

Signed Resolutions April 15, 2013

- Res. #2013-112 Payment of Vouchers \$ 2,421,006.97
Res. #2013-113 Authorization for Refund of Taxes
Res. #2013-114 TABLED
Res. #2013-115 Approval of Cold Spring Presbyterian Church Application to conduct Flea Markets for 2013
Res. #2013-116 Award of Contract for Concession for 2013 Independence Day Festival
Res. #2013-117 Approval of Annual Contribution to Volunteers in Medicine
Res. #2013-118 Authorizing Application for Reassessment of Real Property in the Township of Lower
Res. #2013-119 A Resolution Authorizing a Grant Application to the Cape May County Open Space Program for ADA Upgrades at the Paul R. Will Recreation Complex
Res. #2013-120 A Resolution Authorizing a Grant Application to the Cape May County Open Space Program for Construction of a Promenade at the North Jetty of the Cape May Canal
Res. #2013-121 Payment of Vouchers List II
Res. #2013-122 Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12.(Personnel Matters, Collective Bargaining and Possible Litigation with DRBA/County)
Res. #2013-123 Council Request to Tax Collector to Remove from the April 16, 2013 Tax Sale the Properties Listed Below Located in the Cape May County Airport and Industrial Park
Res. #2013-124 A Resolution to Ratify the Contract Between Lower Township and Lower Township Superior Officers Association and PBA Local 59

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00784	CAPE MAY STAR & WAVE							
	13-00873	03/28/13	LEGAL PUBLICATIONS	Open	28.52	0.00		
	13-00961	04/08/13	LEGAL ADVERTISEMENTS	Open	16.12	0.00		
	13-00980	04/08/13	LEGAL PUBLICATIONS	Open	<u>1,417.32</u>	0.00		
					1,461.96			
00825	COMCAST*							
	13-00989	04/09/13	TOWNHALL INTERNET 4/15-5/14/13	Open	110.08	0.00		
	13-01007	04/09/13	COMCAST INTERNET FOR MILLMAN	Open	<u>70.96</u>	0.00		
					181.04			
00870	CHURCH'S GARDEN CENTER AND*							
	13-00847	03/25/13	DUNE GRASS PLANTS	Open	3,360.00	0.00		
00928	CAPE MAY COUNTY CLERK							
	13-00528	02/21/13	NOTARY RENEWAL	Open	15.00	0.00		
01075	COPIERS PLUS*							
	13-00748	03/13/13	INK FOR COLOR WIDE FORMAT	Open	343.00	0.00		
01170	VERIZON WIRELESS* F/S							
	13-01014	04/10/13	CELL SERVICE 2/27/13-3/26 FIRE	Open	67.41	0.00		
01171	VERIZON WIRELESS - TOWNHALL							
	13-00917	04/04/13	CELL PHONE- 03/24/13-04/23/13	Open	575.96	0.00		
	13-00976	04/08/13	IPHONE MAR 1-MAR 28	Open	<u>905.89</u>	0.00		
					1,481.85			
01201	DELL CORPORATION*							
	13-00523	02/21/13	SPEAKERS FOR ENGINEERS COMP	Open	28.89	0.00		
	13-00538	02/22/13	KEYBOARD & MOUSE	Open	170.86	0.00		
	13-00685	03/08/13	COMPUTER FOR REC AIDE STATION	Open	<u>931.49</u>	0.00		
					1,131.24			
01389	EDDIE'S AUTO BODY*							
	13-00860	03/27/13	ALIGNMENT/RC-4	Open	55.00	0.00		
01480	E-Z PASS							
	13-01022	04/10/13	EZPASS - DPS	Open	400.00	0.00		
01519	TOM FOLS ELECTRICALCONTRACTOR*							
	13-00673	03/06/13	REPLACE ELECTRIC @ NORTH STATI	Open	1,950.00	0.00		
01530	FIRE DISTRICT #1							
	13-00884	04/01/13	2013 FIRE DISTRICT TAXES DUE	Open	107,129.33	0.00		
01540	FIRE DISTRICT #2							
	13-00885	04/01/13	2013 FIRE DISTRICT TAXES DUE	Open	359,295.20	0.00		
01590	FORD, SCOTT & ASSOCIATES*							
	13-00848	03/25/13	PROGRESS BILL 2012 AUDIT/13 BU	Open	26,000.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01598 DEARBORN NATIONAL	13-00914	04/04/13	APRIL 2013 LIFE INSURANCE	Open	567.00	0.00		
01602 THOMSON WEST*	13-00776	03/18/13	ANNUAL DUES	Open	247.56	0.00		
01635 GARDEN STATE DREDGING, INC.	13-00979	04/08/13	RETURN OF UNUSED ESCROW	Open	260.00	0.00		
01655 GANN LAW BOOKS*	13-00343	02/01/13	2013 ZONING & LAND USE BOOK	Open	105.00	0.00		
01685 W W GRAINGER, INC.*	13-00843	03/25/13	2.5 OZ SMOKE DETECTOR TESTER	Open	222.36	0.00		
01690 GRANTURK EQUIPMENT CO*	13-00709	03/11/13	PARTS FOR RECYCLING	Open	621.39	0.00		
01730 GTBM INC.*	13-00815	03/21/13	ANNUAL CONTRACT RENEWAL	Open	3,937.50	0.00		
01768 ROBERT HARTMAN JR	13-00992	04/09/13	MILEAGE REIMBURSEMENT	Open	162.16	0.00		
01781 HATCH MOTT MACDONALD, LLC*	12-01983	07/18/12	BEACH DRIVE PEDESTRIAN ACCESS	Open	3,757.82	0.00		B
	12-02197	08/13/12	2011 DEL. BAY SHORE OUTFALL EX	Open	14.69	0.00		B
	13-00744	03/13/13	SERVICES/UNDERGROUND TANKS	Open	<u>2,900.00</u>	0.00		
					6,672.51			
01804 HOLTZ LEARNING CENTERS, LTD*	13-00774	03/18/13	TRAINING	Open	160.00	0.00		
01971 IACP, TRAINING KEYS DIVISION*	13-00221	01/18/13	ANNUAL MEMBERSHIP DUES 2013	Open	480.00	0.00		
02025 HUNTER JERSEY PETERBILT*	13-00716	03/11/13	PARTS FOR TRUCK	Open	1,120.59	0.00		
02032 JOHN'S AUTO BODY*	13-00816	03/21/13	VEHICLE REPAIR	Open	1,963.80	0.00		
02100 CLAUDIA KAMMER	13-00869	03/28/13	MEDICAL CLAIMS	Open	312.00	0.00		
02108 KEEN COMPRESSED GAS CO*	13-00669	03/06/13	BOTTLED GAS FOR DPW	Open	250.25	0.00		
02134 THOMAS KEYWOOD	13-00875	04/01/13	MEDICAL CLAIMS	Open	34.00	0.00		
02140 KINDLE FORD LINC/MERC., INC.*	13-00672	03/06/13	PARTS FOR POLICE VEHICLE	Open	207.68	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02247 LAWSON PRODUCTS, INC.*	13-00713	03/11/13	SUPPLIES FOR DPW GARAGE	Open	982.22	0.00		
02320 LOWER TOWNSHIP BRD OF EDUCATN	13-01027	04/11/13	SCHOOL TAXES DUE 05/01/2013	Open	1,495,251.40	0.00		
02411 MENEAR'S TREE SERVICE*	13-00771	03/15/13	TWO TREE'S AT MULLIGAN FIELD	Open	800.00	0.00		
02461 JOHN MAHER	13-00876	04/01/13	MEDICAL CLAIMS	Open	1,009.81	0.00		
02726 MIDDLE TOWNSHIP	13-00779	03/19/13	ANIMAL CONTROL SERVICES	Open	717.80	0.00		
02762 DONALD T MONTGOMERY	13-00967	04/08/13	MEDICAL CLAIMS	Open	99.00	0.00		
02940 MUNICIPAL RECORD SERVICE*	13-00817	03/21/13	TICKETS	Open	539.75	0.00		
03160 OFFICE BASICS, INC*	13-00606	02/28/13	CASH DRAWER FOR REC COUNTER	Open	199.99	0.00		
	13-00780	03/19/13	SUPPLIES FOR DPW	Open	<u>46.08</u>	0.00		
					246.07			
03279 PARDO'S TRUCK PARTS WHSE*	13-00125	01/11/13	RDS/SANT/RECY/	Open	729.62	0.00		
	13-00670	03/06/13	RDS/SANT/RECY/DPW	Open	663.65	0.00		
	13-00856	03/26/13	BRAKES FOR TRASH TRUCK	Open	<u>825.28</u>	0.00		
					2,218.55			
03280 PARAMOUNT SANITARY SUPPLY*	13-00781	03/19/13	TRASH BAGS/DPW	Open	83.07	0.00		
03305 PEDRONI FUEL*	13-01021	04/10/13	NO LEAD GAS	Open	932.71	0.00		
03366 AMERI-GAS*	13-00947	04/04/13	PROPANE FOR BENNETT CROSS	Open	426.51	0.00		
03427 POLAR BEAR*	13-00770	03/15/13	REPAIR OF REAR GYM HEATER	Open	979.70	0.00		
03440 QUALITY COMMUNICATIONS*	13-00851	03/25/13	RADIO TOWER EVAL / REPAIR	Open	325.00	0.00		
03449 QC INC*	13-00617	03/04/13	RETENTION POND WATER SAMPLE	Open	57.50	0.00		
03452 THOMAS QUINN	13-00874	04/01/13	MEDICAL CLAIMS	Open	312.88	0.00		

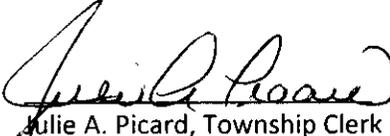
Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03518 RIGGINS, INC.*	13-00995	04/09/13	HIGHWAY DIESEL	Open	1,135.34	0.00		
03553 RANSOME INTERNATIONAL, LLC*	13-00601	02/28/13	PARTS FOR COUNTY ROAD VEHICLES	Open	107.35	0.00		
	13-00666	03/06/13	PARTS FOR COUNTY VEHICLES	Open	<u>58.11</u>	0.00		
					165.46			
03608 SEAWAVE CORPORATION*	13-00822	03/21/13	ADVERTISMEN SINGLE STREAM	Open	320.00	0.00		
03611 SERVICE TIRE TRUCK CENTERS*	13-00827	03/21/13	TIRES/RDS/SANT/RECY	Open	1,211.76	0.00		
03616 SEA GEAR MARINE SUPPLY, INC*	13-00574	02/26/13	DRUM OF SUPER 80 CLEANER	Open	336.80	0.00		
03688 SOUTHERN NJ CHAPTER NIGP*	13-00727	03/11/13	SJNIGP 3/13 & 4/10 M VITELLI	Open	60.00	0.00		
03692 SOUTH JERSEY GAS CO*	13-00887	04/01/13	MARCH 2013- GAS LANGLEY RD	Open	3,170.98	0.00		
03727 EDWARD STRING	13-01001	04/09/13	MEDICAL CLAIMS-V	Open	220.00	0.00		
03820 MUNICIPAL UTIL. AUTH ON CALL	13-00859	03/27/13	FEBRUARY	Open	75.44	0.00		
03863 TREASURER, STATE OF NEW JERSEY	13-00997	04/09/13	JAN-MARCH 2013 STATE FEES WCM	Open	836.00	0.00		
	13-00998	04/09/13	JAN-MARCH 2013 STATE FEES BOCA	Open	<u>4,392.00</u>	0.00		
					5,228.00			
03904 LOWE'S HOME CENTER INC*	13-00708	03/11/13	SUPPLIES FOR DPW	Open	359.65	0.00		
03917 STATE OF NJ DEPT OF CHILD/FAML	13-00910	04/04/13	JAN, FEB, MARCH 2013-MARRIAGE LI	Open	750.00	0.00		
03958 DEBORAH VAN MOURIK	13-01002	04/09/13	MEDICAL CLAIMS-V	Open	146.00	0.00		
03971 VERIZON WIRELESS MDT POLICE	13-00993	04/09/13	MDT WIRELESS	Open	631.16	0.00		
03978 USPS ACCT#48503619	13-00960	04/08/13	POSTAGE	Open	20,000.00	0.00		
03985 VILLAS NAPA AUTO PARTS	13-00675	03/06/13	RDS/SANT/RECY	Open	1,345.87	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03992 VAL-U AUTO PARTS LLC*	13-00674	03/06/13	RDS/SANT/RECY/DPW	Open	3,527.15	0.00		
04041 WEIGHTS & MEASURES FUND	13-00747	03/13/13	RADAR TUNING FORKS	Open	230.00	0.00		
04097 CINTAS FIRST AID AND SAFETY*	13-00994	04/09/13	First Aid	Open	113.19	0.00		
04115 WHITE & WILLIAMS, LLP	13-00863	03/27/13	PROFESSIONAL SERVICES	Open	3,285.00	0.00		
04123 TAMMY DECKER	13-00913	04/04/13	INSTRUCTOR FOR PILATES	Open	35.00	0.00		
04176 CHRISTOPHER J WINTER SR*CALEA	12-02442	09/11/12	CALEA ACCREDITATION CONSULTING	Open	400.00	0.00		B
04266 NJ DEPT OF HEALTH&SENIOR SVCS	13-00909	04/04/13	MARCH DOG LICENSE FEES-STATE	Open	301.20	0.00		
04288 NUANCE COMMUNICATIONS INC*	13-00773	03/18/13	MAINT. CONTRACT	Open	235.60	0.00		
04301 SEASHORE ASPHALT CORPORATION*	13-00707	03/11/13	SEASHORE ASPHALT	Open	83.60	0.00		
04445 TRICOMM SERVICES CORP*	13-00345	02/01/13	MOVE EXTS AND FAX LINES	Open	446.25	0.00		
	13-00762	03/14/13	PHONE PROGRAMING	Open	127.50	0.00		
					<u>573.75</u>			
04514 WILLIAM BLANEY*	13-00441	02/13/13	DNE \$25k RES 2013-62 CONTRACTS	Open	2,212.50	0.00		B
05078 JAY GRESS INC*	13-00865	03/27/13	FUEL/BULK	Open	4,374.22	0.00		
05087 NATIONAL ENTERTAINMENT	13-00201	01/17/13	EASTER EGG HUNT EGGS	Open	600.00	0.00		
05100 CHARLES W. SANDMAN, III ESQ	13-00269	01/23/13	2013 PROF EXPENSE MONTHLY 40k	Open	1,712.50	0.00		
06017 RICOH AMERICAS CORP*	13-00734	03/13/13	RICOH MP CW2200SP WIDE FORMAT	Open	10,572.00	0.00		
5022 INSTITUTE FOR FORENSIC PSYCHO*	13-00829	03/21/13	PSYCHOLOGICAL EXAM	Open	1,500.00	0.00		
	13-00853	03/25/13	PSYCHOLOGICAL EXAM	Open	<u>1,500.00</u>	0.00		
					<u>3,000.00</u>			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
5032 NORTH WILDWOOD \$ CREST SHIRT*	13-00769	03/14/13	GIRLS LACROSSE SHIRTS	Open	500.00	0.00		
6000 JERSEY SHORE SIGNS*	13-00368	02/04/13	MAGNETIC CAR SIGNS	Open	162.20	0.00		
6022 PDENGINEER.COM	13-00802	03/20/13	ENGINEER CONTINUING EDUCATION	Open	587.65	0.00		
6028 JAMES RIDGEWAY	13-00841	03/25/13	CLEAN 2 BUNNY SUITS	Open	24.90	0.00		
6032 MID-ATLANTIC SYSTEMS OF DPN,IN	13-00868	03/28/13	REIMBURSE FOR PERMIT 2012027	Open	354.00	0.00		
6033 KIMBERLY TIERNAN	13-00957	04/04/13	REFUND DUE TO DOUBLE PAYMENT	Open	761.17	0.00		
6035 NORTH END PRECIOUS METALS	13-00977	04/08/13	RETURN OF PRECIOUS METAL BOND	Open	1,000.00	0.00		
6036 KIM BLACKLEY	13-00983	04/08/13	PURCHASED EGG HUNT GIFT CARD	Open	10.00	0.00		
6037 PETER G DALY	13-00982	04/08/13	BACKGROUND/FINGERPRINT REFUND	Open	26.00	0.00		
BIRCH BIRCH'S COMMUNICATIONS LLC*	13-00349	02/01/13	TWO WAY RADIOS	Open	4,450.00	0.00		
	13-00350	02/01/13	TWO WAY BASE STATION	Open	<u>1,718.50</u>	0.00		
					6,168.50			
BOSNA KAREN MANETTE BOSNA	13-00911	04/04/13	YOGA INSTRUCTOR-MARCH 2013	Open	120.00	0.00		
BRITB BRUCE BRITTON	13-00641	03/06/13	REF FEE FOR BASKETBALL	Open	50.00	0.00		
BURGIN PAUL BURGIN	13-00978	04/08/13	RELEASE DEMO BOND RES#2013-106	Open	1,000.00	0.00		
CARRASQ JESSICA CARRASQUILLO	13-00984	04/08/13	SOCCER REFUND-XAVIER A COLOMA	Open	10.00	0.00		
CARROT CARROT-TOP INDUSTRIES, INC*	13-00808	03/20/13	ROPE FOR FLAG POLES	Open	288.31	0.00		
HINKER DAWN HINKER	13-00867	03/28/13	REFUND SOCCER PARTICIPANT	Open	15.00	0.00		
HOLD PATRICK HOLDEN	13-00986	04/09/13	SCORE KEEPER-ALS TOURNAMENT	Open	64.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
HOOVER ROBERT HOOVER & SONS INC*	13-00826	03/21/13	SENSORS, ENG.	Open	90.92	0.00		
KWISE KELSIE WISE	13-00912	04/04/13	INSTRUCTOR FOR ZUMBA CLASS	Open	245.00	0.00		
LHOLDEN LAUREN HOLDEN	13-00985	04/09/13	SCORE KEEPER-ALS TOURNAMENT	Open	64.00	0.00		
ROMANOW FRED ROMANOWSKI	13-00807	03/20/13	ASSIGNING FEE FOR BOYS LACROSS	Open	90.00	0.00		
<hr/> Total Purchase Orders: 135 Total P.O. Line Items: 267 Total List Amount: 2,421,006.97 Total Void Amount: 0.00 <hr/>								

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council at a meeting held on April 15, 2013.


Julie A. Picard, Township Clerk

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

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

RESOLUTION #2013-113

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>
203	15	Kimberly Tiernan	paid twice	761.17

I hereby certify the foregoing to be a resolution adopted by the governing body at a meeting held on April 15, 2013.


Julie A. Picard, Township Clerk

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

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

RESOLUTION #2013 - 115

**TITLE: APPROVAL OF COLD SPRING PRESBYTERIAN CHURCH
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 Cold Spring Presbyterian Church to conduct flea markets on **May 25 (rain date of June 1), June 29 (rain date of July 6) and August 31, 2013 (rain date of September 7, 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 April 15, 2013.


Julie A. Picard, Township Clerk

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

APPLICATION FOR OUTDOOR FLEA MARKET

Name of Organization Cold Spring Presbyterian Church

Name of Applicant (Responsible Party): Marilyn Muckle

Address/Phone # of Responsible Party: 224 Mindy Ave. (609) 889-1624 (H)
N. Cape May, N.J. 08204 (609) 675-6693 (C)

Location of Flea Market: Cold Spring Pres Church 780 Seashore Rd. (Seashore Academy Rd)

Proceeds to Benefit: 300th Anniversary Fund for Cold Spring Pres Church

Date of Flea Market: May 25, 2013

Rain Date: June 1, 2013

Please check appropriate category for organization

Non-Profit Civic Charitable Religious

Marilyn Muckle
Signature of Person in Charge

FOR TOWNSHIP USE ONLY

Approved by Council on 4-15-13

Resolution # 2013-115

Notes/Conditions _____

APPLICATION FOR OUTDOOR FLEA MARKET

Name of Organization Cold Spring Presbyterian Church

Name of Applicant (Responsible Party): Marilyn Merkle

Address/Phone # of Responsible Party: 234 Windy Ave. N. Cape May, NJ 08204

(609) 889-1624 (H)
(609) 675-6693 (C)

Location of Flea Market: Cold Spring Pres Church 786 Seashore Rd. (Seashore Academy Rd)

Proceeds to Benefit: 300th Anniversary Fund for Cold Spring Pres Church

Date of Flea Market: June 29th, 2013

Rain Date: July 6, 2013

Please check appropriate category for organization

Non-Profit Civic Charitable Religious

Marilyn Merkle
Signature of Person in Charge

FOR TOWNSHIP USE ONLY

Approved by Council on 4-15-13

Resolution # 2013-115

Notes/Conditions _____

APPLICATION FOR OUTDOOR FLEA MARKET

Name of Organization Cold Spring Presbyterian Church

Name of Applicant (Responsible Party): Marilyn Meiser

Address/Phone # of Responsible Party: 224 Minty Ave. 1609)889-1624(H)
11. Cape May, N.J. 08204 1609)675-6673(C)

Location of Flea Market: Cold Spring Pres Church 780 Seaside Rd. (Seaside Academy Rd.)

Proceeds to Benefit: 300th Anniversary Fund for Cold Spring Pres Church

Date of Flea Market: August 31, 2013

Rain Date: September 7, 2013

Please check appropriate category for organization

Non-Profit Civic Charitable Religious

Marilyn Meiser
Signature of Person in Charge

FOR TOWNSHIP USE ONLY

Approved by Council on 4-15-13

Resolution # 2013-115

Notes/Conditions _____

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

RESOLUTION #2013-116

TITLE: AWARD OF CONTRACT FOR CONCESSION FOR 2013 INDEPENDENCE DAY FESTIVAL RIDES

WHEREAS, the request for proposals for the Concession for 2013 with an option for 2014 Independence Day Festival Rides was advertised on March 13, 2013 and due by March 26, 2013 at 11:00 a.m., and

WHEREAS, one (1) proposal was submitted and reviewed by the Recreation Superintendent, the Township Manager and the QPA, and

WHEREAS, the vendor has supplied all required bid documents and the CFO has determined sufficient funds are available in the budget as follows:

Budget Year & Appropriation 3-01-30-420-299

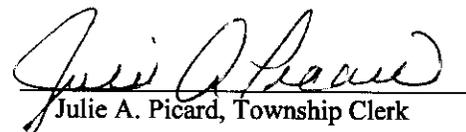
CFO Signature 

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the contract for the above is hereby awarded as follows.

AWARD TO: WIZARDS FESTIVAL OF FUN INC.
TOTAL: Option 3 - \$12,500.00 payment to Wizard's in addition, Wizard's Festival of Fun will collect \$1.00 per ride from participants - with no rain date - including an option to be awarded in 2014 at \$12,900.00 with \$1.00 per ride from participants.

BE IT FURTHER RESOLVED, the Mayor and Clerk are hereby authorized and directed to execute the contract for the same, which will then be submitted to the Atlantic County Municipal Joint Insurance Fund for final insurance review.

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


Julie A. Picard, Township Clerk

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

**2013-06 Request for Proposal Concession
Lower Township Independence Day Festival Rides**

The undersigned proposes to furnish and deliver the above goods/services pursuant to the Bid specification and made part hereof for 2013 Event with an option for 2014 Event:

Option #1

Flat fee concession payment from the Contractor to the Township of Lower, due upon contract award. A proposed wristband fee to be collected by the Contractor from the public at the event.

a. Concession Payment Option #1

N/A - We cannot participate under Option #1 terms.

b. Wristband Fee for Event Option #1

N/A - We cannot participate under Option #1 terms.

Option #2

Concession Payment waived from the Contractor to the Township with a REDUCED Proposed wristband fee to be collected by the Contractor from the public who attend the event.

a. Wristband Fee for Event Option #2

N/A - We cannot participate under Option #2 terms.

Option #3

Flat fee payment from the Township of Lower with \$ 1 per rides tickets in lieu of the REDUCED proposed wristband fee to be collected from the public by the Contractor from the public who attend the event. Please see our attached proposal.

a. Payment from Township of Lower Option #3

2013 Event \$ Twelve-Thousand, Five-Hundred Dollars (US) + \$Four-Thousand, Five-Hundred Dollars (US) Additional to reserve July 5, 2012 as a rain date. \$ 12,500.00 (US) + \$ 4,500 (US) Additional if rain date is reserved. Amount in words and numbers

2014 Event \$ Twelve-Thousand, Nine-Hundred Dollars (US) + \$ Five-Thousand Dollars (US) Additional to reserve July 5, 2012 as a rain date. \$ 12,900.00 (US) + \$ 5,000 (US) Additional if rain date is reserved. Amount in words and numbers

b. Wristband Fee for Event Option #3

N/A

Amount in words and numbers

\$ N/A

Amount in numbers

Wizard's Festival of Fun Inc.

22-2977470 Federal EIN

Company Name

Federal I.D. # or Social Security #

125 Coles Road, Blackwood, NJ 08012

Address

Albert M. Belmont Jr., President
Signature of Authorized Agent

Albert M. Belmont Jr. President
Type or Print Name and Title

(609) 206-5244

Telephone Number

3/26/2013
Date

LIST EXCEPTIONS BELOW OR USE ADDITIONAL SHEET:

1. **ERRORS & OMISSIONS/PROFESSIONAL LIABILITY INSURANCE WITH LIMITS OF LIABILITY NOT LESS THAN \$500,000:** This coverage is not available to our firm because unlike a lawyer, architect or doctor, we are not licensed professionals. Our equipment is licensed and inspected by the DCA. Should we not perform per our contract, we would be subject to breach of contract litigation - not malpractice or professional malfeasance. Professional Liability Insurance is inapplicable to this situation because we are simply providing rides and inflatable attractions as specified in the RFP.
2. **HOLD HARMLESS:** We will consent to a hold harmless in the form outlined below. It is a standard form that has been provided to us by the MEL-JIF for past contracts.
3. **SCOPE:** Per attached proposal APPENDIX A. Wizard's will provide 6 rides.

2013 CONCESSION AGREEMENT WITH WIZARDS FESTIVAL OF FUN INC.

THIS CONCESSION AGREEMENT is entered into on the 15th day of April, 2013, by and between TOWNSHIP OF LOWER, a municipal corporation with offices located at 2600 Bayshore Road, Villas, New Jersey 08251, hereinafter referred to as "Township" and WIZARDS FESTIVAL OF FUN INC, hereinafter referred to as "Wizards Festival of Fun Inc."

WITNESSETH:

WHEREAS, the Township desires to grant a concession for entertainment and amusements for its Independence Day Festival on July 3, 2013;

WHEREAS, the Township desires to approve the selection of Wizards Festival of Fun Inc. to perform these services and to enter into this Agreement with Wizards Festival of Fun Inc. in accordance with the terms and conditions set forth herein; and

Now, THEREFORE, with the foregoing recital paragraphs incorporated herein by this reference and in consideration of the mutual covenants and promises contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is acknowledged, the parties hereto, intending to be legally bound hereby covenant and agree as follows:

1. Grant of Concession. Wizards Festival of Fun Inc. agrees to provide amusement rides and related activities in the Township in accordance with the terms and conditions as set forth on the Proposal attached hereto as EXHIBIT A and incorporated herein by this reference (the "Proposal"). The Township agrees to pay a fee of **\$12,500.00 (TWELVE THOUSAND FIVE HUNDRED DOLLARS)** to Wizards Festival of Fun Inc for the 2013 Event, with an option for 2014 Event with mutual approval from Township of Lower Council and Wizards Festival of Fun for a fee of \$12,900 (TWELVE THOUSAND NINE HUNDRED DOLLARS) to be agreed upon in 2014. All terms and conditions of the Proposal shall remain in full force and effect unless in conflict with this Agreement, in which case the terms of this Agreement shall control, or unless specifically modified by this Agreement.
2. Hours of Event. Wizards Festival of Fun Inc. shall provide the services set forth in the Proposal and this Agreement on July 3, 2013 between the hours of 5 P.M. until 9 P.M. In the event the fireworks display is postponed because of weather conditions or other reasons, the parties agree there will be no additional rain dates and payment shall be made in full.
3. The Event Location. The amusement rides set forth on EXHIBIT A shall be set up along the streets in the vicinity of Shore Drive between Lincoln Blvd. and Emerson Avenue adjoining the Cape May Ferry Landing. Wizards Festival of Fun Inc. shall consult with the Township prior to the set up dates to determine the exact location of amusement rides and entertainment.
4. **Charge to the Public. The only amount that Wizards Festival of Fun Inc. will be permitted to charge for all rides and amusements will be ONE (\$1.00) DOLLAR PER RIDE.**
5. Indemnification/Hold Harmless and Insurance. Wizards Festival of Fun Inc. shall provide an executed Hold Harmless Agreement in the form attached hereto as EXHIBIT B and shall comply with the insurance requirements which are set forth on EXHIBIT C.
6. Assignment. Services provided under this Agreement and the Proposal are for the exclusive use of Township. Neither Township nor Wizards Festival of Fun Inc. shall assign its interest in this Agreement or the Proposal without the written consent of the other.
7. Severability. The terms, conditions, covenants, and provisions of this Agreement and Proposal shall be deemed to be severable. If any clause or provision herein contained shall be adjudged to be invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, it shall not affect the validity of any other clause or provision herein, but such other clauses or provisions shall remain in full force and effect.
8. Other Agreements. This Agreement and Proposal represent the entire agreement between the parties hereto and there are no other or collateral oral agreements or understandings. No addition, modification or variation from this Agreement or Proposal shall be enforceable unless the same shall be in writing and signed by the parties hereto.

9. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.
10. Choice of Law/Venue. This Agreement and Proposal shall be governed by and construed in accordance with the laws of the State of New Jersey, excluding choice of law rules thereof. Any and all actions to enforce or to interpret this Agreement or Proposal shall be brought in the Superior Court of New Jersey, Cape May County.
11. Waiver. The parties hereto waive a trial by jury of any and all issues arising in any action or proceeding between them under or connected with this Agreement or Proposal or any of the provisions or any negotiations in connection therewith.
12. Paragraphs. The titles to paragraphs of this Agreement are for convenience of reference only, and are not to be construed as defining, limiting or modifying the scope or intent of any of the terms and conditions of this Agreement.
13. Counterparts; Facsimiles. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original. Facsimile copies hereof shall be deemed to be originals.
14. Approval by Township Council. This Agreement is contingent upon approval by the Township Council of the Township of Lower, Cape May County.
15. Compliance with Laws and Regulations. During the performance of this Agreement, Wizards Festival of Fun Inc. agrees as follows:
- A. Wizards Festival of Fun Inc., or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status or sex. Wizards Festival of Fun Inc. will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment without regard to their age, race, creed, color, national origin, ancestry, marital status or sex. Such action shall include, but not be limited to, the following: (i) employment, upgrading, demotion, or transfer; (ii) recruitment or recruitment advertising; (iii) layoff or termination; (iv) rates of pay or other forms of compensation; and (v) selection for training, including apprenticeship. Wizards Festival of Fun Inc. agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this non-discrimination clause.
 - B. Wizards Festival of Fun Inc., or subcontractor, where applicable, will in all solicitations or advertisements for employees placed by or on behalf of Wizards Festival of Fun Inc., state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status or sex.
 - C. Wizards Festival of Fun Inc., or subcontractor, where applicable, will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of Wizards Festival of Fun Inc.' commitments under applicable law, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
 - D. Wizards Festival of Fun Inc., or subcontractor, where applicable, agrees to comply with the regulations promulgated by the Treasurer of the State of New Jersey ("Treasurer") pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time.
 - E. Wizards Festival of Fun Inc., or subcontractor, where applicable, agrees to attempt in good faith to employ minority and female workers consistent with the applicable county employment goals prescribed by N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time, or in accordance with a binding determination of the applicable county employment goals determined by the Affirmative Action Office pursuant to N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time.

- F. Wizards Festival of Fun Inc., or subcontractor, where applicable, agrees to inform in writing appropriate recruitment agencies in the area, including employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.
- G. Wizards Festival of Fun Inc., or subcontractor, where applicable, agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status or sex, and conform with the applicable employment goals, consistent with the statutes and court decisions of the State of New Jersey, and applicable federal law and applicable federal court decisions.
- H. Wizards Festival of Fun Inc., or subcontractor, where applicable, shall furnish such reports or other documents to the Affirmative Action Office as may be requested from time to time in order to carry out the purposes of the regulations of the Treasurer promulgated under P.L. 1975, c.127, and public agencies shall furnish such information as may be requested by the Affirmative Action Office for conduction of a compliance investigation pursuant to Subchapter 10 of N.J.A.C. 17:27.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the date first above written.

ATTEST:

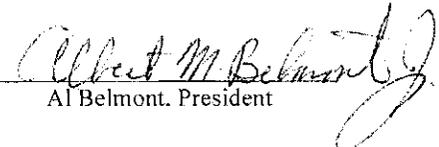
TOWNSHIP OF LOWER

Julie Picard, Township Clerk

BY: _____
Michael Beck, Mayor

ATTEST:

WIZARDS FESTIVAL OF FUN INC.

BY: 
Al Belmont, President

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

RESOLUTION # 2013-117

Title: **APPROVAL OF ANNUAL CONTRIBUTION TO VOLUNTEERS IN MEDICINE**

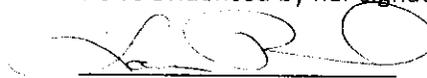
WHEREAS, Volunteer in medicine of Cape May County's primary mission is to understand and serve the health and wellness needs of the medically uninsured or under served population living or working in Cape May County; and

WHEREAS, VIM has begun a Municipal Partners Program to create a permanent symbolic relationship between the VIM clinic and the sixteen municipalities; and

WHEREAS, VIM has requested each municipality donate fifty cents (\$0.50) for each taxable line to the program to help with specialized services for eye care, pediatrics and podiatry in addition to the primary care being offered.

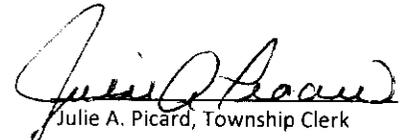
NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lower does hereby authorize and approve a contribution of \$7,690. for the year 2013.

BE IT FURTHER RESOLVED that the CFO, Lauren Read is hereby authorized to issue a check to Volunteers in Medicine for \$7,690 chargeable to budget line Council Special Projects 01-20-110-281 where sufficient funds are available as evidenced by her signature.



Lauren Read, CFO

I hereby certify the foregoing to be a Resolution adopted by the Township Council on April 15, 2013.



Julie A. Picard, Township Clerk

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

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
RESOLUTION #2013-118**

**Title: AUTHORIZING APPLICATION FOR REASSESSMENT OF REAL PROPERTY
IN THE TOWNSHIP OF LOWER**

WHEREAS, the Cape May County Board of Taxation mandates that municipalities be revalued if assessments of all taxable real property in the Township falls below 85% of market value or above 115%; and

WHEREAS, according to the 2013 preliminary equalization table of Cape May County, Lower Township's real property ratio of aggregate assessed to aggregate true value of real property is 108.23%; and

WHEREAS, the Cape May County Board of Taxation encourages reassessments by municipalities in order to avoid a mandated revaluation; and

WHEREAS, in 2012 Lower Township experienced a \$25 million decrease in real property assessed valuation through the successful appeal of more than 300 properties; and

WHEREAS, Lower Township has received 243 tax appeals in 2013 which could lead to another loss in real property assessed valuation; and

WHEREAS, it is in Lower Township's best interest to avoid a mandated revaluation and further loss in real property assessed valuation by conducting a reassessment of real properties.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower that Arthur Amonette, Lower Township Tax Assessor, is hereby authorized to submit application for reassessment program to the Cape May County Board of Taxation and to proceed with any and all actions required to facilitate the application process for final approval from the State Division of Taxation.

I hereby certify the foregoing to be a resolution adopted by the Township Council on April 15, 2013.


Julie A. Picard, Township Clerk

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

APPLICATION FOR REASSESSMENT PROGRAM
(TO BE FILED WITH COUNTY TAX ADMINISTRATOR)

Taxing District TOWNSHIP OF LOWER

County CAPE MAY

SECTION I - GENERAL INFORMATION

1. Reassessment to be completed 12/31/2013 and filed in tax year 2014.
2. All values placed on property will be as of October 1, 2013.
3. Year last revaluation 1/1/2007 and reassessment 1/1/2010 implemented.
4. No. of line items - Class 1 771, 2 14197, 3 72, 4 330.

SECTION II - REASSESSMENT STANDARDS AND PROCEDURES

Below are a series of statements. The statements generally reflect standards and procedures that must be met or performed during a reassessment program. Please read each statement carefully. If you agree with the statement, place a check mark in the box to indicate agreement. If you disagree entirely or partially with the statement, place a check mark in the box to indicate disagreement. A check mark indicating disagreement requires that a separate sheet be attached to this application to express your reason the statement may not be appropriate or applicable in the proposed reassessment.

REASSESSMENT PROCEDURE STATEMENTS

- | | | | |
|---|-----------------------------------|----|--|
| <input checked="" type="checkbox"/> Agree | <input type="checkbox"/> Disagree | 1. | A diligent attempt will be made to thoroughly inspect the exterior of all improvements to carefully note all pertinent physical property characteristics and accurately obtain or verify outside building dimensions. |
| <input checked="" type="checkbox"/> Agree | <input type="checkbox"/> Disagree | 2. | A diligent attempt will be made to thoroughly inspect the interior of all improvements to carefully note all pertinent construction components and other physical data respecting condition and layout.

If disagree, indicate the percentage of interior inspections completed between the last revaluation/reassessment implementation and this reassessment.

_____ % |
| <input checked="" type="checkbox"/> Agree | <input type="checkbox"/> Disagree | 3. | A scaled sketch with dimensions of each significant building will be prepared on which building sections, accessories, and story levels or heights will be noted. |
| <input checked="" type="checkbox"/> Agree | <input type="checkbox"/> Disagree | 4. | The Real Property Appraisal Manual for New Jersey Assessors will be utilized to develop appropriate depreciated replacement costs for all improvements as of the assessment date. |
| <input checked="" type="checkbox"/> Agree | <input type="checkbox"/> Disagree | 5. | All exempt property assessments will be updated to a current value as of the assessment date. |
| <input checked="" type="checkbox"/> Agree | <input type="checkbox"/> Disagree | 6. | All land assessments will be updated to a current value as of the assessment date utilizing generally acceptable land valuation procedures. |
| <input checked="" type="checkbox"/> Agree | <input type="checkbox"/> Disagree | 7. | A land value map shall be developed using appropriate land unit values such as front foot, effective front foot, excess front foot, square foot, acreage value and base or minimum site value. |
| <input checked="" type="checkbox"/> Agree | <input type="checkbox"/> Disagree | 8. | Sales of all properties deemed to be usable and occurring within the past three years will be analyzed; and significant data extracted from appropriate sales will be utilized in developing pertinent factors, adjustments, tables and/or schedules for determining current market values of property as of the assessment date. |

- Agree 9. All owners of income-producing property will be requested to submit income and expense information as provided under N.J.S.A. 54:4-34.
- Disagree
- Agree 10. All applicable approaches to value will be employed in the valuation process, and values developed will be reconciled to determine a final assessed value of the property as of October 1 of the pretax year.
- Disagree
- Agree 11. A taxpayer orientation program will be conducted to generally describe the reassessment program and its purpose.
- Disagree
- Agree 12. A notice will be sent to all taxpayers to inform them of their proposed assessed value and how an appointment may be made to arrange for an informal review.
- Disagree
- Agree 13. The tax map is up-to-date and has been reviewed and approved by Property Administration within the past three years.
- Disagree

SECTION III - HYBRID REASSESSMENT

Place a check mark in this box if any portion of the updating valuation process will be performed by individual(s) other than the assessor and his or her staff on the municipal payroll.

If you placed a check mark in the above box, a copy of the proposal or contract for the performance of such services must be attached to this application. Any contract entered into for valuation of all or a portion of the real property in a municipality is subject to the approval of the Director of the Division of Taxation (or his/her designee).

SECTION IV - CERTIFICATION AND ACKNOWLEDGMENT

I hereby declare as tax assessor that the reassessment will be performed as agreed to and stated in this application, and any revision or addendum sheet I have attached. I also fully understand that if I am granted approval to proceed with the reassessment, I will submit monthly reports of the progress and status of the reassessment to the county tax administrator as prescribed in N.J.A.C. 18:12A-1.14(d).

Check if revision or addendum sheet is attached.

April 10, 2013
Date


Assessor's Signature

The _____ County Board of Taxation at a meeting held on _____, 20____ has thoroughly reviewed the forgoing application and any attached revision or addendum sheet and recommends _____ of the proposed reassessment program.
(Approval or Disapproval)

Date

County Tax Administrator

The foregoing proposal for reassessment is hereby approved/disapproved this _____ day of _____, 20____, in accordance with N.J.A.C. 18:12A-1.14(c).

Assistant Director, Division of Taxation

APPLICATION FOR REASSESSMENT PROGRAM
Addendum
Lower Township – 2014

The application for reassessment includes only one area that is not in agreement with the established procedures, but I would like to address other areas that need clarification.

First, inspection of all properties in the Township.

The last reassessment was completed for the 2010 tax year and all the properties were inspected during the prior year. Interior inspections were only done on approximately 10 percent of the properties at that time. Since that time, any properties that have been added to or remodeled have been inspected as the construction permits were received and work was completed. Sold properties that were outside the norm were investigated and inspected. Therefore, only properties that have not been inspected within the past four year will be inspected.

Second, the tax map.

The Lower Township tax map received formal approval in September of 2010. There are still properties on the map that are mismatched on the tax list. The first step will be to correct this, either by changing the tax list or changing the map. Whatever is necessary.

Third, taxpayer orientation and notice of assessment

This reassessment program is being considered to reduce the current assessments that are continuing to decline in the current market. Most if not all of the assessments will be going down, therefore I would expect taxpayer agreement with this project. A general notice of the project and announcements at Township Council meetings will be used to inform the residents. The new assessments will also be posted on the Township web site for review by the residents.

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

RESOLUTION #2013-119

**TITLE: A RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE
CAPE MAY COUNTY OPEN SPACE PROGRAM FOR ADA
UPGRADES AT THE PAUL R. WILL RECREATION COMPLEX**

WHEREAS, the Council of the Township of Lower has determined that the Paul R. Will Recreation Complex is in need of ADA upgrades; and

WHEREAS, funds for such upgrades may be available to the Township of Lower under the Cape May County Open Space Program; and

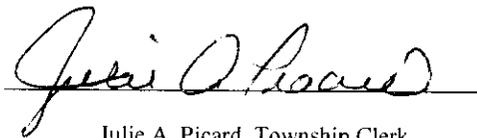
WHEREAS, an application must be filed with the Cape May County Open Space Program to apply for such funds.

NOW, THEREFORE, BE IT RESOLVED that Council of Lower Township, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an grant application.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Lower Township and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council at a meeting held on April 15, 2013.



Julie A. Picard, Township Clerk

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

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

RESOLUTION #2013-120

**TITLE: A RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE
CAPE MAY COUNTY OPEN SPACE PROGRAM FOR
CONSTRUCTION OF A PROMENADE AT THE NORTH JETTY OF
THE CAPE MAY CANAL**

WHEREAS, the Council of the Township of Lower has determined that it is in the best interest of the Township to construct a promenade at the North Jetty of the Cape May Canal; and

WHEREAS, funds for such construction may be available to the Township of Lower under the Cape May County Open Space Program; and

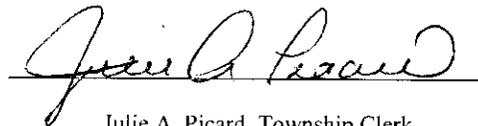
Whereas, an application must be filed with the Cape May County Open Space Program to apply for such funds.

NOW, THEREFORE, BE IT RESOLVED that Council of Lower Township, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an grant application.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Lower Township and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council at a meeting held on April 15, 2013.



Julie A. Picard, Township Clerk

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

**RESOLUTION # 2013- 121
BILL LIST II**

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Amount</u>
Douglass Landscaping	13-00954	Landscaping Bid Contract 2013	
		Pynt #1 of 10 (Inv#4116)	\$ 5,192.50
		Pynt #2 of 10 (Inv#4119)	\$ 5,192.50
		TOTAL DUE:	\$ <u>10,385.00</u>

I certify the foregoing to be a Resolution adopted at a Township Council Meeting on April 15, 2013.


 Julie A. Picard, Township Clerk

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

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

RESOLUTION # 2013-122

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 April 15, 2013 that an Executive Session closed to the public shall be held on this date at approximately 6:47 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 April 15, 2013.


Julie A. Picard, Township Clerk

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

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

RESOLUTION #2013- 123

TITLE: COUNCIL REQUEST TO TAX COLLECTOR TO REMOVE FROM THE APRIL 16, 2013, TAX SALE THE PROPERTIES LISTED BELOW LOCATED IN THE CAPE MAY COUNTY AIRPORT AND INDUSTRIAL PARK

WHEREAS, Lower Township Council understands that previous Township Solicitors had ongoing negotiations with the County of Cape May, Delaware River and Bay Authority and others for a long term solution to the collection of outstanding tax obligations at the Cape May County Airport and Industrial Park; and

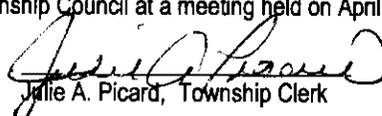
WHEREAS, the properties owned by Cape May County listed for the 2013 tax sale are as follows:

Block	Lot	Amount
410.01	36.03	\$ 650.20
410.01	36.13	\$ 795.14
410.01	36.14	\$ 795.14
410.01	36.18	\$ 3,736.62
410.01	36.19	\$ 3,188.92

WHEREAS, Council desires to meet with County Officials to negotiate with regard to the matter and therefore will be requesting that the Tax Collector remove the above noted properties from the April 16, 2013 tax sale;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, the governing body thereof, that the properties listed above located in the Cape May County Airport and Industrial Park be removed from the tax sale scheduled for April 16, 2013.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on April 15, 2013.


Julie A. Picard, Township Clerk

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

Sale Date: 04/16/13

Block	Lot	Qual	Owner Name	Amount
410.01	36.03		CAPE MAY COUNTY	650.20 T
410.01	36.13		CAPE MAY COUNTY	795.14 T
410.01	36.14		CAPE MAY COUNTY	795.14 T
410.01	36.18		CAPE MAY COUNTY	3,736.62 T
410.01	36.19		CAPE MAY COUNTY	3,188.92 T

T-Property Tax W-water S-Sewer E-MSF O-utility
A-Sp Assmnt 1-Lot Clearing 2-Sewer Connec 3-Water Connec

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

RESOLUTION #2013- 124

TITLE: A RESOLUTION TO RATIFY THE CONTRACT BETWEEN LOWER TOWNSHIP AND LOWER TOWNSHIP SUPERIOR OFFICERS ASSOCIATION AND PBA LOCAL 59

WHEREAS, extensive negotiations were conducted by the Township Manager and Labor Counsel with Lower Township Superior Officers Association and PBA Local 59; and

WHEREAS, the parties have reached an agreement in a Memorandum of Understanding which will be utilized to prepare the Collective Bargaining Agreement with the Lower Township Superior Officers Association and PBA 59 and

WHEREAS, the Township Manager and Labor Counsel recommend the Township Council's ratification of the Collective Bargaining Agreement.

NOW THEREFORE, BE IT RESOLVED that the Manager and Township Clerk are hereby authorized and directed to execute the ratified Collective Bargaining Agreement in accordance with and under the terms as outlined herein above, on behalf of the Township.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on April 15, 2013.


Julie A. Picard, Township Clerk

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