

RESOLUTIONS ADOPTED JANUARY 3 2011

- Resolution #2011-01, Appointment of Municipal Solicitor for 2011 Without Public Bidding (Mike Donohue)
Resolution #2011-02, Appointment of Municipal Engineer for the Year 2011 Without Public Bidding
(reappointment of Hatch Mott McDonald Engineers)
- Resolution #2011-03, Appointment of Municipal Auditor for the Year 2011 Without Public Bidding
(*reappointment Ford Scott Seidenburg & Kennedy*)
- Resolution #2011-04, Appointment of Bond Counsel for the Year 2011 Without Public Bidding (*reappointment of
Mc Manimon & Scotland*)
- Resolution #2011-05, Appointment of Municipal Judge (Thomas Hillegass replacing David DeWeese who
retired)
- Resolution #2011-07, Appointment of Municipal Public Defender for the Year 2011 (Reappointment of J. Chris
Gibson)
- Resolution #2011-08, Appointment of Emergency Management Council for the Year 2011 (Annual Required
Appointments)
- Resolution #2011-09, Appointment of Class III Member to the Planning Board (Kevin Lare)
- Resolution #2011-10, Appointment of Officials for Joint Insurance Fund and Municipal Excess Liability Fund
(Annual Resolution)
- Resolution #2011-11, Appointment of JIF Risk Management Consultant, (Marsh & McLennan Agency)
- Resolution #2011-12, Establishment of Council Meeting Dates and Times (1st & 3rd Mondays except holidays)
- Resolution #2011-13, Setting the Interest Rate for Delinquent Taxes (Statutorily regulated)
- Resolution #2011-14, Designation of Official Depositories (annual resolution listing all banks, accounts &
authorized signatories)
- Resolution #2011-15, Designation Of Official Newspapers for Legal Advertising for the Year 2011 (Star & Wave
& Herald)
- Resolution #2011-16, Authorizing Payment of 2011 Debt Service
- Resolution #2011-17, Annual Approval of Petty Cash Funds (Police Dept. & Treasurer's Office)
- Resolution #2011-18, Adopting Cash Management Plan (annual adoption)
- Resolution #2011-19, Resolution to Defer The Regional School Tax (annual resolution)
- Resolution #2011-20, Adopting 2011 Temporary Current Budget
- Resolution #2011-21, Approving 2011 Contract with Cape Assist (EAP Program)
- Resolution #2011-22, Authorizing Clerk to Issue Bingo & Raffle Licenses Throughout the Year to Qualified
Organizations
- Resolution #2011-23, Designation of Public Agency Compliance Officer for the Township of Lower (annual
resolution)
- Resolution #2011-24, Authorization for Public Bidding (Annual resolution for bidding throughout the year)
- Resolution #2011-25, Transfer of 2010 Appropriations, \$2,000 (from Gasoline to Natural Gas)
- Resolution #2011-26, Authorization for the Payout of Accumulated Sick Leave (\$38,221.73)
- Resolution #2011-27, Payment of 2011 Vouchers, \$3,127,057.31
- Resolution #2011-28, Authorizing the Payment of 2010 Vouchers, \$118,742.0
- Resolution #2011-29, Resolution Appointing Michael Voll as Manager

(Note: Res. #2011-06 Appt. of Prosecutor was removed)

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

RESOLUTION #2011-01

TITLE: APPOINTMENT OF MUNICIPAL SOLICITOR FOR 2011 WITHOUT PUBLIC BIDDING

WHEREAS, the Township of Lower ("Township") has a need to acquire legal counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Township has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, Michael Donohue has submitted a proposal indicating that they will provide the goods or services described hereinabove for a total price not to exceed Ninety Thousand (\$90,000) Dollars.

WHEREAS, the CFO has determined sufficient funds are available in the current budget as follows:

Appropriation # 1-01-20-155-200
Solicitor - OE

Signature 

WHEREAS, has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Lower in the previous one year, and that the contract will prohibit the from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lower hereby appoints Michael Donohue as Solicitor and approves the contract with Michael Donohue for the goods and services described above.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that a notice of Award of Professional Contract for the above appointment shall be published in the official Township paper.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council at a meeting held on January 3, 2011.


Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-01

TITLE: APPOINTMENT OF MUNICIPAL SOLICITOR FOR 2011 WITHOUT PUBLIC BIDDING

WHEREAS, the Township of Lower ("Township") has a need to acquire legal counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Township has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, Michael Donohue has submitted a proposal indicating that they will provide the goods or services described hereinabove for a total price

WHEREAS, the CFO has determined sufficient funds are available in the current budget as follows:
 Appropriation # 1-01-20-155-200 Signature 
Solicitor - OE

WHEREAS, has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Lower in the previous one year, and that the contract will prohibit the from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lower hereby appoints Michael Donohue as Solicitor and approves the contract with Michael Donohue for the goods and services described above.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that a notice of Award of Professional Contract for the above appointment shall be published in the official Township paper.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council at a meeting held on January 3, 2011.


 Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-02

TITLE: APPOINTMENT OF MUNICIPAL ENGINEER FOR THE YEAR 2011 WITHOUT PUBLIC BIDDING

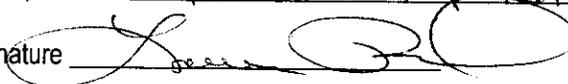
WHEREAS, the Township of Lower ("Township") has a need to acquire a municipal engineer as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Township has determined and certified in writing that the value of the acquisition will exceed \$17,500, and Hatch Mott MacDonald Engineers has submitted a proposal indicating that they will provide the goods or services described above for a price not to exceed \$485,000; and

WHEREAS, the anticipated term of this contract is *one* year and may be extended as approved by this governing body; and

WHEREAS, the CFO has determined sufficient funds will be available in the current budget as follows:

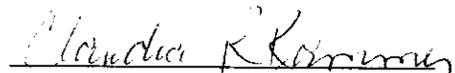
Appropriation # Various capital ordinances

Signature 

WHEREAS, Hatch Mott MacDonald Engineers has completed and submitted a Business Entity Disclosure Certification which certifies that Hatch Mott MacDonald Engineers has not made any reportable contributions to a political or candidate committee in the Township of Lower in the previous one year, and that the contract will prohibit the Hatch Mott Macdonald Engineers from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lower hereby approves a contract with Hatch Mott MacDonald Engineers for the goods and services herein described and that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution and that a notice of Award of Professional Contract for the above appointment shall be published in the Township's Official paper.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council at a meeting held on January 3, 2011.


Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-03

TITLE: APPOINTMENT OF MUNICIPAL AUDITOR FOR THE YEAR 2011 WITHOUT PUBLIC BIDDING

WHEREAS, the Township of Lower ("Township") has a need to acquire a municipal auditor as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Township has determined and certified in writing that the value of the acquisition will exceed \$17,500, and Ford Scott & Associates, L.L.C. has submitted a proposal indicating that they will provide the goods or services described above for a price not to exceed \$39,200; and

WHEREAS, the term of this contract is one year; and the CFO has determined sufficient funds will be available in the current budget as follows:

1-01-20-130-299 \$ 7,200
 Appropriation # 1-01-20-135-207 \$32,000

Signature 

WHEREAS, Ford Scott & Associates, L.L.C. has completed and submitted a Business Entity Disclosure Certification which certifies that Ford Scott & Associates, L.L.C. has not made any reportable contributions to a political or candidate committee in the Township of Lower in the previous one year, and that the contract will prohibit the Ford Scott & Associates, L.L.C. from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lower hereby approves a contract with Ford Scott & Associates, L.L.C. for the goods and services herein described and that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution and that a notice of Award of Professional Contract for the above appointment shall be published in the Township's Official paper.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council at a meeting held on January 3, 2011.


 Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-04

**TITLE: APPOINTMENT OF BOND COUNSEL FOR THE YEAR 2011
WITHOUT PUBLIC BIDDING**

WHEREAS, the Township of Lower ("Township") has a need to acquire bond counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Township has determined and certified in writing that the value of the acquisition will not exceed \$17,500, and Mc Manimon & Scotland has submitted a proposal indicating that they will provide the goods or services described above; and

WHEREAS, the term of this contract is one year; and the CFO has determined sufficient funds will be available in the current budget as follows:

Appropriation # Capital Ordinances as needed

Signature 

WHEREAS, Mc Manimon & Scotland has completed and submitted a Business Entity Disclosure Certification which certifies that Mc Manimon & Scotland has not made any reportable contributions to a political or candidate committee in the Township of Lower in the previous one year, and that the contract will prohibit the Mc Manimon & Scotland from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lower hereby approves a contract with Mc Manimon & Scotland for the goods and services herein described and that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution and that a notice of Award of Professional Contract for the above appointment shall be published in the Township's Official paper.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council at a meeting held on January 3, 2011.


Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-05

TITLE: APPOINTMENT OF MUNICIPAL JUDGE

WHEREAS, N.J.S.A. 2B:12-4, the Township Council of the Township of Lower is required to appoint an attorney licensed to practice law in the State of New Jersey to the position of Municipal Court Judge; and

NOW, THEREFORE, BE IT RESOLVED that F. Thomas Hillegass, Esquire, is hereby appointed by the Township Council of the Township of Lower as the Lower Township Municipal Court Judge for a term commencing on the date of this Resolution and continuing until December 31, 2013;

FURTHER RESOLVED that F. Thomas Hillegass, Esquire as the Lower Township Municipal Court Judge, shall perform all duties required pursuant to the New Jersey statutes, regulations and Lower Township ordinances including, without limitation, N.J.S.A. 2B:12-4; and

FURTHER RESOLVED that F. Thomas Hillegass, Esquire as the Lower Township Municipal Court Judge, shall be paid a salary of \$42,452.37 in 2011, \$43,301.42 for 2012 and \$44,167.45 in 2013 without benefits, payable in bi-weekly installments on the Township's regularly scheduled pay days in each of the years listed.

FURTHER RESOLVED that any notices of this Resolution that may be required pursuant to the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, be duly published in the Township's official newspaper.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 3, 2011.


Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-07

TITLE: APPOINTMENT OF MUNICIPAL PUBLIC DEFENDER FOR 2011

WHEREAS, there exists a need for the service of a municipal public defender in the Township of Lower in the County of Cape May, State of New Jersey; and,

WHEREAS, the amount of the contract is \$ 11,200.00 and funds are available in the current fund entitled Office of the Public Defender - Salary & Wage as evidenced by the Chief Financial Officer's signature ; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for Professional Services without competitive bids and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower of Lower in the County of Cape May as follows:

The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Christopher Gibson.

This contract is awarded without competitive bidding as a Professional Service in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law as the contract is for a service performed by a person authorized by law to practice a recognized professional that is regulated by law.

A notice of this action shall be printed once in the Township's Official newspaper.

I hereby certify this is the original resolution adopted by the Township Council on Jan 3, 2011.


Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-08

TITLE: ANNUAL APPOINTMENT OF EMERGENCY MANAGEMENT COUNCIL

WHEREAS, the Township is required to annually appoint the Emergency Management Council.

NOW, THEREFORE, BE IT RESOLVED by the Township Council, the governing body thereof, that the following persons are hereby appointed to the Emergency Management Council for 2011.

NAME	CATEGORY	NAME	CATEGORY
Michael Beck	1	Thomas Conrad	1
Richard Harron	2	Edward Donohue	2 & 3
James Godfrey	2	Joan Koeck	2 & 4
Dave Perry	2 & 4	Gary Douglass	2
Brian Marker	2	Rich Harron, Jr.	2
Dave Lepor	2 & 3	Lew McGonigal	2
Art Treon	2	Carol Kapurelos	2
Michael DeMarcantonio	5		

BE IT FURTHER RESOLVED the following individuals be appointed as Deputy OEM Coordinators for 2011:

1. Chief Edward Donohue
2. James Godfrey
3. Joan Koeck
4. David Perry

I hereby certify this resolution was adopted by the Township Council at their meeting of Jan. 3, 2011.


 Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-09

TITLE: APPOINTMENT OF CLASS III MEMBER TO THE PLANNING BOARD

WHEREAS, the term of, Kevin Lare, Class III Member on the Lower Township Planning Board, expired on Dec. 31, 2010, and

WHEREAS, Kevin Lare is interested in serving and also holds the Council At Large seat on Council, and.

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the following person is hereby reappointed to the Lower Township Planning Board as follows.

<u>Name</u>	<u>Type/Class</u>	<u>Exp. Date</u>
Kevin Lare	Class III	12-31-2011

I hereby certify the foregoing to be a resolution adopted by the Township Council on Jan. 3, 2011.


Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-10

TITLE: CONFIRMATION OF OFFICIALS FOR JOINT INSURANCE FUND AND MUNICIPAL EXCESS LIABILITY FUND

WHEREAS, it is necessary for the Township to designate certain persons for the receipt of notices and processing of claims for the Joint Insurance Fund, and

WHEREAS, the Township is desirous of updating the records of the Atlantic County Municipal Joint Insurance Fund with changes.

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the following persons are named in the capacity listed for the Joint Insurance Fund for 2011 and shall remain in said positions until changed by resolution:

Fund Commissioner	Claudia Kammer
Alt. Fund Commissioner	Kathleen McPherson
Claims Coordinator	Marie LoMonaco
Risk Management Consultant	Marsh & McLennan Agency
Safety Coordinator	Brian Marker, Police Captain
Township Clerk	Claudia R. Kammer, Township Clerk

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 3, 2011.


Claudia R. Kammer, Township Clerk

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

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
RESOLUTION #2011-11**

TITLE: APPOINTMENT OF JIF RISK MANAGEMENT CONSULTANT

WHEREAS, the Governing Body of the Township of Lower is a member of the Atlantic County Municipal Joint Insurance Fund, a self insurance pooling fund, following a detailed analysis and;

WHEREAS, the Bylaws of said Fund require that each municipality appoint a RISK MANAGEMENT CONSULTANT to perform various professional services as detailed in the Bylaws and;

WHEREAS, the Bylaws indicate a fee not to exceed six percent (6%) of the municipal assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the governing body and;

WHEREAS, N.J.S.A. 40A: 11-5 (1) (m), specifically exempts the hiring of insurance consultants from competitive bidding as an extraordinary unspcifiable service; and

WHEREAS, the experience, knowledge of public insurance and risk management issues and judgmental nature required of a Risk Management Consultant's are clearly an extraordinary unspcifiable service which therefore render competitive bidding impractical;

NOW, THEREFORE, be it resolved that the governing body of the Township of Lower does hereby appoint Marsh & McLennan Agency as its Risk Management Consultant in accordance with 40A:11-5 for a fee of Two and one half percent (2.5%) of the combined ACMJIF & MELJIF net assessment amount of \$956,269, as per their proposal, and;

BE IT FURTHER RESOLVED that the governing body is hereby authorized and directed to execute the Consultant's Agreement annexed hereto an to cause a notice of this decision to be published according to N.J.S.A. 40A: 11-5 (1), (a), (i).

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 3, 2011.



Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-12

TITLE: ESTABLISHMENT OF COUNCIL MEETING DATES AND TIMES

WHEREAS, the Reorganization Meeting of the Township Council of the Township of Lower was held on January 3, 2011 at which time it was necessary to establish the official Council Meeting dates and times.

NOW, THEREFORE, BE IT RESOLVED that Council Meetings be held in the Meeting Room of Township Hall beginning at 7:00 p.m. prevailing time on the first and third Monday of each month with the exception of the holiday dates designated below when the meeting will be held on the date listed. The annual schedule of Council meetings shall be posted on the official Township bulletin board at the Township Hall. Unless otherwise provided by law, all of the above described meetings shall be open to the public.

Meeting of January 17 shall be changed to January 19
Meeting of February 21 shall be changed to February 23
Meeting of July 4 shall be changed to July 6
Meeting of September 5 shall be changed to September 7

I hereby certify this is the original resolution adopted by the Township Council at the meeting of January 3, 2011.


Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-13

TITLE: SETTING THE INTEREST RATE FOR DELINQUENT TAXES

WHEREAS, the Reorganization Meeting of the Township Council of the Township of Lower, the governing body thereof, was duly held on January 3, 2011 at the Township Hall, Villas, New Jersey, and

WHEREAS, R.S. 54:4-67 as amended authorizes municipalities to fix a rate of interest to be charged for the non-payment of taxes or assessments on or before the date when they would become delinquent. Delinquency is to be calculated on the sum of all taxes from year to year and not be calculated on an individual year basis, and N.J.S.A. 40A:5-17.1 provides that a municipality may authorize the cancellation of tax delinquencies of less than Ten (\$10.00) Dollars.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Township Council of the Township of Lower, that interest be charged for the non-payment of taxes or assessments on or before the date when they would become delinquent in accordance with R.S. 54:4-67 and that the rate of interest shall be eight percent (8%) based on a 365 day year on the first \$1,500.00 of delinquency and eighteen per cent (18%) based on a 365 day a year on any amount in excess of \$1,500.00 to be calculated from the date the tax was payable until the date of actual payment. Interest will stay at eighteen per cent (18%) until taxes are completely current. No interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same become payable.

FURTHER RESOLVED that a penalty of 6% shall be levied against a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay the delinquency prior to the end of the calendar year. This 6% penalty shall also apply to delinquency in excess of \$10,000.00 to third party lien holders and that an additional penalty shall be levied against tax sale certificates as follows:

When the taxes, interest and cost shall exceed the sum of \$200.00, such additional sum shall be equal to 2% of such amount paid.

When the taxes, interest and costs shall exceed the sum of \$5,000.00, such additional sum shall be equal to 4% of such amount paid; and when that sum exceeds \$10,000, such additional sum shall be equal to 6% of such amount paid. This section is retroactive only as to existing municipally held certificates but acts prospectively with regard to certificates held by third parties as of March 28, 1991.

FURTHER RESOLVED that the Tax Collector be and hereby is directed to collect interest on delinquents at the aforesaid rate.

FURTHER 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 process, without further action on the part of the Township Council, the cancellation of any property tax delinquency of less than Five (\$5.00) Dollars.

FURTHER RESOLVED, that a Certified Copy of this Resolution be provided by the Municipal Clerk to the Tax Collector and the Chief Financial Officer.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 3, 2011.

Claudia R. Kammer
Claudia R. Kammer, Twp. Clerk

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

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

RESOLUTION #2011-14

TITLE: DESIGNATION OF OFFICIAL DEPOSITORIES

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, the official depositories for the Township funds shall be: Sturdy Savings & Loan, Crest Savings, Cape Savings, Bank of America, PNC, NJ Cash Management Fund and MBIA;

BE IT FURTHER RESOLVED that all disbursements by check require two signatures unless noted otherwise and shall be signed by the following officials:

<u>ACCOUNT</u>	<u>AUTHORIZED OFFICIALS</u>
Municipal Court Account – General (One signature required)	CFO, Asst. Treasurer, Judge, Court Administrator, Deputy Court Administrator
Municipal Court Account – Bail (One signature required)	CFO, Asst. Treasurer, Judge, Court Administrator, Deputy Court Administrator
Payroll Account (One signature required)	CFO, Asst. Treasurer, Township Clerk, or Asst. Twp. Clerk
Payroll-Flexible Spending Account (One signature required)	CFO, Asst. Treasurer, Township Clerk, Asst. Twp. Clerk or AFLAC representative
Tax Redemption Account	Tax Collector, Asst. Tax Collector, CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Tax Premium Account	Tax Collector, Asst. Tax Collector, CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Council Checking Account	Mayor, Deputy Mayor, Twp. Clerk, Asst. Twp. Clerk, CFO, Asst. Treasurer
Dog Damage Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Trust Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Unemployment Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Grants Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Revitalization Savings Account (transfers)	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Economic Development Account (transfers)	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Historic Commission Trust Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Joint Housing Trust Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk

Police Investigative Trust Account	Police Chief, Police Captain(s), CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Police Forfeiture Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Community Police Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Local Law Enforcement Block Grant	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Developer's Escrow Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Harbortown (Escrow Savings)	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
MBIA-Current Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
MBIA-Capital Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
NJ Cash Management Fund – Capital Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk

BE IT FURTHER RESOLVED that the use of electronic signatures for the signatures of the Mayor, Township Clerk and Chief Financial Officer is hereby authorized.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 3, 2011.


 Claudia R. Kammer, RMC, Township Clerk

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

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

RESOLUTION #2011-15

TITLE: DESIGNATION OF OFFICIAL NEWSPAPERS FOR LEGAL ADVERTISING FOR THE YEAR 2011

WHEREAS, the Reorganization Meeting of the Township Council of the Township of Lower, the governing body thereof, was duly held on January 3, 2011 at the Township Hall, Villas, New Jersey; and,

WHEREAS, it has been deemed necessary to select a newspaper to serve as the official publication of all Township advertising; and,

WHEREAS, it has been deemed necessary to designate a second newspaper for the publication of all meeting notices required under the Open Public Meetings Law; and

WHEREAS, it has been deemed necessary to establish a fee to cover the cost of providing notice of all public meetings to any persons requiring such notices,

NOW, THEREFORE, BE IT RESOLVED by the Township of Lower, the governing body thereof, that the official newspaper for all Township advertising, including notices of public meetings, shall be the Cape May Star & Wave.

BE IT FURTHER RESOLVED that the second newspaper to be utilized for publication of all notices of public meetings as required by the Open Public Meetings Law shall be The Herald.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 3, 2011.


Claudia R. Kammer, Clerk

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

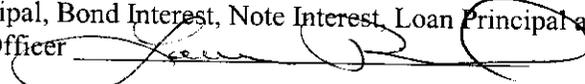
TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION #2011-16

Title: AUTHORIZING PAYMENT OF 2010 DEBT SERVICE

WHEREAS, the amounts listed below are owed for debt service in the current year 2011 and are due on the dates noted and it is necessary to receive authorization for the payment of bills which affect the budget, and

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

WHEREAS, funds for debt service are available in the 2011 budget appropriations for Bond Principal, Bond Interest, Note Interest, Loan Principal and Loan Interest as certified by the Chief Financial Officer 

NOW, THEREFORE BE IT RESOLVED by the Township Council that the following debt service payments are hereby authorized:

<u>DATE</u>	<u>TOTAL</u>	<u>PRIN</u>	<u>INT</u>	
1/15/2011	73,556.25		73,556.25	BOND
2/9/2011	24,873.28	18,271.34	6,601.94	LOAN
2/15/2011	9,327.48	6,454.66	2,872.82	LOAN
3/7/2011	27,982.44	19,753.20	8,229.24	LOAN
4/1/2011	936,625.00	800,000.00	136,625.00	BOND
6/15/2011	53,125.00		53,125.00	BOND
7/15/2011	713,556.25	640,000.00	73,556.25	BOND
8/9/2011	24,873.28	18,454.06	6,419.22	LOAN
8/15/2011	9,327.48	6,519.21	2,808.27	LOAN
9/7/2011	27,982.44	20,351.74	7,630.70	LOAN
10/1/2011	124,625.00		124,625.00	BOND
12/15/2011	553,125.00	500,000.00	53,125.00	BOND
	<u>2,578,978.90</u>	<u>2,029,804.21</u>	<u>549,174.69</u>	

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 3, 2011.


Claudia R. Kammer, RMC, Township Clerk

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

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

RESOLUTION #2011-17

TITLE: ANNUAL APPROVAL OF PETTY CASH FUNDS

WHEREAS, N.J.S.A. 40A: 5-21 authorizes the establishment of a Petty Cash fund; and

WHEREAS, it is the desire of the Township Council of the Township of Lower, County of Cape May to approve the following petty cash funds:

<u>Location</u>	<u>Amount</u>	<u>Custodian</u>
Treasurer's Office	\$100.00	Lauren Read, CFO Colleen Crippen, Asst. Treas.
Police Department	\$250.00	Chief Edward Donohue Captain Brian Marker

NOW, THEREFORE BE IT RESOLVED that the Township Council of the Township of Lower, County of Cape May hereby approves the use of petty cash funds as defined by N.J.S.A. 40A: 5-21.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 3, 2011.



Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-18

TITLE: ADOPTING THE CASH MANAGEMENT PLAN

WHEREAS, it is in the best interest of the Township of Lower to earn additional revenue through the investment and prudent management of its cash receipts; and

WHEREAS, P.L. 1983, Chapter 8, approved January 18, 1983 is an act concerning the Local Fiscal Affairs Law and amends N.J.S.A. 40A: 5-2 and N.J.S.A. 40A5-14; and

NOW, THEREFORE BE IT RESOLVED, the following shall constitute the Cash Management Plan for the Township of Lower and the Treasurer shall deposit and manage its funds pursuant to this plan:

Definitions

1. Treasurer shall mean the Treasurer of the Township of Lower
2. Fiscal Year shall mean the twelve-month period ending December 31.
3. Cash Management Plan shall mean that plan as approved by resolution.

Designation of Depositories

At least once each fiscal year the governing body shall by resolution designate the depositories for the Township of Lower in accordance with N.J.S.A. 40A: 5-14. In addition to the designation, the Township of Lower may make deposits with the State of New Jersey Cash Management Fund in accordance with N.J.S.A. 40A: 5-14.

Audit Requirement

The cash Management Plan shall be subject to the annual audit conducted pursuant to N.J.S.A. 40A: 5-4.

Authority to Invest

The governing body shall pass a resolution at its first meeting of the fiscal year designating the Township of Lower officials who shall make and be responsible for municipal deposits and investments.

Investment Instruments

The Treasurer shall invest at his/her discretion in any investment instrument as approved by the State of New Jersey in accordance with N.J.S.A. 40A: 5-15.1.

Resolution #2011-18 - ADOPTING CASH MANAGEMENT PLAN (Continued)

Records and Reports

The Treasurer shall report all investments in accordance with N.J.S.A. 40:5-15.2.

At a minimum the Treasurer shall:

- Keep a record of all investments.
- Keep cash position records that reveal, on a daily basis, the status of the cash in its bank accounts.
- Confirm investments with the governing body at the next regularly scheduled meeting.
- Report monthly to the governing body as to the status of cash balances in bank accounts, revenue collection, interest rates and interest earned.

Cash Flow

1. The Treasurer shall ensure that the accounting system provides regular information concerning the cash position and investment performance.

2. All moneys shall be turned over to the Treasurer and deposited in accordance with N.J.S.A. 40A: 5-15.

3. The Treasurer is authorized and directed to invest surplus funds of the Township of Lower as the availability of the funds permit. In addition, it shall be the responsibility of the Treasurer to minimize the possibility of idle cash by depositing the moneys in interest bearing accounts wherever practical and in the best interest of the Township of Lower.

4. The Treasurer shall ensure that funds are borrowed for Capital Projects in a timely fashion.

Schedule of Statutory Payments

1. Fire Districts are to be paid in accordance with N.J.S.A. 40A: 14-79. Statutory tax payments are made to each district as follows:

- 21.25% on or before April 1
- 22.50% on or before July 1
- 25.00% on or before October 1
- 31.25% on or before December 31

The Lower Township Fire District No. 2 has requested that their payments be made in the following increments:

- 40% due April 1
- 30% due July 1
- 20% due October 1
- 10% due on or before December 31

Resolution #2011-18 - ADOPTING CASH MANAGEMENT PLAN (Continued)

Annual Allowance Amounts

The Township of Lower has authorized participation in a flexible spending account for the employees. The flexible spending account allows a portion of the employee's salary to be redirected to provide reimbursement for allowable medical expenses. At the beginning of each plan year, a specific dollar amount must be elected. For 2011, the allowable amount is \$1,500.00.

Banking Policies

Periodically, the Treasurer will utilize the competitive contracting process to request proposals from local banking institutions to provide banking services for the Township. This is to assure that banking services being provided to the Township are based on a competitive "bidding" process. The Township will have the option to extend the contract if it is in the best interest of the Township to do so. At least once every year the Treasurer will evaluate current banking services to assure compliance with the specifications contained in the contract and any new services that may become available in the banking industry. A detailed banking policy will be kept in the Office of the Treasurer detailing the Township's specific banking requirements.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 3, 2011.


Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-19

TITLE: RESOLUTION TO DEFER THE REGIONAL SCHOOL TAX

WHEREAS, by statute, when a municipality raises school taxes on a school year basis, an amount of not more than 50% of the school levy may be deferred to the following year, and

WHEREAS, the 2010 Regional School Levy was \$11,661,607.01 and not more than 50% is \$5,830,803.50.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, the governing body thereof, that it desires to defer regional school taxes to the year 2011 in the amount of \$5,830,803.51.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 3, 2011.



Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-20

TITLE: ADOPTING 2011 TEMPORARY CURRENT BUDGET

WHEREAS, N.J.S.A. 40A: 4-19 provides that where any contracts, commitments or payments are to be made prior to the final adoption of the 2011 Budget, temporary appropriations should be made by resolution prior to January 30th of the fiscal year; and

WHEREAS, the total of the appropriations so made shall not exceed 26.25% of the total of the appropriations made for all purposes in the budget for the preceding fiscal year, excluding appropriations made for interest and debt redemption charges and capital improvement fund; and

WHEREAS, the total appropriations of the 2010 Budget, exclusive of any appropriations for interest and debt redemption charges and capital improvement fund is \$21,657,161.30; and

WHEREAS, 26.25% of the total appropriations in the 2010 Budget, exclusive of any appropriations made for interest and debt redemption charges and capital improvement fund, is \$5,685,004.84.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the 2010 Temporary Current Budget is set in an amount not to exceed \$5,685,004.84.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 3, 2011.

Claudia R Kammer

 Claudia R. Kammer, RMC, Township Clerk

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

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

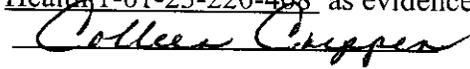
RESOLUTION #2011-21

TITLE: APPROVING 2011 CONTRACT WITH CAPE ASSIST

WHEREAS, N.J.S.A. 40A:11-3 authorizes the award of any contract without competitive bidding for any purchase, work or service that does not exceed in the fiscal year the total sum of Seventeen Thousand Five Hundred (\$17,500) Dollars.

WHEREAS, the Township is desirous of renewing its contract with Cape May County Council on Alcoholism and Drug Abuse, Inc. administered by Cape Assist for the Employee Assistance Program, and

WHEREAS, the contract amount for 2011 is Twenty-One Dollars (\$21) per employee currently based on 153 employees for a total of Three Thousand Two Hundred Thirteen Dollars (\$3213.00) and funds are available in the current fund entitled Group Health 1-01-23-220-408 as evidenced by the Assistant Treasurer's signature below



NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk are hereby authorized to sign the contract agreement for the year 2011.

I hereby certify that the foregoing resolution was adopted by the Township Council at the meeting of January 3, 2011.


Claudia R. Kammer, Twp. Clerk

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

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

RESOLUTION 2011-22

TITLE: AUTHORIZING THE CLERK TO ISSUE BINGO & RAFFLE LICENSES THROUGHOUT THE YEAR TO QUALIFIED ORGANIZATIONS

WHEREAS, the Township Clerk receives applications throughout the year from various organizations to conduct bingo and/or raffle games within Lower Township, and

WHEREAS, the below listed applicants have obtained their state registration from NJ Legalized Games of Chance and have been in good standing with the Township for many years, and

WHEREAS, there appears to be no reason to deny said licenses for 2011 providing all paperwork is completed and required fees have been paid.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, the governing body thereof, that the Township Clerk is authorized to issue bingo/raffle licenses for 2011 to the following organizations as applicable throughout the year.

Cape Regional Medical Center Aux.
 Christ Child Society of CMC
 Erma Volunteer Fire Company
 Friends of Historic Cold Spring Village
 Greater Cape May Elks Lodge
 Knights of Columbus
 Lower Cape May Regional Little League
 Lower Township Optimist Club
 Make A Wish Foundation

National Quilters Assoc. of CMC, #279
 St. John Neumann - St. Raymond's Holy Name Society
 St. John Neumann - St. Raymond's Catholic Church
 St. John Neumann - St. John of God Altar Rosary Society
 St. John Neumann - St. John of God Catholic Church
 Townbank Volunteer Fire Company
 VFW Post 5343 Lt. Charles Buddy Lewis
 Vietnam Vets of America - Chapter #602
 Villas Volunteer Fire Co.

FURTHER RESOLVED, the Clerk may issue additional Bingo & Raffle Licenses to organizations not listed above upon a valid LGCC ID certificate and all appropriate paperwork and fees.

I hereby certify this is the original resolution adopted by the Township Council at the meeting January 3, 2011.


 Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-23

TITLE: DESIGNATION OF PUBLIC AGENCY COMPLIANCE OFFICER FOR LOWER TOWNSHIP

WHEREAS, in accordance with N.J.A.C. 17:27-3.2, each public agency shall designate an individual to serve as its Public Agency Compliance Officer (P.A.C.O.); and

WHEREAS, the Public Agency Compliance Officer is the liaison between Lower Township and the Division of Public Contracts Equal Employment Opportunity Compliance for all matters concerning implementation and administration of the statute; and

WHEREAS, the Public Agency Compliance Officer is responsible for administering contracting procedures pertaining to equal employment opportunity regarding both the Public Agency and the service providers. The P.A.C.O. must have the authority to recommend changes to effectively support the implementation of the statute and its regulations.

NOW, THEREFORE, BE IT RESOLVED that Margaret Vitelli be appointed the Public Agency Compliance Officer for the Township of Lower.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on January 3, 2011.


Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-24

TITLE: AUTHORIZATION FOR PUBLIC BIDDING

WHEREAS, the Township is required to publicly bid certain items during the course of the year in accordance with the Local Public Contracts Law, and

WHEREAS, the Township may also desire to obtain public bids on certain other items that may become necessary during the course of the year but which are not required to be publicly bid.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Qualified Purchasing Agent is hereby authorized to obtain public bids as necessary for items or services 2011 as they become necessary in accordance with the Local Public Contract Law.
2. The Township Engineer's Office is also hereby authorized to obtain public bids for engineering projects required by the Township during the course of the year.

BE IT FURTHER RESOLVED that all contracts awarded through public bidding be made a resolution of the Township Council and the required Chief Financial Officer's certification as to the availability of funds for the items/services to be procured.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 3, 2011.


Claudia R. Kammer, Clerk

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

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

RESOLUTION #2011-25

Title: TRANSFER OF 2010 APPROPRIATIONS

WHEREAS, N.J.S.A. 40A: 4-59 provides for appropriation transfers during the first three months of the succeeding year when it has been determined that any appropriation reserve for the immediately preceding fiscal year is insufficient to pay the claims authorized or incurred during the preceding year, which were chargeable to said appropriation, and there is an excess in any appropriation reserve over and above the amount deemed to be necessary to fulfill its purpose.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, State of New Jersey that the following transfers, and totaling \$2,000.00 be made between the 2010 budget appropriation reserves.

<u>LINE ITEM</u>	<u>ACCT. NUMBER</u>	<u>TO</u>	<u>FROM</u>
NATURAL GAS	OE 0-01-31-446-299	2,000.00	
GAS AND DIESEL FUEL	OE 0-01-31-460-299		2,000.00
		<u>2,000.00</u>	<u>2,000.00</u>

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 3, 2011.



 Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-26

TITLE: AUTHORIZATION FOR THE PAYOUT OF ACCUMULATED SICK TIME

WHEREAS, the employees listed on the attached schedule have accrued sick time due from the Township and per union contract the Township will at the employees request, annually buy back five (5) days of unused sick leave in December of any year, from employees who have not used more than five (5) sick days that calendar year.

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 Assistant Treasurer as evidenced by signature *Colleen Crupper* that adequate funding is available for such payment in this years budget for Salaries and Wages

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that payment to the employees listed on the attached schedule not to exceed the amount of \$38,221.73 is authorized and chargeable to the 2010 Budget:

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 3, 2011.

Claudia R. Kammer
Claudia R. Kammer, Township Clerk

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

2010 SICK BUY BACK

Sick Time Buy Back 2010									
Last Name	First Name	Dept.	Union	Hours	Rate	Tot. Check	Submitted	Qualifies	Check
Amonette	Arthur	Assessor	Supervisors	35	43.07	1507.44	Y	Y	
Bailey III	Howard	DPW	Teamsters	40	28.25	1130.00	Y	Y	
Bailey Sr.	Robert	DPW	Supervisors	40	30.51	1220.28	Y	Y	
Barger	George	DPW	Teamsters	40	24.14	965.60	Y	Y	
Byrne	Elizabeth	Courts	Supervisors	35	37.97	1329.01	Y	Y	
Crippen	Colleen	Grants	Supervisors	35	30.81	1078.35	Y	Y	
Crippen	Colleen	Treasurer	Supervisors	35	3.97	138.95	Y	Y	
Crompton	Margaret	Assessor	Afscme	35	23.61	826.44	Y	Y	
Crookston	Gayle	DPW	Teamsters	40	21.83	873.20	Y	Y	
Dilworth	Jason	BOCA	Afscme	35	22.72	795.06	Y	Y	
Douglass	Gary	DPW	Supervisors	40	36.17	1446.92	Y	Y	
Eagan	Thomas	DPW	Teamsters	40	21.83	873.20	Y	Y	
Fairman	Timothy	DPW	Teamsters	40	21.83	873.20	Y	Y	
Finnegan	Gerald	DPW	Teamsters	40	24.14	965.60	Y	Y	
Galestock	William	Planning	Supervisors	35	40.81	1428.49	Y	Y	
Horwath	Colleen	Clerk	Supervisors	35	26.27	919.38	Y	Y	
Jackson	Susan	Collector	Supervisors	35	42.39	1483.75	Y	Y	
Johns	Deborah	Clerk	Afscme	35	20.80	728.01	Y	Y	
Johns	William	Recreation	Afscme	40	10.86	434.30	Y	Y	
Kammer	Claudia	Clerk	Supervisors	35	43.52	1523.28	Y	Y	
Kammer	Claudia	Manager	Supervisors	35	1.5	52.50	Y	Y	
Kline	Vernon	Recreation	Afscme	40	10.36	414.53	Y	Y	
LaSerre	David	DPW	Teamsters	40	21.83	873.20	Y	Y	
Lepor	David	DPW	Teamsters	40	25.82	1032.80	Y	Y	
Magnavita	Allen	DPW	Teamsters	40	21.83	873.20	Y	Y	
McCloskey	Arthur	DPW	Teamsters	40	23.06	922.40	Y	Y	
McDermott	Elaine	Recreation	Afscme	40	11.15	445.95	Y	Y	
McPherson	Kathleen	Manager	Supervisors	35	57.5	2012.50	Y	Y	
Milbrandt	Laura	Courts	Supervisors	35	24.01	840.27	Y	Y	
Mills	Thomas	BOCA	Afscme	30	33.28	998.44	Y	Y	
Moore	Rose	BOCA	Afscme	35	22.43	785.03	Y	Y	
Parker	Stephen	DPW	Teamsters	40	21.83	873.20	Y	Y	
Petronzi	Christine M.	Recreation	Afscme	40	10.36	414.53	Y	Y	
Playford	Gary	BOCA	Supervisors	35	36.81	1288.49	Y	Y	
Sansone	Rocco	Recreation	Afscme	40	10.16	406.40	Y	Y	
Schubert	Lisa	Planning	Afscme	35	23.03	806.14	Y	Y	
Small	Raymond	DPW	Teamsters	40	21.83	873.20	Y	Y	
Thomas	Linda	DPW	Afscme	35	22.08	772.67	Y	Y	
Thomas Jr.	Robert	DPW	Teamsters	40	28.25	1130.00	Y	Y	
Will	Thomas	DPW	Afscme	35	28.36	992.62	Y	Y	
Young Jr.	Ronald C.	DPW	Teamsters	40	21.83	873.20	Y	Y	
						0.00	Y	Y	
			Total			38221.73			

RESOLUTION #2011-27

JANUARY 3, 2011 REORGANIZATION MEETING

Lower Township Board of Ed	Due 1/01/11	1,437,188.90
Lower Cape May Regional	Due 1/15/11	1,166,160.70
Edmunds & Associates	Due 1/01/11	18,861.00
Atlantic County JIF	Due 1/15/11	245,493.00
NIA Group – Recreation Liability	Due 1/01/11	10,694.00
Cape Assist – Employee Assistance	Due 1/01/11	3,213.00
Barber Consulting Services	Due 1/01/11	5,000.00
Lower Township MUA	Due 1/01/11	1,160.00
Blue Cross/Blue Shield – Med D	Due 1/01/11	3,087.09
NJ State Health Benefits	Due 1/15/11	220,310.68
Ft. Dearborn Life Insurance	Due 1/01/11	572.83
Brian Marker, Custodian Petty Cash	Due 1/01/11	250.00
Colleen Crippen, Custodian	Due 1/01/11	100.00
Delta Dental	Due 1/01/11	14,966.11
	TOTAL:	3,127,057.31

I certify the foregoing to be a Resolution adopted by the Lower Township Council on January 3, 2011


 Claudia R. Kammer, RMC.
 Township Clerk

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

12/29/10
15:41:43Lower Township
Bill List By Vendor Id

Page No: 1

RESOLUTION #2011-28

P.O. Type: All
Range: First to Last
Format: Condensed

Include Project Line Items: Yes

Open: N Rcvd: Y Paid: N
Held: Y Aprv: N Void: N
Bid: Y State: Y Other: Y

Vendor # Name

PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00153		ATLANTIC CITY ELECTRIC*					
10-03276	12/22/10	DECEMBER, 2010	Open	8,368.42	0.00		
00177		ANACONDA SPORTS INC.*					
10-02602	10/13/10	WRESTLING EQUIPMENT	Open	694.60	0.00		
10-02879	11/04/10	MISC. BASKETBALL ITEMS	Open	225.10	0.00		
				919.70			
00195		B.F. MOLZ, INC*					
10-02359	09/20/10	2011 CALENDERS	Open	122.51	0.00		
00205		ROBERT BAILEY JR*					
10-03270	12/22/10	SHOE ALLOWANCE FOR 2010/DPW	Open	88.54	0.00		
00271		AHERA CONSULTANTS INC*					
10-03116	12/06/10	2ND TESTING MOLD	Open	875.00	0.00		
00301		BELMONT AND CRYSTAL SPRINGS*					
10-03183	12/14/10	BOTTLED WATER - REC CENTER	Open	129.29	0.00		
10-03213	12/14/10	BOTTLED WATER FOR DPW	Open	36.92	0.00		
				166.21			
00594		COLEA*					
10-02500	10/04/10	ANNUAL DUES	Open	400.00	0.00		
00611		COUNTY OF CAPE MAY					
10-03251	12/20/10	GAS/DIESEL/ NOVEMBER, 2010	Open	23,231.01	0.00		
00616		ANIMAL ALLIANCE OF CAPE					
10-03223	12/17/10	TNR & SPAY/NEUTER PROGRAM	Open	205.00	0.00		
10-03246	12/20/10	2010 PETSMAST GRANT	Open	430.00	0.00		
10-03247	12/20/10	TNR AND SPAY/NEUTER PROGRAM	Open	255.00	0.00		
				890.00			
00739		CAPE MAY VETERINARY HOSPITAL					
10-03224	12/17/10	TNR PROGRAM	Open	45.00	0.00		
00784		CAPE MAY STAR & WAVE					
10-03248	12/20/10	LEGALS	Open	73.78	0.00		
10-03252	12/20/10	LEGALS	Open	39.06	0.00		
				112.84			
00991		COLONIAL ELECTRIC SUPPLY*					
10-02623	10/14/10	MISC. ELECTRIC SUPPLIES	Open	350.00	0.00		

12/29/10
15:41:43

Lower Township
Bill List By Vendor Id

Page No: 2

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01127 GAYLE CROOKSTON	10-03221	12/17/10	CONTRACTUAL REIMBURSEMENT	Open	317.00	0.00		
01225 DOLLAMUR SPORT SURFACES*	10-02567	10/12/10	7 PIECES 7-100LBS.EA.	Open	8,876.00	0.00		
01281 JEFFREY DOUGLASS	10-03269	12/22/10	SHOE ALLOWANCE FOR 2010/DPW	Open	114.99	0.00		
01330 THOMAS EAGAN	10-03272	12/22/10	SHOE ALLOWANCE FOR 2010/DPW	Open	51.00	0.00		
01365 GARY DOUGLASS	10-03309	12/28/10	REIMB PURCHASE OF TRASH CAN	Open	24.96	0.00		
01389 EDDIE'S AUTO BODY*	10-03104	12/06/10	REPAIR CAR #123	Open	1,795.40	0.00		
01480 E-Z PASS	10-03292	12/28/10	ENFORCEMENT ACTION-FIRE SAFETY	Open	26.00	0.00		
01502 PAMELA FELDER	10-03280	12/23/10	CONTRACTUAL REIMBURSEMENT	Open	23.78	0.00		
01519 TOM FOLS ELECTRICALCONTRACTOR*	10-03169	12/13/10	MISC.PARTS AND LABOR/SIGN	Open	350.00	0.00		
	10-03260	12/21/10	SUPPLY & INSTALL NEW	Open	1,250.00	0.00		
	10-03281	12/27/10	POWER SUPPLY ON SIGN TRAILER	Open	250.00	0.00		

					1,850.00			
01526 GERALD FINNEGAN	10-03267	12/22/10	SHOE ALLOWANCE FOR 2010/DPW	Open	187.96	0.00		
01641 GALL'S INC*	10-02528	10/06/10	ENTRY SHIELD	Open	2,995.00	0.00		
01713 PATRICK GREENE	10-03241	12/17/10	CONTRACTUAL REIMBURSEMENT	Open	65.00	0.00		
01781 HATCH MOTT MACDONALD, LLC*	09-01942	07/10/09	PROF SVC DPS ROOFING SYSTEM	Open	398.00	0.00		B
	10-02579	10/13/10	PKE LOT PHASE 2 - RES 2010-250	Open	3,327.50	0.00		B
	10-03145	12/08/10	ROOFING SYSTEM - REC CENTER	Open	716.00	0.00		B

					4,441.50			
01857 SERVICE STATION SERVICE INC*	10-02670	10/20/10	GAS MAINTENANCE	Open	11,546.00	0.00		
01859 HESS CORPORATION	10-03279	12/23/10	ELECTRICITY	Open	6,308.59	0.00		

12/29/10
15:41:43

Lower Township
Bill List By Vendor Id

Page No: 3

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02006 MEDIA PASSPORT*	10-03062	11/30/10	COMPUTER SERVICE	Open	2,069.00	0.00		
02119 MALONEY REALTY	10-03290	12/27/10	RETURN OF STREET VACATION	Open	400.00	0.00		
02136 TED KINGSTON INC*	10-03156	12/10/10	BATTERY/ANTENNA/LABOR	Open	599.70	0.00		
02228 DAVID LASERRE	10-03268	12/22/10	SHOE ALLOWANCE FOR 2010/DPW	Open	80.98	0.00		
02247 LAWSON PRODUCTS, INC.*	10-02909	11/08/10	SUPPLIES FOR RDS/SANT/RECY/DPW	Open	1,649.27	0.00		
02709 ANTHONY MONZO*	10-03244	12/20/10	LITIGATION EXPENSE OCT, 2010	Open	4,297.96	0.00		
	10-03245	12/20/10	LITIGATION EXPENSE NOV, 2010	Open	6,326.04	0.00		
					----- 10,624.00			
03020 NJ DIVISION OF MOTOR VEHICLES	10-03254	12/21/10	REGISTRATION 2 NEW VEHICLES	Open	120.00	0.00		
03086 NJ STATE ASSN CHIEFS OF POL*	10-03099	12/01/10	ACCREDITATION - 2010	Open	1,666.66	0.00		
03177 OCEAN CREST PRINTING*	10-03063	11/30/10	CONTRACTOR STICKERS 2011	Open	310.00	0.00		
	10-03110	12/06/10	BUSINESS CARDS ACO MONTGOMERY	Open	25.00	0.00		
					----- 335.00			
03202 OMNIS NETWORK*	10-03096	12/01/10	LOWER TWP POLICE DEPT WEB HOST	Open	83.40	0.00		
03241 SARGENT OSHEA	10-03315	12/29/10	CONTRACTUAL REIMBURSEMENT	Open	626.50	0.00		
03274 P & J GAS SERVICE*	10-03091	12/01/10	PROPANE FOR PATCH TRUCK/DPW	Open	36.00	0.00		
03280 PARAMOUNT SANITARY SUPPLY*	10-03108	12/06/10	TRASH BAGS/DPW	Open	79.80	0.00		
03305 PEDRONI FUEL*	10-03064	11/30/10	annex building fuel	Open	529.35	0.00		
	10-03258	12/21/10	FUEL OIL FOR REC/MILLMAN	Open	2,095.88	0.00		
	10-03326	12/29/10	FUEL OIL FOR REC. CENTER	Open	2,851.27	0.00		
					----- 5,476.50			

12/29/10
15:41:43

Lower Township
Bill List By Vendor Id

Page No: 4

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03366 AMERI-GAS*	10-03257	12/21/10	PROPANE FOR BENNETT'S	Open	875.63	0.00		
03427 POLAR BEAR*	10-03226	12/17/10	EMERGENCY CALL	Open	344.90	0.00		
03466 R & R SPECIALTIES	10-03151	12/09/10	PLAQUE FOR WAYNE MAZUREK	Open	45.00	0.00		
03608 SEAWAVE CORPORATION*	10-03291	12/28/10	LEGAL NOTICE	Open	7.29	0.00		
03660 SIRCHIE FINGERPRINT LAB. INV.*	10-03061	11/30/10	ROTARY IDENTIFICATION SIGN	Open	112.69	0.00		
03902 DONALD VANAMAN JR	09-01356	05/20/09	2009 EQUIP ALLOW	Open	145.67	0.00		
	10-03227	12/17/10	training meals	Open	84.59	0.00		

					230.26			
03920 RAYMOND GARRISON	10-03271	12/22/10	SHOE ALLOWANCE FOR 2010/DPW	Open	265.37	0.00		
03931 STERLING IRRIGATION INC*	10-03163	12/10/10	WINTERIZE JOHNATHAN HOFFMAN	Open	75.00	0.00		
03935 STAPLES BUSINESS ADVANTAGE*	10-03103	12/06/10	KEY PAD/CASSETTES/CART	Open	446.94	0.00		
	10-03147	12/08/10	KEY PADS/BOCA SUPPLIES	Open	305.68	0.00		

					752.62			
03969 VERIZON	10-03277	12/22/10	PHONE SERVICE	Open	373.50	0.00		
03978 USPS ACCT#48503619	10-03312	12/28/10	POSTAGE FOR METERS	Open	3,000.00	0.00		
03998 VINELAND GUIDANCE CENTER*	10-03157	12/10/10	PSYCHOLOGICAL EVALUATIONS	Open	350.00	0.00		
04089 WIZARD'S FESTIVAL OF FUN, INC*	10-02476	09/30/10	FERRY MERRY CHRISTMAS PARTY	Open	4,335.00	0.00		
04105 PITNEY BOWES GLOBAL FINANCIAL	10-01617	06/18/10	MONTHLY PYMT - MAIL MACHINES	Open	451.00	0.00		
04111 RYAN DEVINE	10-03222	12/17/10	BASKETBALL REFUND	Open	25.00	0.00		
04275 CLARKTON, LLC*	10-01074	04/28/10	2010 FIELD MAINTENANCE	Open	2,200.00	0.00		B

12/29/10
15:41:43

Lower Township
Bill List By Vendor Id

Page No: 5

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04300 W B MASON CO INC*	10-03239	12/17/10	PAPER - DPS	Open	539.80	0.00		
04301 SEASHORE ASPHALT CORPORATION*	10-03141	12/08/10	ASPHALT FOR PAVING/DPW	Open	662.00	0.00		
BOSNA KAREN MANETTE BOSNA	10-03275	12/22/10	YOGA INSTRUCTOR	Open	40.00	0.00		
G-DEP DEPTCOR*	10-01404	06/08/10	SETS PICNIC TABLE PTWCE-301	Open	1,701.00	0.00		
MALONEYR RICHARD & JUDY MALONEY	10-03314	12/29/10	RETURN UNUSED ESCROW	Open	8.50	0.00		
MPHIN MPH INDUSTRIES*	10-03060	11/30/10	TUNING FORK/POWER CABLE	Open	292.27	0.00		
<hr/>								
Total Purchase Orders:	78	Total P.O. Line Items:	161	Total List Amount:	114,726.05	Total Void Amount:		0.00

**Lower Township
Bill List
01/03/11**

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
NJ Dept of Treasury	10-03243	NJDEP Tideland License	43936	12/20/10	863.00
NJ Dept of Treasury	10-03242	Tidelands Processing Fee	43935	12/20/10	100.00
Fire District #1	10-03297	Supplemental Fire Services	44038	12/28/10	1,099.24
Fire District #2	10-03310	Supplemental Fire Services	44039	12/28/10	1,465.08
Fire District #3	10-03311	Supplemental Fire Services	44040	12/28/10	488.65

Total Manual Checks	\$	4,015.97
Total brought forward from computer generated bill list	\$	114,726.05
TOTAL BILL LIST	\$	<u>118,742.02</u>

I certify the foregoing to be a Resolution adopted by the Township Council on January 3, 2011.


 Claudia R. Kammer, RMC, Township Clerk

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

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

RESOLUTION #2011-29

TITLE: RESOLUTION APPOINTING MICHAEL VOLL AS TOWNSHIP MANAGER

WHEREAS, the Township of Lower (the "Township") is a New Jersey municipal corporation operating under an optional municipal charter council-manager form of government pursuant to N.J.S.A. 40:69A-81 et seq. (the "Faulkner Act"), which requires the appointment of a municipal manager to manage the day-to-day affairs of the Township;

WHEREAS, Kathleen McPherson is presently the Township Manager and has agreed to retire as of March 4, 2011;

WHEREAS, the Township deems it desirable to hire a new Township Manager at an earlier date so that the new Township Manager can have input in the annual budget process and to assist in union negotiations which are presently underway;

WHEREAS, Michael Voll has submitted an application which has been reviewed by the Township Council and it has been determined that he possess all of the skills, qualifications and experience necessary to serve as the Township Manager.

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

1. Michael Voll ("Mr. Voll") is hereby appointed as the Township Manager for the Township of Lower pursuant to N.J.S.A. 40:69A-93 and shall perform all of the duties and responsibilities as required by the Township Manager pursuant to N.J.S.A. 40:69A-81 et seq. ("Faulkner Act"), together with the Lower Township Administrative Code as may be amended from time to time ("Township Code").
2. Mr. Voll's employment as the Township Manager shall be in accordance with the following terms and conditions:
 - a. The Manager shall be paid in accordance with the existing salary ordinance until the range for Manager in the current salary the ordinance is revised at which time salary shall be \$85,000.00 per annum with increase of \$7,500.00 on January 1, 2012 and \$7,500.00 on January 1, 2013.
 - b. It is anticipated that Mr. Voll will obtain health insurance, prescription, dental and/or vision benefits (collectively, the "Health Benefits") from a previous employer; however, in the event Mr. Voll becomes ineligible to obtain the Health Benefits from said previous employer, Mr. Voll shall be eligible for participation in the Township's health benefits plan on such terms and conditions as are available to other managerial personnel.
 - c. The Township Manager is not a PERS position and thus the Township will not make any pension or other retirement contributions or payments to or for the benefit of Mr. Voll.

- d. Mr. Voll shall have four weeks of paid vacation and five days of sick leave, to be used in accordance with and subject to the Township's Personnel Policy Manual, the terms of which are incorporated herein by this reference and made a part hereof, as may also be amended from time to time "Policy Manual"). Mr. Voll shall not be entitled to any other paid leave.
- e. If Mr. Voll is still serving as the Township Manager on January 1, 2013, the Township will evaluate his performance and will determine if an additional adjustment of his salary and benefits will occur.
- f. Mr. Voll shall also comply with and be subject to all of the terms and conditions of the Policy Manual unless otherwise specifically addressed in this Resolution, in which case the terms of this Resolution shall control.

Under the Faulkner Act and the Township Code, the Township Manager serves at the will of the Township Council and may be removed, with or without cause. In such case, the Faulkner Act shall govern as to the consequences of removal in terms of salary and benefits, and this Resolution shall not create any contract rights beyond the terms of the Faulkner Act.

hereby certify this is the original resolution adopted by the Township Council on Jan 3, 2011.

Claudia R. Kammer
 Claudia R. Kammer, Township Clerk

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