

RESOLUTIONS ADOPTED DECEMBER 5 2011

- Res. #2011-305 Payment of Vouchers, \$455,705.70
- Res. #2011-306 Resolution Acknowledging The Award to Hess Corporation and South Jersey Energy for Electric Generation Supply Services (Bid A47) for Cape May County and Cooperative Members (Award of Township electric supplier bid including street lights and direct distribution accounts)
- Res. #2011-307 A Resolution Supporting the Amendment to the Bayshore Heritage Byway Route (Amendment to change the Route through Bayshore Road in Lower and add 2 spurs - Townbank/Ferry Road and Sunset Beach)
- Res. #2011-308 Resolution Canceling Taxes (Surviving spouse of disabled vet)
- Res. #2011-309 Resolution Refunding Taxes (1 property - duplicate payment)
- Res. #2011-310 Authorizing Pay Out of Terminal Leave (L. Russo - \$118,216.55 - retired Police)
- Res. #2011-311 Authorizing Pay Out of Terminal Leave (K. Boyle (\$69,211.68 - retired Police)
- Res. #2011-312 Authorizing Pay Out of Terminal Leave (C. Horwath, \$28,364.52 - retired Twp Hall
- Res. #2011-313 Transfer of 2011 Appropriations (\$30,000 - from Insurance to Unemployment & Recreation)
- Res. #2011-314 Rejection of Bids for One (1) 2012 6.7 TO 8.4 Cubic Yard Dump Truck with Snow Plow (2 bids - over budget)
- Res. #2011-315, Creating a Special Committee for Review of Public Safety Building Issues (Establishing a committee to effectively assess the feasibility of the continued use of the Public Safety Building at CMC Airport)
- Res. #2011-316, Authorization for Waiver of Fees for Cape Island Masonic Lodge #30 for a Minor Site Plan (application will be to a erect a storage shed on the property)
- Res. #2011-317 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." (Potential Litigation - Baldini & Lease of Real Property - Cox Hall Drainage Easement)

12/02/11
14:46:04

Lower Township
Bill List By Vendor Id

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00348 BENNETT BATTERIES, LLC*								
	11-02840	10/17/11	SUPPLIES FOR DPS/POLICE	Open	1,325.70	0.00		
	11-03019	11/03/11	BATTERY FOR COUNTY VEH.	Open	98.90	0.00		

					1,424.60			
00354 BILLOWS ELECTRIC SUPPLY CO*								
	11-02954	10/31/11	DELUXE DAYLIGHT BULBS - COURT	Open	47.10	0.00		
00356 BEAVER SUPPLY INC*								
	11-03007	11/03/11	REBAR FOR DRAINAGE/DPW	Open	115.28	0.00		
00363 MARTIN J. BIERSBACH								
	11-03309	11/29/11	CONTRACT REIMB VISION	Open	135.00	0.00		
00367 APM BLAST PEST CONTROL*								
	11-03234	11/16/11	PEST CONTROL/CLEM MULLIGAN STD	Open	20.79	0.00		
00370 BLUE CROSS/BLUE SHIELD OF NJ								
	11-03300	11/28/11	MED D DECEMBER 2011	Open	3,209.02	0.00		
00385 BOYCE ASSOCIATES								
	11-02546	09/14/11	MISC PARTS FOR PLAYGROUND	Open	67.00	0.00		
00403 BLUE WAVE EXPRESS CAR WASH*								
	11-03290	11/28/11	CAR WASH	Open	415.00	0.00		
00611 COUNTY OF CAPE MAY								
	11-03271	11/18/11	GAS/DIESEL/DPW OCT, 2011	Open	30,899.47	0.00		
00616 ANIMAL ALLIANCE OF CAPE								
	11-03255	11/18/11	TNR & SPAY NEUTER PROGRAM	Open	50.00	0.00		
	11-03256	11/18/11	2010 PETSMAST GRANT	Open	258.00	0.00		

					308.00			
00735 CATERINA SUPPLY, INC.*								
	11-02962	10/31/11	A-INLETS/PIPING/DPW/DRAINAGE	Open	9,381.00	0.00		
00741 CMC CHIEF'S OF POLICE ASSOC.								
	11-02830	10/17/11	LETN	Open	2,016.00	0.00		
00784 CAPE MAY STAR & WAVE								
	11-02902	10/25/11	NOTICE-FINANCE OFFICE	Open	20.80	0.00		
	11-03293	11/28/11	11/16/2011 ORD /NOTICE TO BID	Open	87.42	0.00		

					108.22			
00807 CDW-GOVERNMENT INC*								
	11-03014	11/03/11	COMPUTER SUPPLIES	Open	285.00	0.00		
00820 COMCAST OF WILDWOOD* DPW								
	11-03267	11/18/11	INTERNET PROVIDER/DPW	Open	95.11	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00825 COMCAST*	11-03304	11/28/11	FIRE SAFETY	Open	100.07	0.00		
01130 GAYLE HADLEY	11-03302	11/28/11	ZUMBA INSTRUCTOR	Open	10.00	0.00		
01319 EDWARD EDWARDS	11-01367	05/16/11	2011 EQUIP. ALLOWANCE	Open	150.00	0.00		
01502 PAMELA FELDER	11-03310	11/29/11	CONTRACT REIMBURSEMENT	Open	51.00	0.00		
01577 MIKE FLINN**	11-03316	11/29/11	JUDO CLASSES	Open	1,260.00	0.00		
01641 GALL'S INC*	11-02946	10/27/11	VEHICLE GUN LOCKS	Open	2,380.00	0.00		
	11-03013	11/03/11	PATROL SUPPLIES	Open	117.99	0.00		

					2,497.99			
01667 GLOUCESTER COUNTY POLICE ACAD*	11-03158	11/09/11	TRAINING	Open	200.00	0.00		
01690 GRANTURK EQUIPMENT CO*	11-02556	09/14/11	PARTS FOR TRASH TRUCKS/DPW	Open	319.24	0.00		
	11-02716	10/03/11	WATER TANK/TANK STRAPS/TRK39	Open	6,271.17	0.00		
	11-03005	11/03/11	DRUM WINCH FOR TRASH #27	Open	3,092.22	0.00		
	11-03168	11/09/11	PARTS FOR TRASH TRUCK/DPW	Open	471.09	0.00		

					10,153.72			
01785 ROBERT HARTMAN SR	11-02172	08/01/11	CONTRACT REIMB 2011	Open	115.40	0.00		
01803 HORIZON DENTAL OPTION*	11-03298	11/28/11	DECEMBER	Open	14,831.73	0.00		
01859 HESS CORPORATION	11-03339	12/01/11	ELECTRICITY 9/20/11-10/20/11	Open	7,027.19	0.00		
01860 GNL DOORS & HARDWARE*	11-02955	10/31/11	ADJUSTABLE WEATHER STRIPPING	Open	414.00	0.00		
01912 GRUCCIO, PEPPER, DESANTO&RUTH PA	11-00156	01/14/11	2011 CONTRACTUAL MONTHLY PMTS	Open	4,166.74	0.00		
01951 INNOVATIVE DATA SOLUTIONS*	11-03154	11/09/11	POWER DMS ANNULA CONTRACT	Open	1,862.00	0.00		
02045 LIBERTY PARKS AND PLAYGROUNDS*	11-02871	10/19/11	INSTALL RUBBER MULCH	Open	3,600.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	11-02161	08/01/11	REPLACE MEMORY BOARD AND	Open	750.00	0.00		
03466			R & R SPECIALTIES					
	11-02688	09/28/11	SOCCER SPONSOR PLAQUE	Open	70.00	0.00		
03478			RED THE UNIFORM TAILOR, INC.*					
	11-03015	11/03/11	UNIFORMS	Open	255.00	0.00		
03611			SERVICE TIRE TRUCK CENTERS*					
	11-02843	10/17/11	TIRES FOR RDS/SANT/RECY/DPW	Open	5,011.55	0.00		
03619			THOMAS SOLENSKI					
	11-03320	11/30/11	SHOE ALLOWANCE FOR 2011/DPW	Open	269.60	0.00		
03659			SOUTH JERSEY WIPING CLOTH*					
	11-03157	11/09/11	CLOTH RAGS FOR GARAGE SHOP/DPW	Open	384.00	0.00		
03663			SOUTH JERSEY AUTO SUPPLY*					
	11-03024	11/03/11	PARTS FOR POLICE VEH/DPS	Open	144.68	0.00		
03678			SMELTZER & SONS INC.*					
	11-03170	11/09/11	WIRE FOR WASHBAY/DPW	Open	79.99	0.00		
03683			SNAP-ON TOOLS*					
	11-02314	08/17/11	TIRE SENSOR TYSTEM TOOL/DPW	Open	1,124.96	0.00		
03692			SOUTH JERSEY GAS CO*					
	11-03340	12/01/11	OCTOBER, 2011 GAS	Open	2,478.06	0.00		
03810			MUNICIPAL UTIL AUTH USAGE COST					
	11-03306	11/29/11	SEWER CHARGES 12/2/2011	Open	1,426.65	0.00		
03820			MUNICIPAL UTIIL. AUTH ON CALL					
	11-02901	10/25/11	ONE-CALL MESSAGES/DPW	Open	147.11	0.00		
03902			DONALD VANAMAN JR					
	11-03260	11/18/11	TRAINING MEALS	Open	57.49	0.00		
03904			LOWE'S HOME CENTER INC*					
	11-03180	11/14/11	MISC. ITEMS FOR CLEM MULLIGAN	Open	292.72	0.00		
03921			UNIFORM & ACCESSORIES WHSE*					
	11-02944	10/27/11	NEW VEHICLE OUTFITTING	Open	489.93	0.00		
03935			STAPLES BUSINESS ADVANTAGE*					
	11-02964	11/01/11	OFFICE SUPPLIES TAX/TREAS	Open	169.88	0.00		
03963			US LUBES, LLC *					
	11-03230	11/16/11	TRANSMISSION FLUID/HYDRAULIC	Open	2,347.22	0.00		
03969			VERIZON					
	11-03341	12/01/11	PHONE SERVICE - OCTOBER, 2011	Open	2,189.61	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03981 SECARE, RYAN & HENSEL LAW FIRM	11-02710	10/03/11	RESOLUTION 2011-224	Open	1,075.00	0.00		B
03985 VILLAS NAPA AUTO PARTS	11-03021	11/03/11	PARTS FOR COUNTY VEH/DPW	Open	185.44	0.00		
	11-03023	11/03/11	PARTS FOR REDS/TRASH/RECY/DPS	Open	2,878.34	0.00		
	11-03161	11/09/11	BRAKES FOR ASSESSORS CAR	Open	108.83	0.00		
	11-03190	11/14/11	MISC. PARTS FOR RC-5	Open	198.71	0.00		
					----- 3,371.32			
03992 VAL-U AUTO PARTS LLC*	11-03020	11/03/11	PARTS FOR COUNTY VEH/DPW	Open	156.59	0.00		
	11-03022	11/03/11	PARTS FOR RDS.TRASH/RECY/DPW	Open	3,833.36	0.00		
					----- 3,989.95			
04030 WEST PUBLISHING PAYMENT *	11-03308	11/29/11	COURT #823890813	Open	178.00	0.00		
04059 THOMAS WILL	11-03324	11/30/11	CONTRACT REIMBURSEMENT	Open	15.00	0.00		
04077 RONALD J. GELZUNAS	11-03145	11/09/11	DWI SPECIAL SESSION 10/31/11	Open	200.00	0.00		
04101 SPANKY'S BBQ CATERING*	11-02913	10/25/11	FOOD FOR HAUNTED TRAILS VOLUNT	Open	250.00	0.00		
04105 PITNEY BOWES GLOBAL FINANCIAL	11-00164	01/18/11	MAIL MACHINES (2) ACCT#1468026	Open	451.00	0.00		
04123 TAMMY DECKER	11-03301	11/28/11	PILATES CLASS	Open	39.00	0.00		
04126 NICK OLEXA	11-03277	11/28/11	SOCCER REF FOR PEEWEE GAMES	Open	270.00	0.00		
04160 RONALD YOUNG	11-03283	11/28/11	SHOE ALLOWANCE FOR 2011/DPW	Open	123.60	0.00		
04272 PROPET DISTRIBUTORS*	11-03165	11/09/11	DOGGIE BAGS	Open	488.35	0.00		
04278 RICHARD SANDMAN, ESQ	11-02897	10/25/11	CONFLICT PD 10/20/2011	Open	200.00	0.00		
04301 SEASHORE ASPHALT CORPORATION*	11-03156	11/09/11	PATCH FOR RDS/DPW	Open	224.00	0.00		
04302 MALOUF FORD LINCOLN INC*	11-02356	08/22/11	2 2012 FORD FOCUS	Open	26,142.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
BARGER GEORGE BARGER, JR	11-03287	11/28/11	SHOE ALLOWANCE FOR 2011/DPW	Open	144.99	0.00		
BOSNA KAREN MANETTE BOSNA	11-03303	11/28/11	YOGA INSTRUCTOR	Open	140.00	0.00		
BRITC CHRIS BRITTON	11-03240	11/16/11	SOCCER REF FOR PEEWEE GAMES	Open	60.00	0.00		
CELLA MARTHA CELA	11-03311	11/29/11	BASKETBALL REFUND	Open	15.00	0.00		
ECKELS SHERRY ECKEL	11-03265	11/18/11	FOOTBALL REFUND	Open	20.00	0.00		
FRAMEGEO GEORGE FRAME	11-03278	11/28/11	SOCCER REF FOR PEEWEE GAMES	Open	300.00	0.00		
GOMES OLIVIA & ANTONIO GOMES	11-03273	11/18/11	REIMBURSEMENT FOR BACKGROUND	Open	51.25	0.00		
HOOVER ROBERT HOOVER & SONS INC*	11-03010	11/03/11	PARTS FOR SANT/RECY TRUCKS	Open	274.44	0.00		
NJPSAC NJPSAC	11-02807	10/12/11	TRAINING	Open	600.00	0.00		
SANTIAG CESAR SANTIAGO	11-03274	11/18/11	SOCCER REFUND	Open	15.00	0.00		
SYKEJ JOE SYKES	11-03242	11/16/11	SOCCER REF FOR MIDGET DIVISION	Open	75.00	0.00		
Total Purchase Orders: 118				Total P.O. Line Items: 302	Total List Amount: 445,585.70	Total Void Amount: 0.00		

RESOLUTION #2011-305
Lower Township
Bill List
12/05/2011

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
Division of Motor Vehicle	11-03345	Title 2 Ford Focus	46419	12/02/11	\$ 120.00
Total Manual Checks					\$ 120.00
Total brought forward from computer generated bill list					\$ 445,585.70
TOTAL BILL LIST					<u>\$ 445,705.70</u>

I certify the foregoing to be a Resolution adopted by the Township Council on December 5, 2011.


 Claudia R. Kammer, RMC, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION	X				
SECOND		X			
AYES	X	X	X	X	X
NAYS					
ABSTAIN					
ABSENT					

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

RESOLUTION #2011-306

TITLE: RESOLUTION ACKNOWLEDGING THE AWARD TO HESS CORPORATION AND SOUTH JERSEY ENERGY FOR ELECTRIC GENERATION SUPPLY SERVICES (BID A-47) FOR CAPE MAY COUNTY AND COOPERATIVE MEMBERS

WHEREAS, Lower Township is a member of the South Jersey Power Cooperative, SJPC, and Camden County is the lead agency. Camden County energy consultant, Dome-Tech, publicly advertised bids for the purpose of procuring electric energy services (BID A-47) and

WHEREAS, County of Camden received and opened publicly advertised bids for Electric Generation Service for SJPC and Hess Corporation and South Jersey Energy were the lowest responsible bidders for electric generation service and submitted the following rates:

HESS CORPORATION (Direct Distribution)

	<u>Type of Electric</u>	<u>Rate</u>	<u>Contract Duration</u>
Atlantic City Electric (ACE)	MGS,AGS, DDC	\$0.08695	18 Months Dec 2011-June 2013

SOUTH JERSEY ENERGY (Street Lighting)

	<u>Type of Electric</u>	<u>Rate</u>	<u>Contract Duration</u>
Atlantic City Electric (ACE)	SPL and CSL	\$0.06000	18 Months Dec 2011-June 2013

NOW, THEREFORE, BE IT RESOLVED the Township of Lower acknowledges the contract award to HESS CORPORATION AND SOUTH JERSEY ENERGY for a 18 month period beginning December 2011-June 2013.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on Dec. 5, 2011.

Claudia R. Kammer
 Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-307

TITLE: A RESOLUTION SUPPORTING THE AMENDMENT TO THE BAYSHORE HERITAGE BYWAY ROUTE

WHEREAS, the Bayshore Heritage Byway Advisory Group has worked closely with New Jersey Department of Transportation in determining ways to showcase the importance of the western shore of Salem, Cumberland and Cape May counties and their natural, historic, cultural, and scenic intrinsic qualities to the general public; and

WHEREAS, a properly administered scenic byway can provide benefits to the community by increasing general awareness of the area's unique historic, natural, and cultural assets by welcoming visitors to explore and share in the significant natural and historic qualities along this byway; and

WHEREAS, a byway can further benefit the community by fostering economic development that is in keeping with our rural character and providing access to federal resources and for improving established roadways that constitute the byway alignment; and

WHEREAS, designation of the byway involves a coordinated effort among the municipalities and counties through which it passes; and

WHEREAS, the Township of Lower supports the revision to the Bayshore Heritage Byway Route as follows:

The section of the Byway from Bayshore Road (County 603) and Route #47 to Seashore Road and Breakwater Road will be deleted, and replaced by the following:

At Route #47 and Bayshore Road, the route will turn west on Bayshore Road, remaining on this road as it turns south and leaves Middle Township and enters Lower Township. The route will continue south and bear to the left at Fishing Creek Road, turning east onto Breakwater Road at Fishing Creek Road. The route will follow Breakwater Road to Seashore Road where it will turn south and resume the original plan.
In addition,

It also requested that spurs to the Byway be created at the following locations:

#1 Townbank /Ferry Spur between Seashore Road at Sandman Blvd. and Lincoln Blvd. at Beach Drive

#2 Sunset Beach Spur- extend the Byway to the end of Sunset Blvd.

; And

WHEREAS, The Township of Lower has received community support for this change to the route, and

WHEREAS, the Township of Lower is submitting this revision to the route to the South Jersey Bayshore Coalition during the preparation of a Corridor Management Plan; and

WHEREAS, Administration of the byway, once formally designated, further requires continuing commitment on the part of all participants involving establishment of a permanent body to oversee its long-term operation and promotion; and

WHEREAS, the Township of Lower wishes to express its support for the concept of a Scenic Byway and its commitment to participating in the process necessary for its implementation; and

BE IT FURTHER RESOLVED that it is the intention of the Township of Lower to be an active participant in administering the byway and in the development of the corridor management plan.

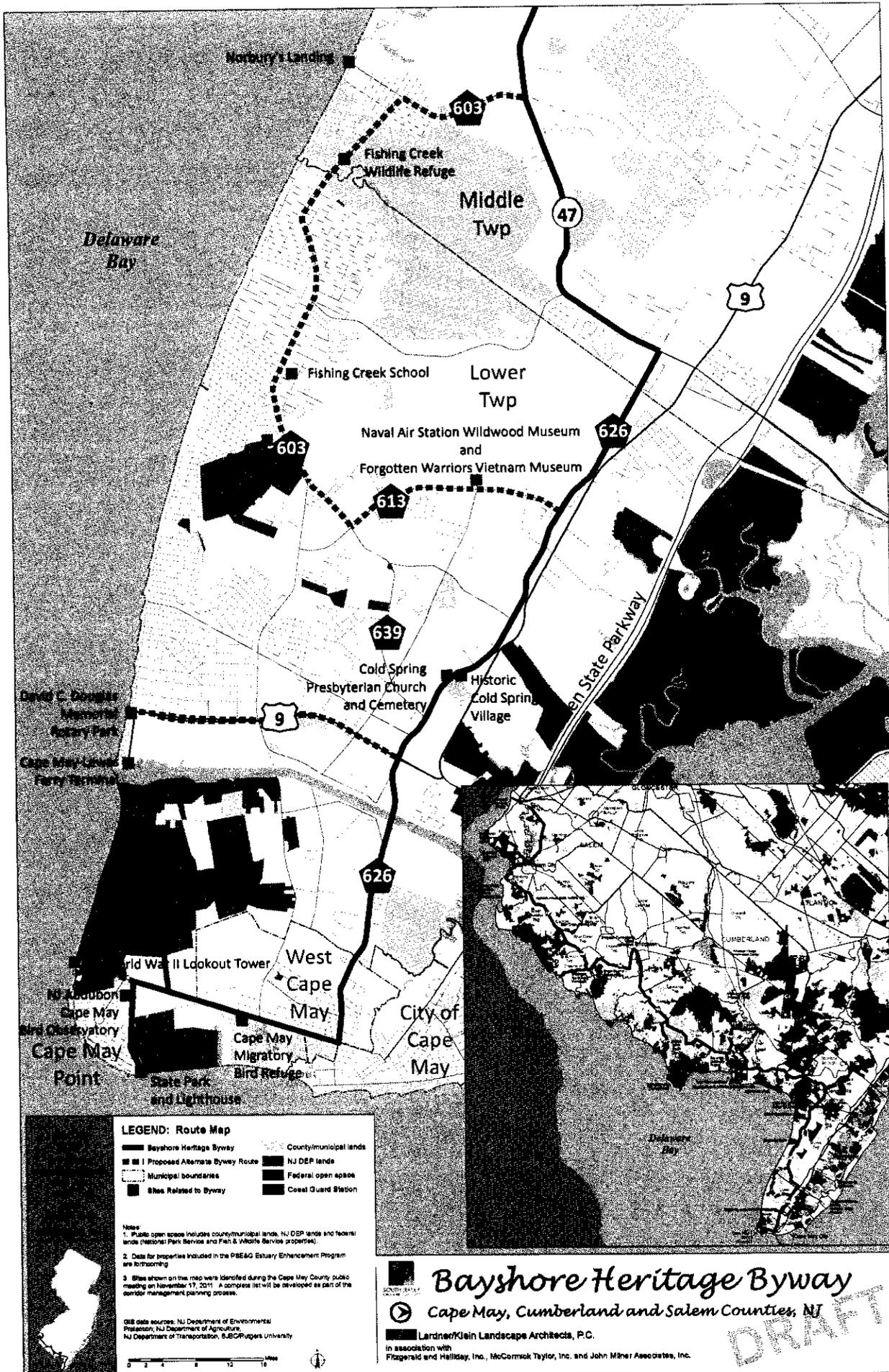
BE IT FURTHER RESOLVED that the Township of Lower will cooperate with all other municipalities and counties involved in ongoing planning efforts that support the designation, recognition and retention of the Bayshore Heritage Byway.

BE IT FURTHER RESOLVED a certified copy of this resolution shall be enclosed with Lower Township's New Jersey Scenic Byways Application packet.

I hereby certify the above to be a true copy of a Resolution adopted by the Township of Lower at a meeting held December 5, 2011.


Claudia R. Kammer, Township Clerk

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



Delaware Bay

Norbury's Landing

Fishing Creek Wildlife Refuge

Middle Twp

Fishing Creek School

Lower Twp

Naval Air Station Wildwood Museum and Forgotten Warriors Vietnam Museum

Cold Spring Presbyterian Church and Cemetery

Historic Cold Spring Village

David C. Donahoe Memorial Rotary Park

Cape May-Lewes Ferry Terminal

World War II Lookout Tower
NJ Audubon Cape May Migratory Bird Refuge
Cape May Point

West Cape May
Cape May Migratory Bird Refuge
State Park and Lighthouse

City of Cape May

LEGEND: Route Map

- Bayshore Heritage Byway
- Proposed Alternate Byway Route
- Municipal boundaries
- Sites Related to Byway
- County/municipal lands
- NJ DEP lands
- Federal open space
- Coast Guard Station

Notes:
 1. Public open space includes county/municipal lands, NJ DEP lands and federal lands (National Park Service and Fish & Wildlife Service properties).
 2. Data for properties included in the PB&G Estuary Enhancement Program are forthcoming.
 3. Sites shown on this map were identified during the Cape May County public meeting on November 17, 2011. A complete list will be developed as part of the corridor management planning process.

GIS data sources: NJ Department of Environmental Protection, NJ Department of Agriculture, NJ Department of Transportation, SBC Rutgers University



Bayshore Heritage Byway
 Cape May, Cumberland and Salem Counties, NJ

Lardner/Klein Landscape Architects, P.C.
 In association with
 Fitzgerald and Halliday, Inc., McCormick Taylor, Inc. and John Miner Associates, Inc.

DRAFT

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

RESOLUTION #2011-308

TITLE: CANCELLATION OF 2011 PROPERTY TAX

WHEREAS, Block 503.02 lot 4, assessed to Eileen M. McKernan was changed to property class 15F as of December 1, 2011 due to being a surviving spouse of a 100% disabled veteran.

NOW, THEREFORE, BE IT RESOLVED that the 2011 taxes be canceled.

I hereby certify the foregoing resolution was adopted by the governing body at a Council meeting held on December 5, 2011.


Claudia R. Kammer, Clerk

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

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

RESOLUTION #2011-309

TITLE: AUTHORIZATION FOR REFUND OF TAXES

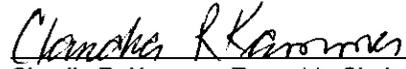
WHEREAS, the Township Tax Collector has certified an overpayment due to the reason listed below:
and

WHEREAS, a refund has been requested.

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 overpayment 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>
496.28	1	Virginia Gowen	Paid Twice	1,227.82

I hereby certify the foregoing to be a resolution adopted by the governing body at a meeting held on December 5, 2011.



Claudia R. Kammer, Township Clerk

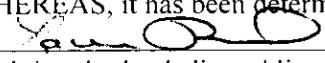
	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION	X				
SECOND		X			
AYE	X	X	X	X	X
NAY					
ABSTAIN					
ABSENT					

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
RESOLUTION # 2011- 310**

Title: Authorizing Pay Out of Terminal Leave

WHEREAS, the employee listed below has retired from the Township and is entitled to payment for accumulated vacation, sick and compensatory and personal 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 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 Louis Russo in the amount of \$ 118,216.55 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 Dec 5, 2011


Claudia R. Kammer, RMC, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
INTRODUCED	X				
SECONDED		X			
AYE	X	X	X	X	X
NAY					
ABSTAIN					
ABSENT					

TOWNSHIP OF LOWER
 RETIREMENT PAYOUT ANALYSIS
 DATE: 12/1/2011

EMPLOYEE:	Louis Russo
DATE OF RETIREMENT	12/1/2011
DATE OF PAYMENT:	
RESOLUTION #:	2011

Annual Salary:	\$107,885.64
Longevity 10%:	\$10,788.56
Hourly Rate:	\$57.05
College Credits :	

SALARY:		
Salary due to 11/30/2011	\$110,914.74	
Salary paid through 11/26/2011	\$109,545.36	
Balance due	\$1,369.38	

TERMINAL LEAVE:			
	Hours	Rate	Total
Comp	0.00	57.05	0.00
Personal	35.38	57.05	2,018.69
Sick	1,440.00	57.05	82,152.00
Vacation	460.77	57.05	26,286.88
Holidays	112.00	57.05	6,389.60
College Credits			0.00
Terminal Leave Payout			\$116,847.18
Total Due			\$118,216.55

	(A)	(B)	(C)	(B * C)	(E)	A + D - E	
	Carryover	Annual	47 weeks / 52 weeks	Prorated Time Due	Time Used	Hours to be paid	
Comp				0.00		0.00	
Personal		48.00	0.90	43.38	8.00	35.38	
Sick	2,100.00	128.00	0.90	115.69	508.00	1,440.00	1440 Max
Vacation	320.00	200.00	0.90	180.77	40.00	460.77	
Holidays (10)		120.00	(8.00)	112.00		112.00	
Total	2,420.00	496.00		339.85	556.00	2,048.15	

Accrual and time used are current to _____ subject to change if time is used or not currently reported.

Employee Signature: _____

Date: _____

Treasurer's Signature: _____

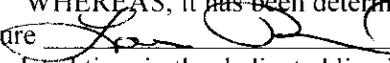
Date: _____

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
RESOLUTION # 2011- 311**

Title: Authorizing Pay Out of Terminal Leave

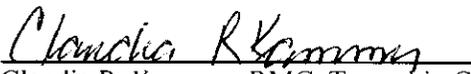
WHEREAS, the employee listed below has retired from the Township and is entitled to payment for accumulated vacation, sick and compensatory and personal time, and

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 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 Kevin Boyle in the amount of \$ 69,211.68 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 Dec. 5, 2011.


Claudia R. Kammer, RMC, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
INTRODUCED	X				
SECONDED		X			
AYE	X	X	X	X	X
NAY					
ABSTAIN					
ABSENT					

TOWNSHIP OF LOWER
 RETIREMENT PAYOUT ANALYSIS
 DATE: 12/1/2011

EMPLOYEE: Kevin Boyle
 DATE OF RETIREMENT: 12/1/2011
 DATE OF PAYMENT:
 RESOLUTION #: 2011

1/1/11-10/13/11		
Annual Salary:		\$85,522.26
Longevity	6%	\$5,131.34
Hourly Rate:		\$41.51
Prorated		\$69,733.60

10/14/11-11/30/11		
Annual Salary:		\$85,522.26
Longevity	8%	\$6,841.78
Hourly Rate:		\$42.29
Prorated		\$14,162.86

SALARY:	
Salary due to 11/30/2011	\$84,657.71
Salary paid through 11/26/2011	\$83,896.46
CC due	
Balance due	\$761.25

TERMINAL LEAVE:			
	Hours	Rate	Total
Comp	34.00	42.29	1,437.86
Personal	(4.62)	42.29	(195.18)
Sick	1,123.69	42.29	47,520.95
Vacation	353.52	42.29	14,950.33
Holidays	112.00	42.29	4,736.48
Terminal Leave Payout			\$68,450.43
Salary Due			\$761.25
Total			69,211.68

	(A)	(B)	(C)	(B * C)	(E)	A + D - E
	Carryover	Annual	47 weeks / 52 weeks	Prorated Time Due	Time Used	Hours to be paid
Comp				34.00		34.00
Personal		48.00	0.90	43.38	48.00	(4.62)
Sick	1,116.00	128.00	0.90	115.69	108.00	1,123.69
Vacation	316.75	200.00	0.90	180.77	144.00	353.52
Holidays (10)		120.00	(8.00)	112.00		112.00
Total	1,432.75	496.00	2.71	373.85	300.00	1,618.60

1440 Max

Accrual and time used are current to November 1, 2011 subject to change if time is used or not currently reported.

Employee Signature: _____

Date: _____

Treasurer's Signature: _____

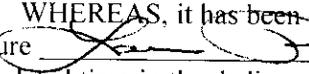
Date: _____

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
RESOLUTION # 2011- 312**

Title: Authorizing Pay Out of Terminal Leave

WHEREAS, the employee listed below has retired from the Township and is entitled to payment for accumulated vacation, sick and compensatory and personal 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 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 Colleen Horwath in the amount of \$ 28,364.52 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 Dec. 5, 2011.


Claudia R. Kammer, RMC, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
INTRODUCED	X				
SECONDED		X			
AYE	X	X	X	X	X
NAY					
ABSTAIN					
ABSENT					

TOWNSHIP OF LOWER
 RETIREMENT PAYOUT ANALYSIS
 2010

EMPLOYEE:	Colleen Horwath
DATE OF RETIREMENT:	12/1/2011
DATE OF PAYMENT:	
RESOLUTION #:	2011

Annual Salary:	\$49,576.71
Hourly Rate:	\$27.24
Longevity	\$3,000.00

SALARY:		
Salary due to	11/30/2011	\$46,335.16
Salary paid through:	11/27/2011	\$45,763.20
Balance due		\$571.96
Longevity Due		\$3,000.00
Longevity paid		\$2,353.92
Longevity to be paid		\$646.08

TERMINAL LEAVE:			
	Hours	Rate	Total
Comp	0.00	27.24	0.00
Personal	16.06	27.24	437.41
Sick	840.00	27.24	22,881.56
Vacation	150.42	27.24	4,097.52
Terminal Leave Payout			\$27,416.49
Salary Due			\$1,218.04
Total			\$28,634.52

	(A)	(B)	(C)	(B * C)	(E)	A + D - E	
	Carryover	Annual	47 weeks / 52 weeks	Prorated Time Due	Time Used	Hours to be paid	
Comp				0.00		0.00	
Personal	5.25	28.00	0.90	25.31	14.50	16.06	
Sick	1,424.75	105.00	0.90	94.90	174.00	840.00	Max sick 840
Vacation	75.00	175.00	0.90	158.17	82.75	150.42	
Total	1,505.00	308.00		278.38		1,006.48	

Accrual and time used are current to 11/14/11 subject to change if time is used or not currently reported.

Employee Signature: _____

Date: _____

Treasurer's Signature: _____

Date: _____

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

RESOLUTION #2011-313

Title: Transfer of 2011 Appropriations

WHEREAS, N.J.S.A. 40A: 4-58 provides for appropriation transfers during the last two months of the current fiscal year when it has been determined that any appropriation is insufficient to pay the claims authorized or incurred during the current year, which are chargeable to said appropriation, and there is an excess in any appropriation over and above the amount deemed to be necessary to fulfill its purpose.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, State of New Jersey that the following transfers totaling \$30,000.00 be made between the 2011 budget appropriations.

<u>LINE ITEM</u>		<u>ACCT. NUMBER</u>	<u>TO</u>	<u>FROM</u>
UNEMPLOYMENT	OE	1-01-23-225-500	25,000.00	
RECREATION	OE	1-01-28-370-299	5,000.00	
INSURANCE	OE	1-01-23-220-499		30,000.00
			<u>30,000.00</u>	<u>30,000.00</u>

I hereby certify the foregoing to be a resolution adopted by the Township Council on
December 5, 2011


 Claudia R. Kammer, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
MOTION	X				
SECOND		X			
AYES	X	X	X	X	X
NAYS					
ABSTAIN					
ABSENT					

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

RESOLUTION #2011- 314

TITLE: REJECTION OF BIDS FOR ONE (1) 2012 6.7 TO 8.4 CUBIC YARD DUMP TRUCK WITH SNOW PLOW

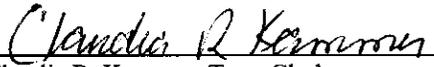
WHEREAS, the Township advertised for bids on November 16, 2011 for One 2012 6.7 to 8.4 cubic yard Dump Truck with Snow Plow and two (2) sealed bids were received by the Township QPA on November 30, 2011 at 11:00 a.m.; and

WHEREAS, two bids were submitted and opened and reviewed by the QPA and the Director of Public Works; and

WHEREAS, the bids exceeded the budget appropriation.

NOW, THEREFORE, BE IT RESOLVED by the Township Council, of the Township of Lower that all bids are hereby rejected and the QPA is authorized to re-advertise the bid.

I hereby certify the foregoing to be a resolution adopted by the Township Council on December 5, 2011.


Claudia R. Kammer, Twp. Clerk

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

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

RESOLUTION #2011-315

TITLE: CREATING A SPECIAL COMMITTEE FOR REVIEW OF PUBLIC SAFETY BUILDING ISSUES

WHEREAS, under the authority the New Jersey Statute 40:69A-1, the governing body of the Township of Lower is empowered to form Special Committees for the handling of extraordinary matters; and

WHEREAS, the governing body has identified a need to create a special advisory committee of interested persons to formulate an approach to effectively assess the feasibility of the continued use of what is commonly known as the Public Safety Building at Cape May County Airport for the location; and

WHEREAS, the referenced analysis is found to be important to the interests of the health, safety and welfare of the people of the Township of Lower,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Lower, duly assembled this 5th day of December 2011, that a Special Committee be created, subject to the following:

1. The Committee shall be known as the Special Advisory Committee for Review of Issues Related to the Public Safety Building or PSB Committee;
2. The Committee shall consist of the following members:
 - Voting Members
 - The Mayor
 - The Deputy Mayor
 - One person respectively appointed by each of the five members of the governing body.
 - Non-Voting Members
 - The Township Manager
 - The Chief of Police
 - The Construction Official
 - Public Works Director
3. The governing body, at their first meeting in January 2012, shall approve members of the committee. The committee shall hold its organizational meeting within 30 days of the appointment of its membership. The Mayor shall be the Chairman of the committee, and in his absence, the Deputy Mayor shall assume the role of Chairman. The committee shall agree upon a schedule of meetings, which schedule shall be published by the Clerk once in an official newspaper together with the time and location of such meetings and shall also be posted on the Township website. The committee shall comply with the Open Public Meetings Act where applicable if an effective majority of the governing body is participating in the meeting. Otherwise, the committee shall have discretion to include the public as appropriate in its meetings and deliberations.
4. The PSB Committee shall be strictly advisory in nature and shall advise the governing body to which it is subordinate. The PSB and its members, jointly and severally, shall have no authority, apparent or otherwise, to bind the Township of Lower in any fashion.

5. The PSB committee shall have no budget and shall have no authority to expend the funds of the Township, though the Chair may appear before the governing body, as authorized by the committee, with any request for expenditure of funds, for example to hire an expert to assist the committee, which expenditure shall only occur upon approval of the governing body in accordance with law and Township policy.
6. Committee members are expressly volunteers, shall serve without compensation, shall not be considered employees, are offered and given no contract, serve at the complete discretion of the governing body, may be removed without cause from the committee and all members acknowledge same by their acceptance of appointment. The Clerk shall provide each member with a copy of this Resolution.
7. The purview of the committee shall be limited to the question of the continued viability of the Public Safety Building and issues related to the future use of the building or alternatives to the building.
8. The committee will report to Council as may be requested by the governing body from time-to-time but shall report at the expiration of six months from the date of this Resolution or sooner at the discretion of the standing committee, with an interim or final report of recommendations. In the event that this six month report is an interim report, then the committee shall report to Council at or before the last meeting of the governing body of December 2012, with the committee's final report of recommendations or a request for extension of time in which to report which shall be supported by reasons deemed sufficient by the governing body.
9. The committee's existence shall terminate after the delivery of the final report to the governing body or as determine by the governing body by subsequent duly adopted Resolution.

I hereby certify the foregoing resolution was adopted at a meeting of the Township Council held on December 5, 2011.

Claudia R Kammer
 Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-316

TITLE: AUTHORIZATION FOR WAIVER OF FEES FOR CAPE ISLAND MASONIC LODGE #30 FOR A MINOR SITE PLAN

WHEREAS, the Cape Island Masonic Lodge #30 will be applying for a Minor Site Plan to erect a storage building on their property known as Block 753.01, Lots 27.02 known as 1105 Seashore Road, , and

WHEREAS, the Cape Island Masonic Lodge is a fraternal non-profit organization and has requested the Township waive any and all application, professional service and permit fees, and

WHEREAS, the Township Council has reviewed their request and deems it appropriate to support local 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 this project be waived.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on December 5, 2011.

Claudia R. Kammer
 Claudia R. Kammer, Township Clerk

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

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

RESOLUTION # 2011-317

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.
- (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 December 5, 2011 that an Executive Session closed to the public shall be held on this date at approximately 8:03 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 5, 2011.

Claudia R. Kammer
 Claudia R. Kammer, Township Clerk

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