

RESOLUTIONS ADOPTED MARCH 7 2011

- Res. #2011-71, Payment of Vouchers, \$1,631,235.40
Res. #2011-72, A Resolution Requesting Release of Demolition Bond for Block 19, Lot 43, 33 East Florida Avenue, Villas, NJ 08251
- Res. #2011-73, Authorization for Payout of Accumulated Compensatory Time (M. Perry - \$5,991.)
Res. #2011-74, A Resolution Requesting Release of Demolition Bond for Block 221, Lot 21, 244 Maryland Avenue, Villas, NJ 08251 (demolition completed)
- Res. #2011-75, Approval of Holy Spirit Lutheran Church's Application to Conduct a Flea Market on June 11
- Res. #2011-76, Approval of Change Order #1, Maintenance of Grounds & Parks for the 2011 Season (Adding additional township properties to contract for 2011)
- Res. #2011-77, A Resolution of the Township of Lower Approving an Agreement with S. Vitale Pyrotechnic Industries, Inc. to Provide Fireworks Display (\$40,000 for July 3 event)
- Res. #2011-78, Authorization for Payout of Accumulated Compensatory Time (D. Fisher, - \$1,452.78)
- Res. #2011-79, Authorization for Waiver of Fees for St. John of God/St. John Neumann Church (for Minor Site Plan & Building Permit Fee)
- Res. #2011-80, Transfer of Appropriations, \$800 (from gasoline to natural gas)
Res. #2011-81, Resolution Supporting NJ DOT Recommendation for No Passing Zone on US Route 9 in the Vicinity of Walnut Street
- Res. #2011-82, Authorization for the Township of Lower to Apply for an Emergency Management Agency Assistance Subgrant (Application for \$10,000 Subgrant - \$5,000 Federal Award & \$5,000 Township match)
- Res. #2011-83, Introduction of 2011 Municipal Budget (Public Hearing & Scheduled adoption April 4, 2011)
- Res. #2011-84, Acceptance and Contract Award for 2011 Freeman Douglass Field Maintenance Contract (\$14,250 fields & common areas)
- Res. #2011-85, Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12." (Personnel & Labor Relations, Contract Negotiation)

3/02/11
5:16:32

Lower Township
Purchase Order Listing By Vendor Id

Page No: 2

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	11-00518	02/25/11	TNR AND SPAY/NEUTER PROGRAM	Open	490.00	0.00		
	11-00519	02/25/11	2010 PETSMA RT GRANT	Open	215.00	0.00		
	11-00576	03/01/11	2010 PETSMA RT GRANT	Open	43.00	0.00		
	11-00577	03/01/11	TNR AND SPAY/NEUTER PROGRAM	Open	210.00	0.00		
					958.00			
0731	CAPE PORT MARINE*							
	11-00346	02/04/11	PARTS FOR RDS/DPW	Open	132.59	0.00		
0735	CATERINA SUPPLY, INC.*							
	10-02638	10/19/10	TIDE FLEX CHECK VALVE/DPW	Open	79,975.00	0.00		
	11-00236	01/26/11	PIPING FOR OUTFALL PROJECT/DPW	Open	11,536.00	0.00		
					91,511.00			
0776	CAPE MEDIATION SERVICES, INC.							
	11-00541	02/28/11	2011 MEDIATION SERVICES	Open	2,428.68	0.00		
0784	CAPE MAY STAR & WAVE							
	11-00468	02/22/11	LEGAL S	Open	35.34	0.00		
	11-00565	03/01/11	3X5 AD - PUBLIC NOTICE	Open	104.70	0.00		
	11-00580	03/02/11	LEGAL S	Open	58.90	0.00		
					198.94			
0825	COMCAST*							
	11-00531	02/25/11	INTERNET ACCESS - FIRESAFETY	Open	100.07	0.00		
0933	CAPE MAY CO.COURT ADMIN. ASSN.							
	11-00439	02/16/11	DUES	Open	200.00	0.00		
0991	COLONIAL ELECTRIC SUPPLY*							
	11-00384	02/09/11	OUTSIDE LIGHT FIXTURE FOR	Open	148.80	0.00		
1049	CONNECTED OFFICE PRODUCTS INC*							
	11-00285	01/31/11	TECH SUP AGREE 1/1/11-1/1/12	Open	1,420.00	0.00		
1130	GAYLE HADLEY							
	11-00570	03/01/11	ZUMBA INSTRUCTOR	Open	185.00	0.00		
1200	DELTA DENTAL PLAN OF NJ							
	11-00534	02/28/11	MARCH, 2011 DENTAL	Open	15,666.64	0.00		
1245	G & K SERVICES CO*							
	11-00506	02/23/11	DECEMBER, 2010 INVOICES	Open	206.54	0.00		
	11-00557	02/28/11	UNIFORM RENTALS/DPW/FEB.	Open	785.10	0.00		
					991.64			
1267	EDWARD DONOHUE							
	11-00448	02/16/11	REIMB CHIEF'S LUNCHEON	Open	60.00	0.00		
	11-00585	03/02/11	FBI NAT. ACADEMY MEETING	Open	55.00	0.00		

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Lower Township
Purchase Order Listing By Vendor Id

Vendor # Name

PO # PO Date Description Status Amount Void Amount Contract PO Type

115.00

01340 EAGLE POINT GUN*
11-00404 02/14/11 AMMO Open 24.36 0.00

01425 PAPER CLIPS, INC*
11-00215 01/25/11 OFFICE SUPPLIES - VARIOUS Open 106.30 0.00
11-00307 02/03/11 OFFICE SUPPLIES /CALC TAPE Open 61.98 0.00

168.28

01598 DEARBORN NATIONAL
11-00535 02/28/11 MARCH, 2011 LIFE INSURANCE Open 538.67 0.00

01641 GALL'S INC*
11-00169 01/18/11 PATROL OP SUPPLIES Open 117.50 0.00

01653 GENTILINI FORD*
11-00343 02/04/11 PARTS FOR RDS/DPS/DPW Open 584.21 0.00

01771 HD SUPPLY WATERWORKS LTD*
10-02639 10/19/10 PIPE AND PIPE SUPPLIES/DPW Open 2,093.00 0.00

01781 HATCH MOTT MACDONALD, LLC*
09-02321 08/24/09 BAYSHORE ESTATE STORM WATER RE Open 842.00 0.00 B
10-00906 04/22/10 STORM DAMAGE @ HOLMS AVE Open 67.50 0.00 B
10-02236 09/02/10 PRELIMINARY SITE INVESTIGATION Open 75.50 0.00 B
10-02407 09/23/10 OUTFALL PROJECT/DEL. BAY Open 4,705.90 0.00 B
10-02579 10/13/10 PKE LOT PHASE 2 - RES 2010-250 Open 5,142.50 0.00 B
10-03145 12/08/10 ROOFING SYSTEM - REC CENTER Open 5,940.00 0.00 B
11-00192 01/21/11 HOLMES AVENUE PROJECT/DPW Open 2,058.00 0.00 B
11-00505 02/23/11 OUTFALL EXTENSIONS/RES#2011-47 Open 1,162.00 0.00 B

19,993.40

01804 HOLTZ LEARNING CENTERS, LTD*
11-00390 02/09/11 TRAINING Open 2,855.00 0.00

01859 HESS CORPORATION
11-00532 02/28/11 ELECTRICITY 1/20/11-2/17/11 Open 6,640.54 0.00

01912 GRUCCIO, PEPPER, DESANTO&RUTH PA
11-00156 01/14/11 2011 CONTRACTUAL MONTHLY PMTS Open 4,166.66 0.00 B

01964 INTERNATIONAL ASSOC ARSON INVS
11-00182 01/21/11 2011 CHAPTER MEMBER #2011-001 Open 35.00 0.00

02025 HUNTER JERSEY PETERBILT*
11-00345 02/04/11 PARTS FOR RECYCLING/DPW Open 106.70 0.00

02108 KEEN COMPRESSED GAS CO*
11-00332 02/03/11 12/31/10 INVOICE#R724896 Open 105.51 0.00

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15:16:32

Lower Township
Purchase Order Listing By Vendor Id

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	11-00090	01/10/11	LETTER HEAD	Open	145.00	0.00		
03226	OLD DOMINION BRUSH CO.*							
	11-00081	01/07/11	PARTS FOR LEAF TRUCK/DPW	Open	3,310.47	0.00		
03279	PARDO'S TRUCK PARTS WHSE*							
	11-00070	01/07/11	PARTS FOR RDS/SANT/REC/DPW	Open	463.20	0.00		
03285	PARA PLUS TRANSLATIONS, INC.*							
	11-00385	02/09/11	INTERPRETER	Open	282.54	0.00		
03293	BLAINE PAYNTER							
	11-00568	03/01/11	CONTRACTUAL REIMBURSEMENTS	Open	30.00	0.00		
03305	PEDRONI FUEL*							
	11-00287	01/31/11	ANNEX FUEL	Open	788.29	0.00		
	11-00517	02/25/11	FUEL OIL REC CTR/MILLMAN 2/16	Open	5,083.30	0.00		

					5,871.59			
03366	AMERI-GAS*							
	11-00434	02/16/11	PROPANE FOR REC/BENNETTS	Open	417.58	0.00		
	11-00475	02/23/11	PROPANE FOR BENNETTS 2/10/11	Open	628.59	0.00		
	11-00509	02/24/11	PROPANE FOR REC CENTER 2/4/11	Open	39.12	0.00		
	11-00515	02/25/11	PROPANE FOR BENNETTS	Open	613.35	0.00		
	11-00516	02/25/11	PROPANE FOR BENNETTS 1/24/11	Open	871.19	0.00		

					2,569.83			
03427	POLAR BEAR*							
	11-00337	02/04/11	MISC. REPAIRS TO BOILER	Open	130.00	0.00		
03453	QUILL CORPORATION*							
	11-00272	01/28/11	OFFICE SUPPLIES - FIRE SAFETY	Open	116.86	0.00		
03518	RIGGINS, INC.*							
	11-00529	02/25/11	OFF-HIGHWAY DIESEL/DPW	Open	1,323.24	0.00		
03611	SERVICE TIRE TRUCK CENTERS*							
	11-00065	01/07/11	TIRES FOR RDS/SANT/RECY/DPW	Open	4,142.32	0.00		
03691	SJ COURT ADMINISTRATOR'S ASSN*							
	11-00467	02/18/11	DUES	Open	80.00	0.00		
03692	SOUTH JERSEY GAS CO*							
	11-00498	02/23/11	FEBRUARY, 2011	Open	7,318.22	0.00		
03723	STAPLES, INC.*							
	11-00306	02/02/11	CULLEY BLACK LUXURA CHAIR	Open	202.97	0.00		
03810	MUNICIPAL UTIL AUTH USAGE COST							
	11-00461	02/17/11	WATER SERVICE DUE 3/15/11	Open	1,270.31	0.00		
	11-00462	02/17/11	SEWER SERVICE DUE 3/15/11	Open	163.69	0.00		

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Lower Township
Purchase Order Listing By Vendor Id

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
					1,434.00			
3876	UNITED WATER TREATMENT CO INC*							
11-00335	02/04/11	COMPLETE WATER TREATMENT FOR	Open	480.00	0.00			
3969	VERIZON							
11-00499	02/23/11	PHONE SERVICE	Open	569.32	0.00			
3971	VERIZON WIRELESS							
11-00584	03/02/11	MDT WIRELESS	Open	644.14	0.00			
4017	WILDWOOD LINEN SUPPLY*							
11-00392	02/10/11	LOGO MATS FOR TOWNHALL	Open	740.00	0.00			
4041	WEIGHTS & MEASURES FUND							
11-00405	02/14/11	RADAR TUNING FORKS	Open	230.00	0.00			
4075	BARBER CONSULTING SERVICES LLC							
11-00533	02/28/11	MARCH 2011 WEB SERV	Open	300.00	0.00			
4082	USA MOBILITY WIRELESS INC*							
11-00524	02/25/11	PAGER-DPW	Open	6.24	0.00			
4085	CHRISTOPHER WINTER							
11-00465	02/18/11	CONTRACTUAL REIMBURSEMENT	Open	20.00	0.00			
4204	ZACHARY ZELWAK							
11-00460	02/17/11	JUDO REFUND FOR BOBBY FESSLER	Open	40.00	0.00			
4261	STATE OF NEW JERSEY							
11-00472	02/23/11	4TH QUARTER 2010	Open	23,156.31	0.00			
4266	NJ DEPT OF HEALTH&SENIOR SVCS							
11-00581	03/02/11	FEBRUARY, 2011 STATE DOG LIC	Open	355.20	0.00			
4278	RICHARD SANDMAN, ESQ							
11-00383	02/09/11	CONFLICT PD 2/3/2011	Open	200.00	0.00			
4288	NUANCE COMMUNICATIONS INC*							
11-00076	01/07/11	2011 MAINT. CONTRACT	Open	4,759.01	0.00			
4300	W B MASON CO INC*							
11-00030	01/05/11	OFFICE SUPPLIES	Open	61.70	0.00			
4301	SEASHORE ASPHALT CORPORATION*							
11-00291	01/31/11	ASPHALT FOR RDS/DPW	Open	1,229.33	0.00			
11-00347	02/04/11	ASPHALT/DPW	Open	1,924.45	0.00			
					3,153.78			
4445	TRICOMM SERVICES CORP*							
11-00387	02/09/11	REPAIR LINE ASSIGNMENTS	Open	180.00	0.00			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
BOSNA KAREN MANETTE BOSNA	11-00583	03/02/11	YOGA CLASS INSTRUCTOR	Open	75.00	0.00		
BRITB BRUCE BRITTON	11-00457	02/17/11	REFEREE FEE FOR BASKETBALL	Open	40.00	0.00		
	11-00572	03/01/11	BOYS TRAVELING BASKETBALL	Open	40.00	0.00		
					80.00			
CAPIZ KATHI CAPIZOLA, CMCA - SECY	11-00442	02/16/11	JUDGE'S - DUES	Open	75.00	0.00		
FATH WILLIAM FATH	10-02977	11/19/10	YOUTH SOCCER OFFICIAL	Open	90.00	0.00		
HITCH ALVIN & ELEANOR HITCHNER	11-00563	03/01/11	RELEASE DEMO BOND RES#2011-75	Open	500.00	0.00		
MCAA MCAA OF NEW JERSEY	11-00440	02/16/11	DUES	Open	90.00	0.00		
PRUSZ BOBBIE PRUSZINSKI	11-00550	02/28/11	WRESTLING REFUND FOR ERIK	Open	10.00	0.00		
REINHART DEREK REINHART	11-00456	02/17/11	REIMBURSEMENT FOR BACKGROUND	Open	51.25	0.00		
RUTHERF WILLIAM RUTHERFORD	11-00458	02/17/11	REFEREE FEE FOR TRAVELING	Open	40.00	0.00		
UMSCHL LISA UMSCHIED	11-00527	02/25/11	REIMBURSEMENT FOR BACKGROUND	Open	51.25	0.00		
VALLECON VALLE CONSTRUCTION, LLC	11-00512	02/25/11	RELEASE DEMO BOND RES 2011-72	Open	1,500.00	0.00		
Total Purchase Orders: 125 Total P.O. Line Items: 248 Total List Amount: 1,631,235.40 Total Void Amount: 0.00								

I certify the foregoing to be a Resolution adopted by the Township Council on March 7, 2010.

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

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

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

RESOLUTION #2011-72

TITLE: A resolution requesting RELEASE of Demolition Bond for Block 19, Lot 43, 33 East Florida Avenue, Villas, NJ 08251

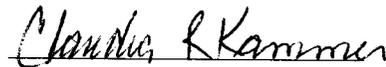
WHEREAS, Valle Construction, LLC posted a Demolition Bond with the Township of Lower, in the amount of \$1,500.00, and

WHEREAS, the Township Building Inspector made a final inspection and the Certificate of Occupancy was issued February 23, 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 March 7, 2011



Claudia R. Kammer, Township Clerk

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

Res. #2011-72

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
RESOLUTION # 2011- 73**

**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 Michael Perry in the amount of \$5,991.00 is authorized and chargeable to the 2010 Budget account 0-01-25-240-127.

I hereby certify the foregoing to be a resolution adopted by the Township Council on March 7, 2011.


Claudia R. Kammer, RMC, Township Clerk

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

LOWER TOWNSHIP POLICE DEPARTMENT
SPECIAL REPORT

1/18/11
411

TO: Chief Edward Donohue
FROM: Patrolman Michael Perry
DATE: January 18, 2011
SUBJECT: Comp. Time Pay Out

0-01 25 240-127
Special Report to Chief

5991.00

I'm submitting this special as a request to cash in 150 hours comp. time. This request is being made so I can repair storm damage to my residence.

Respectfully Submitted,


Michael Perry

Patrolman Badge #178

* APPROVED 5212
JANUARY 21, 2011

Chief


2/22 ok chg to 2010
nm

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

RESOLUTION #2011-74

TITLE: A RESOLUTION REQUESTING RELEASE OF DEMOLITION BOND FOR BLOCK 221, LOT 21, 244 MARYLAND AVENUE, VILLAS, NJ 08251

WHEREAS, Alvin W. Hitchner & Eleanor M. Hitchner posted a Demolition Bond with the Township of Lower, in the amount of \$500.00, and

WHEREAS, the Township Building Inspector made a final inspection and the Certificate of Occupancy was issued February 16, 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 \$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 March 7, 2011



Claudia R. Kammer, Township Clerk

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

Res. #2011-74

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

RESOLUTION #2011-75

**TITLE: APPROVAL OF HOLY SPIRIT LUTHERAN CHURCH'S
APPLICATION TO CONDUCT A FLEA MARKET ON JUNE 11**

WHEREAS, Section 359-13 of the Code of Lower Township prohibits outdoor flea markets within the confines of Lower Township except as provided for in Section 359.13b, and

WHEREAS, Section 359-13 of the General Ordinances of the Township of Lower permits non-profit, charitable, civic and religious organizations to conduct four (4) outdoor flea markets within the confines of the Township if approved by the Township Council.

WHEREAS, the Township Council has reviewed the application of Holy Spirit Lutheran Church to conduct a flea market on June 11, 2011 with a rain date of June 18, 2011 at 1220 Bayshore Road, and

WHEREAS, the Council has determined the applicant meets the ordinance requirements of a non-profit, charitable, civic and/or religious organization.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, that approval is hereby granted.

I hereby certify this is the original resolution adopted by the Township Council at the meeting held on March 7, 2011.


Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-76

TITLE: APPROVAL OF CHANGE ORDER NO. 1 MAINTENANCE OF TOWNSHIP GROUNDS & PARKS FOR THE 2011 SEASON

WHEREAS, Bayshore Landscaping was previously awarded a contract in the amount of \$55,450,000 for the Maintenance of Township Grounds & Parks for 2010 and 2011, and

WHEREAS, during the course of the work on this project it was determined that additional properties and duties would be required for 2011; and

WHEREAS, the additional total cost to the Township for this change in the scope of work is \$9,580.00 as per the attached quote, and

WHEREAS, the Recreation Director has reviewed and recommended payment of Changer Order No. 1 and the CFO has certified the availability of funds as evidenced by her signature appended hereto

Account # Recreation OE
1-01-28-370-281


Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, that Change Order No. 1 for the Maintenance of Township Grounds & Parks for 2010 and 2011 is hereby approved and the total contract amount for this project including Change Order No. 1 is \$65,030, and

BE IT FURTHER RESOLVED that Bayshore Landscaping is authorized to proceed with the changes and complete them in accordance with the terms of the original Contract Documents.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on March 7, 2011.


Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-77

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

WHEREAS, a Request for Proposals for the Fireworks Display including Barge was advertised on October 21, 2010 and proposals were accepted on November 10, 2010 at 11:00 a.m., and

WHEREAS, one proposal was submitted and reviewed by the Solicitor, the Assistant Recreation Director and the QPA, and

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

Budget Year & Appropriation 2011-01-30-420-299 *Celebration of Public*
1-01-28-370-200 *Recreation CE Events*
 CFO Signature *James Deal*

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

Now, Therefore, Be It Resolved, the Township Council of the Township of Lower, County of Cape May, State of New Jersey, as follows:

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

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council at a meeting held on March 7, 2011.

Claudia R. Kammer
 Claudia R. Kammer, Township Clerk

	Conrad	Simonsen	Douglass	Lare	Beck
Motion	X				
Second		X			
Aye	X	X			X
Nay					
Abstain				X	
Absent			X		

**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
RESOLUTION # 2011-78**

**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 *James D. ...* 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 David Fisher in the amount of \$1,452.78 is authorized and chargeable to the 2010 Budget account 0-01-25-240-124.

**I hereby certify the foregoing to be a resolution adopted by the
Township Council on MARCH 7, 2011.**

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

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

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

RESOLUTION #2011-79

TITLE: AUTHORIZATION FOR WAIVER OF FEES FOR ST. JOHN OF GOD/ ST. JOHN NEUMANN CHURCH

WHEREAS, St. John of God/St. John Neumann Church is applying for a minor site plan to reconstruct the damaged screen room in the back of the Rectory, and

WHEREAS the project will require a minor site plan and a building permit, and

WHEREAS, St. John of God/St. John Neumann is a charitable non- profit organization and the Rev. Ernest Soprano has requested the Township waive any and all application, professional and permit fees, and

WHEREAS, the Township Council has reviewed their request and deems it appropriate to support local charitable organizations and non-profit organizations that support and enhance the township and its community.

NOW, THEREFORE, BE IT RESOLVED that all permissible Township application, professional service & permit fees be waived for St. John of God/St. John Neumann.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on March 7, 2011.


Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-80

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 \$800.00 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	800.00	
GASOLINE AND FUEL	OE	0-01-31-460-299		800.00
			<u>800.00</u>	<u>800.00</u>

I hereby certify the foregoing to be a resolution adopted by the Township Council on March 7, 2011.



 Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-81

TITLE: RESOLUTION SUPPORTING NJ DOT RECOMMENDATION FOR NO PASSING ZONE ON US ROUTE 9 IN THE VICINITY OF WALNUT STREET

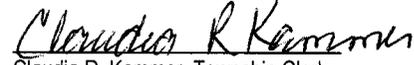
WHEREAS, the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on Route US 9 in the Township of Lower, and

WHEREAS, NJDOT recommends a revision to the centerline pavement markings to create a No Passing Zone along Route US 9 in the vicinity of MP 6.5 (Walnut Street), and

WHEREAS, the project will create safer driving conditions in this area.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, and State of New Jersey that it supports the use of a "No Passing Zone" on US Route 9 as recommended by the NJ DOT in their letter of February 15, 2011.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on March 7, 2011.


Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-82

TITLE: AUTHORIZATION FOR THE TOWNSHIP OF LOWER TO APPLY FOR AN EMERGENCY MANAGEMENT AGENCY ASSISTANCE SUBGRANT

WHEREAS, the Lower Township Office of Emergency Management desires to apply for and obtain an Emergency Management Agency Assistance Subgrant. The Subgrant, consisting of a total amount of \$10,000.00, including \$5,000.00 Federal Award and \$5,000.00 local matching funds, is for the purpose of enhancing Lower Township's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the Subgrant award incorporates all conditions and representations contained or made in application; and

WHEREAS, the Lower Township Office of Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an Application for Subgrant Award that has been required by the said New Jersey State Police Office of Emergency Management; and

WHEREAS, the Application for Subgrant Award calls for a match in the amount of \$5,000.00 which the Lower Township Office of Emergency Management adequately satisfies through the 2011 Lower Township approved budget for salaries and wages and fringe benefits.

BE IT THEREFORE RESOLVED, that the Township of Lower does hereby authorize the application for such a grant; and, upon receipt of the grant agreement from the New Jersey State Police, Office of Emergency Management, does further authorize the execution of the grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of said agreement between the Township of Lower and the New Jersey State Police, Office of Emergency Management.

BE IT FURTHER RESOLVED that Lauren Read, the Chief Fiscal Officer, Michael E. Beck, the Mayor and Richard Harron, Emergency Management Coordinator are authorized to sign the appropriate subgrant award documents; and

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded to the New Jersey State Police, Office of Emergency Management; the Director of the Division of Local Government Services; Lauren Read, Chief Financial Officer; Richard Harron, Emergency Management Coordinator and the Office of the Treasury.

I hereby certify this is the original resolution adopted by the Township Council on March 7, 2011.

Claudia R. Kammer
 Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2011-84

TITLE: ACCEPTANCE AND CONTRACT AWARD FOR 2011 FREEMAN DOUGLASS FIELD MAINTENANCE CONTRACT

WHEREAS, proposals were solicited via the Township's website on February 16, 2011, and due on February 25, 2011 at 9:00 a.m. for the Freeman Douglass Field Maintenance Contract, and

WHEREAS, three proposals were submitted and reviewed by the QPA and the Assistant Superintendent of Recreation, and

WHEREAS, the CFO has certified available funds as indicated below by her signature,

Budget Year & Appropriation Recreation OE 1-01-28-370-298

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: TRU GREEN, LLC
TOTAL: \$14,250 for Option 2 to include fields & common areas

I hereby certify the foregoing resolution was adopted by the Township Council at a meeting held on March 7, 2011.


 Claudia R. Kammer, Township Clerk

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

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

RESOLUTION # 2011-85

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

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

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

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

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

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

_____ (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 March 7, 2011 that an Executive Session closed to the public shall be held on this date at approximately 10:45 P.M. in the Conference Room of the Township Hall, 2600 Bayshore Road, Villas for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Council that the public interest will no longer be served by such confidentiality.

I hereby certify the foregoing to be a resolution adopted by the Township Council on March 7, 2011.



Claudia R. Kammer, Township Clerk

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