clerk

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

**2011-21 PROPOSAL PAGE**

**2012 Maintenance of Township Grounds and Park**

The undersigned proposes to furnish and deliver the above goods/services pursuant to the contract bid specification and made part hereof:

The initial term of this contract shall be from February 1, 2012 and continuing through December 31, 2012. Providing that the performance under this contract is satisfactory and that the contractor complies with the requirements of the specifications, the contract may be extended for two (2) additional years, in one (1) year optional increments beginning in February 1, 2013 and continuing through December 31, 2013 and February 1, 2014 through December 31, 2014. The options to extend the contract shall be at the sole discretion of the Township of Lower and shall be enacted by a resolution of award by the Township Council.

**Total BASE Price Proposal for Grounds and Park Bid Maintenance**

\$ no Bid

*Amount in words*

**OPTION #1**

**PLAYGROUND MULCH PRICE PER CUBIC YARD INSTALLED**

\$ no Bid PER CUBIC YARD

*Amount in words*

**OPTION #2**

**PLAYGROUND MULCH PRICE PER CUBIC YARD DELIVERED**

\$ no Bid PER CUBIC YARD

*Amount in words*

**OPTION #3**

**FERTILIZER/SLICE SEED APPLICATIONS FOR VARIOUS LOCATIONS**

\$ 18,009.00

Eighteen thousand nine dollars/zero cents

*Amount in words*

TruGreen LP  
Company Name

363734669  
Federal I.D. # or Social Security #

1250 Imperial Way, Thoro fare nj  
Address

Robert O'Sullivan  
Signature of Authorized Agent

Robert O'Sullivan  
Type or Print Name

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

**RESOLUTION #2013 -95**

**TITLE: APPROVAL OF VILLAS FIRE COMPANY APPLICATION TO CONDUCT FLEA MARKETS FOR 2013**

**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 the Villas Fire Company to conduct flea markets on **April 6, May 4, July 6, and August 3, 2013**; 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 18, 2013.

  
Julie A. Picard, Township Clerk

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

villas flea market  
villas fire Company

will be having the Fea Market the  
dates as followed

April 6th

May 4th

~~June 1st~~

July 6th

August 3rd

~~Sept 7th~~

time of the Flea Market is  
7 am to 3pm

359-13  
allows (4) per year.

.

.....  
.....  
.....

villas Fire Company will be having  
Christmas in July bazaar the date is  
July 27th indoor and outdoor the hours  
as followed 8 am to 5pm

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

**RESOLUTION #2013-96**

**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

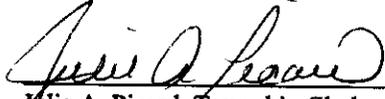
**WHEREAS**, the Lower Township Board of Fire Commissioners have provided the required Certificate of Insurance; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, 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 25, June 29 and August 31, 2013 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 18, 2013.

  
Julie A. Picard, Township Clerk

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

February 4, 2013

To: Board of Chosen Freeholder  
4 Moore Rd.  
Cape May Courthouse, NJ 08210

Lower Township Council Member  
2600 Bayshore Rd.  
Villas, NJ 08251

Re: Fundraising Street Drive

Dear Sir or Madam,

The Villas Fire Company is requesting permission to conduct our annual fundraising street drive events on May 25, 2013, June 29, 2013, and August 31, 2013 respectively, on Bayshore Rd. in front of our fire station between Georgia Ave. and East Wilde Ave. In the event of rain, we would like to have rain dates set for the days immediately following the designated dates previously stated.

Thank you,



Bruce Peterson  
President V.V.F.C.



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

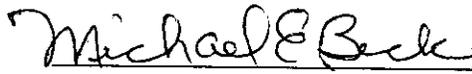
RESOLUTION #2013-97

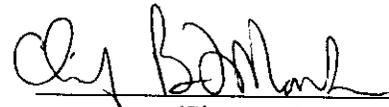
TITLE: CLICK IT OR TICKET 2013 MOBILIZATION

WHEREAS, the Township of Lower desires to apply for and obtain a grant from the New Jersey Department of Law and Public Safety, Division of Highway Traffic Safety for \$4000.00 to carry out a Click It or Ticket Seat Belt Campaign from May 20 – June 2, 2013.

NOW THEREFORE, BE IT RESOLVED, that the Township of Lower does hereby authorize the application for such a grant; and, upon receipt of the grant agreement from the New Jersey Department of Law and Public Safety, Division of Highway Traffic Safety, does further authorize the execution of the grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of said agreement between the Township of Lower and the New Jersey Department of Law and Public Safety, Division of Highway Traffic Safety.

BE IT FURTHER RESOLVED, that the persons whose names, titles and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

  
(Signature)  
Michael E. Beck, Mayor

  
(Signature)  
Brian Marker, Chief of Police

I hereby certify this is the original resolution adopted by the Township Council on March 18, 2013.

  
Julie A. Picard, Township Clerk

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

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

RESOLUTION #2013 - 98

**TITLE: BID ACCEPTANCE AND CONTRACT AWARD FOR MAINTENANCE OF TOWNSHIP GROUNDS AND PARKS**

**WHEREAS**, the Township advertised bids for the Maintenance of Township Grounds & Parks on December 21, 2011, accepted on January 11, 2012 at 9:00 a.m. and awarded contract on February 22, 2012 Resolution #2012-77 with options for years 2013 and 2014 ; but only after approval by a resolution of the governing body in each year of extension.

**WHEREAS**, Douglass Landscaping Services, LLC had the lowest base bid and complied with all specifications including all required certifications and bid documents, and

**WHEREAS**, the CFO has certified the availability of funds as evidenced by her signature below:

  
Lauren Read, CFO

3-01-28-370-281  
Budget Account

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the following contract is hereby awarded:

**LANDSCAPING/MAINTENANCE**

**TERM:** February 1, 2013 – December 31, 2013  
**AWARD TO:** Douglass Landscaping, LLC  
**TOTAL:** \$51,925 per year

**FURTHER RESOLVED**, upon approval of the resolution, the fully executed Purchase Order together with the official bid documents shall serve as the Contract for the award of the bids

I hereby certify the foregoing resolution was adopted by the Township Council at a meeting held on March 18, 2013.

  
Julie A. Picard, Township Clerk

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

**2011-21 PROPOSAL PAGE**

**2012 Maintenance of Township Grounds and Park**

The undersigned proposes to furnish and deliver the above goods/services pursuant to the contract bid specification and made part hereof:

The initial term of this contract shall be from February 1, 2012 and continuing through December 31, 2012. Providing that the performance under this contract is satisfactory and that the contractor complies with the requirements of the specifications, the contract may be extended for two (2) additional years, in one (1) year optional increments beginning in February 1, 2013 and continuing through December 31, 2013 and February 1, 2014 through December 31, 2014. The options to extend the contract shall be at the sole discretion of the Township of Lower and shall be enacted by a resolution of award by the Township Council.

**Total BASE Price Proposal for Grounds and Park Bid Maintenance**

\$ 51,925.<sup>00</sup>

Fifty one thousand nine hundred and twenty five dollars even  
Amount in words

**OPTION #1**

**PLAYGROUND MULCH PRICE PER CUBIC YARD INSTALLED**

\$ 63.50 PER CUBIC YARD

Sixty three dollars and fifty cents per yard  
Amount in words

**OPTION #2**

**PLAYGROUND MULCH PRICE PER CUBIC YARD DELIVERED**

\$ 38.75 PER CUBIC YARD

Thirty eight dollars and seventy five cents per yard  
Amount in words

**OPTION #3**

**FERTILIZER/SLICE SEED APPLICATIONS FOR VARIOUS LOCATIONS**

\$ 24,521.<sup>00</sup>

Twenty four thousand five hundred and twenty one dollars even  
Amount in words

DOUGLASS LANDSCAPING SERVICES, LLC.  
Company Name

270 239 497  
Federal I.D. # or Social Security #

1213 EMERSON AVE.  
Address N. Cape May, NJ 08204

  
Signature of Authorized Agent

RYAN DOUGLASS  
Type or Print Name

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

RESOLUTION # 2013-99

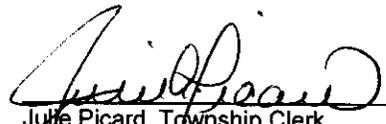
TITLE: AUTHORIZING THE PAYMENT OF VOUCHERS

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Amount</u>
KG MARINE	12-02673	RES 2012-236 OUTFALL PIPES	\$26,025.77
KG MARINE	12-03288	CHANGEORDER 2012-268	\$31,233.32

Total Manual Checks \$ 57,259.09

Total Bill List \$57,259.09

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on March 18, 2013.



Julie Picard, Township Clerk

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

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

**RESOLUTION # 2013-100**

**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 or 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.
- X** \_\_\_\_\_ (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 3-18, 2013 that an Executive Session closed to the public shall be held on this date at approximately 7:13 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 18, 2013.

  
 Julie A. Picard, Township Clerk

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