

## **RESOLUTIONS ADOPTED MARCH 16 2009 MEETING**

- Res. #2009-93                    Payment of Vouchers, \$2,113,720.27
- Res. #2009-94                    Introduction of the 2009 Municipal Budget (Public Hearing & Adoption April 20.2009)
- Res. #2009-95                    Resolution Revising Terms and Appointments of Certain Zoning Board Alternate Members (Changes the member appointment to Alt. 3 position to Alternate 4 and moves the member in Alternate 4 to Alternate 3)
- Res. #2009-96                    Authorizing Payout of Terminal Leave (J. Jackson, unused vacation & personal time \$2,708.60)
- Res. #2009-97                    Approval of Taxi, Limousine & Operator's Licenses for 2009 (Annual approval)
- Res. #2009-98                    Authorization for the Refund of Taxes ( One refund to mortgage company who made a double payment)
- Res. #2009-99,                    Resolution Approving Project Proposal Between Hatch Mott MacDonald and the Township of Lower for Engineering Services Related to Cape May Canal (Bayshore Road) Outfall Replacement (\$11, 200)
- Res. #2009-100,                    Resolution Appointing Kathleen McPherson as Township Manager
- Res. #2009-101,                    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 Public Safety and Property, Attorney Client Privilege)



03/12/09  
11:56:34

Lower Township  
Bill List By Vendor Id

Page No: 2

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract
00611 COUNTY OF CAPE MAY							
	09-00529	03/05/09	GAS/DIESEL FEBRUARY, 2009	Open	12,146.19	0.00	
00616 ANIMAL ALLIANCE CAPEMAY CO INC							
	09-00492	03/02/09	TNR & SPAY/NEUTER PROGRAM	Open	585.00	0.00	
	09-00563	03/09/09	TNR & SPAY/NEUTER PROGRAM	Open	365.00	0.00	
					-----		
					950.00		
00650 CAPE MAY COUNTY CLERK'S ASSN							
	09-00043	01/07/09	ANNUAL DUES CLERK & ASS'T CLK	Open	200.00	0.00	
00731 CAPE PORT MARINE*							
	09-00357	02/13/09	GLOVES FOR DPW	Open	672.00	0.00	
00733 CAPE POWER EQUIPMENT INC*							
	09-00410	02/20/09	TORO LAWN MOWER DECK	Open	1,578.73	0.00	
00784 CAPE MAY STAR & WAVE							
	09-00541	03/05/09	LEGALS	Open	550.56	0.00	
	09-00564	03/09/09	LEGALS	Open	53.94	0.00	
					-----		
					604.50		
00820 COMCAST OF WILDWOOD* DPW							
	09-00570	03/10/09	INTERNET PROVIDER-DPW	Open	95.24	0.00	
00825 COMCAST*							
	09-00561	03/09/09	MONTHLY INTERNET - TOWNHALL	Open	95.24	0.00	
00933 CAPE MAY CO.COURT ADMIN. ASSN.							
	09-00393	02/20/09	2009 MEMBERSHIP DUES	Open	200.00	0.00	
01014 CHARLES HEWITT & SONS*							
	09-00483	02/27/09	HOT WATER REPAIRS	Open	450.00	0.00	
01127 GAYLE CROOKSTON							
	09-00537	03/05/09	SHOE ALLOWANCE FOR 2009-DPW	Open	97.30	0.00	
01170 VERIZON WIRELESS* F/S							
	09-00559	03/09/09	CEL SVC-FIRE SFTY 1/27-2/26/09	Open	171.75	0.00	
01172 RANDY DULEY							
	09-00519	03/04/09	SHOE ALLOWANCE FOR 2009-DPW	Open	37.50	0.00	
01201 DELL CORPORATION*							
	09-00176	01/21/09	DELL 2130CN COLOR LASER PRINTE	Open	438.41	0.00	
01245 G & K SERVICES CO*							
	09-00212	01/28/09	MAINTENANCE STAFF UNIFORMS	Open	63.92	0.00	
	09-00481	02/26/09	UNIFORM RENTALS-DPW	Open	482.11	0.00	
					-----		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract
					546.03		
01256 SCOTT DOUGLASS (REF FEES)	09-00532	03/05/09	YOUTH BASKETBALL OFFICIAL	Open	256.00	0.00	
01267 EDWARD DONOHUE	09-00468	02/25/09	TRAINING REIMBURSEMENT	Open	60.00	0.00	
01389 EDDIE'S AUTO BODY*	09-00404	02/20/09	VEHICLE REPAIR / INSURANCE	Open	1,000.00	0.00	
01500 FEDEX	09-00594	03/11/09	LOWER TWP ACCT#1843-5961-8	Open	76.45	0.00	
01519 TOM FOLS ELECTRICALCONTRACTOR*	09-00324	02/09/09	SUPPLY AND INSTALL TIMER ON	Open	375.00	0.00	
01530 FIRE DISTRICT #1	09-00461	02/25/09	FIRE SERVICES - 2009	Open	95,442.04	0.00	
01540 FIRE DISTRICT #2	09-00463	02/25/09	FIRE SERVICE 2009	Open	342,640.00	0.00	
01550 FIRE DISTRICT #3	09-00462	02/25/09	FIRE SERVICE 2009	Open	137,376.36	0.00	
01598 FT DEARBORN LIFE*	09-00605	03/12/09	FEB/MARCH LIFE INSURANCE	Open	918.53	0.00	
01641 GALL'S INC*	08-03528	12/30/08	BATTERIES	Open	28.00	0.00	
	09-00239	01/30/09	NEW VEHICLE OUTFITTING	Open	40.00	0.00	
					68.00		
01661 GENERAL SALES ADMINISTRATION*	09-00238	01/30/09	NEW VEHICLE OUTFITTING	Open	900.00	0.00	
01690 GRANTURK EQUIPMENT CO*	09-00326	02/09/09	PARTS FOR SWEEPER-DPW	Open	636.41	0.00	
01728 BRADLEY-SCIOCCHETTI, INC*	09-00568	03/10/09	BRAIN OF BURNER REPLACED	Open	3,230.84	0.00	
	09-00577	03/10/09	RESET EMERGENCY SWITCH	Open	454.68	0.00	
					3,685.52		
01781 HATCH MOTT MACDONALD, LLC*	09-00419	02/20/09	CAPE MAY CANAL STORM DRAIN PIP	Open	135.00	0.00	
	09-00421	02/20/09	DOUGLASS PARK DRAINAGE (BENNET	Open	202.50	0.00	
	09-00484	02/27/09	START UP ENGINEER PROJECTS	Open	3,577.50	0.00	
	09-00549	03/09/09	ESCROW BILLING	Open	594.00	0.00	

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract
					4,509.00		
01806 ANTHONY J HARVATT, II, ESQ	09-00319	02/09/09	PROFESSIONAL SERVICE/ZONING BO	Open	600.00	0.00	
	09-00548	03/09/09	RESOLUTION FEES - ESCROW ACCTS	Open	600.00	0.00	
					-----		
					1,200.00		
01889 JOHN J HERMAN	09-00533	03/05/09	YOUTH BASKETBALL OFFICIAL	Open	332.00	0.00	
01966 INT'L ASSOC OF ARSON INVESTIG*	09-00303	02/04/09	2009 CHAPTER MEMBERSHIP RENEWA	Open	35.00	0.00	
01968 ITS MAILING SYSTEMS, INC*	09-00451	02/24/09	ANNUAL MAINT CONTRACT	Open	1,197.00	0.00	
02006 MEDIA PASSPORT*	09-00489	03/02/09	COMPUTER CONFIGURATION	Open	99.00	0.00	
02125 KDI*	08-03610	02/13/09	COPIER OVERAGE - 2008	Open	237.53	0.00	
02136 TED KINGSTON INC*	08-01858	07/01/08	DEC 08 COMMUNICATIONS MAINT.	Open	500.00	0.00	
02140 KINDLE FORD LINC/MERC., INC.*	09-00277	02/03/09	PARTS FOR DPS VEH.	Open	368.19	0.00	
02222 JANICE LASKEY	09-00482	02/27/09	CONTRACTUAL REIMBURSEMENT	Open	295.00	0.00	
	09-00490	03/02/09	WORK BOOTS PER UNION CONTRACT	Open	89.98	0.00	
					-----		
					384.98		
02247 LAWSON PRODUCTS, INC.*	09-00280	02/03/09	SUPPLIES FOR GARAGE/DPW	Open	1,134.09	0.00	
02320 LOWER TOWNSHIP BRD OF EDUCATN	09-00603	03/12/09	SCHOOL TAXES DUE 04/01/09	Open	1,436,986.30	0.00	
02417 MAGELLAN HILL TECHNOLOGIES*	09-00498	03/03/09	PHONE SERVICE	Open	2,704.14	0.00	
02677 KAREN F. WOLF	09-00491	03/02/09	CONTRACTUAL REIMBURSEMENT	Open	223.42	0.00	
02774 ROSE MOORE	09-00608	03/12/09	CONTRACTUAL REIMBURSEMENT	Open	285.00	0.00	
03001 STATE TOXICOLOGY LABORATORY*	09-00426	02/24/09	RANDOM DRUG TESTS	Open	600.00	0.00	

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract
03104 NORTHEAST IND.&MARINE SUPPLY*	09-00282	02/03/09	PARTS FOR RDS/RECY	Open	770.99	0.00	
03132 NEXTEL COMMUNICATIONS	09-00469	02/25/09	PHONES	Open	801.56	0.00	
	09-00510	03/03/09	1/25/09-2/24/09 ADMIN	Open	414.16	0.00	
	09-00542	03/05/09	CONSTRUCTION 1/25-2/24/09	Open	283.75	0.00	
	09-00580	03/10/09	CELL PHONE BILL- DPW	Open	614.23	0.00	
					-----		
					2,113.70		
03177 OCEAN CREST PRINTING*	09-00352	02/13/09	SEASONAL POOL PASSES	Open	195.00	0.00	
	09-00414	02/20/09	2009 YARD SALE PERMITS	Open	190.00	0.00	
					-----		
					385.00		
03226 OLD DOMINION BRUSH CO.*	09-00148	01/21/09	PARTS FOR LEAF VAC-DPW	Open	1,278.40	0.00	
03258 NANCE M. BERNARD	09-00346	02/13/09	TRANSCRIPT - SHARA BENTLEY	Open	45.37	0.00	
03280 PARAMOUNT SANITARY SUPPLY*	09-00487	02/27/09	CLEANING SUPPLIES	Open	200.48	0.00	
03284 STEPHEN H. PARKER(REF FEES)	09-00535	03/05/09	YOUTH BASKETBALL OFFICIAL	Open	508.00	0.00	
03305 PEDRONI FUEL*	09-00412	02/20/09	FUEL ANNEX BUILDING	Open	532.88	0.00	
	09-00466	02/25/09	FUEL OIL FOR REC.	Open	2,335.30	0.00	
	09-00520	03/04/09	NO LEAD GAS- DPW	Open	357.47	0.00	
	09-00539	03/05/09	PEDRONI	Open	341.55	0.00	
	09-00554	03/09/09	FUEL OIL FOR REC. CENTER	Open	899.52	0.00	
					-----		
					4,466.72		
03366 AMERI-GAS*	09-00473	02/25/09	PROPANE FOR CONCESSION STAND	Open	440.35	0.00	
	09-00556	03/09/09	PROPANE GAS FOR CONCESSION	Open	1,311.44	0.00	
					-----		
					1,751.79		
03387 POGUE INC. *	09-00480	02/26/09	2009 CONSORTIUM-DPW	Open	2,378.00	0.00	
03435 PUBLIC ENGINES INC*	09-00475	02/25/09	CRIME REPORTS.COM	Open	1,188.00	0.00	
03448 REMINGTON,VERNICK & WALBERG*	08-00530	02/22/08	ENGINEERING HVAC 67,800 DNE	Open	1,700.00	0.00	

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract
03478 RED THE UNIFORM TAILOR, INC.*	08-03286	12/03/08	UNIFORMS	Open	654.65	0.00	
03496 REGISTRARS ASSN OF NEW JERSEY	09-00523	03/04/09	2009 MEMBERSHIP	Open	50.00	0.00	
03518 RIGGINS, INC.*	09-00521	03/04/09	OFF-HIGHWAY DIESEL-DPW	Open	347.17	0.00	
03608 SEAWAVE CORPORATION*	09-00400	02/20/09	CLASSIFIED HELP WANTED AD	Open	81.76	0.00	
03654 SPECIALTY AUTO REPAIR*	09-00327	02/09/09	WHEEL ALIGNMENT FOR DPS-POLICE	Open	60.00	0.00	
03655 PENN JERSEY MACHINERY*	09-00353	02/13/09	PARTS FOR PAVER-DPW	Open	692.86	0.00	
	09-00432	02/24/09	PAVING MACHINE PARTS-DPW	Open	542.72	0.00	
					----- 1,235.58		
03659 SOUTH JERSEY WIPING CLOTH*	09-00433	02/24/09	RAGS FOR GARAGE-DPW	Open	360.00	0.00	
03734 STEWART INDUSTRIES, INC.*	09-00474	02/25/09	INK FOR DUPLICATOR	Open	159.20	0.00	
03799 LINDA THOMAS	09-00607	03/12/09	CONTRACTUAL REIMBURSEMENT	Open	240.00	0.00	
03810 MUNICIPAL UTIL AUTH USAGE COST	09-00602	03/12/09	SEWER CHARGES DUE 04/01/09	Open	1,423.15	0.00	
03814 UNIVERSAL COMPUTING SERV., INC*	09-00345	02/13/09	MAILERS	Open	336.45	0.00	
03820 MUNICIPAL UTIL. AUTH ON CALL	09-00429	02/24/09	ONE CALL MESSAGES-DPW	Open	47.45	0.00	
03935 STAPLES, OFFICE SUPERSTORE*	09-00248	02/02/09	SCANNERS (2) PLANNING	Open	669.98	0.00	
	09-00330	02/09/09	OFFICE SUPPLIES - TOWNHALL	Open	191.01	0.00	
	09-00389	02/19/09	OFFICE SUPPLIES	Open	140.27	0.00	
	09-00423	02/23/09	OFFICE SUPPLIES PENS/CUPS	Open	114.21	0.00	
					----- 1,115.47		
03969 VERIZON	09-00526	03/04/09	PHONE SERVICE	Open	165.58	0.00	
03971 VERIZON WIRELESS	09-00544	03/05/09	MDT	Open	534.19	0.00	

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract
03992 VAL-U AUTO PARTS LLC*	09-00273	02/03/09	PARTS FOR RDS/SANT/RECY/DPW	Open	2,606.07	0.00	
04012 XPRESS ELECTRONIC SERVICES*	09-00543	03/05/09	EQUIPMENT MAINT	Open	82.50	0.00	
	09-00574	03/10/09	REPAIR PRINTER - FINANCE OFF	Open	85.00	0.00	
					----- 167.50		
04030 WEST PUBLISHING PAYMENT *	09-00589	03/10/09	ANNUAL UPDATES	Open	274.00	0.00	
04059 THOMAS WILL	09-00606	03/12/09	CONTRACTUAL REIMBURSEMENTS	Open	250.00	0.00	
04066 VILLAS CAR WASH*	09-00472	02/25/09	CAR WASH 2009	Open	300.00	0.00	
04075 BARBER CONSULTING SERVICES LLC	09-00289	02/04/09	WEB HOSTING 2/09-12/31/09	Open	1,100.00	0.00	
04082 USA MOBILITY WIRELESS INC*	09-00430	02/24/09	PAGER BILL-DPW	Open	8.30	0.00	
04097 CINTAS FIRST AID AND SAFETY*	09-00354	02/13/09	FIRST-AID KIT SUPPLIES-DPW	Open	158.81	0.00	
04266 NJ DEPT OF HEALTH&SENIOR SVCS	09-00497	03/03/09	STATE DOG LIC FEE FEB,2009	Open	500.40	0.00	
BIRCH BIRCH'S COMMUNICATIONS LLC*	08-03593	01/13/09	BATTERY FOR PORTABLE RADIO	Open	68.00	0.00	
BLAUE BLAUER ASSOCIATES INC*	09-00552	03/09/09	DCA 2008 PUBLIC FACILITIES	Open	150.00	0.00	
BOSNA KAREN MANETTE BOSNA	09-00595	03/11/09	INSTRUCTOR - YOGA CLASS	Open	719.00	0.00	
BROWNK KATHY BROWN	09-00540	03/05/09	REFUND KUKUWA DANCE	Open	32.00	0.00	
BURK JANE BURK	09-00551	03/09/09	REFUND KUKUWA DANCE	Open	32.00	0.00	
CLARKS CLARK'S AUTO & TOWING, LLC	09-00351	02/13/09	TOWING OF TRASH TRUCK-DPW	Open	200.00	0.00	
FBINA FBINAA NJ CHAPTER*	08-03308	12/04/08	MEETING/DONOHUE/MASTRIANA	Open	130.00	0.00	
FREEMAN KEVIN FREEMAN	09-00470	02/25/09	BACKGROUND INVESTIGATION FOR	Open	26.25	0.00	

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract
HOBERJ JAIME HOBER	09-00591	03/11/09	SPAY/NEUTER PROGRAM	Open	35.00	0.00	
HUGHES STACY M HUGHES	09-00596	03/11/09	REFUND FOR SOCCER	Open	30.00	0.00	
RUPINSK CASIMIR & MARYJANE RUPINSKI	09-00512	03/04/09	RETURN UNUSED ESCROW	Open	50.00	0.00	
SANTA DENISE SANTAGATA	09-00562	03/09/09	REFUND KUKUWA DANCE	Open	32.00	0.00	
TRUCLOSE TRUCLOSE FINANCIAL SERVICES	09-00566	03/10/09	REFUND 1ST QTR 2009 TAX	Open	754.64	0.00	
Total Purchase Orders: 134				Total P.O. Line Items: 290	Total List Amount: 2,113,720.27	Total Void Amount: 0.00	

Motion: *Douglass*  
Second: *Conrad*

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Conrad	X			
Mazurek	Y			
Douglass	Y			
Lare	Y			
Beck	Y			

Approved: *March 10, 2009*  
*Cynthia R. Kononen*

**MUNICIPAL BUDGET NOTICE**  
RESOLUTION #2009-94

**Section 1.**

Municipal Budget of the TOWNSHIP of LOWER County of CAPE MAY for the Fiscal Year 2009

Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2009:

Be it Further Resolved, that said Budget be published in the CAPE MAY STAR AND WAVE

in the issue of APRIL 2ND, 2009

The Governing Body of the TOWNSHIP of LOWER does hereby approve the following as the Budget for the year 2009:

**RECORDED VOTE**

(insert last name)

Ayes	Nays	Abstained	Absent
<p>Conrad MAZURK Dovsjans LARE Beck</p>			

Notice is hereby given that the Budget and Tax Resolution was approved by the TOWNSHIP COUNCIL of the TOWNSHIP

of LOWER County of CAPE MAY, on MARCH 16TH, 2009, at 7:00 o'clock (A.M.) (P.M.) at which time and place objections to said Budget and Tax Resolution for the year 2009 may be presented by taxpayers or other interested persons.

A Hearing on the Budget and Tax Resolution will be held at TOWNSHIP HALL MUNICIPAL BUILDING, on APRIL 20TH, 2009 at

*Claudia R. Kammer*  
Claudia K. Kammer, Township Clerk

Resol  
Lippie

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

RESOLUTION #2009-95

**TITLE: RESOLUTION REVISING TERMS AND APPOINTMENTS OF CERTAIN ZONING BOARD ALTERNATE MEMBERS**

WHEREAS, Steve Komar was recently appointed to fill the Alternate 3 Member position formerly held by John Morrison, and

WHEREAS, Kristine Trusiak has been serving as the Alternate 4 member since 2007, and

WHEREAS, it is customary to advance members based on seniority and the Zoning Board Chairman has asked that in accordance with that past practice that Ms. Trusiak be moved to the Alternate 3 position recently filled by Steve Komar and that Mr. Komar be moved to the Alternate 4 position, and

WHEREAS, Council has no objection to the request.

NOW, THEREFORE, BE IT RESOLVED the terms and status of the following Zoning Board Alternates shall be as follows:

Name	Position	Term Expiration
Kristine Trusiak	Alternate 3 Member	December 31, 2010
Steve Komar	Alternate 4 Member	June 30, 2009

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on March 16, 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					

Resort

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

RESOLUTION #2009-96

TITLE: Authorizing Pay Out of Terminal Leave

WHEREAS, the employees listed below have resigned from the Township and are entitled to payment for accumulated vacation, sick and compensatory and personal 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 has been provided for in the Reserve for Accumulated Absences for all amounts due.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that payment due to Joseph Jackson in the amount of \$ 2708.60 is authorized and chargeable to the 2009 Reserve for Accumulated Absences.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on March 16, 2009.

  
Claudia R. Kammer, Township Clerk

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

Resol  
Police  
Applicants

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

**RESOLUTION #2009-97**

**TITLE; ISSUANCE OF LIMOUSINE, TAXI AND OPERATOR'S LICENSES TO HIGH ROLLER LIMOUSINE, INC., AART'S TRANSPORTATION AND AA PLUS CAB, LLC.**

WHEREAS, an applications have been submitted by High Roller Limousine, Inc., Aart's Transportation and AA plus Cab, LLC. pursuant to Ord. #2000-4 for Taxi, Limo and Operator Licenses, and

WHEREAS, the applicants 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.

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

High Roller Limousine

<u>License Type</u>	<u>Description</u>
Limousine	2000 Dodge Caravan, Vin# 1B4GP44GOYB806796
Limousine	1994 Dodge Caravan, Vin# 1B4GH44R3RX213193
Limousine	1997 Plymouth Grande Voyager, Vin# 1P46P44ROVB425333
Operator	Joseph Pallotta

Aart's Transportation Service

<u>License Type</u>	<u>Description</u>
Taxi	2002 Chrysler Van, Vin# 2C4GP4L32R551037
Taxi	2001 Dodge Caravan, Vin# 2B8GP44G1R106832
Taxi	1997 Dodge Caravan, Vin# 1B4GP54LOVB225054
Limousine	1997 Mercury Marquis, Vin# 2MELM74W2VX626603
Operator	Arthur W. Wolf
Operator	Karen F. Wolf
Operator	William J. Garner
Operator	Ernest m. Jones 4 <sup>th</sup>
Operator	Thomas J. Fontannaz

AA Plus Cab, LLC.

<u>License Type</u>	<u>Description</u>
Taxi	1994 Ford Aerostar, Vin# 1FMCA11UXRZB27134
Operator	Barry Felice

**RESOLUTION #2009-97**

**ISSUANCE OF LIMOUSINE, TAXI AND OPERATOR'S LICENSES TO HIGH ROLLER LIMOUSINE, INC., AART'S TRANSPORTATION AND AA PLUS CAB, LLC. (Continued)**

Ocean Cab Company

<u>License Type</u>	<u>Description</u>
Taxi	1995 Ford Windstar, Vin# 2FMDA5147SBB15639
Operator	Irma Guy

BE IT FURTHER RESOLVED, all licenses shall expire on December 31, 2009.

I hereby certify the foregoing to be a resolution adopted by the Township Council on March 16, 2009.

  
\_\_\_\_\_  
Claudia R. Kammer, Township Clerk

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

Resolution #2009-97

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

RESOLUTION #2009-98

TITLE: AUTHORIZATION FOR REFUND OF TAXES

WHEREAS, the Township Tax Collector has certified an overpayment due to the mortgage company making a double payment: and

WHEREAS, the mortgage company has requested a refund.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the CFO/Treasurer be and the same is authorized and directed to refund the overpayment according to the Tax Collector's certification on file with the CFO/Treasurer.

<u>Block</u>	<u>Lot</u>	<u>Refund To</u>	<u>Tax</u>
349.10	4.02	Truclose Financial Services	754.64

I hereby certify the foregoing to be a resolution adopted by the governing body at a meeting held on March 16, 2009.

  
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 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 #2009-99

Resol.  
Eng.

**TITLE: RESOLUTION APPROVING PROJECT PROPOSAL BETWEEN HATCH MOTT MACDONALD AND THE TOWNSHIP OF LOWER FOR ENGINEERING SERVICES RELATED TO CAPE MAY CANAL (BAYSHORE ROAD) OUTFALL REPLACEMENT**

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

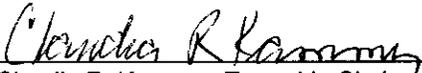
WHEREAS, the Engineer has provided a separate fee proposal for engineering services related to the Cape May Canal (Bayshore Road) Outfall Replacement which is set forth on EXHIBIT A attached hereto (the "Project Proposal"); and

WHEREAS, the Township Council desires to approve the Project Proposal.

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

1. The Project Proposal between Hatch Mott MacDonald and the Township of Lower, in the form attached hereto as EXHIBIT A, for a total amount of \$11,200 is hereby approved.
2. That the Mayor and Clerk are hereby authorized and directed to execute the Project Proposal on behalf of the Township of Lower, and to take any and all other actions necessary to effectuate the purposes thereof.
3. All of the terms and conditions of the Engineer's Contract except for the specific terms and conditions of the Project Proposal shall continue in full force and effect and the Project Proposal shall be deemed a supplement thereto.

I hereby certify the foregoing to be an original resolution adopted by the Township Council of the Township of Lower at a meeting held on March 16, 2009.

  
Claudia R. Kammer, Township Clerk

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



Hatch Mott  
MacDonald

833 Route 9 North  
PO Box 373  
Cape May Court House, NJ 08210-0373  
T 609.465.9377 www.hatchmott.com

March 10, 2009  
Via email: kmcpherson@townshipoflower.org

Ms. Kathleen McPherson, Township Manager  
Township of Lower  
2600 Bayshore Road  
Villas, NJ 08251

**RE: Cape May Canal (Bayshore Road) Outfall Replacement  
Engineering & Permitting Proposal  
Township of Lower, Cape May County, New Jersey**

Dear Ms. McPherson:

Please find enclosed herewith our proposal to complete the professional engineering services required to repair and replace a section of the existing 48-inch corrugated metal storm sewer outfall pipe located at the end of Bayshore Road and the Cape May Canal.

As you are aware, the existing storm sewer outfall located at the above location is in need of repair. As indicated by an Army Corps of Engineers letter dated December 4, 2008 and our subsequent inspection of the pipe, it appears that an approximate 40-foot section of the pipe is missing from the crib structure. By reference to the Department of the Army Easement, No. DACW-61-2-69-82 the Township is responsible to operate and maintain the outfall pipe.

We have contacted the NJDEP regarding permitting for the needed repairs and were informed that a Waterfront Development permit is required prior to commencement of the necessary repair work within the canal. The proposed work is authorized under a Department of the Army Nationwide Permit 3 for maintenance with no application necessary.

In accordance with N.J.S.A. 40A:11-3, the Township may award a contract by a qualified purchasing agent when so authorized by ordinance or resolution of the governing body without public advertising of bids when the contract award does not exceed a bid threshold of \$29,000. Based on the proposed improvements anticipated for this project, we estimate that the contract should fall under the above threshold. Therefore we recommend the Township solicit quotes from local contractors who specialize in the work required for this project.

HMM proposes the following scope of services to design and permit the pipe replacement project:



<b>Task 1</b>	<b>Outfall Replacement Design</b>
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The following outlines our proposed scope of services for work included under Task 1 for the project:

- HMM will complete a permit plan, details and assemble the necessary information for the repair of the storm sewer outfall;
- HMM will assemble the necessary plan, photographs and materials required for the solicitation of quotes from four (4) local contractors to complete the construction of the pipe replacement;

We propose to complete the scope of work outlined above in **Task 1** for the lump sum amount of **\$3,300**.

<b>Task 2</b>	<b>NJDEP Waterfront Development Permit Application</b>
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Under the NJDEP Coastal Permit Program Rules N.J.A.C. 7:7-2.3(a)2, a Waterfront Development permit shall be required for any activities in any tidal waterway up to and including the mean high water line. Review of project concept plans indicates that this project meets the above criteria, therefore a Waterfront Development permit will be required.

The following outlines our proposed scope of services for work included under Task 2 for the project:

- Research existing site conditions to obtain necessary information in support of the preparation of a Waterfront Development permit application to the NJDEP;
- Assemble documents and prepare materials required for the preparation of a Coastal Zone Management (CZM) rules Compliance Statement and Waterfront Development application submission;
- Request a certified Adjoining Property Owners list from the municipality and prepare public notifications to governmental agencies, newspaper and adjacent property owners as required;
- Communication, coordination and review of information to be submitted to the NJDEP with Township representatives;
- Monitor and respond to NJDEP information requests to deem application complete for final review and review of permit and conditions with the Township.

We propose to complete the scope of work outlined above in **Task 2** for the lump sum amount of **\$7,900**.



Hatch Mott  
MacDonald

FEE SUMMARY			
<u>Scope Of Work</u>	<u>Description</u>	<u>Payment Method</u>	<u>Cost</u>
Task 1	Outfall Replacement Design	<b>Lump Sum</b>	<b>\$3,300</b>
Task 2	NJDEP Waterfront Development Permit Application	<b>Lump Sum</b>	<b>\$7,900</b>
<b>TOTAL</b>			<b>\$11,200</b>

Compensation for this project shall be on a lump sum basis and the Township shall be invoiced on a percent complete basis. We thank you for the opportunity to provide this Scope of Work for the Cape May Canal Outfall Replacement project. Should you have any questions regarding the above information or should you wish to discuss this proposal in more detail, please do not hesitate to contact this office.

Very truly yours,  
Hatch Mott MacDonald

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

Steven C. Morey  
Senior Project Manager  
T609.465.9377 F 609.465.5270  
steven.morey@hatchmott.com

cc: Robert C. Mainberger, PE, CME, Hatch Mott MacDonald  
File: 255139CM10-III-3

Resol

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

RESOLUTION NO. 2009-100

TITLE: RESOLUTION APPOINTING KATHLEEN MCPHERSON AS TOWNSHIP MANAGER

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

WHEREAS, Kathleen McPherson has been serving as the Interim Township Manager pursuant to Resolution #2009-30 adopted by the Township Council on January 15, 2009; and

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. Kathleen McPherson is hereby appointed as the Township Manager for the Township of Lower pursuant to N.J.S.A. 40:69A-93 and shall perform all of the duties and responsibilities as required by the Township Manager pursuant to N.J.S.A. 40:69A-81 et seq., together with the Lower Township Administrative Code as may be amended from time to time.

2. In addition to all compensation presently received by the Township Manager under any titles currently or professionally held, the Township Manager shall also receive an initial stipend for performing the duties of Township Manager in the amount of \$25,000.00 per annum, as may be adjusted subject to periodic increases as may be provided to the Township's other non-union employees.

I hereby certify the foregoing to be an original Resolution adopted by the Township Council at a meeting held on March 16, 2009.

Claudia R Kammer
Claudia R. Kammer, Township Clerk

Table with 6 columns (CONRAD, MAZUREK, DOUGLASS, LARE, BECK) and 6 rows (MOTION, SECOND, AYE, NAY, ABSTAIN, ABSENT). AYE row has X marks in all columns.

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

RESOLUTION # 2009-101

Resol

**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.

\_\_\_\_\_ (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 March 16, 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 March 16, 2009.

  
 Claudia R. Kammer, Township Clerk

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