

RESOLUTIONS ADOPTED AUGUST 3, 2009

- Res. #2009-212 Payment of Vouchers, \$3,921,181.12
Res. #2009-213 A Resolution Requesting Reduction of Performance Guarantee for The Grand, Diamond Beach, LP; Block 700.01; Lots 3-9; Escrow #Z03-12-06
- Res. #2009-214, Authorization for Refund of Taxes (2 properties - owner's rec'd. disabled vet status)
Res. #2009-215, Authorization for Extension of Interest Date for 2009 Third Quarter Taxes (Dates extended to Aug. 17)
- Res. #2009-216 Capital Budget Amendment (Required to comply with adopted budget and bond ordinances proposed)
- Res. #2009-217, Authorization for Terminal Leave Pay Out (Retirement Lt. Winter - \$75,651.28)
Res. #2009-218, A Resolution To Authorize the Submission and Acceptance of a DCA Grant for Americans with Disabilities Act Improvements and Related Activities for the Naval Air Station
- Res. #2009-219, Adoption of Citizen Participation Plan (part of grant application for Navel Air Station grant application)
- Res. #2009-220, Designation of Colleen Crippen as Fair Share Housing Officer (Part of grant application for Navel Air Station)
- Res. #2009-221, Resolution Approving Project Proposal Between Hatch Mott Macdonald and the Township of Lower for Engineering Services Related to Design, Bid Award, Construction, Administration and Observation Services for the Delaware Bay Shore Outfall Extensions (\$51,200)
- Res. #2009-222, Establishing a Green Team Advisory Committee
Res. #2009-223, Application for 2010 Drug Enforcement and Demand Reduction (DEDR) Grant Funds
Res. #2009-224, Authorization for the Payout of Accumulated Compensatory Time (T Keyword \$22,996.80)
- Res. #2009-225, Resolution Requesting the US Department of Veteran's Affairs Establish a 'Health Care Center Facility' Program for Veterans in South Jersey at the Former William Kessler memorial Hospital
- Res. #2009-226, 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." (DRBA Tax Issue)

07/30/09
12:04:09

Lower Township
Bill List By Vendor Id

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract
00616 ANIMAL ALLIANCE OF CAPE							
	09-02040	07/24/09	TNR AND SPAY/NEUTER PROGRAM	Open	830.00	0.00	
	09-02055	07/27/09	TNR AND SPAY/NEUTER PROGRAM	Open	240.00	0.00	

					1,070.00		
00733 CAPE POWER EQUIPMENT INC*							
	09-01465	06/03/09	MISC. SUPPLIES REC. JUNE 09	Open	367.18	0.00	
00739 CAPE MAY VETERINARY HOSPITAL							
	09-02011	07/22/09	SPTAR SPAY/NEUTER PROGRAM	Open	92.00	0.00	
00775 CAPRIONI PORTABLE TOILETS, INC*							
	09-01921	07/10/09	HANDICAP TOILET WITH WKLY/INS.	Open	130.00	0.00	
00784 CAPE MAY STAR & WAVE							
	09-01925	07/10/09	DPW ADVERTISEMENT-EMPLOYMENT	Open	10.80	0.00	
00825 COMCAST*							
	09-02031	07/22/09	INTERNET ACCESS - FIRE	Open	100.20	0.00	
00893 STATE OF NJ DEPT LABOR/WORKFC							
	09-02052	07/27/09	STATE PLAN 4F DEFICIT ASSESS	Open	2,182.21	0.00	
01122 CVR COMPUTER SUPPLIES*							
	09-01848	07/06/09	INK	Open	336.00	0.00	
01200 DELTA DENTAL PLAN OF NJ							
	09-02051	07/27/09	AUGUST, 2009 DENTAL	Open	12,918.29	0.00	
01220 DRAEGER SAFETY DIAGNOSTICS*							
	09-01794	06/30/09	ALCOTEST	Open	142.00	0.00	
01267 EDWARD DONOHUE							
	09-02064	07/28/09	CONTRACTUAL REIMBURSEMENT	Open	155.00	0.00	
01278 EDWARD DOUGHERTY							
	08-01810	07/01/08	2008 EQUIP ALLOW	Open	150.00	0.00	
01364 EASTERN SIGN COMPANY*							
	09-01254	05/18/09	2 SIDED ELECTRICAL SIGN	Open	4,911.25	0.00	
01389 EDDIE'S AUTO BODY*							
	09-01966	07/15/09	VEHICLE REPAIR	Open	1,236.75	0.00	
01598 FT DEARBORN LIFE*							
	09-02061	07/28/09	AUGUST, 2009 LIFE INSURANCE	Open	596.25	0.00	
01641 GALL'S INC*							
	09-01834	07/01/09	PATROL SUPPLIES	Open	118.00	0.00	
01643 WILLIAM GALESTOK							
	09-02058	07/27/09	REIMB TOLLS/PARKING	Open	26.75	0.00	

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract
01649 GARDEN STATE HWY PRODUCTS,INC*	09-01923	07/10/09	SIGN MATERIALS-DPW	Open	394.50	0.00	
01703 HARBOR SALES COMPANY*	09-01181	05/06/09	SIGN MATERIALS-DPW	Open	123.80	0.00	
01781 HATCH MOTT MACDONALD, LLC*	09-00575	03/10/09	OHIO AVE OUTFALL REPLACEMENT	Open	1,035.00	0.00	
	09-00576	03/10/09	OUTFALL PIPES ALONG DEL. BAY	Open	24,483.00	0.00	
	09-01151	05/05/09	ENGINEERING & PERMITTING SVCS	Open	229.00	0.00	
	09-01361	05/21/09	TAX MAP INSPECTION FOR REVAL	Open	8,062.50	0.00	
	09-01942	07/10/09	PROF SVC DPS ROOFING SYSTEM	Open	336.00	0.00	

					34,145.50		
02008 KAY PARK RECREATION*	09-01628	06/09/09	6J2CVP 2 /8'OD BLK. TUBE FRAME	Open	7,729.00	0.00	
02116 FRAN KENNEDY COFFEE CO.*	09-02047	07/24/09	COFFEE - DPS	Open	223.34	0.00	
02223 LANDSMAN UNIFORMS*	09-01845	07/06/09	UNIFORMS	Open	154.00	0.00	
02228 DAVID LASERRE	09-02081	07/29/09	CONTRACTUAL REIMBURSEMENT	Open	195.00	0.00	
02351 LOWER CAPE MAY REGIONAL	09-01061	04/27/09	SCHOOL TAX DUE 15TH OF MONTH	Open	1,162,843.00	0.00	
02473 FRANCIS P. MAJANE	09-02063	07/28/09	CONTRACTUAL REIMBURSEMENTS	Open	303.00	0.00	
02527 MARLBORO FARM MARKET II	09-01959	07/15/09	2009 GARDEN CLUB TWP FLOWERS	Open	54.54	0.00	
03026 NJ STATE HEALTH BENEFITS	09-02093	07/30/09	AUGUST,2009 HEALTH BENEFITS	Open	183,413.43	0.00	
03072 NJ STATE LEAGUE OF MUNICIPALITI*	09-02026	07/22/09	LEAGUE MAGAZINE OCT 09-JUNE 10	Open	176.00	0.00	
03104 NORTHEAST IND.&MARINE SUPPLY*	09-01481	06/03/09	PARTS FOR SANT/RECY/DPW	Open	578.68	0.00	
	09-01952	07/14/09	RDS/SANT/RECY/DPW	Open	1,994.62	0.00	

					2,573.30		
03132 NEXTEL COMMUNICATIONS	09-02087	07/29/09	NEXTEL SERVICE / TOWNHALL	Open	854.62	0.00	
03158 NYSCA*							

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract
	09-01797	06/30/09	COACHING CERTIFICATIONS	Open	120.00	0.00	
	09-01818	06/30/09	COACHING CERTIFICATION	Open	80.00	0.00	
	09-01903	07/08/09	COACHING CERTIFICATION	Open	60.00	0.00	
	09-01909	07/08/09	COACHING CERTIFICATION	Open	40.00	0.00	

					300.00		
03280	PARAMOUNT SANITARY SUPPLY*						
	09-01901	07/08/09	CLEANING SUPPLIES	Open	296.63	0.00	
	09-01924	07/10/09	TRASH BAGS - DPW	Open	49.97	0.00	

					346.60		
03298	PATRIOT ROOFING, INC *						
	09-01796	06/30/09	MISC. REPAIRS TO ROOF	Open	830.00	0.00	
	09-01849	07/06/09	REPAIRED ADDITIONAL LEAKS ON	Open	857.00	0.00	

					1,687.00		
03387	POGUE INC. *						
	09-01902	07/08/09	PRE-EMPLOYMENT TESTING-DPW	Open	178.00	0.00	
03427	POLAR BEAR*						
	09-01847	07/06/09	MISC. REPAIRS TO BLOWER ON	Open	274.80	0.00	
03452	THOMAS QUINN						
	09-02062	07/28/09	CONTRACTUAL REIMBURSEMENTS	Open	346.00	0.00	
03608	SEAWAVE CORPORATION*						
	09-02065	07/28/09	LEGAL NOTICE	Open	32.80	0.00	
03611	SERVICE TIRE TRUCK CENTERS*						
	09-01454	06/03/09	TIRES FOR RDS/SANT/RECY/DPW	Open	3,551.47	0.00	
	09-01854	07/06/09	TIRES FOR RDS/SANT/RECY/DPW	Open	3,686.70	0.00	

					7,238.17		
03613	SEA ISLE ICE CO. INC. *						
	09-01863	07/06/09	ICE FOR MACHINE-DPW	Open	340.00	0.00	
03620	SHARE CORP*						
	09-01864	07/06/09	SUPPLIES FOR GARAGE-DPW	Open	330.64	0.00	
03659	SOUTH JERSEY WIPING CLOTH*						
	09-01928	07/10/09	RAGS FOR GARAGE-DPW	Open	360.00	0.00	
03683	SNAP-ON TOOLS*						
	09-01783	06/25/09	SUPPLIES FOR GARAGE-DPW	Open	671.71	0.00	
03692	SOUTH JERSEY GAS CO*						
	09-02054	07/27/09	JULY, 2009	Open	543.77	0.00	
03700	SPORTS-N-STUFF*						

07/30/09
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Lower Township
Bill List By Vendor Id

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract
09-01704	06/18/09		SHIRTS FOR BAYRUN	Open	1,925.00	0.00	
09-01856	07/06/09		TEE-SHIRTS - DPW - UNIFORMS	Open	1,769.50	0.00	

					3,694.50		
03723	STAPLES, INC.*						
09-01892	07/08/09		OFFICE SUPPLIES	Open	261.78	0.00	
03831	TREASURER, COUNTY TAXES						
09-02041	07/24/09		3RD QTR TAX DUE 8/14/09	Open	2,443,627.70	0.00	
03915	TURF EQUIPMENT & SUPPLY CO*						
09-01798	06/30/09		ROTARY BLADE FOR RIDING LAWN	Open	206.46	0.00	
03969	VERIZON						
09-02053	07/27/09		PHONE SERVICE	Open	166.16	0.00	
03995	VITAL COMMUNICATIONS, INC.*						
09-01524	06/05/09		MODIV TAPE 2009 EXTENDED TAX D	Open	100.00	0.00	
04012	XPRESS ELECTRONIC SERVICES*						
09-02077	07/28/09		PRINTER REPAIR	Open	82.50	0.00	
04030	WEST PUBLISHING PAYMENT *						
09-02012	07/22/09		ANNUAL UPDATES	Open	178.00	0.00	
04069	TREASURER, STATE OF NJ/727 GSPT						
09-01693	06/15/09		GREEN LOAN INT DUE 8/15/09	Open	1,533.33	0.00	
04075	BARBER CONSULTING SERVICES LLC						
09-00289	02/04/09		WEB HOSTING 2/09-12/31/09	Open	300.00	0.00	
04077	RONALD J. GELZUNAS						
09-01976	07/16/09		SUBSTITUTE PROSECUTOR 6/23/09	Open	400.00	0.00	
04097	CINTAS FIRST AID AND SAFETY*						
09-01853	07/06/09		FIRST-AID KIT SUPPLIES-DPW	Open	130.10	0.00	
04300	W B MASON CO INC*						
09-00126	01/16/09		OFFICE SUPPLIES DPS	Open	99.10	0.00	
09-01275	05/18/09		COPY PAPER/BATTERIES	Open	140.91	0.00	
09-01631	06/09/09		ZEB ROLLER 2000 PENS ZEB47820	Open	78.31	0.00	
09-01777	06/25/09		TONER - TAX OFFICE	Open	269.99	0.00	

					588.31		
04301	SEASHORE ASPHALT CORPORATION*						
09-01852	07/06/09		ASPHALT - DPW	Open	1,020.68	0.00	
09-01904	07/08/09		ASPHALT - DPW	Open	1,360.00	0.00	
09-01954	07/14/09		ASPHALT - DPW	Open	2,041.36	0.00	

					4,422.04		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract
04445 TRICOMM SERVICES CORP*	09-01981	07/16/09	TELEPHONE REPLACEMENT	Open	170.00	0.00	
BASHIR JACQUELINE BASHIR	09-02074	07/28/09	INITIAL CHEERLEADING COACHING	Open	51.25	0.00	
CARRB BEVERLY CARR	09-02083	07/29/09	RETURN UNUSED ESCROW	Open	11.00	0.00	
CARROCIN JOANNE CARROCINO	09-02086	07/29/09	RETURN UNUSED ESCROW	Open	3.00	0.00	
CHAMBERS LINDA CHAMBERS	09-02084	07/29/09	RETURN OF UNUSED ESCROW	Open	55.00	0.00	
DELUCA TIMOTHY DELUCA	09-01970	07/15/09	SOCCER REFUND FOR DEANNA	Open	15.00	0.00	
EVOY WYN & SUSAN EVOY	09-02085	07/29/09	RETURN UNUSED ESCROW	Open	60.00	0.00	
FAUSER PAUL FAUSER	09-01975	07/16/09	RELEASE DUMPSTER BOND	Open	500.00	0.00	
PARKINSON ANTHONY & MARCIA PARKINSON	09-02057	07/27/09	RES 2009-214 REF 09 TAXES	Open	941.77	0.00	
SLAMB BRIANA SLAMB	09-02073	07/28/09	INITIAL CHEERLEADING	Open	51.25	0.00	
SULLIVAN JOHN & JENNY SULLIVAN	09-02056	07/27/09	RES. 2009-214 REFUND 09 TAXES	Open	1,071.46	0.00	
WATRM BRUCE WATERMAN	09-02060	07/28/09	RETURN UNUSED WSCROW	Open	79.75	0.00	
WAWA WAWA, INC.	09-02028	07/22/09	RETURN UNUSED ESCROW	Open	83.53	0.00	
Total Purchase Orders: 105				Total P.O. Line Items: 204	Total List Amount: 3,920,581.12	Total Void Amount: 0.00	

**Lower Township
Bill List
08/03/09**

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
Treasurer, State of NJ	09-01988	Coastal General Permit Beach and Dune Maint App	40514	07/22/09	\$ 600.00
Total Manual Checks					\$ 600.00
Total brought forward from computer generated bill list					\$ 3,920,581.12
TOTAL BILL LIST					<u>\$ 3,921,181.12</u>

I certify the foregoing to be a Resolution adopted by the Township Council on August 3, 2009.



Claudia R. Kammer, RMC, Township Clerk

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

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

RESOLUTION #2009-213

**TITLE: A resolution requesting reduction of Performance Guarantee for
The Grand, Diamond Beach, LP; Block 700.01; Lots 3-9;
Escrow # Z03-12-06**

WHEREAS, Diamond Beach, LP posted a Performance Guarantee with the Township of Lower in the amount of \$1,478,614.80 for the major site plan referenced above; and

WHEREAS, the Township Engineer has recommended that improvements having a total value of \$1,203,699.00 have been properly installed and are presently acceptable; and

WHEREAS, the Township Engineer has recommended that the Performance Bond be reduced leaving a balance of \$369,653.70; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, the governing body thereof, that the Performance Guarantee be and hereby is reduced leaving a remaining balance of \$369,653.70 [30% of total performance guarantee pursuant to 40:55D-53e.(1)]

I hereby certify this is the original resolution adopted by the Township Council at the meeting of August 3, 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 #2009-214

TITLE: AUTHORIZATION FOR REFUND OF TAXES

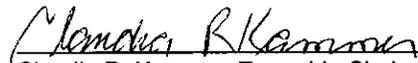
WHEREAS, the Township Tax Collector has certified an overpayment due to the reasons listed below:
and

WHEREAS, a refund has been requested.

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 overpayments according to the Tax Collector's certification on file with the CFO/Treasurer.

<u>Block</u>	<u>Lot</u>	<u>Refund To</u>	<u>Reason</u>	<u>Tax</u>
75	9	Anthony & Marcia Parkinson	disabled veteran	941.77
214	11	John & Jenny Sullivan	disabled veteran	1,071.46

I hereby certify the foregoing to be a resolution adopted by the governing body at a meeting held on August 3, 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 #2009-215

TITLE: AUTHORIZATION FOR EXTENSION OF INTEREST DATE FOR 2009 THIRD QUARTER TAXES

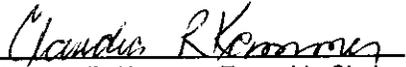
WHEREAS, The Township did not receive a certified tax rate until August 3, 2009, and

WHEREAS, this caused a delay in the mailing of the third quarter tax bills thereby making necessary to extend the interest grace period, and

WHEREAS, according to R.S. 54:4-66.3 "The third installment of current year taxes shall not be subject to interest until the later of August 1, the additional interest-free period authorized pursuant to R.S.54:4-67, or the twenty-fifth calendar day after the date that the tax bill for the third installment was mailed or otherwise delivered. Any payment received after the later of August 1, the additional interest-free period authorized pursuant to R.S. 54:4-67, or the twenty-fifth calendar day after the date that the tax bill for the third installment was mailed or otherwise delivered may be charged interest back to August 1."

NOW, THEREFORE, BE IT RESOLVED that the grace period for interest on the third quarter taxes due August 1, 2009 is hereby extended to August 17th 2009. Taxpayers were notified of the extended grace period on their tax bills.

I, hereby certify the foregoing to be a true copy of a resolution adopted by the Township at a meeting held on August 3, 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 #2009-216

CAPITAL BUDGET AMENDMENT

WHEREAS, the local capital budget for the year 2009 was adopted on the 20th day of April, 2009, and

WHEREAS, it is desired to amend said adopted capital budget section,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower that the following amendments to the adopted capital budget section be made:

<u>RECORDED VOTE</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
Mike Beck			
Kevin Lare			
Glenn Douglass			
Thomas Conrad			ABSENT
Wayne Mazurek			

FROM
CAPITAL BUDGET (Current Year Action)
2009

Planned Funding Services for
 Current Year 2009

<u>Project</u>	<u>Estimated Total Cost</u>	<u>Amounts Reserved in Prior Years</u>	<u>Capital Improvement Fund</u>	<u>Capital Surplus</u>	<u>Grants and Other Funds</u>	<u>Debt Authorized</u>	<u>To Be Funded in Future Years</u>
Equipment	689,350.00		15,000.00			74,850.00	599,500.00
Recreation Facilities	1,100,000.00		0.00			0.00	1,100,000.00
Police Equipment	192,583.00		5,000.00			12,583.00	175,000.00
Municipal Buildings	1,271,567.00		20,000.00			107,067.00	1,144,500.00
Vehicles	1,371,500.00		50,000.00			225,500.00	1,096,000.00
Road Program	200,000.00		40,000.00			190,000.00	0.00
Total All Projects	4,825,000.00	0.00	130,000.00	0.00	0.00	610,000.00	4,115,000.00

RESOLUTION #2009-216
 Capital Budget Amendment

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
RESOLUTION #2009-216

CAPITAL BUDGET AMENDMENT

6 YEAR CAPITAL PROGRAM 2009 - 2014
Anticipated Project Schedule and Funding Requirement

Project	Estimated Total Costs	Anticipated Project Schedule and Funding Requirement					
		2009	2010	2011	2012	2013	2014
Equipment	689,350.00	89,850.00	147,000.00	79,000.00	86,000.00	127,500.00	160,000.00
Recreation Facilities	1,100,000.00	0.00	100,000.00	100,000.00	300,000.00	300,000.00	300,000.00
Police Equipment	192,583.00	17,583.00	35,000.00	35,000.00	35,000.00	35,000.00	35,000.00
Municipal Buildings	1,271,567.00	127,067.00	213,000.00	69,000.00	61,000.00	399,500.00	402,000.00
Vehicles	1,371,500.00	275,500.00	165,000.00	232,000.00	233,000.00	233,000.00	233,000.00
Road Program	200,000.00	200,000.00	0.00	0.00	0.00	0.00	0.00
Total All Projects	4,825,000.00	710,000.00	660,000.00	515,000.00	715,000.00	1,095,000.00	1,130,000.00

6 YEAR CAPITAL PROGRAM 2009 - 2014
Summary of Anticipated Funding Sources and Amounts

Project	Estimated Total Costs	Anticipated Funding Sources				General Debt Authorized
		Capital Improvement Fund	Capital Surplus	Grants and Other Funds		
Equipment	689,350.00	75,000.00			614,350.00	
Recreation Facilities	1,100,000.00	150,000.00			950,000.00	
Police Equipment	192,583.00	25,000.00			167,583.00	
Municipal Buildings	1,271,567.00	140,000.00			1,131,567.00	
Vehicles	1,371,500.00	205,000.00			1,166,500.00	
Road Program	200,000.00	10,000.00			190,000.00	
Total All Projects	4,825,000.00	605,000.00	0.00	0.00	4,220,000.00	

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
 RESOLUTION #2009-216

CAPITAL BUDGET AMENDMENT
 TO
 CAPITAL BUDGET (Current Year Action)
 2009

Planned Funding Services for
 Current Year 2009

Project	Estimated Total Cost	Amounts Reserved in Prior Years	Capital Improvement Fund	Capital Surplus	Grants and Other Funds	Debt Authorized	To Be Funded in Future Years
Equipment	673,400.00		17,120.00			56,780.00	599,500.00
Recreation Facilities	1,173,900.00		17,120.00			56,780.00	1,100,000.00
Police Equipment	175,000.00		0.00			0.00	175,000.00
Municipal Buildings	1,167,720.00		5,380.00			17,840.00	1,144,500.00
Vehicles	1,360,980.00		61,380.00			203,600.00	1,096,000.00
Road Program	300,000.00		55,000.00			245,000.00	0.00
Total All Projects	4,851,000.00	0.00	156,000.00	0.00	0.00	580,000.00	4,115,000.00

6 YEAR CAPITAL PROGRAM 2009 - 2014
 Anticipated Project Schedule and Funding Requirement

Project	Estimated Total Costs	Anticipated Project Schedule and Funding Requirement					Total
		2009	2010	2011	2012	2013	
Equipment	673,400.00	73,900.00	147,000.00	79,000.00	86,000.00	127,500.00	160,000.00
Recreation Facilities	1,173,900.00	73,900.00	100,000.00	100,000.00	300,000.00	300,000.00	300,000.00
Police Equipment	175,000.00	0.00	35,000.00	35,000.00	35,000.00	35,000.00	35,000.00
Municipal Buildings	1,167,720.00	23,220.00	213,000.00	69,000.00	61,000.00	399,500.00	402,000.00
Vehicles	1,360,980.00	264,980.00	165,000.00	232,000.00	233,000.00	233,000.00	233,000.00
Road Program	300,000.00	300,000.00	0.00	0.00	0.00	0.00	0.00
Total All Projects	4,851,000.00	736,000.00	660,000.00	515,000.00	715,000.00	1,095,000.00	1,130,000.00

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
RESOLUTION #2009-216

CAPITAL BUDGET AMENDMENT

6 YEAR CAPITAL PROGRAM 2009 - 2014
Summary of Anticipated Funding Sources and Amounts

Project	Estimated Total Costs	Capital		General	
		Improvement Fund	Capital Surplus	Debt Authorized	Grants and Other Funds
Equipment	673,400.00	85,230.00		588,170.00	
Recreation Facilities	1,173,900.00	148,580.00		1,025,320.00	
Police Equipment	175,000.00	22,150.00		152,850.00	
Municipal Buildings	1,167,720.00	147,790.00		1,019,930.00	0.00
Vehicles	1,360,980.00	172,250.00		1,188,730.00	
Road Program	300,000.00	55,000.00		245,000.00	
Total All Projects	4,851,000.00	631,000.00	0.00	4,220,000.00	0.00

BE IT FURTHER RESOLVED that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

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

Certified by me:

August 3, 2009
Date

Chandra R. Karmory
Township Clerk

Trenton, New Jersey

Approved _____ 2009
Director of Local Government Services

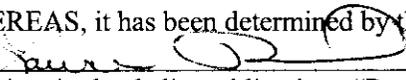
TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION # 2009-217

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 Christopher Winter in the amount of \$ 75651.28 is authorized and payable as outlined on the attached sheet chargeable to the Reserve for Accumulated Absences.

I hereby certify the foregoing to be a resolution adopted by the Township Council on August 3, 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
 RETIREMENT PAYOUT ANALYSIS
 8/1/2009

EMPLOYEE: Christopher Winter
 DATE OF RETIREMENT: 8/1/2009
 DATE OF PAYMENT:
 RESOLUTION #: 2009-217

Annual Salary:	\$101,535.53
Hourly Rate:	\$48.82
College Credits :	

SALARY:		
Salary due to	8/1/2009	\$60,530.80
Salary paid through	7/23/2009	\$58,578.17
Balance due		\$1,952.63

TERMINAL LEAVE:			
	Hours	Rate	Total
Comp	0.00	48.82	0.00
Personal	(5.88)	48.82	(287.29)
Sick	1,440.00	48.82	70,300.80
Vacation	51.48	48.82	2,513.29
Holidays	64.00	48.82	3,124.48
Terminal Leave Payout			\$75,651.28
August 6, 2009			41,004.73
end of 2009 or Jan 15, 2010 funds permitting			34,646.55

	(A)	(B)	(C)	(B * C)	(E)	A + D - E
	Carryover	Annual Accrual	31 weeks / 52 weeks	Prorated Time Due	Time Used	Hours to be paid
Comp				0.00		0.00
Personal		48.00	0.60	28.62	34.50	(5.88)
Sick	2,383.50	128.00	0.60	76.31	230.00	1,440.00
Vacation	90.75	200.00	0.60	119.23	158.50	51.48
Holidays (8)		8.00	8.00	64.00		64.00
				0.00		0.00
Total	2,474.25	384.00	1.79	288.15	423.00	1,549.60

Employee Signature: _____
 Date: _____

Treasurer's Signature: _____
 Date: _____

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

RESOLUTION #2009-218

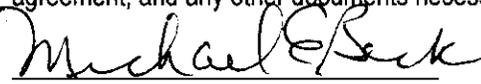
TITLE A RESOLUTION TO AUTHORIZE THE SUBMISSION AND ACCEPTANCE OF A DCA GRANT FOR AMERICANS WITH DISABILITIES ACT IMPROVEMENTS AND RELATED ACTIVITIES FOR THE NAVAL AIR STATION WILDWOOD AVIATION MUSEUM.

WHEREAS, the Township of Lower in the County of Cape May, New Jersey, desires to apply for and obtain a grant for approximately \$400,000 on behalf of the Naval Air Station Wildwood Aviation Museum under the Department of Community Affairs Small Cities.

WHEREAS, the Naval Air Station Wildwood Aviation Museum, in the County of Cape May, New Jersey, agrees to provide any required match and related costs for the grant in the amount of \$120,000.

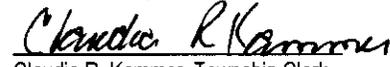
NOW, THEREFORE, BE IT RESOLVED, that the Township of Lower does hereby authorize the application for such funding and upon receipt of the funding approval from DCA Small Cities Innovative Development Fund Grant, does further authorize the acceptance and expenditure of funds pursuant to the terms agreed to between the Naval Air Station Wildwood Aviation Museum, Lower Township and the Small Cities CDBG.

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


 Claudia Kammer, Township Clerk

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on August 3, 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 #2009-219

TITLE: ADOPTION OF CITIZEN PARTICIPATION PLAN

WHEREAS, Township of Lower will enter into a Grant Agreement with the New Jersey Department of Community Affairs; and

WHEREAS, that Grant Agreement requires the Township of Lower to comply with all federal regulations with respect to citizen participation; and

WHEREAS, the Township of Lower has reviewed the Citizen Participation Plan prepared for Small Cities CDBG grantees;

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

1. The Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program, is adopted by the Township of Lower ; and
2. The Township of Lower will follow all regulations set forth in that document throughout the term of the Grant Agreement cited above.

This is to certify that the foregoing Resolution was duly adopted at a Regular Meeting of the Township of Lower committee which was held on August 3, 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 #2009-220

TITLE: DESIGNATION OF COLLEEN CRIPPEN AS FAIR SHARE HOUSING OFFICER

WHEREAS, the Township of Lower is submitting an application for funding with the New Jersey Department of Community Affairs (hereafter NJDCA) for Americans with Disabilities Act improvements and related activities at the Naval Air Station Wildwood Aviation Museum; and

WHEREAS, the Township of Lower must make efforts to affirmatively further fair housing; and

WHEREAS, the Township of Lower has reviewed various actions that would be acceptable to the NJDCA and the U.S. Department of Housing and Urban Development (hereafter USHUD); and

WHEREAS, the Township of Lower has made assurances that:

- It will comply with the Housing and Community Development Act of 1974, as amended, and regulations issued thereto; and
- It will comply with the Civil Rights Act of 1964 and the regulations issued thereto it; and
- It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing; and
- It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

NOW, THEREFORE, BE IT RESOLVED that Colleen Crippen, shall be designated as the Fair Housing Officer for the Township of Lower; and

BE IT FURTHER RESOLVED that the Fair Housing Officer shall contact the USHUD Regional Office of Housing and Equal Opportunity and the NJ Division on Civil Rights, inform those agencies of his/her appointment as Fair Housing Officer and request Fair Housing Information; and

BE IT FURTHER RESOLVED that the Fair Housing Officer shall provide fair housing advisory services and assistance and referral advice to persons requesting such assistance from the Township of Lower; and

BE IT FURTHER RESOLVED that the Township of Lower will publish in the local newspaper of record and post at the municipal hall a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing advisory services.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on August 3, 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			

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

RESOLUTION #2009-221

TITLE: RESOLUTION APPROVING PROJECT PROPOSAL BETWEEN HATCH MOTT MACDONALD AND THE TOWNSHIP OF LOWER FOR ENGINEERING SERVICES RELATED TO DESIGN, BID AWARD, CONSTRUCTION, ADMINISTRATION AND OBSERVATION SERVICES FOR THE DELAWARE BAY SHORE OUTFALL EXTENSIONS

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 Delaware Bay Shore Outfall extensions, specifically the Design, Bid Award, Construction & Observation Services 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, for Delaware Bay Shore Outfall Extensions Design, Bid Award, Construction Services and Observation Services in the form attached hereto as EXHIBIT A, for a total amount of \$51,200 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 August 3, 2009.


 Claudia R. Kammer, Township Clerk

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



**Hatch Mott
MacDonald**

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

July 16, 2009
Via email: kmcpherson@townshipoflower.org

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

**RE: Professional Engineering Services Proposal
Delaware Bay Shore Outfall Extensions
Township of Lower
Cape May County, New Jersey**

Dear Ms. McPherson:

Please find enclosed herewith our proposal to complete the professional design and construction phase services required for the Delaware Bay Shore Outfall Extensions project.

The following is our proposed scope of work:

Task 1	Design Services
---------------	------------------------

HMM will prepare the design and construction bid documents (plans and specifications) for the following stormwater outfall extensions:

Site	Roadway	Tax Id No.	Outfall	Ownership
1	Ocean Avenue	Block 112.01, Lot 1	18"	Tidelands Grant
2	Delaware Parkway	Block 112.01, Lot 1	18"	Tidelands Grant
3	Ohio Avenue	Block 164.02, Lot 1.06	24"	Township Easement
4	Frances Avenue	Block 229.02, Lot 1	30"	NJ Natural Lands Trust
5	Ridgewood Avenue	Block 298, Lot 1	24"	Township
6	Woodland Avenue	Block 298, Lot 1	18"	Township
7	Spruce Avenue	Block 298, Lot 1	16"	Township
8	Broadway	Beach Ave. R.O.W. Block 385.01, Lot 1	48"	Township
9	Shadeland Avenue	Beach Ave. R.O.W. Block 385.01, Lot 1	24"	Township
10	Beverly Road	Block 533.02, Lot 1.01	42"	Cape May Beach H.A.
11	Emerson Avenue	Block 631.02, Lot 1	30"	Township
12	Lincoln Boulevard.	Block 631.02, Lot 1	36"	Township



HMM will provide the following services under Task 1:

- Review existing inventory of materials previously acquired under the original construction contract;
- Review the previous design of piles, pipe, cribbing and tide flex valves; utilize previous design where appropriate and provide design of timber members to accommodate the existing materials on hand;
- Coordinate with the Public Works Department the division of work that will be publicly bid and work that will be constructed utilizing Township forces;
- Prepare Construction Drawings for the public bidding of the project;
- Prepare Construction Specifications for the public bidding of the project; and
- Prepare an Engineer's Estimate of Construction.

We propose to complete the scope of work outlined above (**Task 1**) for the lump sum amount of **\$19,800**.

Task 2	Bid, Award and Construction Administration Services
---------------	--

HMM will provide the following services under Task 2:

- Respond to potential questions and requests for additional information from Contractors bidding on the project;
- Issue Clarifications and Addendums, if required;
- Review bids and prepare a bid review letter;
- Attend pre-construction meeting and prepare meeting minutes;
- Review shop drawings; and
- Review Contractor's applications for payment.

We propose to complete the scope of work outlined above (**Task 2**) for the lump sum amount of **\$5,900**.

Task 3	Construction Observation Services
---------------	--

HMM will provide the following services under Task 3:

- Perform periodic observation of the construction;
- Prepare final punchlist; and
- Perform final inspection and project closeout services.

We anticipate that the contract period for the publicly bid portion of the outfall extension project will be 60 calendar days. During this time period we estimate that full-time observation will be required for approximately thirty (30) days or 240 hours. Based on this time period and our current rate schedule, we anticipate a **budget of \$25,500** will be required for construction observation purposes.



FEE SUMMARY			
<u>Scope Of Work</u>	<u>Description</u>	<u>Payment Method</u>	<u>Cost/Budget</u>
Task 1	Design Services	Lump Sum	\$19,800
Task 2	Bid, Award and Construction Administration Services	Lump Sum	\$5,900
Task 3	Construction Observation Services	Reimbursable As Incurred	\$25,500
TOTAL			\$51,200

Compensation for Task 1 & Task 2 of this project shall be on a lump sum basis and the Township shall be invoiced on a percent complete basis. Compensation for Task 3 of this project shall be based upon a reimbursable method of compensation for the actual time required and at the actual hourly rates for the individual(s) employed in accordance with our current rate schedule.

We thank you for the opportunity to provide this scope of work for the Design and Construction Phase services for the Outfall Extension 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

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

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

RESOLUTION #2009-222

TITLE: ESTABLISHING A GREEN TEAM ADVISORY COMMITTEE

WHEREAS, the Township Council of the Township of Lower strives to save tax dollars, assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally and socially; a community which would thrive well into the new century; and

WHEREAS, the Township Council of the Township of Lower wishes to build a model of government which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

WHEREAS, in an attempt to focus attention on "Green" issues, the Township Council wishes to establish a Green Team Advisory Committee (GTA); and

WHEREAS, the Township Council of the Township of Lower wants to begin the process of focusing on "Green" issues by starting with audits of municipality facilities and operations first.

WHEREAS, the Township Council of the Township of Lower has appropriated "seed money" in their 2009 budget to begin the process of making its operations greener, and more environmentally friendly beginning with energy audits of the Township's facilities to pinpoint the most effective ways to reduce energy consumption; and

WHEREAS, solar power, changes to fleet purchasing and maintenance, water quality improvements, and operational changes will all be considered as the Township moves to do their share to lessen the environmental impact of its operations.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower that we do hereby establish a Green Team Advisory Committee consisting of seven members who shall be residents or employees of Lower Township, appointed annually, but whose initial term of appointment shall be through December 31, 2009.

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Council of the Township of Lower that the Mission, Goals and Objectives for the GTA through December 31, 2009 are established as follows

Mission

The Lower Township Green Team Advisory Committee will advise the Township Council on ways to improve municipal operations with "Green" initiatives which are economically and environmentally sound through research and evaluation.

Goals

The Green Team Advisory Committee will submit recommendations to the Township Council, to include

1. Actions for Sustainable Jersey Certification
2. An audit of municipal facilities
3. A report of suggested best practices for "greener" municipal operations

Objectives

1. Collaborate with township employees, service providers and other governmental agencies to share resource information and ideas consistent with the Mission of the GTA.
2. Encourage participation of all employees to solicit ideas on green initiatives.
3. Research and analyze green initiatives which make practical environmental and financial sense.
4. Develop strategies for sustainable green initiatives in municipal operations.

NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Council of the Township of Lower that the following persons are hereby appointed to the GTA for the remainder of 2009:

Michael Beck	Regular Member	Mayor
Thomas Conrad	Regular Member	Councilman
Kathleen McPherson	Regular Member	Township Manager
Matthew Ecker	Regular Member	LTMUA Superintendent
John Lauderback	Regular Member	Mayor's Advisory Board
William Galestok	Regular Member	Director of Planning & Development
Colleen Crippen	Regular Member	Coordinator for Federal & State Aid
Margaret Vitelli	Regular Member	Purchasing Agent
Julie Picard	Regular Member	Citizen Representative

I hereby certify this is the original resolution adopted by the Township Council on August 3, 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 #2009-223

TITLE: APPLICATION FOR 2010 DRUG ENFORCEMENT AND DEMAND REDUCTION (DEDR) GRANT FUNDS

WHEREAS, the State of New Jersey has established a Governor's Council on Alcoholism and Drug Abuse to coordinate the State's efforts in regard to the planning and provision of treatment, prevention, research, evaluation, and education services for, and public awareness of alcoholism and drug abuse; and

WHEREAS, an Alliance to Prevent alcoholism and Drug Abuse has been created in the Governor's Council to set up a network comprised of all communities in New Jersey, which is dedicated to a comprehensive and coordinated effort against alcoholism and drug abuse; and

WHEREAS, a Local Advisory Committee on Alcoholism and Drug Abuse (LACADA) has been established in Cape May County, along with a County Alliance Steering Subcommittee to submit a plan for the expenditure of Drug Enforcement and Demand Reduction Funds through distribution to eligible municipalities; and

WHEREAS, the Township of Lower has appointed a Municipal Alliance Committee jointly with the municipalities of Cape May City and West Cape May, which Committee will identify local needs, and recommend actions designed to deal with Alcoholism and Drug Abuse; and

WHEREAS, the consortium under Lower Township, lead municipality, has received and is administering "DEDR" grants under a subcontract with the County.

NOW THEREFORE, BE IT RESOLVED, that the Township of Lower does hereby authorize the Township to continue in a Consortium of Municipalities, namely, Lower Township, Cape May City and the Borough of West Cape May, for the purpose of applying for 2010 DEDR Grant Funds to serve as the applicant municipality on behalf of the Consortium; to file an application for such grant funds; to execute any contracts or agreements necessary to obtain the funds; contracts/agreements.

BE IT FURTHER RESOLVED, that the Lower Cape Municipal Alliance Committee is hereby designated to continue to serve as the Committee required by Section C.26:2BB-9 of the legislation; that the Township of Lower, as lead municipality, is authorized to execute a new service agreement with said Committee on behalf of the Consortium; and that said

Agreement will evidence Consortium approval and acceptance of the Committee's Membership and By-Laws.

BE IT FURTHER RESOLVED, that the total amount of the Contract shall be \$66,994, that the total amount of the County Grant shall be \$33,497, that the amount of local in-kind match shall be \$25,123 and that the amount of local cash match shall be \$8,374. Lower Township's cash match shall be \$5,946.

BE IT FURTHER RESOLVED, that the Mayor of Lower Township, is authorized to sign the Application for 2009 grant funds, and to execute all contracts and agreements necessary to accept the funds and carry out the program in accordance with the State requirements.

I hereby certify this is the original resolution adopted by the Township Council on August 3, 2009.



 Claudia R. Kammer, Township Clerk

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

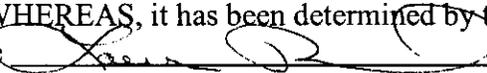
TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION #2009-224

**Title: AUTHORIZATION FOR THE PAYOUT OF ACCUMULATED
COMPENSATORY TIME**

WHEREAS, the employees listed on the attached schedule have accrued compensatory time due from the Township and have requested payment for this time, and

WHEREAS, it is necessary to obtain authorization for any salary and wage disbursement to a Township employee that is not specified in the salary ordinance, and

WHEREAS, it has been determined by the Township Treasurer as evidenced by signature  that adequate funding is available for such payment in the current years budget for Salaries and Wages.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that payment to Thomas Keywood in the amount of **\$ 22996.80** is authorized and chargeable to the 2008 Budget account 8-01-25-240-132.

**I hereby certify the foregoing to be a resolution adopted by the
Township Council on August 3, 2009.**


Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #200-225

TITLE: RESOLUTION REQUESTING THE US DEPARTMENT OF VETERAN'S AFFAIRS ESTABLISH A 'HEATH CARE CENTER FACILITY' PROGRAM FOR VETERANS IN SOUTH JERSEY AT THE FORMER WILLIAM KESSLER MEMORIAL HOSPITAL

WHEREAS, Senators Van Drew and Connors are heading a bipartisan effort to aid veterans in need in South Jersey, and

WHEREAS, Cape May County alone is home to approximately 20,000 veterans who often have to travel to the Wilmington Dept. of Veteran Affairs Medical Center, approximately two hours away or to the Philadelphia Dept. of Veteran Affairs Medical Center approximately an hour and a half away with both facilities requiring the aging population of veterans to incur significant expense in gas and tolls, and

WHEREAS, both the Wilmington and Philadelphia medical centers are located in congested areas often making travel difficult, and

WHEREAS, the former William B. Kessler Memorial Hospital in Hammonton, NJ currently being used by AtlantiCare for emergency care clinic would be an ideal location for such a facility to serve the numerous veterans of not only Cape May County but those of Atlantic, Cumberland, Ocean, Burlington & Salem County as well ,without requiring those who have served our country to travel over an hour and a half, and

WHEREAS, the establishment of a 'Health Care Center Facility' program at the former William B. Kessler Memorial Hospital by the US Department of Veteran's Affairs would be an ideal solution to serve the increasing needs of our service men, women and families, and

WHEREAS, Congressman Frank LoBiondo representing the 2nd District has always supported the nation's veterans and service personnel.

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council hereby request Congressman Frank LoBiondo and Senators Van Drew & Connors to join forces in urging the US Department of Veteran's Affairs to establish a "Health Care Center Facility" program at the former William B. Kessler Memorial Hospital to serve the needs of the numerous veterans who served our nation and reside in southern New Jersey.

FURTHER RESOLVED a copy of this resolution be sent to Congressman Frank LoBiondo, Senators Van Drew & Connors, the Board of Chosen Freeholders for Cape May, Atlantic, Cumberland, Ocean & Burlington Counties and all Cape May County Municipalities.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on August 3, 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 # 2009-226

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 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. (DRBA- RE Taxes)

- _____ (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 August 3, 2009 that an Executive Session closed to the public shall be held on this date at approximately 8:05 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 August 3, 2009.


 Claudia R. Kammer, Township Clerk

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