

RESOLUTIONS ADOPTED OCTOBER 17, 2011

- Res. #2011-273 Payment of Vouchers, \$1,697,218.39
- Res. #2011-274 A Resolution Requesting Release of Revegetation and Restoration Guarantee for Dune Site Plan; Block 512.14, Lot 28, Escrow #P09-08-03 (Project completed)
- Res. #2011-275 Authorization: Determination of Municipal Service Fees for 2012 (Annual resolution determining tax amount for owners of mobile homes - \$120 annual fee)
- Res. #2011-276 Cancellation and Refund of 2011 Property Taxes (3 properties granted 100% disabled vet status - taxed paid)
- Res. #2011-277 A Resolution Requesting Release of Demolition Bond for Block 53, Lots 14 & 15, 503 East Tampa Avenue, Villas (Work completed)
- Res. #2011-278 Acceptance of Bid & Contract Award for One (1) 2012 4 Wheel Loader (Award to Jesco Inc., \$120,977 inc. 5 yr 2500 hr PT & H Warranty- funds from 2007 & 2008 bond ordinances)
- Res. #2011-279 Acceptance of Bid & Contract Award for One (1) 2012 4 Wheel Drive Loader Backhoe (Award to Jesco Inc., \$83,677.00 inc. 5 yr 2500 hr PT & H Warranty - funds from 2008 bond ordinance)
- Res. #2011-280 A resolution requesting RELEASE of Performance Guarantee for AABA Medical Supply; Block 259, Lots 3-5, Escrow #Z08-12-02 (Work completed - bond released & maintenance guarantee being held)
- Res. #2011-281 Certification of Lot Clearing Charges to the Tax Collector (3 properties)
- Res. #2011-282 A Resolution Authorizing Release of Payment to T & C Sports Inc. (Authorizing Asst. Sup't. of Recreation to release check for new hockey surface upon completion of job)
- Res. #2011-283 Authorization for Payout of Accumulated Compensatory Time (M. Biersbach - \$12,014)
- Res. #2011-284 Payment of Voucher, \$35,000 (Required payment to Rescue Squad to be paid upon receipt of audit)
- Res. #2011-285 Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12." (Labor Relations)
- Res. #2011-286 Resolution Approving Project Proposal Between Hatch Mott MacDonald and the Township of Lower for Engineering Services Related to 2011 Delaware Bay Outfall Extension (\$2,500 for additional work needed to move the outfall to Township property)

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	11-02567	09/14/11	PARTS FOR DPS VEHICLES/DPW	Open	369.07	0.00		
00616	ANIMAL ALLIANCE OF CAPE							
	11-02770	10/06/11	TNR AND SPAY/NEUTER PROGRAM	Open	120.00	0.00		
	11-02771	10/06/11	2010 PETSMAST GRANT	Open	387.00	0.00		
	11-02797	10/11/11	TNR AND SPAY/NEUTER PROGRAM	Open	375.00	0.00		

					882.00			
00651	MUNICIPAL UTIL AUTH DUMP FEES							
	11-02808	10/12/11	DUMPING FEES/DPW/SEPT 2011	Open	70,309.81	0.00		
00739	CAPE MAY VETERINARY HOSPITAL							
	11-02772	10/06/11	TNR PROGRAM	Open	40.00	0.00		
00775	CAPRIONI PORTABLE TOILETS, INC*							
	11-02773	10/07/11	STANDARD PORTABLE TOILET WITH	Open	236.00	0.00		
00784	CAPE MAY STAR & WAVE							
	11-02712	10/03/11	NOTICE TO BIDDERS	Open	68.20	0.00		
	11-02713	10/03/11	LEGALS - ONE INSERTION 9-21-11	Open	219.48	0.00		
	11-02802	10/12/11	LEGALS	Open	94.86	0.00		

					382.54			
00825	COMCAST*							
	11-02793	10/11/11	MONTHLY INTERNET ACCESS - HALL	Open	95.11	0.00		
	11-02816	10/13/11	MONTHLY INTERNET ACCESS	Open	60.02	0.00		

					155.13			
00852	CHERRY VALLEY TRACTOR CO.*							
	11-02552	09/14/11	PARTS FOR RDS VEHICLES/DPW	Open	590.58	0.00		
00991	COLONIAL ELECTRIC SUPPLY*							
	11-02687	09/28/11	SYLLU70MED CLR BH MED HPS LAMP	Open	51.00	0.00		
01130	GAYLE HADLEY							
	11-02741	10/05/11	ZUMBA INSTRUCTOR	Open	65.00	0.00		
01139	CORELOGIC							
	11-02788	10/07/11	REFUND OVERPYMT OF TAX	Open	1,737.46	0.00		
01170	VERIZON WIRELESS* F/S							
	11-02768	10/06/11	CELL SERVICE - FIRE SAFETY	Open	82.86	0.00		
01171	VERIZON WIRELESS - TOWNHALL							
	11-02745	10/05/11	CELL SERVICE	Open	1,100.28	0.00		
	11-02767	10/06/11	CELL SERVICE - ACCT723051842	Open	161.39	0.00		

					1,261.67			
01196	H A DEHART & SON*							

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	11-02549	09/14/11	PARTS FOR SWEEPER/DPW	Open	274.06	0.00		
01239	DIANA L DeNOTE							
	11-02696	09/30/11	TRAINING REIMBURSMENT	Open	13.35	0.00		
	11-02744	10/05/11	CONTRACTUAL REIMBURSEMENT	Open	263.72	0.00		

					277.07			
01241	BRIAN MCEWING							
	10-01762	07/06/10	2010 EQUIP ALLOW	Open	60.00	0.00		
01245	G & K SERVICES CO*							
	11-02751	10/06/11	UNIFORM RENTALS/SEPT. 2011/DPW	Open	982.09	0.00		
01250	SCOTT DOUGLASS							
	11-02775	10/07/11	SHOE ALLOWANCE FOR 2011/DPW	Open	94.40	0.00		
01403	ENFORSYS FIRE SYSTEMS, INC*							
	11-02548	09/14/11	MAINT - INSPECTION SYSTEM	Open	500.00	0.00		
01480	E-Z PASS							
	11-02787	10/07/11	EZPASS - ACCT#200 1152-17226	Open	400.00	0.00		
01519	TOM FOLS ELECTRICALCONTRACTOR*							
	11-02670	09/27/11	ELECTRIC - WASH BAY DPW	Open	350.00	0.00		
	11-02671	09/27/11	ELECTRICAL WORK	Open	3,200.00	0.00		
	11-02795	10/11/11	WIRING FOR FRONT SIGN/PHOTO CE	Open	450.00	0.00		
	11-02796	10/11/11	REWIRE CEILING - RECEPTION ARE	Open	125.00	0.00		

					4,125.00			
01577	MIKE FLINN**							
	11-02743	10/05/11	REIMB LIABILITY INSURANCE	Open	345.00	0.00		
01641	GALL'S INC*							
	11-02410	08/30/11	GALL'S WOMEN'S ATHLETIC OXFORD	Open	58.98	0.00		
	11-02452	09/02/11	NEW VEHICLE OUTFITTING	Open	761.00	0.00		

					819.98			
01655	GANN LAW BOOKS*							
	11-02582	09/19/11	NJ COURT RULES	Open	111.00	0.00		
01703	HARBOR SALES COMPANY*							
	11-02666	09/27/11	SIGN MATERIALS/DPW	Open	187.36	0.00		
01781	HATCH MOTT MACDONALD, LLC*							
	10-03145	12/08/10	ROOFING SYSTEM - REC CENTER	Open	1,848.00	0.00		B
	11-01456	05/20/11	PKG LOT/STATION RD PHASE 3	Open	3,850.00	0.00		
	11-01974	07/11/11	TAX MAP REVISIONS AND UPDATES	Open	1,456.00	0.00		B
	11-02326	08/17/11	BEACH DRIVE PUBLIC ACCESS PROP	Open	1,750.00	0.00		B
	11-02798	10/11/11	ESCROW BILLING	Open	990.10	0.00		

10/13/11
15:42:23

Lower Township
Bill List By Vendor Id

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
					9,894.10			
01785	ROBERT HARTMAN SR							
	11-02817	10/13/11	CONTRACTUAL REIMBURSEMENT	Open	607.99	0.00		
01805	HERTRICH FLEET SERVICES INC*							
	11-01755	06/13/11	POLICE CHARGERS	Open	25,073.00	0.00		B
01806	ANTHONY J HARVATT, II, ESQ							
	11-01283	05/06/11	BOARD SOLICITOR SALARY	Open	383.33	0.00		
01807	MARLIN HEDUM							
	11-02720	10/03/11	TRAINING MEALS REIMBURSEMENT	Open	157.32	0.00		
01866	HOUPERT TRUCK SERVICE*							
	11-02203	08/03/11	OFF SITE DIESEL EMISSION TEST	Open	1,795.50	0.00		
01912	GRUCCIO, PEPPER, DESANTO & RUTH PA							
	11-00157	01/14/11	2011 CONTRACT EXPENSES DNE	Open	3,243.50	0.00		B
02027	JESCO INC*							
	11-02543	09/14/11	PARTS FOR COUNTY ZIPPER MACH.	Open	1,323.99	0.00		
02035	MEDIA IN MOTION, INC*							
	10-03231	12/17/10	lamininate triangles	Open	64.00	0.00		
02140	KINDLE FORD LINC/MERC., INC.*							
	11-02550	09/14/11	PARTS FOR POLICE VEH/DPS	Open	75.96	0.00		
02183	KLENSWITE POOL SPA SUP.CO INC*							
	11-02440	09/01/11	MISC. POOL SUPPLIES	Open	69.40	0.00		
02213	LAB SAFETY SUPPLY, INC.*							
	11-02647	09/26/11	SMOKE ALARM TESTER SPRAY	Open	100.29	0.00		
02320	LOWER TOWNSHIP BRD OF EDUCATN							
	11-01282	05/06/11	SCHOOL TAX DUE 1ST OF MONTH	Open	1,451,560.80	0.00		
02331	LOWER TOWNSHIP ROTARY CLUB							
	11-02781	10/07/11	ANNUAL CONTRIBUTION	Open	800.00	0.00		
02541	ROBERT D. MARTIN, JR							
	11-02786	10/07/11	CONTRACTUAL REIMBURSEMENT	Open	409.00	0.00		
02585	WILLIAM MASTRIANA							
	11-02697	09/30/11	LUNCH REIMBURSEMENT	Open	36.10	0.00		
	11-02821	10/13/11	CONTRACTUAL REIMBURSEMENT - V	Open	330.28	0.00		

					366.38			
02652	MCMANIMON & SCOTLAND L.L.C.*							
	11-02721	10/03/11	PROFESSIONAL SERVICES	Open	2,016.81	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	11-02742	10/05/11	SEPTEMBER, 2011	Open	500.77	0.00		
03727 EDWARD STRING	11-02700	09/30/11	SHOE ALLOWANCE FOR 2011/DPW	Open	99.99	0.00		
03820 MUNICIPAL UTIL. AUTH ON CALL	11-02555	09/14/11	ONE-CALL MESSAGES/DPW	Open	123.03	0.00		
03863 TREASURER, STATE OF NEW JERSEY	11-02799	10/11/11	STATE 3RD QTR - WCM BOCA	Open	358.00	0.00		
	11-02800	10/11/11	STATE 3RD QTR - BOCA	Open	3,821.00	0.00		

					4,179.00			
03894 SHERWIN WILLIAMS	11-02667	09/27/11	MARKING PAINT FOR PRK LOTS/DPW	Open	243.46	0.00		
03898 STATE OF NJ DIV OF PENSIONS	11-02810	10/12/11	DELINQUENT PERS APRIL & MAY	Open	94.43	0.00		
	11-02812	10/12/11	DELINQUENT PFRS APRIL & MAY	Open	565.90	0.00		

					660.33			
03902 DONALD VANAMAN JR	11-02801	10/11/11	CONTRACTUAL REIMBURSEMENT - V	Open	423.00	0.00		
03904 LOWE'S HOME CENTER INC*	11-02746	10/06/11	MISC. SUPPLIES FOR HAYRIDE	Open	230.34	0.00		
03917 STATE OF NJ DEPT OF CHILD/FAML	11-02791	10/11/11	QUARTERLY MARRIAGE LIC FEES	Open	1,300.00	0.00		
03935 STAPLES BUSINESS ADVANTAGE*	11-02585	09/19/11	CAMERA GOVDEALS	Open	199.95	0.00		
	11-02622	09/21/11	OFFICE SUPPLIES	Open	109.88	0.00		
	11-02626	09/21/11	VACUUM CLEANER	Open	356.93	0.00		
	11-02630	09/26/11	OFFICE EQUIPMENT	Open	671.07	0.00		
	11-02714	10/03/11	OFFICE SUPPLY	Open	47.78	0.00		

					1,385.61			
03960 VECTOR SECURITY*	11-02542	09/14/11	LOCKS FOR FILING CABINET	Open	25.00	0.00		
03971 VERIZON WIRELESS	11-02726	10/04/11	VERIZON MDT'S	Open	644.12	0.00		
03995 VITAL COMMUNICATIONS, INC.*	11-02656	09/27/11	SEND MODIV UPDATE TO EDMUNDS	Open	100.00	0.00		
04059 THOMAS WILL	11-02785	10/07/11	CONTRACTUAL REIMBURSEMENT	Open	31.00	0.00		

10/13/11
15:42:23

Lower Township
Bill List By Vendor Id

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04075 BARBER CONSULTING SERVICES LLC	11-02662	09/27/11	IT TECHNICAL/NETWORK SUPPORT	Open	789.99	0.00		
04097 CINTAS FIRST AID AND SAFETY*	11-02809	10/12/11	FIRST-AID KIT SUPPLIES/DPW	Open	196.50	0.00		
	11-02811	10/12/11	FIRST AID SUPPLIES - TOWNHALL	Open	99.02	0.00		
					----- 295.52			
04150 BARRY, CORRADO, GRASSI &	11-02573	09/19/11	RECORDS REQUEST	Open	5.00	0.00		
04266 NJ DEPT OF HEALTH&SENIOR SVCS	11-02769	10/06/11	STATE DOG LICENSE FEES	Open	60.00	0.00		
04300 W B MASON CO INC*	11-02516	09/13/11	SUPPLIES	Open	667.22	0.00		
04301 SEASHORE ASPHALT CORPORATION*	11-02571	09/14/11	PATCH FOR ROADS/DPW	Open	219.00	0.00		
04320 PREMIER OFFICE SUPPLY*	11-02650	09/26/11	OFFICE SUPPLIES	Open	184.09	0.00		
BAYSHORE BAYSHORE MALL 1A LLC	11-02747	10/06/11	RETURN UNUSED ESCROW	Open	3.00	0.00		
BLAUE BLAUER ASSOCIATES INC*	10-02446	09/29/10	SCPF APPLICATION & ADMIN	Open	150.00	0.00		B
	11-02587	09/21/11	PREP OF PROGRAM YR 2012 DCA AP	Open	1,500.00	0.00		
					----- 1,650.00			
COMMSERV COMMERCIAL SERVICES, INC	11-02813	10/13/11	RELEASE OF DEMO BOND	Open	1,500.00	0.00		
DEENIS NICHOLAS DEENIS, ESQ	11-02765	10/06/11	RETURN UNUSED ESCROW	Open	851.00	0.00		
DUFFYJ JOHN DUFFY	11-02789	10/07/11	REFUND OVERPYMT OF TAX	Open	184.80	0.00		
HOFFA ASHLEY HOFF	11-02723	10/04/11	REIMBURSEMENT FOR BACKGROUND	Open	51.25	0.00		
HOLLANDJ HOWARD & JUDY HOLLAND	11-02790	10/07/11	REFUND OVERPYNT OF TAX	Open	2,644.79	0.00		
NEWBY MATTHEW NEWBY	11-02718	10/03/11	REIMBURSEMENT FOR BACKGROUND	Open	66.25	0.00		
NORBECK STACY NORBECK	11-02774	10/07/11	REIMBURSEMENT FOR BACKGROUND	Open	51.25	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
SHAHER ALICE BASCO SHAHER	11-02794	10/11/11	SPAY/NEUTER PROGRAM	Open	65.00	0.00		
SHOFFLER TOD SHOFFLER	11-02715	10/03/11	REIMBURSEMENT FOR BACKGROUND	Open	41.25	0.00		
STRAU RICHARD & LORRAINE STRAUSS	11-02814	10/13/11	RELEASE OF DUNE BOND	Open	10,690.80	0.00		
Total Purchase Orders: 134				Total P.O. Line Items: 300	Total List Amount: 1,697,218.39	Total Void Amount: 0.00		

I certify the foregoing to be a Resolution adopted by the Township Council on October 17, 2011.

Claudia R. Kammer

 Claudia R. Kammer, RMC, Township Clerk

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

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

RESOLUTION #2011-274

TITLE: A resolution requesting release of Revegetation and Restoration Guarantee for Dune Site Plan; Block 512.14, Lot 28, Escrow #P09-08-03

WHEREAS, Richard W. Strauss & Lorraine J. Strauss, JTEN posted a bond for the revegetation and restoration of dune grass with the Township of Lower, in the amount of \$10,690.80; and

WHEREAS the Township Planning Director recommends that the required restoration and revegetation of dune grass has been properly completed;

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

AND HEREBY BE IT FURTHER RESOLVED that the Township Treasurer is granted permission to issue a check in the amount of \$10,690.80 plus any accrued interest for payment of the above released Guarantee.

I hereby certify this is the original resolution adopted by the Township Council at the meeting held October 17, 2011



Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-275

TITLE: AUTHORIZATION: DETERMINATION OF MUNICIPAL SERVICE FEES FOR 2012

WHEREAS, the Township of Lower has by Ordinance no. 2003-12 provided for the imposition of an annual municipal service fee on manufactured homes installed in mobile home parks within the confines of the Township of Lower; and

WHEREAS, section 2A-9.2 states that the municipal service fee shall be determined by resolution each year by the Township Council on or before November 1 of the pre-tax year; and

WHEREAS, the Tax Collector and CFO have established the annual fee based on the established formula.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Tax Collector is hereby authorized to bill the owners of the mobile home parks within the confines of the Township of Lower \$120.00 per each manufactured home for the year 2012 to be paid quarterly on March 15, June 15, September 15 and December 15.

I hereby certify the foregoing to be a resolution adopted by the governing body at a meeting held on October 17, 2011.


Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-276

TITLE: CANCELLATION AND REFUND OF 2011 PROPERTY TAX

WHEREAS, the owners of the following properties were granted 100% disabled veteran exemption, Class 15F status:

<u>Owner</u>	<u>Block & Lot</u>	<u>Effective Date of Class 15F</u>
Howard & Judy Holland	Block 451.01, Lot 12.02	January 1, 2011
T. John Duffy	Block 494.23, Lot 7	January 1, 2011
James Gannone & Christine Cote	Block 512.21, Lot 11	October 1, 2011

and,

WHEREAS, taxes paid on the properties by the owners and/or mortgage company as of the effective date of the Class 15F status are to be refunded.

NOW, THEREFORE, BE IT RESOLVED that the 2011 taxes be cancelled as of the effective dates noted above and the appropriate refunds, if any, be made to the payees below:

<u>Owner</u>	<u>Refund to</u>	<u>Total Amount Refunded</u>
Howard & Judy Holland	Owner & Corelogic	\$2,644.79
T. John Duffy	Owner & Corelogic	\$1,737.46

I hereby certify the foregoing resolution was adopted by the governing body at a Council meeting held on October 17, 2011.

Claudia R. Kammer
 Claudia R. Kammer, Clerk

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

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

RESOLUTION #2011-277

TITLE: A resolution requesting **RELEASE** of Demolition Bond for Block 53, Lots 14 & 15, 503 East Tampa Avenue, Villas,

WHEREAS, Commercial Services, Inc. posted a Demolition Bond with the Township of Lower, in the amount of \$1,500.00, and

WHEREAS, the Township Building Inspector made a final inspection and the Certificate of Occupancy was issued October 4, 2011, and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, the Governing Body thereof, that the demolition bond be and hereby is **released**,

AND HEREBY BE IT FURTHER RESOLVED, that the Township Treasurer is granted permission to issue a check in the amount of \$1,500.00 plus any accrued interest for payment of the above released demolition bond.

I hereby certify this is the original resolution adopted by the Township Council at the meeting of October 17, 2011.



Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-278

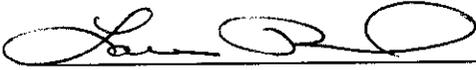
TITLE: ACCEPTANCE OF BID AND CONTRACT AWARD FOR ONE (1) 2012 4 WHEEL LOADER

WHEREAS, bids were advertised on September 28, 2011 and due on October 12, 2011 at 9:00 a.m. for One (1) 2012 4 Wheel Loader, and

WHEREAS, one (1) proposal was submitted and reviewed by the QPA and Gary Douglas, CPWM, and

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

Budget Appropriation C-04-55-391-220 (Ord. 2007-14) \$111,650.01
C-04-55-394-220 (Ord. #08-20) \$9326.99

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 to the lowest qualified responsible bidders as follows:

AWARD TO: Jesco Inc.
TOTAL: \$120,977.000 (included 5 yr 2500 hour PT & H Warranty)

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

I hereby certify the foregoing resolution was adopted by the Township Council at a meeting held on October 17, 2011.


 Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-279

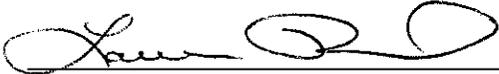
TITLE: ACCEPTANCE OF BID AND CONTRACT AWARD FOR ONE (1) 2012 4 WHEEL DRIVE LOADER BACKHOE

WHEREAS, bids were advertised on September 28, 2011 and due on October 12, 2011 at 9:00 a.m. for One (1) 2012 4 Wheel Drive Loader Backhoe, and

WHEREAS, one (1) proposal was submitted and reviewed by the QPA and Gary Douglas, CPWM, and

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

Budget Appropriation C-04-55-394-220 (Ord. #08-20)

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 to the lowest qualified responsible bidders as follows:

AWARD TO: Jesco Inc.
TOTAL: \$83,677.000 (included 5 yr 2500 hour PT & H Warranty)

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

I hereby certify the foregoing resolution was adopted by the Township Council at a meeting held on October 17, 2011.


 Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-280

TITLE: A resolution requesting RELEASE of Performance Guarantee for AABA Medical Supply; Block 259, Lots 3-5, Escrow #Z08-12-02

WHEREAS, FLCH, LLC posted a Performance Guarantee with the Township of Lower, in the amount of \$69,123.79 ; and

WHEREAS, the Township Engineer has recommended the improvements having a total value of \$69,123.79 have been properly installed and are presently acceptable; and

WHEREAS, the Township of Lower Land Development ordinance requires the posting of a fifteen percent (15%) Maintenance Guarantee prior to the complete release of the original Performance Guarantee; and

WHEREAS, fifteen percent (15%) of the original Performance Guarantee equals \$8,640.47

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, the Governing body thereof, that the Performance Guarantee be and hereby is **released** leaving a balance of \$8,640.47 on account as Maintenance Guarantee.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on *Oct. 17*, 2011.

Claudia R. Kammer
Claudia R. Kammer, Township Cler

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

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

RESOLUTION #2011-281

TITLE: CERTIFICATION OF LOT CLEARING CHARGES TO THE TAX COLLECTOR

WHEREAS, Ordinance #99-10 establishes the minimum regulations governing the conditions and maintenance of all property, buildings and structures within the Township of Lower, which is also known as the Property Maintenance Code, and

WHEREAS, according to Section 302, Exterior Property Areas of the Property Maintenance Code, all premises and exterior property shall be maintained in a clean, safe and sanitary condition, and

WHEREAS, the properties listed below contained conditions which violated Section 302 of the Property Maintenance Code; and notice was duly sent to the property owners to abate the conditions and such conditions were not abated; and

WHEREAS, the Township of Lower has abated the conditions pursuant to the requirements of the Property Maintenance Code and desires to place a lien on the properties listed below:

WHEREAS, the Code Enforcement Officer of the Township of Lower has certified the costs incurred to abate such conditions to the Township Council, which has examined the certification and has found it to be correct.

NOW, THEREFORE, Be It Resolved by the Township Council of the Township of Lower, County of Cape May and State of New Jersey that the costs and fees set forth on Schedule A, incurred by the Township of Lower to abate the unlawful conditions on the properties listed below are charges as a lien against such properties, to be added to and become part of the taxes next to be assessed and levied upon such properties, to bear interest at the same rate as taxes, and to be collected and enforced in the same manner as taxes.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on October 17, 2011.

Claudia R. Kammer
Claudia R. Kammer, Township Clerk

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

Resolution #2011-281

SCHEDULE A

BLOCK	LOT	NAME	LOCATION	AMOUNT	ADMIN FEE	LIEN AMT
166	17	Gibboni, Ronald G & Anne	24 E. New York Ave	\$219.35	\$500.00	\$719.35
247	11	Winnans, Geraldine & Nordgren, Nicole	11 W. Drumbed Rd.	\$222.35	\$500.00	\$722.35
329	36.02	Kosak, Imogene	131 Kentucky Ave.	\$205.00	\$500.00	\$705.00

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

RESOLUTION #2011-282

TITLE: A RESOLUTION AUTHORIZING RELEASE OF PAYMENT TO T & C SPORTS INC.

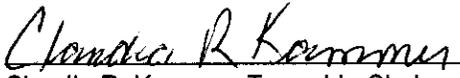
WHEREAS, Resolution #2011-252 awarded the bid for a Suspended Modular Tile Sports Floor System (MS3 Outdoor Tiles) to T & C Sports Inc. in the amount of \$35,632.00 which included delivery and installation supervision, and

WHEREAS, T & C Sports Inc. requires payment upon delivery & installation of said materials which will be completed after this meeting but prior to the next regular meeting, and

WHEREAS, installation is scheduled for Monday, October 24, weather permitting.

NOW, THEREFORE, BE IT RESOLVED that Mitchell Plenn, Assistant Recreation Superintendent shall be authorized to release the check to T & C Sports Inc. upon his certification that all work has been satisfactorily completed in accordance with the bid.

I hereby certify the foregoing resolution was adopted at the Township Council meeting held on October 17, 2011.


Claudia R. Kammer, Township Clerk

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

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
RESOLUTION # 2011-283**

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

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

WHEREAS, it is necessary to obtain authorization for any salary and wage disbursement to a Township employee that is not specified in the salary ordinance, and

WHEREAS, it has been determined by the Township Treasurer as evidenced by signature  that adequate funding is available for such payment in the prior year's budget for Salaries and Wages.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that payment to Martin Biersbach in the amount of **\$12,104** is authorized and chargeable to the 2011 Budget account 1-01-25-240-120.

I hereby certify the foregoing to be a resolution adopted by the Township Council on Oct. 17, 2011.


Claudia R. Kammer, RMC, Township Clerk

	CONRAD	SIMONSEN	DOUGLASS	LARE	BECK
INTRODUCED		✓			
SECONDED	✓				
AYE	✓	✓	✓	✓	✓
NAY					
ABSTAIN					

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
 RESOLUTION #2011-284

**Lower Township
 Bill List II
 10/17/2011**

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Amount</u>
Lower Twp Rescue Squad	11-01579	2011 Contribution due 11/4/2011	\$ 35,000.00
TOTAL BILL LIST			<u>\$ 35,000.00</u>

I certify the foregoing to be a Resolution adopted by the Township Council on October 17, 2011.

Claudia R. Kammer
 Claudia R. Kammer, RMC, Township Clerk

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

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

RESOLUTION # 2011-285

TITLE: A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12.”

WHEREAS, the Township Council of the Township of Lower is subject to certain requirements of the Open Public Meetings Act, N.J.S.A 10:4-6, et seq., and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

WHEREAS, it is necessary for the Township Council of the Township of Lower to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

- _____ (1) Matters Required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- _____ (2) Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- _____ (3) Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information, relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
- X (4) Matters Relating to Collective Bargaining Agreement: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
- _____ (5) Matters Relating to the Purchase, Lease of Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
- _____ (6) Matters relating to Public Safety and Property: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.
- _____ (7) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

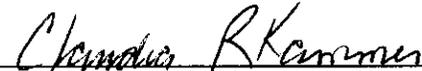
_____ (8) Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

_____ (9) Matters Relating to the Potential Imposition of a Penalty: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW, THEREFORE, BE IT RESOLVED by the Township council of the Township of Lower, assembled in public session on October 17, 2011 that an Executive Session closed to the public shall be held on this date at approximately 7:30 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 October 17, 2011.


 Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-286

TITLE: RESOLUTION APPROVING PROJECT PROPOSAL BETWEEN HATCH MOTT MACDONALD AND THE TOWNSHIP OF LOWER FOR ENGINEERING SERVICES RELATED TO 2011 DELAWARE BAY SHORE OUTFALL EXTENSIONS

WHEREAS, Hatch Mott MacDonald is currently serving as the Municipal Engineer (the "Engineer") based upon a Contract For Services which sets forth their standard hourly rates as approved by the Township Council and executed by the Mayor and Clerk (the "Engineer's Contract");

WHEREAS, the Engineer has provided a separate fee proposal for engineering services related to additional work Whittier Avenue Outfall, 2011 Delaware Bay Shore Outfall Extensions which is set forth on EXHIBIT A attached hereto (the "Project Proposal"); and

WHEREAS, the Township Council desires to approve the Project Proposal and the CFO has certified the availability of funds by her signature in the budget as follows:


 Lauren Read, CFO

C-04-55-384-106
 Account

NOW, THEREFORE, BE IT RESOLVED, by the Township of Lower, County of Cape May, State of New Jersey, that:

1. The Project Proposal between Hatch Mott MacDonald and the Township of Lower, in the form attached hereto as EXHIBIT A, for a total amount of \$2,500.00 is hereby approved.
2. That the Mayor and Clerk are hereby authorized and directed to execute the Project Proposal on behalf of the Township of Lower, and to take any and all other actions necessary to effectuate the purposes thereof.
3. All of the terms and conditions of the Engineer's Contract except for the specific terms and conditions of the Project Proposal shall continue in full force and effect and the Project Proposal shall be deemed a supplement thereto.

I hereby certify the foregoing to be an original resolution adopted by the Township Council of the Township of Lower at a meeting held on October 17, 2011.


 Claudia R. Kammer, Township Clerk

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



**Hatch Mott
MacDonald**

Hatch Mott MacDonald

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

October 14, 2011

Via email: gdouglasslowertownship@comcast.net & 1st Class Mail

Mr. Gary Douglass, CPWM
Township of Lower
2600 Bayshore Road
Villas, NJ 08251

**RE: Additional Work
Whittier Avenue Outfall
2011 Delaware Bay Shore Outfall Extensions
Township of Lower, Cape May County, New Jersey
HMM No. 291956**

Dear Mr. Douglass:

As you are aware Hatch Mott MacDonald (HMM) was authorized by Council to perform surveying, engineering and permitting services for the 2011 Delaware Bay Shore outfall extensions on March 21, 2011 (Township Resolution No. 2011-91) based on our March 2, 2011 proposal.

As part of the above authorization HMM surveyed and designed an outfall extension to the existing 15" stormwater pipe located on private property (Block 585, Lot 20) adjacent to the Whittier Avenue right-of-way. Due to the fact that connection to the existing outfall pipe will require disturbance to some degree on the above referenced property the Township Solicitor and HMM reached out to the Lot 20 property owner to obtain written permission (as required by the NJDEP as part of the CAFRA permit application requirements) to perform temporary construction operations on Lot 20.

After multiple discussions with the family who owns Lot 20 they have indicated that they are unwilling to provide written permission to temporarily disturb their property.

As an alternative to extending the existing pipe in its current location it is our understanding, based on our conversation today, that the Township is directing us to design and permit a new stormwater outfall which will connect to the existing inlet in Beach Drive but be relocated to the physical centerline of the Whittier Avenue right-of-way. The existing outfall and pile/structures that exist on Township property will be removed and the stormwater pipe on Lot 20 will be filled with grout, capped and abandoned in place.

We propose to complete the redesign and permitting plan for the Whittier Avenue outfall for a lump sum amount of **\$2,500**.



Hatch Mott
MacDonald

We thank you for your consideration of this request. Should you have any questions regarding the above information or should you wish to discuss this proposal in more detail, please do not hesitate to contact this office.

Very truly yours,

Hatch Mott MacDonald

A handwritten signature in black ink, appearing to read "Mark R. Sray".

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

A handwritten signature in black ink, appearing to read "Steven C. Morey".

Steven C. Morey, CEP
Associate
T609.465.9377 F 609.465.5270
steven.morey@hatchmott.com

cc (via Email): Michael J. Voll, Township Manager