

JANUARY 5, 2009 COUNCIL MEETING - RESOLUTIONS ADOPTED

1. Resolution #2009-01, Appointment of Municipal Solicitor for the Year 2009 Pursuant to Non-Fair and Open Procedures (Anthony Monzo)
2. Resolution #2009-02, Appointment of Municipal Engineer for the Year 2009 Pursuant to Non-Fair and Open Procedures (Hatch Mott McDonald Engineers)
3. Resolution #2009-03, Appointment of Municipal Auditor for the Year 2009 Pursuant to Non-Fair and Open Procedures (Ford Scott Seidenburg & Kennedy)
4. Resolution #2009-04, Appointment of Bond Counsel for the Year 2009 Pursuant to Non-Fair and Open Procedures (Mc Manimon & Scotland)
5. Resolution #2009-05, Appointment of Municipal Prosecutor for the Year 2009 (Mary Bittner)
6. Resolution #2009-06, Appointment of Municipal Public Defender for the Year 2009 (Christopher Gibson)
7. Resolution #2009-07, Appointment of Emergency Management Council for the Year 2009 (Annual Required Appointments)
8. Resolution #2009-08, Appointment of Class III Member to the Planning Board (Kevin Lare)
9. Resolution #2009-09, Appointment of Officials for Joint Insurance Fund and Municipal Excess Liability Fund (Annual Resolution)
10. Resolution #2009-10, Appointment of JIF Risk Management Consultant (Barbara Weigand)
11. Resolution #2009-11, Establishment of Council Meeting Dates and Times (1st & 3rd Mondays except holidays)
12. Resolution #2009-12, Setting the Interest Rate for Delinquent Taxes (Statutorily regulated)
13. Resolution #2009-13, Designation of Official Depositories (2 pages)
14. Resolution #2009-14, Designation Of Official Newspapers for Legal Advertising for the Year 2009 (Star & Wave & Herald)
15. Resolution #2009-15, Authorizing Payment of 2009 Debt Service
16. Resolution #2009-16, Annual Approval of Petty Cash Funds (Police Dept. & Treasurer's Office)
17. Resolution #2009-17, Adopting Cash Management Plan (2 pages)
18. Resolution #2009-18, Resolution to Defer The Regional School Tax
19. Resolution #2009-19, Adopting 2009 Temporary Current Budget
20. Resolution #2009-20, Approving 2009 Contract with Cape Assist (EAP Program)
21. Resolution #2009-21, Authorizing Clerk to Issue Bingo & Raffle Licenses Throughout the Year to Qualified Organizations
22. Resolution #2009-22, Authorization for Public Bidding (Annual resolution for bidding throughout the year)
23. Resolution #2009-23, Designation of Public Agency Compliance Officer for the Township of Lower (M. Vitelli)
24. Resolution #2009-24, Transfer of 2008 Appropriations \$60,600
25. Resolution #2009-25, Authorizing Payment of Compensatory Time for 2008
26. Resolution #2009-26, Approval of 2009 Vouchers \$2,875,849.00
27. Resolution #2008-27, Resolution Mandating National Incident Management System Use (2 pages)
27. Resolution #2009-28, A Resolution Designating the Lower Township Rescue Squad, Inc. As The Provider of Emergency Medical Services in Lower Township

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

RESOLUTION #2009-01

TITLE: APPOINTMENT OF MUNICIPAL SOLICITOR PURSUANT TO NON-FAIR & OPEN PROCEDURES

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 may be extended as approved by this governing body; and

WHEREAS, Anthony Monzo, Attorney of Monzo Catanese has submitted a proposal indicating that they will provide the goods or services described hereinabove for a total price which is likely to exceed \$17,500; and

WHEREAS, Anthony Monzo 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 Anthony Monzo 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 Anthony Monzo as Solicitor and approves the contract with the firm of Monzo Catanese 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 5, 2009.


Claudia R. Kammer, Township Clerk

	CONRAD	MAZUREK	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 #2009-02

**TITLE: APPOINTMENT OF MUNICIPAL ENGINEER FOR THE YEAR 2009
PURSUANT TO NON-FAIR & OPEN PROCEDURES**

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,

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

WHEREAS, Hatch Mott MacDonald Engineers has submitted a proposal indicating that they will provide the goods or services described above for a total price which is likely to exceed \$17,500; and

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 described hereinabove.

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 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 5, 2009.


Claudia R. Kammer, Township Clerk

	CONRAD	MAZUREK	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 #2009-03

**TITLE: APPOINTMENT OF MUNICIPAL AUDITOR FOR THE YEAR 2009
PURSUANT TO NON-FAIR AND OPEN PROCEDURES**

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,

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

WHEREAS, Ford Scott & Associates, LLC has submitted a proposal indicating that they will provide the goods or services described hereinabove for a total price which is likely to exceed \$17,500; and

WHEREAS, Ford Scott & Associates, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Ford Scott & Associates, LLC 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 Ford Scott & Associates, LLC 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, LLC for the goods and services described hereinabove.

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 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 5, 2009.


Claudia R. Kammer, Township Clerk

	CONRAD	MAZUREK	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 #2009-04

**TITLE: APPOINTMENT OF BOND COUNSEL FOR THE YEAR 2009
PURSUANT TO NON-FAIR & OPEN PROCEDURES**

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 may exceed \$17,500; and,

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

WHEREAS, McManimon & Scotland has submitted a proposal on December 10, 2007 indicating that they will provide the goods or services described hereinabove for a total price which is likely to exceed \$17,500; and

WHEREAS, McManimon & Scotland 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 McManimon & 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 McManimon & Scotland for the goods and services described hereinabove.

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 Cape May Star and Wave.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council at a meeting held on January 5, 2009.


Claudia R. Kammer, Township Clerk

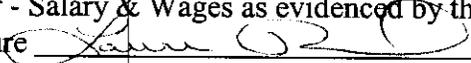
	CONRAD	MAZUREK	DOUGLASS	LARE	BECK
MOTION		X			
SECOND			X		
AYE	X	X	X	X	X
NAY					
ABSTAIN					
ABSENT					

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

RESOLUTION #2009-05

TITLE: APPOINTMENT OF MUNICIPAL PROSECUTOR FOR THE YEAR 2009

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

WHEREAS, the maximum amount of the contract is \$18,500.00 plus \$80.00 per hour for Special Court sessions and funds are available in the current fund entitled Office of the Township Solicitor - Salary & Wages as evidenced by the Chief Financial Officer's Certification & signature ; and

WHEREAS, the Local Public Contracts Law (N.S.J.A. 40A:11-5 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 in the County of Cape May as follows:

The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Mary Bittner.

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 profession 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 at the meeting of Jan. 5, 2009.


Claudia R. Kammer, Township Clerk

	CONRAD	MAZUREK	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 #2009-06

TITLE: APPOINTMENT OF MUNICIPAL PUBLIC DEFENDER FOR 2009

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 maximum 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 5, 2009.


Claudia R. Kammer, Township Clerk

	CONRAD	MAZUREK	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 #2009-07

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 2009.

NAME	CATEGORY	NAME	CATEGORY
Michael Beck	1	Wayne Mazurek	1
Art Treon	1 & 2	Joan Koeck	2 & 4
Tom Conrad	2	Carol Kapurelos	2
Andy Hilvert	2	Lou McGonigal	2
Warner Muller	2	Mike Demarcantonio	1 & 5
Edward Donohue	2	Dave Perry	2
Lou Russo	2 & 3	George Wehner	2

I hereby certify this resolution was adopted by the Township Council at their meeting of Jan. 5, 2009.


 Claudia R. Kammer, Township Clerk

	CONRAD	MAZUREK	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 #2009-08

TITLE: APPOINTMENT OF CLASS III MEMBER TO THE PLANNING BOARD

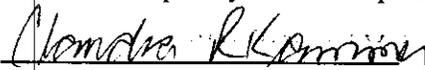
WHEREAS, the term of, Robert Nolan, Class III Member on the Lower Township Planning Board, expired on Dec. 31, 2008, and

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, Councilmember	December 31, 2009

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 5, 2009.


Claudia R. Kammer, Township Clerk

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

Res. #2009-08

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

RESOLUTION #2009-09

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

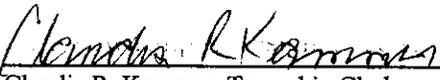
WHEREAS, it is necessary for the Township to designate certain persons for the receipt of notices and processing of claims for the Joint Insurance Fund, and

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 2008 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	Barbara Weigand, National Associates
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 5, 2009.


Claudia R. Kammer, Township Clerk

	CONRAD	MAZUREK	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 #2009-10

TITLE: APPOINTMENT OF JIF RISK MANAGEMENT CONSULTANT

WHEREAS, the Governing Body of the Township of Lower has resolved to joint 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;

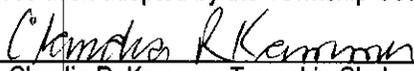
WHEREAS, N.J.S.A. 40A: 11-5 (1) (m), specifically exempts the hiring of insurance consultants from competitive bidding as an extraordinary unspecifiable service; and

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 unspecifiable service which therefore render competitive bidding impractical; --

NOW, THEREFORE, be it resolved that the governing body of the Township of Lower does hereby appoint Barbara Weigand/NIA Group Associates, LLC as its Risk Management Consultant in accordance with 40A: 11-5 and;

BE IT FURTHER RESOLVED that the governing body is hereby authorized and directed to execute the Consultant's Agreement annexed hereto 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 5, 2009.



Claudia R. Kammer, Township Clerk

	CONRAD	MAZUREK	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 #2009-11

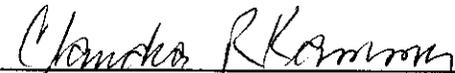
TITLE: ESTABLISHMENT OF COUNCIL MEETING DATES AND TIMES

WHEREAS, the Reorganization Meeting of the Township Council of the Township of Lower was held on January 5, 2009 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 19 shall be changed to January 21
Meeting of February 16 shall be changed to February 18
Meeting of September 7 shall be changed to September 9

I hereby certify this is the original resolution adopted by the Township Council at the meeting of January 5, 2009.



Claudia R. Kammer, Township Clerk

	CONRAD	MAZUREK	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 #2009-12

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 5, 2009 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 \$1,5000.00 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 5, 2009.


Claudia R. Kammer, Twp. Clerk

	CONRAD	MAZUREK	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 #2009-13

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:

ACCOUNT

AUTHORIZED OFFICIALS

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
Lower Township Green Trust Account	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 5, 2009


 Claudia R. Kammer, RMC, Township Clerk _____

	CONRAD	MAZUREK	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 #2009-14

TITLE: DESIGNATION OF OFFICIAL NEWSPAPERS FOR LEGAL ADVERTISING FOR THE YEAR 2009

WHEREAS, the Reorganization Meeting of the Township Council of the Township of Lower, the governing body thereof, was duly held on January 5, 2009 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.

BE IT FURTHER RESOLVED that anyone requesting personal notice of all Township Council meetings occurring during the course of the year as required by the Open Public Meetings Law shall be assessed a fee of \$20.00 payable to the Township of Lower. Said fee shall be waived upon request for media representatives covering Lower Township.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 5, 2009.


Claudia R. Kammer, Clerk

	CONRAD	MAZUREK	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 #2009-15

TITLE: AUTHORIZING PAYMENT OF 2009 DEBT SERVICE

WHEREAS, the amounts listed below are owed for debt service in the current year 2009 and are due on the dates noted and it is necessary to receive authorization for the payment of bills which affect the budget, and

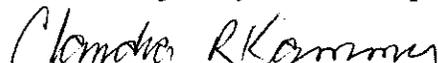
WHEREAS, it is the recommendation of the Chief Financial Officer that authorization for debt service payments be made through one annual resolution so that such payments are made in a timely and efficient manner, and

WHEREAS, funds for debt service are available in the 2009 budget appropriations for Bond Principal, Bond Interest, Note Principal, 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>	
1/15/2009	99,906.25		99,906.25	BOND
2/1/2009	694,790.00	680,000.00	14,790.00	BOND
2/9/2009	24,873.28	17,558.40	7,314.88	LOAN
3/7/2009	27,982.43	19,363.98	8,618.45	LOAN
4/3/2009	80,620.00		80,620.00	NOTE
5/29/2009	110,000.00		110,000.00	NOTE
6/15/2009	67,975.00		67,975.00	BOND
7/15/2009	709,906.25	610,000.00	99,906.25	BOND
8/9/2009	24,873.28	17,733.98	7,139.30	LOAN
9/7/2009	27,982.46	19,557.65	8,424.81	LOAN
12/15/2009	447,975.00	380,000.00	67,975.00	BOND
	2,316,883.95	1,744,214.01	572,669.94	

I hereby certify the foregoing to be a resolution adopted by the Township Council on Jan. 5, 2009.


 Claudia R. Kammer, Township Clerk

	CONRAD	MAZUREK	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 #2009-16

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 5, 2009.



 Claudia R. Kammer, Township Clerk

	CONRAD	MAZUREK	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 #2009-17

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

WHEREAS, THEREFORE BE IT RESOLVED, that 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

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

Authority to Invest

1. 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

1. 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.

Records and Reports

1. 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. Any changes made to a statutory payment schedule that allows for the payment of an amount greater than the requirement must be authorized in the cash management plan. In accordance with N.J.S.A. 40A: 14-79, 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

Also, Fire District No. 3 has requested their first payment be made by January 15 rather than April 1 to assure their February 1 debt service payment can be paid. These changes were deemed necessary by the Lower Township Fire Commission to assure all debt service requirements due in the first quarter could be met.

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 2008, the allowable amount is \$1,500.00.

Banking Policies

Every two to three years 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 Jan. 5, 2009.

Claudia R. Kammer
 Claudia R. Kammer, Township Clerk

	CONRAD	MAZUREK	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 #2009-18

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 2008 Regional School Levy was \$10,780,872.36 and not more than 50% is \$5,390,436.18.

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 2009 in the amount of \$5,390,436.18.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 5, 2009.



Claudia R. Kammer, Township Clerk

	CONRAD	MAZUREK	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 #2009-19

TITLE: ADOPTING 2009 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 2009 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 2008 Budget, exclusive of any appropriations for interest and debt redemption charges and capital improvement fund is \$21,295,419.49; and

WHEREAS, 26.25% of the total appropriations in the 2008 Budget, exclusive of any appropriations made for interest and debt redemption charges and capital improvement fund, is \$5,590,047.62.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the 2009 Temporary Current Budget is set in an amount not to exceed \$5,590,047.62.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 5, 2009.



Claudia R. Kammer, RMC, Township Clerk

	CONRAD	MAZUREK	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 #2009-20

TITLE: APPROVING 2009 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 2009 is Nineteen 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 9-01-23-220-408 as evidenced by the Chief Financial Officer's Certification & signature



NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk are hereby authorized to sign the contract agreement for the year 2009.

I hereby certify that the foregoing resolution was adopted by the Township Council at the meeting of January 5, 2009.


Claudia R. Kammer, Twp. Clerk

	CONRAD	MAZUREK	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 2009-21

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 2009 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 2009 to the following organizations as applicable throughout the year.

St. John of God Altar Rosary Society
 St. Raymond's Catholic Church
 St. Raymond's Holy Name Society
 St. John of God Catholic Church
 Vietnam Vets of America - Chapter #602
 Villas Volunteer Fire Co.
 Make A Wish Foundation

Christ Child Society of CMC
 Friends of Historic Cold Spring Village
 Lower Township Optimist Club
 Townbank Volunteer Fire Company
 Erma Volunteer Fire Company
 Knights of Columbus

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 5, 2009.


 Claudia R. Kammer, Township Clerk

	CONRAD	MAZUREK	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 #2009-22

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 2009 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 5, 2009


Claudia R. Kammer, Clerk

	CONRAD	MAZUREK	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 #2009-23

TITLE: DESIGNATION OF PUBLIC AGENCY COMPLIANCE OFFICER FOR LOWER TOWNSHIP

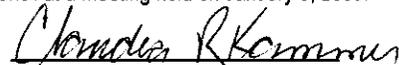
WHEREAS, in accordance with N.J.A.C. 17:27-3.2, each public agency shall designate an individual to serve as its Public Agency Compliance Officer (P.A.C.O.); and

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 5, 2009.


Claudia R. Kammer, Township Clerk

	CONRAD	MAZUREK	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 #2009-24

Title: Transfer of 2008 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 \$60,600.00 be made between the 2008 budget appropriation reserves.

<u>LINE ITEM</u>		<u>ACCT. NUMBER</u>	<u>TO</u>	<u>FROM</u>
Legal	OE	8-01-20-155-299	14,000.00	
Fuel Oil	OE	8-01-31-447-299	3,000.00	
Recreation	S&W	8-01-28-370-101	6,700.00	
Council	S&W	8-01-20-110-161	1,000.00	
MLU	S&W	8-01-20-170-101	3,600.00	
BOCA	S&W	8-01-22-195-101	9,500.00	
Streetlights	OE	8-01-31-435-299	17,000.00	
Personnel	S&W	8-01-20-105-101	900.00	
Clerk	S&W	8-01-20-120-101	500.00	
Collector	S&W	8-01-20-145-101	1,300.00	
Planning	S&W	8-01-20-170-101	2,100.00	
DPW	OE	8-01-26-305-299	1,000.00	
Manager	S&W	8-01-20-100-101		5,000.00
DPW	S&W	8-01-26-305-101		55,600.00
			<u>60,600.00</u>	<u>60,600.00</u>

I hereby certify the foregoing to be a resolution adopted by the Township Council on Jan. 5, 2009.

Claudia R. Kammer

 Claudia R. Kammer, Township Clerk

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

Resolution #2009-24
 Transfer of 2008 Appropriations

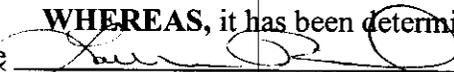
TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION #2009-25

Title: Authorization for the Payout of Accumulated Compensatory Time

WHEREAS, the employees listed on the attached schedule have 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 budget for all amounts due.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that payment to the employees listed on the attached schedule in the amount of **\$1646.68** is authorized and chargeable to the 2008 Budget:

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 5, 2009



Claudia R. Kammer, Township Clerk

	CONRAD	MAZUREK	DOUGLAS S	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 #2009-26

TITLE: APPROVAL OF VOUCHERS

WHEREAS, the following vendors are due payment as listed.

NOW, THEREFORE, BE IT RESOLVED the following bills be paid.

Lower Twsp Bd of Ed	Due 1/1/09	\$	1,436,986.30
Lower Cape May Regional	Due 1/1/09	\$	1,078,087.24
Edmunds & Associates	Due 1/1/09	\$	18,225.00
Atlantic JIF	Due 1/16/09	\$	229,428.00
Wes Barber	MIS Service	\$	5,000.00
Lower Twp MUA	Due 1/1/09	\$	1,423.15
Paul Baldini	November Litigation	\$	13,770.20
NIA Group	Recreation Liability Ins	\$	16,030.00
Cape Mediation	Court Mediation Services	\$	2,494.20
Cape Assist	Employee Assistance	\$	3,213.00
UHY Advisors	GASB 45	\$	7,000.00
Brian Marker Custodian	Petty Cash	\$	250.00
Colleen Crippen, Custodian	Petty Cash	\$	100.00
Health Insurance Solutions	Prescription January	\$	63,842.00
TOTAL		\$	2,875,849.09

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 5, 2009.


 Claudia R. Kammer, Township Clerk

	CONRAD	MAZUREK	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 #2009-27

TITLE: RESOLUTION MANDATING NATIONAL INCIDENT MANAGEMENT SYSTEMS USE

WHEREAS, in Homeland Security Presidential Directive (HSDP) 5, the President directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, and Local governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, the 9-11 Commission recommended adoption of a standardized Incident Command System; and

WHEREAS, it is necessary that all Federal, State, and Local emergency management agencies and other public safety agencies coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, to facilitate the most efficient and effective incident management it is critical that Federal, State, and Local organizations utilize standard terminology, standardized organizational structures, uniformed personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities, and resources will improve the ability to utilize State and Federal funding to enhance County and Local agencies readiness, maintain first responder safety, and streamline incident management processes; and

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities through the State, County and Local Municipalities, including all public safety and emergency response organizations training programs; and

WHEREAS, over fifty Federal grant programs mandate that NIMS be adopted as a prerequisite for obtaining these grants;

NOW, THEREFORE, BE IT RESOLVED, that the Lower Township Council in the County of Cape May hereby mandates that the National Incident Management System (NIMS) be utilized for all emergency incident management in the County of Cape; and

BE IT FURTHER RESOLVED that a copy of this Resolution is to be forwarded to the Cape May County Emergency Management Communications Center for distribution to the appropriate County, State and Federal Authorities.

BE IT FURTHER RESOLVED, that the resolution shall take effect upon passage of the same.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on January 5, 2009.

Claudia R. Kammer
Claudia R. Kammer, Township Clerk

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

Res. 2009-27

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

RESOLUTION NO. 2009-28

TITLE: RESOLUTION DESIGNATING THE LOWER TOWNSHIP RESCUE SQUAD, INC. AS THE PROVIDER OF EMERGENCY MEDICAL SERVICES IN LOWER TOWNSHIP

WHEREAS, the Lower Township Rescue Squad ("Rescue Squad") , since its inception in 1950, had the purpose of providing high quality rescue and emergency medical services to the residents of and visitors to the Township of Lower ("Township"); and

WHEREAS, the Rescue Squad has provided these services for the Township and the Township desires to continue its relationship with the Rescue Squad and to look to the Rescue Squad for the provision of all of its ambulance, rescue and emergency medical services ("Emergency Services"), except as otherwise set forth herein; and

WHEREAS, the Township desires to formalize and clarify its relationship with the Rescue Squad to insure that it is conducted pursuant to all applicable laws, and to establish clear lines of responsibility and division of authority between the Township and the Rescue Squad, as well as to make clear that the Rescue Squad is an entity separate and apart from the Township.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Lower, in the County of Cape May, State of New Jersey, that the Township hereby recognizes and designates the Rescue Squad as the primary provider of Emergency Services for the Township subject to the following terms and conditions:

1. Pursuant to N.J.S.A. 40:5-2, The Township will take all formal steps necessary to voluntarily contribute the sum of SEVENTY THOUSAND (\$70,000.00) DOLLARS per annum to the Rescue Squad retroactive to the beginning of the year 2009, which payment shall be in two (2) installments: one in the amount of THIRTY-FIVE THOUSAND (\$35,000.00) DOLLARS due on or before June 6, 2009, and the second in the amount of THIRTY-FIVE THOUSAND (\$35,000.00) DOLLARS due on or before November 7, 2009. In the event the Township designates and recognizes the Rescue Squad as the provider of Emergency Services in the Township beyond one (1) year from the effective date of this Resolution, the payments will continue on or about the same days of the following year(s).

2. In addition to the financial contributions referenced in paragraph 1 above, the Township shall further provide gasoline and supplies for equipping the Rescue Squad's ambulance vehicles and facility in an amount not to exceed an additional THIRTY-FIVE THOUSAND (\$35,000.00) DOLLARS for each calendar year thereafter, subject to approval by Council at the beginning of each such year. Such amount will be paid from time to time over the course of the fiscal year based upon the submission of vouchers for either reimbursement to the Rescue Squad or payments directly to third party vendors, in accordance with the purchasing guidelines of the Township and subject to all other applicable laws.

3. Each year the Rescue Squad shall provide the Chief Financial Officer of the Township an audit performed by a certified public accountant or registered municipal accountant of the Rescue Squad's financial records which audit shall certify to the Governing Body of the Township that such records are being maintained in accordance with sound accounting principles, as also required by N.J.S.A. 40:5-2.

4. The Rescue Squad shall operate as an entity separate and apart from the Township. Except for the voluntary contribution referred to in Paragraph 1 above and the other in-kind contributions as set forth below, the Rescue Squad shall be responsible for all other financial and administrative matters regarding its operations including, without

limitation, fund-raising, billing, training, bookkeeping, and management, which such matters shall not be the responsibility of the Township. Furthermore, the Rescue Squad shall maintain title to and ownership of all vehicles, as well as title to any other property and/or facilities it currently owns, or should hereafter acquire.

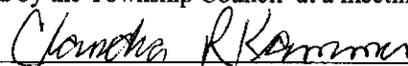
5. The Rescue Squad shall further provide the Township, the Lower Township Board of Education and any other agencies within the Township, upon the Township's request, with standby ambulance services at Township or other governmental functions such as parades, school sporting events, and the like, to the extent available.

6. It is the intention of this Resolution to express the parties' belief that the relationship between the Rescue Squad and Township continue in such a fashion that the relationship will provide the citizens of the Township with the highest quality of Emergency Services in the manner most efficient and most economical to the Township, and in the best interest of the public health, safety and welfare of the Township's citizens.

7. The Rescue Squad shall, at all times, conduct its business and provide the Emergency Services and other services hereunder in strict accordance with all applicable federal, state and local laws including, without limitation, Medicare, Medicaid and other applicable health and welfare laws.

8. The Rescue Squad must, at all times, maintain adequate insurance in such amounts and with such types of coverage as required by the State and/or Township pursuant to Chapter 115 of the Code of Lower Township and shall name the Township as an additional insured on all such policies, and shall provide proof of such insurance to the Township.

I hereby certify the foregoing resolution was adopted by the Township Council at a meeting held on January 5, 2009.


 Claudia R. Kammer, Township Clerk

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