

List of Resolutions Adopted February 2, 2009

- Res. #2009-53, Payment of Vouchers, \$1,375,694.38
- Res. #2009-54, A Resolution Requesting Release of Revegetation and Restoration Guarantee for Dune Site Plan: Block 164.02, Lot 1.04
- Res. #2009-55, A Resolution Requesting Release of Demolition Bond for Block 582, Lot 16; 605 Scott Avenue, N. Cape May
- Res. #2009-56, Resolution Approving A Contract with Delta Dental for Extraordinary Unspecifiable Services (Group Dental Plan for Employees)
- Res. #2009-57, Renewal of Limousine License for Great American Trolley Co., Inc. (Annual license)
- Res. #2009-58, Approval of Contract with Commerce Risk Control Services to Coordinate Alcohol and Drug Testing Services for the Year 2009 (Mandatory random testing for CDL drivers)
- Res. #2009-59, Approval of 2009 Rotary Towing Licenses (Annual licenses for companies used by the Police for emergency towing)
- Res. #2009-60, Renewal of Trailer Park Licenses for the Year 2009 (Annual renewal for 4 parks)
- Res. #2009-61, Authorization for Vietnam Veterans of America Chapter #602 to Conduct Saturday Flea Markets in 2009
- Res. #2009-62, Resolution Authorizing the Award of the Bid for Ten (10) Roll Off Containers (Award to low bidder, Conshohocken Steel, for \$44,990),
- Res. #2009-63, A Resolution Authorizing an Application to Local Government Energy Audit Program
- Res. #2009-64, Appointment to the Lower Township MUA (Filling unexp. term of S. Morey ending Feb. 2013)
- Res. #2009-65, Final Resolution to Remove Joseph Jackson as Lower Township Manager
- Res. #2009-66, 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." (Matters Relating to Employment)

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract
00651 MUNICIPAL UTIL AUTH DUMP FEES	08-03585	01/09/09	DISPOSAL FEES - DEC,2008	Open	65,819.76	0.00	
00775 CAPRIONI PORTABLE TOILETS, INC*	09-00034	01/07/09	HANDICAP/STANDARD TOILET	Open	130.00	0.00	
00784 CAPE MAY STAR & WAVE	09-00186	01/23/09	LEGALS	Open	160.58	0.00	
	09-00203	01/28/09	LEGALS	Open	124.00	0.00	
					----- 284.58		
00807 CDW-GOVERNMENT INC*	08-03304	12/04/08	WINDOWS PROFESSIONAL LICENSES	Open	1,345.00	0.00	
	08-03515	12/29/08	BOOKING ROOM CAMERA	Open	250.00	0.00	
					----- 1,595.00		
00825 COMCAST*	09-00199	01/27/09	INTERNET SERVICE - FIRE SAFETY	Open	100.20	0.00	
00928 CAPE MAY COUNTY CLERK	09-00096	01/14/09	RECORDING FEE - CAFRA PERMIT	Open	8.00	0.00	
01049 CONNECTED OFFICE PRODUCTS INC*	09-00031	01/07/09	DATA CARD MAINT AGREEMENT	Open	1,242.00	0.00	
01201 DELL CORPORATION*	08-03549	12/31/08	5 LAPTOP FOR COUNCIL	Open	8,307.85	0.00	
01236 ROCCO DENOTE	09-00200	01/27/09	VISION CLAIM	Open	461.00	0.00	
01250 SCOTT DOUGLASS	09-00141	01/20/09	BACKGROUND INVESTIGATION	Open	26.25	0.00	
01340 EAGLE POINT GUN*	08-03373	12/10/08	AMMUNITION	Open	875.00	0.00	
01389 EDDIE'S AUTO BODY*	09-00083	01/12/09	PAINT NEW DURANGOS	Open	876.00	0.00	
01403 EMERGENCY SOFTWARE PRODUCTS*	09-00030	01/07/09	MAINT COVERAGE ESP NFIRS	Open	400.00	0.00	
01450 ERMA DELI*	09-00045	01/07/09	PROVIDE MEALS FOR CLEAN SHORES	Open	1,483.35	0.00	
01460 EXECUTIVE BUSINESS PRODUCTS*	08-02694	10/06/08	BOCA SUPPLIES	Open	101.28	0.00	
	08-02717	10/09/08	BOCA SUPPLIES	Open	0.00	0.00	
	08-03288	12/03/08	BOCA SUPPLIES	Open	538.89	0.00	
	08-03442	12/18/08	BOCA SUPPLIES	Open	234.38	0.00	

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract
08-03454	12/18/08	INVEST. SUPP	Open	312.96	0.00		
08-03529	12/30/08	OFFICE SUPPLIES	Open	234.10	0.00		
					1,421.61		
01603	GENERAL CODE PUBLISHERS*						
09-00042	01/07/09	PC CODE ANNUAL SUBSCRIPTION	Open	880.00	0.00		
01643	WILLIAM GALESTOK						
09-00202	01/28/09	VISION CLAIM	Open	210.00	0.00		
01653	GENTILINI FORD*						
08-03560	01/07/09	PARTS FOE DPS/POLICE	Open	743.61	0.00		
01660	GENERAL SPRING SERVICE*						
09-00077	01/12/09	TRANSMISSION FOR TRASH TRUCK	Open	7,870.00	0.00		
01675	GENRON, INC.*						
09-00121	01/16/09	FIRE CONTROL PANEL ALARM	Open	90.00	0.00		
01735	MICHAEL GUIFFRIDA						
08-03604	01/28/09	BAL OF 08 SHOE ALLOWANCE RECEI	Open	24.98	0.00		
01803	HORIZON DENTAL OPTION*						
09-00191	01/26/09	GR 96663 CHIEF/SUPERIOR OFFIC	Open	509.60	0.00		
09-00192	01/26/09	GR 96663 AFSCME	Open	2,792.72	0.00		
					3,302.32		
01860	GNL DOORS & HARDWARE*						
09-00061	01/08/09	BACK DOOR REPAIR	Open	137.30	0.00		
01968	ITS MAILING SYSTEMS, INC*						
08-03342	12/09/08	CHIP - RATE/STRUCTURE CHANGE	Open	990.00	0.00		
02010	ISLAND TROPHY*						
08-03320	12/08/08	BOCA	Open	222.00	0.00		
02089	K-MART STORE #9133*						
09-00079	01/12/09	CLOTHES DRYER FOR RESCUE SQUAD	Open	409.99	0.00		
02108	KEEN COMPRESSED GAS CO*						
08-03410	12/15/08	BOTTLED GAS FOR GARAGE-DPW	Open	152.65	0.00		
02125	KDI*						
08-03180	11/21/08	COLOR COPIERS	Open	204.47	0.00		
02136	TED KINGSTON INC*						
08-03527	12/30/08	BATTERIES	Open	320.00	0.00		
02140	KINDLE FORD LINC/MERC., INC.*						
08-03559	01/07/09	PARTS FOE DPS/POLICW	Open	288.01	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract
02215	JOSEPH MCGOVERN	09-00110	01/14/09	SHOE ALLOWANCE FOR 2009-DPW	Open	49.50	0.00	
02248	LAWMEN SUPPLY*	08-03451	12/18/08	EQUIPMENT MAINT	Open	194.25	0.00	
02351	LOWER CAPE MAY REGIONAL	09-00232	01/29/09	SCHOOL TAXES DUE 2/15/09	Open	1,078,087.23	0.00	
02415	STEPHEN FLITCROFT	09-00187	01/23/09	VISION CLAIM	Open	168.00	0.00	
02502	JOANNE BUDD	09-00235	01/29/09	VISION CLAIM	Open	195.00	0.00	
02537	MARSHA MARTIN	09-00090	01/13/09	SPANISH INTERPRETER	Open	150.00	0.00	
02715	MODERN HANDLING EQUIP CO*	08-03118	11/13/08	GENERATOR MAINT	Open	2,870.00	0.00	
02726	MIDDLE TOWNSHIP	08-03598	01/15/09	ANIMAL CONTROL SERVICES	Open	1,771.00	0.00	
02740	MITCHELL IRON WORKS INC.*	09-00173	01/21/09	PIPE BOLLARDS	Open	120.00	0.00	
02811	JAMES MOY	08-03599	01/21/09	MEDICAL CLAIMS	Open	20.00	0.00	
		09-00172	01/21/09	MEDICAL CLAIMS	Open	5.00	0.00	
						----- 25.00		
03011	SIGNATURE FACTORY*	08-03440	12/18/08	MIKE BECK SIGNATURE FONT	Open	9.95	0.00	
03072	NJ STATE LEAGUE OF MUNICIPALITI*	09-00093	01/14/09	2009 MEMBERSHIP DUES	Open	1,495.00	0.00	
03104	NORTHEAST IND.&MARINE SUPPLY*	08-02935	11/07/08	PARTS FOR RDS/SANT/RECY	Open	528.30	0.00	
03132	NEXTEL COMMUNICATIONS	08-03596	01/14/09	CELL PHONES DPW DEC 08	Open	487.21	0.00	
03177	OCEAN CREST PRINTING*	09-00024	01/07/09	BUSINESS CARDS - COUNCIL	Open	75.00	0.00	
03302	PHONEXTRA ATLANTIC*	09-00026	01/07/09	REWIRE PHONE/VERIFY FAX	Open	90.00	0.00	
03305	PEDRONI FUEL*	08-03461	12/19/08	FUEL OIL - ANNEX BUILDING	Open	614.76	0.00	

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract

08-03586		01/09/09		NO LEAD GAS - DPW	Open	175.23	0.00	
09-00078		01/12/09		FUEL OIL FOR BOCA	Open	374.08	0.00	

						1,164.07		
03366	AMERI-GAS*							
08-03602		01/27/09		PROPANE - REC CTR 12/31/08	Open	94.18	0.00	
03427	POLAR BEAR*							
08-03521		12/30/08		MISC. PARTS AND SERVICE ON	Open	1,066.16	0.00	
08-03544		12/31/08		SERVICE REPAIR	Open	99.60	0.00	
09-00097		01/14/09		5 NEW GAS HEATERS-POLICEGARAGE	Open	14,250.00	0.00	

						15,415.76		
03448	REMINGTON,VERNICK & WALBERG*							
09-00145		01/20/09		ESCROW BILLING	Open	605.50	0.00	
03453	QUILL CORPORATION*							
09-00041		01/07/09		Custom Cut Sheet Paper	Open	112.90	0.00	
03455	PUBLIC WORKS ASSOCIATION*							
09-00128		01/16/09		2009 MEMBERSHIP DUES-DPW	Open	90.00	0.00	
03608	SEAWAVE CORPORATION*							
09-00119		01/16/09		1/14/09 LEGAL ADS	Open	123.94	0.00	
03611	SERVICE TIRE TRUCK CENTERS*							
08-03409		12/15/08		TIRES FOR RDS/SANT/RECY/DPW	Open	3,329.68	0.00	
03663	SOUTH JERSEY AUTO SUPPLY*							
08-03562		01/07/09		PARTS FOR RDS/DPW	Open	61.48	0.00	
03688	SOUTHERN NJ CHAPTER NIGP*							
09-00094		01/14/09		2009 MEMBERSHIP VITELLI/PICARD	Open	110.00	0.00	
03692	SOUTH JERSEY GAS CO*							
09-00195		01/26/09		JANUARY, 2009	Open	2,608.96	0.00	
03723	STAPLES, INC.*							
08-03466		12/22/08		ASSESSORS INK CARTRIDGE	Open	441.61	0.00	
08-03539		12/31/08		SCANNER/OFFICE SUPPLIES	Open	1,282.85	0.00	
08-03548		12/31/08		WIRELESS ROUTER	Open	139.99	0.00	
09-00054		01/07/09		PRINTER/OFFICE SUPPLIES	Open	524.77	0.00	
09-00058		01/08/09		MINI DVD-R - MEMOREX	Open	169.73	0.00	
09-00066		01/08/09		COMPUTER CABLE	Open	31.78	0.00	

						2,590.73		
03734	STEWART INDUSTRIES, INC.*							
09-00029		01/07/09		YRLY MAINT - COPIER 2009	Open	450.00	0.00	
03764	TCTANJ							

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract

09-00092	01/14/09	2009 MEMBERSHIP JACKSON/BROWN	Open	150.00		0.00		
09-00095	01/14/09	2009 MEMBERSHIP L. READ	Open	75.00		0.00		
				-----		225.00		
03821	TRANS AXLE*							
09-00051	01/07/09	POWER TAKE-OFF FOR TRASH TRUCK	Open	1,447.18		0.00		
03921	UNIFORM & ACCESSORIES WHSE*							
08-03516	12/29/08	NEW VEHICLE OUTFITTING	Open	424.70		0.00		
03931	STERLING IRRIGATION INC*							
08-03540	12/31/08	WINTERIZE IRRIGATION - MITNICK	Open	200.00		0.00		
03969	VERIZON							
09-00234	01/29/09	PHONE SERVICE	Open	421.08		0.00		
03995	VITAL COMMUNICATIONS, INC.*							
08-03338	12/09/08	MODIV TAP 2009 - PREM TAX DUP	Open	100.00		0.00		
04012	XPRESS ELECTRONIC SERVICES*							
09-00236	01/29/09	SERVICE TO PRINTER - CLERK'S	Open	85.00		0.00		
04075	BARBER CONSULTING SERVICES LLC							
09-00216	01/28/09	CONFIGURE ROUTER/DPW TROUBLE	Open	272.50		0.00		
04082	USA MOBILITY WIRELESS INC*							
09-00109	01/14/09	PAGER-DPW	Open	8.30		0.00		
04091	MOTOROLA							
08-03504	12/24/08	MOTOROLA CDM1250VHF64CH	Open	564.50		0.00		
04097	CINTAS FIRST AID AND SAFETY*							
09-00142	01/20/09	FIRST AID KIT - TOWNHALL	Open	291.25		0.00		
ECKELS	SHERRY ECKEL							
09-00204	01/28/09	SPAY/NEUTER PROGRAM	Open	35.00		0.00		
HOWARD	KAREN HOWARD							
09-00144	01/20/09	SPAY/NEUTER PROGRAM	Open	30.00		0.00		
MADDOX	ASHLEY MADDOX							
09-00201	01/27/09	PAYMENT REIMBURSEMENT	Open	25.00		0.00		
MASTJ	JAMES W. MASTRIANI, ARBITRATOR							
08-03553	12/31/08	AFSCME EYE CARE GRIEVANCE	Open	2,145.00		0.00		
MONMOUTH	MONMOUTH/OCEAN TCTA							
08-03137	11/17/08	COOKIES AT CHRISTMAS	Open	15.00		0.00		
NASRO	NATIONAL ASSOCIATION OF SCHOOL							
09-00105	01/14/09	DUES	Open	80.00		0.00		

01/30/09
09:35:39

Lower Township
Bill List By Vendor Id

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract
OBRIEN TERRENCE O'BRIEN	08-03513	12/29/08	BACKGROUND INVESTIGATION	Open	26.25	0.00	
POLETAV POLE TAVERN EQUIP SALES*	09-00044	01/07/09	PARTS FOR SWEEPER- DPW	Open	59.09	0.00	
PRESS PRESS OF ATLANTIC CITY	09-00059	01/08/09	12/17/08 FIRE SFTY CIV/MIL	Open	1,178.00	0.00	
SWOYER ALLAN SWOYER	09-00198	01/27/09	RELEASE DEMO BOND	Open	1,500.00	0.00	
WAWA WAWA, INC.	09-00147	01/21/09	RETURN UNUSED ESCROW	Open	463.49	0.00	
Total Purchase Orders: 116 Total P.O. Line Items: 244 Total List Amount: 1,375,694.38 Total Void Amount: 0.00							

Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	Project Total
	8-01	90,009.18	0.00	90,009.18	0.00	0.00
	9-01	1,127,623.90	0.00	1,127,623.90	0.00	0.00
	9-12	112.90	0.00	112.90	0.00	0.00
	9-13	0.00	0.00	0.00	0.00	3,018.99
Year Total:		1,127,736.80	0.00	1,127,736.80	0.00	3,018.99
	C-04	154,929.41	0.00	154,929.41	0.00	0.00
Total of All Funds:		1,372,675.39	0.00	1,372,675.39	0.00	3,018.99

Project Description	Project No.	Rcvd Total	Held Total	Project Total
641 ROUTE 9	04-10-09	98.00	0.00	98.00
VANMOURIK; 755 RT9 LOT #F13	07-09-04	72.50	0.00	72.50
GOMEZ; 222 FISHING CREEK RD	08-03-02	150.00	0.00	150.00
FEINBERG&MCBURNET;BAYSHORE&WEB	08-08-02	150.00	0.00	150.00
SEAPOINTE VILLAGE MASTER ASSOC	08-08-03	290.00	0.00	290.00
KOPOULOS; 401 BAYSHORE	08-10-04	145.00	0.00	145.00
MCBRIDE; 14 SCHELLENGER AVE	08-11-02	150.00	0.00	150.00
WAWA	98-08-04	463.49	0.00	463.49
SWOYER; DEMO BOND	P SWOYER	1,500.00	0.00	1,500.00
Total of All Projects:		3,018.99	0.00	3,018.99

Res. 2009-53
Motion: Conrad
Second: Douglass
Ayes: Conrad, Douglass, Lare, Beck
Absent: Mazurek

Adopted: Februray 2, 2009
Attest: Claudia R. Kammer, Clerk

Claudia R. Kammer

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

RESOLUTION #2009-54

TITLE: A resolution requesting **release** of Revegetation and Restoration Guarantee for Dune Site Plan; Block 164.02, Lot 1.04

WHEREAS, Rajen I. Udani & Chitra R. Udani posted a bond for the revegetation and restoration of dune grass with the Township of Lower, in the amount of \$1,000.00; and

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

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

AND HEREBY BE IT FURTHER RESOLVED that the Township Treasurer is granted permission to issue a check in the amount of \$1,000.00 plus any accrued interest for payment of the above released Guarantee.

I hereby certify this is the original resolution adopted by the Township Council at the meeting of February 2, 2009


Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2009-55

TITLE: A resolution requesting RELEASE of Demolition Bond for Block 582, Lot 16; 605 Scott Avenue, North Cape May, NJ 08204

WHEREAS, Joann Swoyer & Allan H. Swoyer 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 January 15, 2009, 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 February 2, 2009



Claudia R. Kammer, Township Clerk

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

Res. #2009-55

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

RESOLUTION #2009-56

TITLE: RESOLUTION APPROVING CONTRACT WITH DELTA DENTAL FOR EXTRAORDINARY UNSPECIFIABLE SERVICES

WHEREAS, there exists a need for a group dental plan beginning March 1, 2009, and

WHEREAS, the maximum amount of the contract is based on the premium schedules attached, the number of covered employees and funds have been certified by the Chief Financial Officer, and

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

WHEREAS, the Chief Financial Officer has certified that this meets the statute and regulations governing the award of said contracts,

NOW, THEREFORE, BE IT RESOLVED, by the Township Council as follows:

1. The Township Manager is hereby authorized and directed to execute the agreement as follows:

A. Group Dental Plan - Delta Dental Program pursuant to the rates set forth on Schedule A attached.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on February 2, 2009.


Claudia R. Kammer, Township Clerk

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

Township Of Lower Delta Dental March 1, 2009



Sub Group "01"	7	4	9	2	22
Sub Group "02"	0	1	3	0	4
Sub Group "00"	32	33	69	13	147

		Single	2 Adult	Family	P & C	Monthly	Annual
		39	38	81	15	173	
Dental							
Delta Dental - Premier with PPO	100/85 \$1,500 Max Benefit, \$3,150 Orthodontics Lifetime Maximum	\$37.30	\$64.99	\$104.59	\$64.99	\$1,592.35	\$19,108.20
Total							
Delta Dental - Premier with PPO	100/85 \$1,300 Max Benefit, \$3,100 Orthodontics Lifetime Maximum	\$36.47	\$63.53	\$102.25	\$63.53	\$370.28	\$4,443.36
Total							
Delta Dental - Premier with PPO	100/85 \$1,300 Max Benefit, \$2,950 Orthodontics Lifetime Maximum	\$36.03	\$62.78	\$101.03	\$62.78	\$11,011.91	\$132,142.92
Total							
						Total All Groups Combined	\$155,694.48



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

RESOLUTION #2009-57

TITLE: ISSUANCE OF LIMOUSINE AND OPERATOR'S LICENSE TO GREAT AMERICAN TROLLEY COMPANY, INC.

WHEREAS, an application has been submitted by Richard Adelizzi, Great American Trolley Company, Inc. pursuant to Ord. #2000-4 and its amendments for 1 Limousine and 1 Operator's License, and

WHEREAS, the applicant submitted the appropriate fees and provided the required documentation, and

WHEREAS, the Police have reviewed the application packet and have no objection to the issuance of the licenses.

WHEREAS, the Operator is awaiting the final reports and the ordinance provides for a temporary license to be issued.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower that the Clerk is hereby authorized to issue the following licenses for the year 2009:

<u>License Type</u>	<u>Description</u>
Limousine	2001 Lincoln, Vin#1L1FM81W61T612087
Operator's License	Craig R. Starkey

I hereby certify the foregoing to be a resolution adopted by the Township Council on February 2, 2009.



Claudia R. Kammer, Township Clerk

	CONRAD	MAZUREK	DOUGLASS	LARE	BECK
<u>MOTION</u>	X				
<u>SECOND</u>			X		
<u>AYE</u>	X		X	X	X
<u>NAY</u>					
<u>ABSTAIN</u>					
<u>ABSENT</u>		X			

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

RESOLUTION #2009-58

TITLE: APPROVAL OF CONTRACT WITH COMMERCE RISK CONTROL SERVICES TO COORDINATE ALCOHOL AND DRUG TESTING SERVICES FOR THE YEAR 2009

WHEREAS, NJSA40A: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 \$17,500.00.

WHEREAS, the Township is desirous of entering into a contract with Commerce National Risk Control Services to provide services as set forth in Exhibit A and all required documents have been filed, and

WHEREAS, the total amount of the contract for 2009 shall not exceed \$5,000.00.

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 February 2, 2009.


Claudia R. Kammer, Twp. Clerk

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

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

RESOLUTION #2009-59

TITLE: APPROVAL OF 2009 ROTARY TOWING LICENSES

WHEREAS, Section 22-1 requires any contractor providing towing and storage services for the Township of Lower be licensed by the Township, and

WHEREAS, the following contractors have completed the required application, paid the fee and provided all documentation required by ordinance, and

WHEREAS, the Police have reviewed said applications as required by Section 22-4 (d) of the General Ordinances and have no objection to the issuance of said license.

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the following applicants shall be issued Rotary Towing Licenses for the year 2009.

**Barney Linn - Cape May Riggins North
Ed Cooper - Eddie's Auto Body
Steven Lewis/Ed Cooper - Just in Time Towing**

I hereby certify the foregoing to be a resolution adopted by the Township Council on February 2, 2009.


Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2009-60

TITLE: RENEWAL OF TRAILER PARK LICENSES FOR THE YEAR 2009

WHEREAS, the following applicants have submitted applications for renewal of their trailer park licenses for the year 2009, and,

WHEREAS, the appropriate license fees have been received and the real estate taxes on subject properties are current; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, the governing body thereof, that the renewal of trailer park licenses for the year 2009 are hereby approved for the following applicants:

<u>NAME</u>	<u>LOCATION</u>
Cape Meadows Inc. t/a Cape Meadow	306 Route 9
Victor & Patricia Major t/a Broadway Mobile Park	901 Broadway
Jeffrey VanMourik t/a Cape May Mobile Estates	753 Route 9
Inter Coastal Enterprises, Inc. t/a Shawcrest Mobile Home Park	5200 Shawcrest Road

I hereby certify the foregoing to be a resolution adopted by the Township Council on February 2, 2009.


Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2009-61

TITLE: AUTHORIZATION FOR VIETNAM VETERANS OF AMERICA CHAPTER #602 TO CONDUCT SATURDAY FLEA MARKETS IN 2009

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 James "Pop" Johnson Memorial, know as Vietnam Veterans of America Chapter #602, Inc. has applied to the Township Council for an exemption to the limitation of only four (4) flea markets per year and has requested permission to conduct a flea market on the 1st Saturday of the month from February thru April and the 1st and 3rd Saturday from May thru December in 2009 in the Vietnam Veterans Hall parking lot, and

WHEREAS, the Township Council has reviewed the application and the current ordinance, 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 for Outdoor Saturday Flea Markets is hereby granted for the year 2009.

I hereby certify this is the original resolution adopted by the Township Council at the meeting held on February 2, 2009.

Claudia R. Kammer, Township Clerk

Table with 6 columns (MOTION, SECOND, AYE, NAY, ABSTAIN, ABSENT) and 6 rows (CONRAD, MAZUREK, DOUGLASS, LARE, BECK). Shows voting marks for each member on each motion.

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

RESOLUTION #2009-62

TITLE: RESOLUTION AUTHORIZING THE AWARD OF THE BID FOR TEN (10) ROLL OFF CONTAINERS

WHEREAS, bids for Ten (10) Roll Off Containers were advertised on January 8, 2009 and opened on January 27, 2009 at 11:00 a.m. , and

WHEREAS three (3) proposals were submitted and reviewed by the appropriate officials, and

WHEREAS, the vendor has complied with all bidding requirements and the CFO has determined sufficient funds are available in the budget as follows:

Budget Year & Appropriation - C-04-55-381-202 (Ord. 2005-08) as evidenced by the CFO Signature's below:



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 Ten (10) Roll Off Containers is hereby awarded to:

AWARD TO: Conshohocken Steel Products
TOTAL: \$44,990.00 (10 @ \$4,499 each)

BE IT FURTHER RESOLVED, that a properly executed purchase order shall serve as the contract.

I hereby certify the foregoing resolution was adopted by the Township Council at a meeting held on February 2, 2009.


Claudia R. Kammer, Township Clerk

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

Res. 2009-62

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

RESOLUTION #2009-63

TITLE: A RESOLUTION AUTHORIZING AN APPLICATION TO LOCAL GOVERNMENT ENERGY AUDIT PROGRAM

WHEREAS, the New Jersey Board of Public Utilities has authorized an incentive program to subsidize the cost to local governmental agencies for having an energy audit of their facilities, and

WHEREAS, Lower Township is eligible and desires to submit an application for this program, and

WHEREAS, a resolution authorizing application under the Local Government Energy Audit program is required.

NOW, THEREFORE, BE IT RESOLVED, the Township Manager and the QPA are hereby authorized to complete and submit an application under the Local Government Energy Audit Program.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on February 2, , 2009.


Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2009-64

TITLE: APPOINTMENT TO THE LOWER TOWNSHIP MUA

WHEREAS, Steve Morey, Regular Member, Lower Township MUA submitted his resignation effective January 21, 2009, and

WHEREAS, Council has reviewed the applications on file with the Municipal Clerk and desires to fill the vacancy in order to maintain a full board.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower that the following appointment is hereby made:

<u>Name</u>	<u>Type</u>	<u>Term Expires</u>
Nels J. Johnson	Regular Member (Unexp. term of S. Morey)	Feb. 1, 2013

I hereby certify the foregoing resolution was adopted by the Township Council on February 2, 2009.


Claudia R. Kammer, Twp. Clerk

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

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

RESOLUTION #2009-65

**TITLE: A FINAL RESOLUTION OF THE TOWNSHIP
COUNCIL OF THE TOWNSHIP OF LOWER
REMOVING THE TOWNSHIP MANAGER**

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

WHEREAS, pursuant to N.J.S.A. 40:69A-93, the Township Manager is required to hold office at the pleasure of the Township Council for an indefinite term subject to the removal by a majority vote of the Township Council;

WHEREAS, on December 15, 2008, the Township Council adopted Resolution No. 2008-285, which was a preliminary resolution to remove Joseph Jackson as the Township Manager for the reasons set forth therein, specifically dissatisfaction in the performance of Joseph Jackson as the Township Manager and the desire to make a change in the position of Township Manager;

WHEREAS, also pursuant to N.J.S.A. 40:69A-93, the Township Manager shall have the right to request a public hearing which shall take place not earlier than twenty (20) days and not later than thirty (30) days after such request is made, at which time, and after full consideration, the Township Council may by majority vote of its members adopt a final resolution of removal;

WHEREAS, by letter dated January 12, 2009 a hearing request had been made and a hearing had been scheduled for February 2, 2009, at 7:00 P.M. at the Lower Township meeting room, 2600 Bayshore Road, Villas, New Jersey;

WHEREAS, on January 15, 2009, the Township Council adopted Resolution No. 2009-29, which reaffirmed Resolution No. 2008-285 and suspended Joseph Jackson as the Township Manager with pay in accordance with N.J.S.A. 40:69A-93;

WHEREAS, prior to the hearing date of February 2, 2009, Joseph Jackson waived his right to such hearing; and

WHEREAS, the Township Council has considered this matter and the reasons contained in Resolution Nos. 2008-285 and 2009-29 and has determined to adopt this final resolution of removal.

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

1. That based upon the reasons set forth in Resolution No. 2008-235 and Resolution No. 2009-29, Joseph Jackson is hereby removed as the Lower Township Manager.
2. Joseph Jackson shall receive his regular compensation up through March 15, 2009, which is three (3) months from the date of Resolution No. 2008-235, together with all unpaid vacation time up through the date of this Resolution; provided, however, in the event that any further investigation of incidents that occurred while Joseph Jackson served as the Township Manager results in "just cause" as defined in N.J.S.A. 40:69A-93, the Township reserves the right to claim a recovery of the compensation paid from the date of the suspension on January 15, 2009 through March 15, 2009.

3. All other benefits provided to Joseph Jackson consisting of health insurance and paid leave, shall terminate as of the date of this Resolution; subject, however, to his right to the continuation of health benefits at his cost under COBRA.

4. This Resolution is hereby adopted by the Township Council as a final resolution of removal of Joseph Jackson as the Township Manager pursuant to N.J.S.A. 40:69A-93.

Adopted: February 2, 2009



Claudia R. Kammer, Twp. Clerk

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

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

RESOLUTION # 2009-66

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

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

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

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

- _____ (1) Matters Required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- _____ (2) Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- _____ (3) Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information, relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
- _____ (4) Matters Relating to Collective Bargaining Agreement: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
- _____ (5) Matters Relating to the Purchase, Lease 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.

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township council of the Township of Lower, assembled in public session on February 2, 2009 that an Executive Session closed to the public shall be held on this date at approximately 8:10 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 February 2, 2009.

Claudia R. Kammer
 Claudia R. Kammer, Township Clerk

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

Res. #2009-66