RESOLUTIONS ADOPTED APRIL 20, 2009

Res. #2009-116,	Payment of Vouchers, $1,677,858.01
Res. #2009-117,	Resolution for Self-Examination of the Budget (Permits the CFO & Auditor to review & exam budget items)
Res. #2009-118,	Resolution Authorizing the Mayor and Clerk to Execute a Deed of Easement Between the Cape May Beach Property Owner's Association, Inc and the Township of Lower (Block 533.02 Lot 1.10 for outfall repair work)
Res. #2009-119,	Click It or Ticket 2009 Mobilization
Res. #2009-120,	Resolution Supporting Participation in the Sustainable Jersey Municipal Certification Program
Res. #2009-121,	Authorization for Villas Fire Company to Conduct Outdoor Flea Markets in 2009
Res. #2009-122,	Approval for Pyrotecnico Fireworks to Load and Unload a Fireworks Barge in Lower Township
Res. #2009-123,	Renewal of 2009 Campground Licenses (Annual renewal of 6 Campgrounds)
Res. #2009-124,	Approving the Application of Animal Alliance Cape May County to Conduct a Flea Market on May 9, 2009
Res. #2009-125,	Authorizing Pay Out of Terminal Leave (balance of time due G. Slobodjian - retired)
Res. #2009-128,	Adoption of Amendment and Amended Budget
Res. #2009-129,	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." (Contract Negotiations & Attorney Client Privilege)

*Res. #2009-127 Recreations fees was removed from agenda - No action was taken

P.O. Type: All Include Project Line Items: Yes Open: N Rcvd: Y Paid: N
Range: First to Last Held: Y Aprv: N Void: N
Format: Condensed Bid: Y State: Y Other: Y

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract
00032 ANIMAL CARE EQUIPMENT/SERVICE*						
09-00681	03/23/09	CAT DOMAIN	Open	211.07	0.00	
00047 ALLEN'S OIL & PROPANE*						
09-00807	04/06/09	PROPANE GAS FOR CLUBHOUSE	Open	262.55	0.00	
00055 LARRY AKINS						
09-00864	04/15/09	CONTRACTUAL REIMBURSEMENTS	Open	315.00	0.00	
00110 ANCO HOME CENTER*						
09-00406	02/20/09	MISC. SUPPLIES REC. MARCH 09	Open	256.37	0.00	
09-00584	03/10/09	SUPPLIES FOR SIGNS/BLDG/GARAGE	Open	326.77	0.00	
09-00703	03/25/09	MARKER FIELD WHITE	Open	174.75	0.00	
				757.89		
00123 HASLER MAILING SYST.,INC*						
09-00524	03/04/09	METER RENTAL 1/1/09-03/31/09	Open	444.00	0.00	
00153 ATLANTIC CITY ELECTRIC*						
09-00810	04/06/09	STREET LIGHTS - MARCH, 2009	Open	23,943.34	0.00	
00154 ATLANTIC CITY ELEC SPEC BILL						
09-00569	03/10/09	STREETLIGHT FOR BREAKWATER RD	Open	653.62	0.00	
00180 AUTO PARTS CO, INC*						
09-00407	02/20/09	MISC. SUPPLIES REC. MARCH 09	Open	57.61	0.00	
09-00582	03/10/09	PARTS FOR RDS/SANT/RECYC/DPW	Open	2,369.39	0.00	
				2,427.00		
00301 BELMONT AND CRYSTAL SPRINGS*						
09-00842	04/13/09	BOTTLED WATER - TOWNHALL	Open	42.41	0.00	
09-00857	04/15/09	BOTTLED WATER - COURT	Open	4.95	0.00	
09-00860	04/15/09	BOTTLED WATER FOR REC. CENTER	Open	32.32	0.00	
				79.68		
00323 JOHN BEERS						
09-00787	04/03/09	CONTRACTUAL REIMBURSEMENTS	Open	45.00	0.00	
00348 BENNETT BATTERIES, LLC*						
09-00665	03/18/09	BATTERIES FOR DPS/DPW VEH.	Open	404.60	0.00	
00365 BLUE STAR*						
09-00705	03/25/09	1 CASE OF FAST ACTION ACTIVE	Open	248.00	0.00	
00367 APM BLAST PEST CONTROL*						

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract
09-00733	03/31/09	TERMITE TREATMENT - RESCUE	Open	775.00	0.00	
00611 COUNTY OF CAPE MAY						
09-00814	04/08/09	MARCH, 2009 FUEL	Open	13,358.00	0.00	
00616 ANIMAL ALLIANCE OF CAPE						
09-00819	04/08/09	TNR AND SPAY/NEUTER PROGRAM	Open	260.00	0.00	
09-00853	04/13/09	TNR AND SPAY/NEUTER PROGRAM	Open	290.00	0.00	
				550.00		
00651 MUNICIPAL UTIL AUTH DUMP FEES						
09-00849	04/13/09	TIPPING FEES/DPW/MARCH/09	Open	59,220.49	0.00	
00733 CAPE POWER EQUIPMENT INC*						
09-00408	02/20/09	MISC. SUPPLIES REC. MARCH 09	Open	414.71	0.00	
00739 CAPE MAY VETERINARY HOSPITAL						
09-00801	04/06/09	2009 RABIE CLINIC 4/04/09	Open	125.00	0.00	
00772 CAPE VETERINARY HOSPITAL						
09-00826	04/08/09	STRAY SPAY/NEUTER PROGRAM	Open	228.00	0.00	
00784 CAPE MAY STAR & WAVE						
09-00772	04/02/09	LEGALS	Open	45.88	0.00	
09-00880	04/16/09	LEGALS	Open	172.05	0.00	
				217.93		
00807 CDW-GOVERNMENT INC*						
09-00679	03/23/09	INK	Open	259.00	0.00	
00825 COMCAST*						
09-00844	04/13/09	INTERNET ACCESS - TOWNHALL	Open	95.24	0.00	
00870 CHURCH'S GARDEN CENTER AND*						
09-00702	03/25/09	(2) TREES-REPLACE DAMAGED ONES	Open	287.10	0.00	
01118 DAYCARE CLEANING SERVICE*						
09-00785	04/03/09	APRIL, 2009 CLEANING SERVICE	Open	2,279.17	0.00	
01122 CVR COMPUTER SUPPLIES*						
09-00678	03/23/09	INK	Open	884.00	0.00	
01170 VERIZON WIRELESS* F/S						
09-00800	04/06/09	CELL SERVICE - FIRE SAFETY	Open	171.52	0.00	
01236 ROCCO DENOTE						
09-00865	04/15/09	CONTRACTUAL REIMBURSEMENTS	Open	166.00	0.00	
01245 G & K SERVICES CO*						
09-00409	02/20/09	MAINTENANCE STAFF UNIFORMS	Open	85.12	0.00	

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract
01460 EXECUTIVE BUSINESS PRODUCTS*						
09-00604	03/12/09	PROJECTION SCREEN	Open	421.90	0.00	
09-00714	03/27/09	ESS-1602121512 12 COLUMN BOOKS	Open	33.96	0.00	
				455.86		
01519 TOM FOLS ELECTRICALCONTRACTOR*						
09-00704	03/25/09	WORK AT BENNETT'S CROSSING	Open	325.00	0.00	
01590 FORD, SCOTT, SEIDENBURG,ET AL*						
09-00796	04/03/09	PROF SVCS-08 AUDIT / 09 BUDGET	Open	5,500.00	0.00	
09-00797	04/03/09	PROF SVCS - BOND SALE COSTS	Open	11,300.00	0.00	
				16,800.00		
01602 THOMSON WEST*						
09-00655	03/18/09	DISCIPLINARY BULLETIN	Open	305.00	0.00	
01641 GALL'S INC*						
09-00397	02/20/09	NEW DURANGO OUTFITTING	Open	200.00	0.00	
01660 GENERAL SPRING SERVICE*						
09-00671	03/23/09	PARTS FOR TRUCK 34 - DPW	Open	3,117.98	0.00	
01690 GRANTURK EQUIPMENT CO*						
09-00658	03/18/09	PARTS FOR SWEEPER-DPW	Open	665.50	0.00	
01703 HARBOR SALES COMPANY*						
09-00403	02/20/09	VINAL APP TAPE	Open	536.85	0.00	
01768 ROBERT HARTMAN JR						
09-00877	04/16/09	CONTRACTUAL REIMBURSEMENTS	Open	272.00	0.00	
01781 HATCH MOTT MACDONALD, LLC*						
09-00817	04/08/09	ESCROW BILLING	Open	540.00	0.00	
01806 ANTHONY J HARVATT, II, ESQ						
09-00319	02/09/09	PROFESSIONAL SERVICE/ZONING BO	Open	300.00	0.00	
09-00719	03/27/09	CONFLICT PUB DEF 3/17/09	Open	200.00	0.00	
09-00767	04/01/09	CONFLICT PUB DEF 3/21/09	Open	200.00	0.00	
09-00818	04/08/09	ESCROW RESOLUTIONS	Open	450.00	0.00	
				1,150.00		
01814 DARRIN & SHARON HICKOK						
09-00773	04/03/09	SOCCER REFUND FOR VOLUNTEER	Open	15.00	0.00	
02006 MEDIA PASSPORT*						
09-00802	04/06/09	COMPUTER MAINT. CONTRACT	Open	4,560.00	0.00	
02035 MEDIA IN MOTION, INC*						
09-00425	02/24/09	LAMINATE POLICE TRIANGLES	Open	64.00	0.00	

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract
02108 KEEN COMPRESSED GAS CO*						
09-00131	01/16/09	BOTTLED GAS FOR GARAGE/DPW	Open	344.67	0.00	
02134 THOMAS KEYWOOD						
09-00852	04/13/09	MEAL REIMBURSEMENT3/18&3/19/09	Open	12.75	0.00	
02140 KINDLE FORD LINC/MERC., INC.*						
09-00667	03/18/09	PARTS FOR DPS VEHICLES	Open	102.62	0.00	
02175 BRUCE KLAUSING						
09-00863	04/15/09	CONTRACTUAL REIMBURSEMENTS	Open	130.00	0.00	
02236 NIGP MEMBERSHIP DEPT*						
09-00619	03/16/09	2009 NIGP VITELLI/PICARD	Open	330.00	0.00	
02247 LAWSON PRODUCTS, INC.*						
09-00585	03/10/09	SUPPLIES FOR GARAGE/DPW	Open	1,210.22	0.00	
02320 LOWER TOWNSHIP BRD OF EDUCATN						
09-00879	04/16/09	SCHOOL TAX DUE 5/01/09	Open	1,436,986.30	0.00	
02417 MAGELLAN HILL TECHNOLOGIES*						
09-00799	04/06/09	PHONE SERVICE	Open	2,897.02	0.00	
02473 FRANCIS P. MAJANE						
09-00866	04/15/09	CONTRACTUAL REIMBURSEMENTS	Open	369.00	0.00	
02517 BRIAN MARKER						
09-00851	04/13/09	MEAL REIMBURSEMENT	Open	16.81	0.00	
02521 JOSEPH MARKER						
09-00783	04/03/09	2009 OVER 65 MEDICAL FUND	Open	1,944.00	0.00	
02537 MARSHA MARTIN						
09-00768	04/01/09	SPANISH INTERPRETER 3/21/09	Open	150.00	0.00	
02541 ROBERT D. MARTIN, JR						
09-00782	04/03/09	CONTRACTUAL REIMBURSEMENTS	Open	10.00	0.00	
02658 McELWEE & QUINN, LLC*						
09-00717	03/27/09	PRINTING SVCS FOR BOND SALE	Open	1,798.00	0.00	
02715 MODERN HANDLING EQUIP CO*						
09-00803	04/06/09	GENERATOR MAINT. CONTRACT	Open	1,942.50	0.00	
03104 NORTHEAST IND.&MARINE SUPPLY*						
09-00664	03/18/09	PARTS FOR RDS/SANT/RECY/DPW	Open	366.26	0.00	
03158 NYSCA*						
09-00740	03/31/09	CONTINUING MEMBERSHIPS	Open	200.00	0.00	
03177 OCEAN CREST PRINTING*						
09-00494	03/03/09	FORMS	Open	449.00	0.00	

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract
09-00651	03/18/09	BAYRUN APPLICATIONS	Open	429.00	0.00	
				878.00		
03178 OCEANPORT INDUSTRIES INC*						
09-00613	03/12/09	ROAD SALT-DPW	Open	7,015.98	0.00	
03279 PARDO'S TRUCK PARTS WHSE*						
09-00275	02/03/09	PARTS FOR RDS/SANT/RECY/DPW	Open	239.68	0.00	
03305 PEDRONI FUEL*						
09-00789	04/03/09	FUEL OIL FOR MILLMAN CENTER	Open	422.67	0.00	
09-00861	04/15/09	FUEL OIL FOR REC. CENTER	Open	2,119.69	0.00	
				2,542.36		
03347 DAVID PERRY						
09-00823	04/08/09	SPAY/NEUTER PROGRAM	Open	35.00	0.00	
03356 BARBARA PETRUCCELLI						
09-00784	04/03/09	OVER 65 MEDICAL SUPP	Open	129.70	0.00	
03366 AMERI-GAS*						
09-00858	04/15/09	PROPANE FOR CONCESSION STAND	Open	622.51	0.00	
03448 REMINGTON,VERNICK & WALBERG*						
08-00530	02/22/08	ENGINEERING HVAC 67,800 DNE	Open	2,550.00	0.00	
03537 RUTGERS, THE STATE UNIVERSITY*						
09-00460	02/25/09	2007 NJ LEGISLATIVE DISTRICT	Open	128.00	0.00	
03608 SEAWAVE CORPORATION*						
09-00786	04/03/09	HELP WANTED AD 3/25/09	Open	250.66	0.00	
03620 SHARE CORP*						
09-00656	03/18/09	SUPPLIES FOR GARAGE-DPW	Open	947.13	0.00	
03663 SOUTH JERSEY AUTO SUPPLY*						
09-00666	03/18/09	PARTS FOR DPS/POLICE VEH.	Open	41.53	0.00	
03803 TONY'S MARINE SUPPLY*						
09-00684	03/23/09	SUPPLIES FOR SIGN DEPT/DPW	Open	251.00	0.00	
03820 MUNICIPAL UTIIL. AUTH ON CALL						
09-00685	03/23/09	ONE CALL MESSAGES-DPW	Open	42.35	0.00	
03863 TREASURER, STATE OF NEW JERSEY						
09-00820	04/08/09	SATATE SURCHARGE JAN-MARCH,09	Open	3,013.00	0.00	
03917 STATE OF NJ DEPT OF CHILD/FAML						
09-00816	04/08/09	QRTLY MARRIAGE LIC-CORRECTION	Open	25.00	0.00	
03923 STANDARD AND POOR'S						

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract
09-00710	03/25/09	RATING SERVICES FOR BOND SALE	Open	9,500.00	0.00	
03932 REEL FIRE PROTECTION*						
09-00120	01/16/09	2009 FIRE EXTINGUISHERS CERT	Open	1,470.07	0.00	
03953 VESPIA TIRE CENTERS, INC.*						
09-00587	03/10/09	TIRES FOR DPS-POLICE	Open	550.48	0.00	
03969 VERIZON						
09-00843	04/13/09	201 Z433-6305 ANALOG	Open	78.31	0.00	
03971 VERIZON WIRELESS						
09-00778	04/03/09	MDT WIRELESS	Open	777.51	0.00	
03975 VERIZON CABS T-1*						
09-00791	04/03/09	VERIZON T-1	Open	774.30	0.00	
03992 VAL-U AUTO PARTS LLC*						
09-00586	03/10/09	PARTS FOR RDS/SANT/RECY/DPW	Open	2,422.21	0.00	
03994 MARGARET VITELLI						
09-00878	04/16/09	REIMB - ENERGY SVGS RESOURCES	Open	206.55	0.00	
04076 ASSOC OF NEW JERSEY RECYCLERS*						
09-00618	03/13/09	RECYCLING REALITY WORKSHOP	Open	75.00	0.00	
04077 RONALD J. GELZUNAS						
09-00728	03/27/09	SUB. PRESECUTOR 3/20/09	Open	440.00	0.00	
04263 GRANTSTREET GROUP*						
09-00741	03/31/09	BOND SALE COSTS	Open	1,750.00	0.00	
04266 NJ DEPT OF HEALTH&SENIOR SVCS						
09-00771	04/02/09	STATE DOG LIC FEES MARCH, 2009	Open	348.00	0.00	
AMPM A.M./P.M. SERVICES						
09-00435	02/24/09	CEU'S FOR CPWM-DPW	Open	198.00	0.00	
BLAUE BLAUER ASSOCIATES INC*						
09-00848	04/13/09	2008 SMALL CITIES ADA TWP BLDG	Open	150.00	0.00	
COOKW WILLIAM COOK						
09-00774	04/03/09	SOCCER REFUND FOR VOLUNTEER	Open	15.00	0.00	
HICKSC CURTIS HICKS						
09-00876	04/16/09	BACKGROUND INVESTIGATION FOR	Open	26.25	0.00	
JANCHUK MELISSA JANCHUK						
09-00790	04/03/09	SOCCER REFUND FOR VOLUNTEER	Open	15.00	0.00	
MOTTCA MOTCTA						
09-00660	03/18/09	TCTA SEMINAR 4/3/09	Open	30.00	0.00	

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract
SALINSKY NICOLE & SCOTT SALINSKY						
09-00788	04/03/09	SOCCER REFUND FOR VOLUNTEER	Open	15.00	0.00	
SMITHS SHEILA D SMITH						
09-00862	04/15/09	MILEAGE/LUNCH REIMBURSEMENT	Open	169.26	0.00	
VENTURIN DENISE VENTURINI						
09-00859	04/15/09	SOCCER REFUND FOR	Open	15.00	0.00	

Total Purchase Orders: 110 Total P.O. Line Items: 263 Total List Amount: 1,624,463.21 Total Void Amount: 0.00

Lower Township
Bill List
04/20/09

Vendor	PO #	Description	Check #	Check Date	Amount
Kindle Ford	08-02521	2 Patrol Vehicles	39483	04/13/09	$ 53,394.80
	Total Manual Checks				$ 53,394.80
	Total brought forward from computer generated bill list				$ 1,624,463.21
	TOTAL BILL LIST				**$ 1,677,858.01**

I certify the foregoing to be a Resolution adopted by the Township Council on April 20, 2009.

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

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

DLG
CFO

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

RESOLUTION #2009-117

TITLE: RESOLUTION FOR SELF-EXAMINATION OF BUDGET

WHEREAS, N.J.S.A. 40A: 4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Lower has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2009 budget year, so now therefore

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Lower that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officers certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

    a. Payment of interest and debt redemption charges
    b. Deferred charges and statutory expenditures
    c. Cash deficit of preceding year
    d. Reserve for uncollected taxes
    e. Other reserves and non-disbursement items
    f. Any inclusions of amounts required for school purposes

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A: 4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A.40A: 4-45.3 et seq. are fully met (Complies with the "CAP" law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

    a. All estimates of revenue are reasonable, accurate, and correctly stated,
    b. Items of appropriation are properly set forth
    c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.

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

RESOLUTION #2007-117

Title: Resolution for Self-Examination of Budget (continued)

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A: 4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the Director of the Division of Local Government Services upon adoption.

I hereby certify the foregoing to be a resolution adopted by the Township Council on April 20, 2009.

Claudia R. Kammer

Claudia R. Kammer, RMC, Township Clerk

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

CMBPOA
S. MORRY

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

RESOLUTION #2009-118

TITLE: RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A DEED OF EASEMENT BETWEEN THE CAPE MAY BEACH PROPERTY OWNERS ASSOCIATION, INC AND THE TOWNSHIP OF LOWER

WHEREAS, Cape May Beach Property Owners Association, Inc. is the owner of certain land known as Block 533.02, Lot 1.01 on the official Tax Map of the Township of Lower, and

WHEREAS, the beach located along the Delaware Bay is necessary for the construction and extension of outfall pipes in order for the Township to maintain an adequate stormwater management system necessary for the protection and preservation of public health, safety and welfare of the citizens of the Township of Lower, and

WHEREAS, in order to accomplish the objectives of maintaining an adequate stormwater management system the Township requires a perpetual easement on the property, known as Block 533.02, Lot 1.01 owned by Cape May Beach Property Owners Association, Inc. more fully described in the Deed of Easement, attached hereto.

NOW, THEREFORE, BE IT RESOLVED the Mayor and Clerk are hereby authorized and directed to execute the Deed of Easement between Cape May Beach Property Owners Association, Inc. and the Township of Lower.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on April 20, 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					

Prepared by:

Anthony P. Monzo, Esquire

DEED OF EASEMENT

THIS DEED OF EASEMENT is made on April 20, 2009,

BETWEEN: CAPE MAY BEACH PROPERTY OWNERS ASSOCIATION, INC.

whose address is 201 Clubhouse Drive, P. O. Box 911, North Cape May, New Jersey 08204, referred to herein as Grantor,

AND: TOWNSHIP OF LOWER, a municipal corporation of the State of New Jersey, whose address is 2600 Bayshore Road, Villas, New Jersey 08251, referred to herein as the Grantee.

WITNESSETH:

WHEREAS, Grantor is the owner of that certain tract of land, located in the Township of Lower, County of Cape May, State of New Jersey, and identified as Block 533.02, Lot 1.01, on the official tax map of the Township of Lower, hereinafter the "Property," and Grantor holds the requisite interest to grant this Deed of Easement. A legal description of the Property is set forth on EXHIBIT A attached hereto and by this reference made a part hereof; and

WHEREAS, the Grantee recognizes that the beach located along the Delaware Bay in the Township of Lower, New Jersey, is necessary for the construction and extension of outfall pipes that service the Township of Lower's stormwater management system, which is necessary for the protection and preservation of public health, safety and welfare and is a benefit to the property of Grantor and to all of the citizens of the Township of Lower; and

WHEREAS, in order to accomplish the objectives of the Township of Lower in maintaining an adequate stormwater management system through the construction, extension and maintenance of outfall pipes along the Delaware Bay beaches within the Township of Lower, Grantee requires a perpetual easement on portions of said Property herein described and Grantor desires to grant said easement in accordance with the terms and conditions set forth herein.

NOW, THEREFORE, in consideration for ONE ($1.00) DOLLAR and other good and valuable consideration, and for the benefits to be received by the Grantor from the successful management of the stormwater management system within the Township of Lower, Grantor grants and conveys to Grantee an irrevocable, assignable, perpetual and permanent easement as set forth herein:

GRANT OF EASEMENT: A perpetual and assignable easement and right-of-way for the Township of Lower in, on, over and across that land of the Property described for the Blocks and Lots listed above for use by the Township of Lower, its representatives, agents, contractors and assigns:

a) To construct, preserve, operate, maintain, repair, rehabilitate, extend and replace outfall pipes for stormwater management and storm damage reduction, together with appurtenances thereto, subject to the receipt and compliance with all applicable federal, state and local permits (the "Governmental Approvals");

b) In connection with the permitted activities set forth in subsection (a) above and also subject to the receipt and compliance with all necessary Governmental Approvals, to do one or more of the following:

1) Move, temporarily store and remove equipment and supplies;

2) Erect and remove temporary structures;

3) Post signs, plant vegetation on dune areas and berms and other related activities;

4) Erect, maintain, and remove silt screens and snow fences;

5) Trim, cut, fell, and remove from said land all trees, underbrush, debris, obstructions, and any other vegetation, structures, and obstacles within the limits of the easement.

DURATION OF EASEMENT: The easement granted hereby shall be in perpetuity, and in the event that the Township of Lower shall become merged with any other geo-political entity or entities, the easement granted hereby shall run in favor of surviving entities. The covenants, terms, conditions and restrictions of this Deed of Easement shall be binding upon, and inure to the benefit of the parties hereto and their respective personal representatives, heirs, successors and assigns and shall continue as a servitude running in perpetuity with the land.

MISCELLANEOUS:

1) Grantee shall be responsible for the maintenance of the outfall pipes installed as part of the storm management system pursuant to this Easement and shall hold the Grantor harmless from any and all claims and liability occurring as a result of the Grantee's installation and/or maintenance of the outfall pipe during construction and at all times thereafter.

2) The enforcement of the terms of this Easement shall be at the discretion of the Grantee and any forbearance by Grantee to exercise its rights under this Easement in the event of any violation by Grantor shall not be deemed or construed to be a waiver by Grantees of such term or of any subsequent violation or of any of Grantee's rights under this Easement. No delay or omission by Grantees in the exercise of any right or remedy upon any violation by Grantor shall impair such rights or remedies or be construed as a waiver of such rights or remedies.

3) The interpretation and performance of this Deed of Easement shall be governed by the laws of the State of New Jersey.

4) If any provision of this Deed of Easement or the application thereof to any person or circumstance is found to be invalid, the remainder of the provisions of this Easement or the application of such provision to persons or circumstances other than those to which it is found to be invalid, as the case may be, shall not be affected thereby.

5) Any notice, demand, request, consent, approval or communication under this Deed of Easement shall be sent by regular first class mail, postage prepaid and by certified mail, return receipt requested, addressed to the mailing addresses set forth above or any other address of which the relocating party shall notify the other, in writing.

6) The captions in this Deed of Easement have been inserted solely for convenience of reference and are not a part of this instrument and shall have no effect upon its construction or interpretation.

IN WITNESS WHEREOF, with the parties understanding and agreeing to the above, they do hereby place their signatures on the date at the top of the first page.

GRANTEE:

ATTEST:

TOWNSHIP OF LOWER

BY:_____

Claudia R. Kammer, Township Clerk

Michael E. Beck, Mayor

GRANTOR:

ATTEST:

CAPE MAY BEACH PROPERTY OWNERS ASSOCIATION, INC.

BY:_____

Nancy Barnes, Secretary

Jay Witmoyer, President

STATE OF NEW JERSEY :
: ss.
COUNTY OF CAPE MAY :

Be it remembered that on this ____ day of _____, 2009, before me, the subscriber, a Notary Public of the State of New Jersey, personally appeared Michael E. Beck, Mayor of the Township of Lower, a municipal corporation of the State of New Jersey, who I am satisfied is the person who signed the within instrument and he acknowledged that he signed, and delivered the same as such officer aforesaid and that the within instrument is the voluntary act and deed of such corporation.

_____
Notary Public

My Commission Expires:

_____

STATE OF NEW JERSEY :
: ss.
COUNTY OF CAPE MAY :

I certify that on April 6, 2009, Jay Witmoyer personally came before me and this person acknowledged to me under oath, to my satisfaction that this person (or if more than one, each person):

1) is named in and personally signed this Deed of Easement;
2) signed, sealed and delivered this Deed of Easement as President of CAPE MAY BEACH PROPERTY OWNERS ASSOCIATION, INC.
3) holds the requisite ownership interest and authority to execute this Deed of Easement;
4) and made this Deed of Easement for the full and actual consideration as set forth herein.

Richard W. Barnes
Notary Public

RICHARD W. BARNES
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 1/29/2013

My Commission Expires:

_____

Record and return to:
Anthony P. Monzo, Esquire
MONZO CATANESE, P.C.
211 South Main Street, Suite 104
Cape May Court House NJ 08210
(609) 463-4601

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

TO BE SUPPLIED

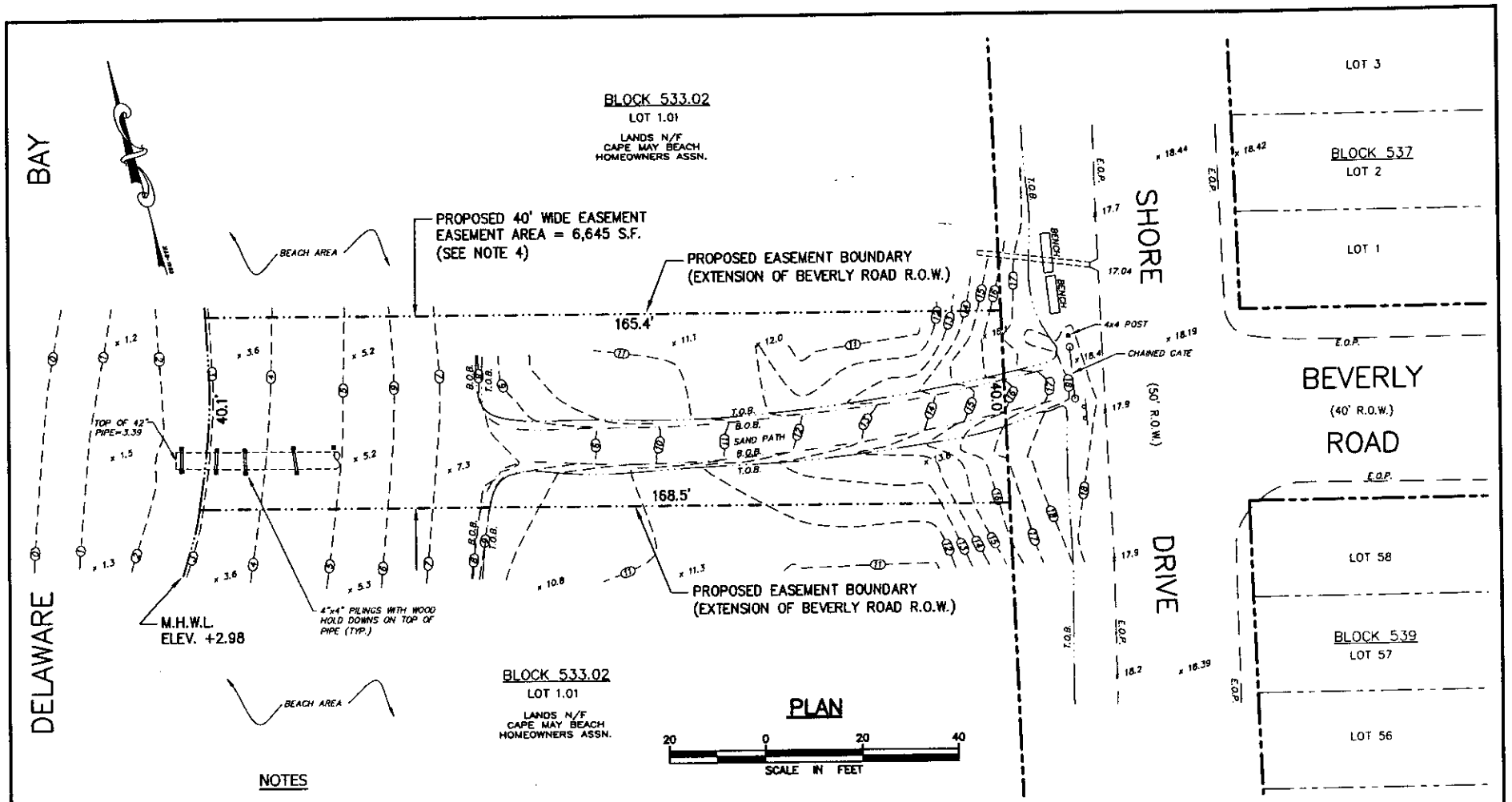
Beginning at the intersection of the westerly line of Shore Drive and the southerly line of Beverly Road as if extended and extending thence:

(1) Westwardly along the extended southerly line of Beverly Road 168.5± feet to the mean high water line of the Delaware Bay; thence

(2) Northwardly along the mean high water line 40.1 feet to the extended northerly line of Beverly Road; thence

(3) Eastwardly along the extended northerly line of Beverly Road 165.4± feet to the westerly line of Shore Drive; thence

(4) Southwardly along the westerly line of Shore Drive 40 feet to the point and place of beginning.



NOTES

1. IF THIS DOCUMENT DOES NOT CONTAIN THE RAISED IMPRESSION SEAL OF THE PROFESSIONAL, IT IS NOT AN AUTHORIZED ORIGINAL DOCUMENT AND MAY HAVE BEEN ALTERED.
2. ALL SITE AND SURVEY INFORMATION TAKEN FROM "SITE PLAN – BEVERLY ROAD, EXTENSION OF VARIOUS STORM SEWER OUTFALLS, TOWNSHIP OF LOWER, CAPE MAY COUNTY, NJ" PREPARED BY REMINGTON, VERNICK & WALBERG ENGINEERS DATED APRIL 3, 2008 REVISED THRU SEPTEMBER 10, 2008.
3. RIGHT-OF-WAY LINES AND PROPERTY LINES HAVE BEEN SHOWN UTILIZING TAX MAP INFORMATION ONLY.
4. MEAN HIGH WATER LINE AS SHOWN IS ELEVATION 2.98± (NGVD29). THIS LINE AS WELL AS THE EASEMENT AREA IS SUBJECT TO CHANGE DUE TO NATURAL CAUSES.

Hatch Mott MacDonald
Certificate No. 24GA28016600
833 Route 9 North, P.O. Box 373
Cape May Court House, NJ 08210
Tel: 609.465.9377
Fax: 609.465.5270

JAMES K. WALZ
Professional Land Surveyor
N.J. License No. 24GS03402400

DRAFT

Drawn	Checked	Scale	Date
MRS	JKW	1" = 20'	09 APR 09

TOWNSHIP OF LOWER
CAPE MAY COUNTY

PLAN OF EASEMENT

BLOCK 533.02
LOT 1.01

P:\LOWER CP\25904-7 – Outfall Extensions\Drawings\Plan of Easement
Plot Date: April 9, 2009

Police Grants

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

RESOLUTION #2009-119

TITLE: CLICK IT OR TICKET 2009 MOBILIZATION

WHEREAS, the Township of Lower desires to apply for and obtain a grant from the New Jersey Department of Law and Public Safety, Division of Highway Traffic Safety for $4000.00 to carry out a Click It or Ticket Seat Belt Campaign from May 18 – May 31, 2009.

BE IT THEREFORE RESOLVED, that the Township of Lower does hereby authorize the application for such a grant; and, upon receipt of the grant agreement from the New Jersey Department of Law and Public Safety, Division of Highway Traffic Safety, does further authorize the execution of the grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of said agreement between the Township of Lower and the New Jersey Department of Law and Public Safety, Division of Highway Traffic Safety.

BE IT FURTHER RESOLVED, that the persons whose names, titles and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

Michael E. Beck, Mayor

Edward Donohue, Chief of Police

I hereby certify this is the original resolution adopted by the Township Council on April 20, 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 #2009-120

TITLE: RESOLUTION SUPPORTING PARTICIPATION IN THE SUSTAINABLE JERSEY MUNICIPAL CERTIFICATION PROGRAM

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, Lower Township strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, Lower Township hereby acknowledges that the residents of Lower Township desire a stable, sustainable future for themselves and future generations; and

WHEREAS, Lower Township wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, by endorsing a sustainable path Lower Township is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of Lower Township, we have a significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community:

NOW THEREFORE BE IT RESOLVED, that to focus attention and effort within Lower Township on matters of sustainability, the Lower Township Mayor and Council wishes to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED, by the Mayor and Council of Lower Township that we do hereby authorize Colleen Crippen, Coordinator for Federal and State Aid to serve as Lower Township's agent for the Sustainable Jersey Municipal Certification process and authorize the her to complete the Municipal Registration on behalf Lower Township.

I hereby certify the foregoing to be a resolution adopted by the Township Council on April 20, 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					

Villas F.R.C

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

RESOLUTION #2009-121

TITLE: AUTHORIZATION FOR VILLAS FIRE COMPANY TO CONDUCT OUTDOOR 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 Villas Fire Company. 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 five flea markets in 2009 in the Villas Fire 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 Flea Markets on April 26, May 31, June 29, July 26 and August 30 and September 27 in the year 2009 is hereby granted.

I hereby certify this is the original resolution adopted by the Township Council at the meeting held on April 20, 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 #2009-122

TITLE: APPROVAL FOR PYROTECNICO FIREWORKS TO LOAD AND UNLOAD A FIREWORKS BARGE IN LOWER TOWNSHIP

WHEREAS, Pyrotecnico Fireworks has requested permission to load and unload barge in Lower Township for a fireworks display on July 2 for the DRBA, July 4 (rain date July 5) for the Congress Hall, Ocean City and for the Borough of Avalon, and

WHEREAS, Pyrotecnico Fireworks will be required to provided proof of liability insurance as required by Uniform Fire Code Section 5:18-3.27 and sign a Hold Harmless agreement required before a permit by the Fire Official will be issued, and

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower that Pyrotecnico Fireworks is hereby granted permission to load and unload the "fireworks barge" for the DRBA display on July 2, for the Congress Hall, Ocean City and Avalon displays on July 4 in Lower Township in accordance with all other necessary approvals and permits.

I hereby certify this is the original resolution adopted by the Township Council at the meeting of April 20, 2009.

Claudia R Kammer

Claudia Kammer, Township Clerk

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

file

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

RESOLUTION #2009-123

TITLE: RENEWAL OF 2009 CAMPGROUND LICENSES

WHEREAS, Seashore Campsites, Inc., Beachcomber Campground, Inc., Robbro, LLC, Doug/Ted McPherson, Lake Laurie Inc. and Robert Lepor have applied for renewal of their Campground Licenses, and

WHEREAS, the applicants have paid the required license fees.

NOW, THEREFORE, BE IT RESOLVED by the Township Council the governing body of the Township of Lower that the Campground Licenses for the following are hereby renewed for the period of April 1, 2009 through March 31, 2010 subject to all real estate taxes being current.

Seashore Campsites, Inc.	t/a Seashore Campsites Inc.
Beachcomber Campground Inc.	t/a Beachcomber Campground
Robbro LLC	t/a Holly Shores Campground
Doug/Ted McPherson	t/a Cold Spring Campground, Inc.
Lake Laurie Inc.	t/a Lake Laurie Campground
Robert Lepor	t/a Cape Island Campground

I hereby certify this is the original resolution adopted by the Township Council at the meeting of April 20, 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					

A.A.

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

RESOLUTION #2009-124

TITLE: APPROVING THE APPLICATION OF ANIMAL ALLIANCE CAPE MAY COUNTY TO CONDUCT A FLEA MARKET ON MAY 9, 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 Township Council has reviewed the application of Animal Alliance Cape May County to conduce a flea market/yard sale on Saturday, May 9, 2009 at 721 Seashore Road, and

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

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

I hereby certify this resolution was adopted by the Township Council at the meeting held on April 20, 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 # 2009-125

Title: Authorizing Pay Out of Terminal Leave

WHEREAS, the employee listed below has retired from the Township and is 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 is available for accumulated time in the dedicated line item "Reserved for Accumulated Absences".

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that a revised payment due to **George Slobodjian** in the amount of $1,493.03 bringing the full payment to $26,784.61 is authorized and chargeable to the Reserve for Accumulated Absences.

I hereby certify the foregoing to be a resolution adopted by the Township Council on Apr. 20, 2009

Claudia R. Kammer, RMC, Township Clerk

TOWNSHIP OF LOWER
RETIREMENT PAYOUT ANALYSIS
31-Mar-09

EMPLOYEE:	George Slobodjian
DATE OF EVENT:	3/31/2009
DATE OF PAYMENT:	
RESOLUTION #:	2009

Annual Salary:		$50,163.07
Longevity		$3,000.00
Hourly Rate:		$32.16

1.90

SALARY:		
Salary due to	3/31/2009	$12,540.77
Salary paid through	3/19/2009	-$11,576.09
Balance due		**$964.67**

Revised 4/15/2009

TERMINAL LEAVE:			
	Hours	Rate	Total
Comp	0.00	34.06	0.00
Personal	(0.15)	34.06	(5.24)
Sick	785.92	34.06	26,768.54
Vacation	0.04	34.06	1.31
Terminal leave paid 4/16/2009			25,271.58
Terminal Leave Payout			**$26,764.61**
balance due			**$1,493.03**

	(A)	(B)	(C)	(B * C) (D)	(E)	A + D - E (F)
	Carryover	Annual	4 weeks / 52 weeks	Prorated Time Due	Time Used	Hours to be paid
Comp			0.08	0.00		0.00
Personal	24.00	24.00	0.08	1.85	26.00	(0.15)
Sick	1,079.00	90.00	0.08	6.92	300.00	785.92
Vacation	34.00	150.00	0.08	11.54	45.50	0.04
Total	1,137.00	264.00	0.31	20.31	371.50	785.81

Totals include terminal leave scheduled

Employee Signature: G.W. Slobodjian

Date: 4-16-09

Treasurer's Signature:

Date:

RESOLUTION #2009- 126 TO AMEND BUDGET

WHEREAS, the local municipal budget for the year 2009 was approved on the 16th day of March, 2009 and
WHEREAS, the public hearing on said budget & amendment have been held as advertised, and
WHEREAS, it is desired to amend said approved budget, now
THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May that the following amendments to the approved budget of 2009 be made:

Recorded Vote			
Ayes	Conrad Mazurek Douglass Lare Beck	Nays	None
Abstained	None		
Absent	None		

CURRENT FUND:

	From	To
ANTICIPATED REVENUES:		
6. Amount to be Raised by Taxes for Support of Municipal Budget		
Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	17,305,326.06	17,214,611.04
7. Total General Revenues	24,016,575.18	23,925,860.16
ANTICIPATED APPROPRIATIONS:		
8. General Appropriations:		
a) Operations - within "CAPS"		
Police		
Salaries & Wages	4,430,000.00	4,378,500.00
Total Operations within "CAPS"	16,866,261.00	16,814,761.00
Total Operations Including Contingent - within "CAPS"	16,866,561.00	16,815,061.00
Detail: Salaries & Wages	9,660,757.00	9,609,257.00
Detail: Other Expenses		
e) Deferred Charges and Statutory Expenditures within "CAPS"		
Public Employees Retirement System	10,880.00	394,400.00
Social Security System (O.A.S.I.)	735,000.00	731,200.00
Total Deferred Charges and Statutory Expenditures within "CAPS"	1,492,980.00	1,872,700.00
H-1 Total General Appropriations for Municipal Purposes within "CAPS"	18,359,541.00	18,687,761.00
a) Operations - excluded from "CAPS"		
Public Employees Retirement System	383,520.00	0.00
Total Other Operations - excluded from "CAPS"	383,520.00	0.00
Total Operations - excluded from "CAPS"	1,343,735.05	960,215.05
Detail: Other Expenses	778,778.68	395,258.68
d) Debt Service - Excluded from CAPS		
Interest on Bonds	190,650.00	157,775.00
Total Debt Service - Excluded from CAPS	2,497,250.00	2,464,375.00
H-2 Total General Appropriations for Municipal Purposes Excluded from "CAPS"	4,137,885.05	3,721,490.05
O) Total General Appropriations Excluded from "CAPS"	4,137,885.05	3,721,490.05
I) Subtotal General Appropriations (Items (H-1) and (O))	22,497,426.05	22,409,251.05
M) Reserve for Uncollected Taxes	1,519,149.13	1,516,609.11
9. Total General Appropriations	24,016,575.18	23,925,860.16

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services for his certification of the local municipal budget so amended.

It is hereby certified that all additions and math in this amendment are correct.

Leon P. Costello, CPA, RMA

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the governing body on the 20th day of April, 2009.

Claudia R Kammer

Claudia R. Kammer, Township Clerk

SECTION 2 - UPON ADOPTION FOR YEAR 2009

(Only to be Included in the Budget as Finally Adopted)

RESOLUTION #2009-128

Be it Resolved by the **TOWNSHIP COUNCIL** of the **TOWNSHIP** of **LOWER**, County of **CAPE MAY** that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a) $ 17,214,611.04 (Item 2 below) for municipal purposes, and

(b) $ - (Item 3 below) for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation and,

(c) $ - (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.

(d) $ - (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy

RECORDED VOTE
(Insert last name)

Ayes: Conrad, Mazurek, Douglass, Lare, Beck

Nays:

Abstained:

Absent:

SUMMARY OF REVENUES

1. General Revenues				
Surplus Anticipated			08-100	$ 1,949,500.00
Miscellaneous Revenues Anticipated			13-099	$ 3,856,749.12
Receipts from Delinquent Taxes			15-499	$ 905,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSED (Item 6(a), Sheet 11)			07-190	$ 17,214,611.04
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:				
Item 6, Sheet 42	07-195	$ -		
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	07-191	$ -		
TOTAL AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY				$ -
4. To Be Added TO THE CERTIFICATE FOR THE AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:				
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)			07-191	
Total Revenues			13-299	$ 23,925,860.16

Sheet 41

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS:	XXXXXX	XXXXXXXXXXXXX
Within "CAPS"	XXXXXX	XXXXXXXXXXXXX
(a & b) Operations Including Contingent	34-201	$ 16,815,061.00
(e) Deferred Charges and Statutory Expenditures - Municipal	34-209	$ 1,872,700.00
(g) Cash Deficit	46-885	$ -
Excluded from "CAPS"	XXXXXX	XXXXXXXXXXXXX
(a) Operations - Total Operations Excluded from "CAPS"	34-305	$ 960,215.05
(c Capital Improvements	44-999	$ 95,000.00
(d) Municipal Debt Service	45-999	$ 2,464,375.00
(e) Deferred Charges - Municipal	46-999	$ 201,900.00
(f) Judgments	37-480	$ -
(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)	29-405	$ -
(g) Cash Deficit	46-885	$ -
(k) For Local District School Purposes	29-410	$ -
(m) Reserve for Uncollected Taxes	50-899	$ 1,516,609.11
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICT ONLY (N.J.S. 40A:4-13)	07-195	
Total Appropriations	34-499	$ 23,925,860.16

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on 20TH day of April, 2009. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2009 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 20th day of April, 2009, Claudia R Kammer **, Clerk**
Signature

Sheet 42

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

RESOLUTION # 2009-129

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

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. (Supervisors & Superior Officers)

____ (5) Matters Relating to the Purchase, Lease of 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.

__X__ (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. (Fondacaro)

____ (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 April 20, 2009 that an Executive Session closed to the public shall be held on this date at approximately 8:00 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 April 20, 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					