RESOLUTIONS ADOPTED OCTOBER 19 2009

Res. #2009-273	Payment of Vouchers, $4,053,268.40
Res. #2009-274	Rejection of Bids for Replacement of Gymnasium Floor (3 bids received, 2 not compliant, 1 over budget)
Res. #2009-275,	A resolution requesting reduction of Performance Guarantee for Marie Nicole's Restaurant; Block 697; Lots 3-7; Escrow #Z02-12-03
Res. #2009-276,	Resolution to Petition the Council on Affordable Housing (COAH) For Substantive Certification of the Round 3 Affordable Housing Plan as Adopted by the Lower Township Planning Board
Res. #2009-277,	Resolution Requesting COAH to Review and Approve Township's Draft Development Fee Ordinance
Res. #2009-278,	Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (DOT $130,000 -Reconstruction of Station Road/Bayshore to States Avenue)

P.O. Type: All
Range: First to Last
Format: Condensed

Include Project Line Items: Yes

Open: N Rcvd: Y Paid: N
Held: Y Aprv: N Void: N
Bid: Y State: Y Other: Y

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00028 ACTION SUPPLY*							
09-02484	09/14/09	CONCRETE FOR CURBING-DPW	Open	313.75	0.00		
00061 ALERT-ALL CORPORATION*							
09-02520	09/16/09	FIRE SAFETY EXTREME TEAM ACTIV	Open	330.00	0.00		
00067 ALL AMERICAN SPORTS CORP.*							
09-01269	05/18/09	HELMET RECONDITIONING	Open	485.88	0.00		
09-02212	08/11/09	EXTRA SMALL FOOTBALL HELMETS	Open	383.39	0.00		
				869.27			
00085 AMERICAN SWIMMING POOLS*							
09-02335	08/26/09	MISC. SUPPLIES FOR POOL SEPT.	Open	174.60	0.00		
00086 AMERICAN PLANNING ASSOCIATION							
09-02546	09/18/09	SEMINAR NOV 5&6, 2009	Open	195.00	0.00		
00110 ANCO HOME CENTER*							
09-02336	08/26/09	MISC. SUPPLIES REC. SEPT. 09	Open	476.79	0.00		
09-02436	09/08/09	SUPPLIES FOR SIGNS/BLDG/DPW	Open	157.32	0.00		
				634.11			
00111 APEX AUTO ELECTRIC*							
09-02668	10/05/09	SUPPLIES FOR DPW	Open	525.00	0.00		
00179 AVERY TEITLER*							
09-00885	04/16/09	PROFESSIONAL SERVICES	Open	300.00	0.00		
09-02732	10/13/09	RESOLUTIONS ESCROW ACCTS	Open	300.00	0.00		
				600.00			
00180 AUTO PARTS CO, INC*							
09-02337	08/26/09	MISC. SUPPLIES REC. SEPT. 09	Open	99.99	0.00		
00195 B.F. MOLZ, INC*							
09-02592	09/24/09	LATERAL 5 DRAWER FILE	Open	686.79	0.00		
09-02595	09/24/09	OPEN END LEGAL ENVELOPES	Open	265.92	0.00		
				952.71			
00231 HOWARD A BAILEY III							
09-02664	10/05/09	SHOE ALLOWANCE FOR 2009-DPW	Open	114.99	0.00		
00301 BELMONT AND CRYSTAL SPRINGS*							
09-02736	10/14/09	BOTLED WATER - TOWNHALL	Open	46.11	0.00		
09-02762	10/15/09	BOTTLED WATER FOR SEPTEMBER	Open	74.44	0.00		

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
				120.55			
00365 BLUE STAR*							
09-02544	09/18/09	SEA BREEZE MIST CANISTERS	Open	236.00	0.00		
09-02552	09/18/09	SUPPLIES FOR GARAGE - DPW	Open	1,792.00	0.00		
				2,028.00			
00455 DALLAS BOHN							
08-01836	07/01/08	2008 EQUIP ALLOW	Open	17.88	0.00		
09-01325	05/20/09	2009 EQUIP ALLOW	Open	106.32	0.00		
				124.20			
00616 ANIMAL ALLIANCE OF CAPE							
09-02699	10/07/09	TNR AND SPAY/NEUTER PROGRAM	Open	235.00	0.00		
09-02758	10/15/09	TNR & SPAY/NEUTER PROGRAM	Open	120.00	0.00		
				355.00			
00733 CAPE POWER EQUIPMENT INC*							
09-02338	08/26/09	MISC. SUPPLIES REC. SEPT. 09	Open	286.20	0.00		
00739 CAPE MAY VETERINARY HOSPITAL							
09-02654	10/02/09	STRAY SPAY/NEUTER PROGRAM	Open	30.00	0.00		
00784 CAPE MAY STAR & WAVE							
09-02738	10/14/09	PUBLIC NOTICE	Open	11.78	0.00		
00820 COMCAST OF WILDWOOD* DPW							
09-02667	10/05/09	INTERNET PROVIDER - DPW-OCT	Open	95.24	0.00		
00825 COMCAST*							
09-02698	10/07/09	INTERNET ACCESS - TOWNHALL	Open	95.24	0.00		
00991 COLONIAL ELECTRIC SUPPLY*							
09-02560	09/22/09	EMERGENCY EXIT LIGHT - DPW	Open	182.14	0.00		
00997 S.A.COMUNALE, INC.*							
09-02366	09/01/09	SPRINKLER SYS INTERNAL INSPEC	Open	3,140.00	0.00		
01170 VERIZON WIRELESS* F/S							
09-02661	10/05/09	CELL SVC - FIRE SAFETY	Open	171.44	0.00		
01239 DIANA L DeNOTE							
09-02734	10/13/09	CONTRACTUAL REIMBURSEMENTS	Open	342.40	0.00		
01245 G & K SERVICES CO*							
09-02339	08/26/09	MAINTENANCE STAFF UNIFORMS	Open	84.20	0.00		
09-02673	10/05/09	UNIFORM RENTALS-DPW	Open	819.39	0.00		
				903.59			

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01296 RUSTIC GARDEN LANDSCAPING,LLC*							
09-02577	09/23/09	RELOCATE TREE AT BENNETT'S	Open	150.00	0.00		
01389 EDDIE'S AUTO BODY*							
09-02524	09/16/09	TOW EVIDENCE	Open	125.00	0.00		
01437 ERCO CEILINGS*							
09-01972	07/15/09	BATHROOM RENOVATIONS	Open	292.61	0.00		
01500 FEDEX							
09-02759	10/15/09	LOWER TWP ACCT#1843-5961-8	Open	38.93	0.00		
01530 FIRE DISTRICT #1							
09-00456	02/25/09	SUPPLEMENTAL FIRE SERVICES	Open	3,193.39	0.00		
01540 FIRE DISTRICT #2							
09-00457	02/25/09	SUPPLEMENTAL FIRE SERVICES	Open	4,256.18	0.00		
01550 FIRE DISTRICT #3							
09-00455	02/25/09	SUPPLEMENTAL FIRE SERVICES	Open	1,419.56	0.00		
01603 GENERAL CODE PUBLISHERS*							
09-02674	10/05/09	CODE BOOK SUPPLEMENT #14	Open	2,973.41	0.00		
01653 GENTILINI FORD*							
09-02521	09/16/09	TRANS. FOR POLICE CAR	Open	1,653.13	0.00		
01781 HATCH MOTT MACDONALD, LLC*							
09-01216	05/11/09	QUALIFIED WITNESS IN FACT	Open	270.00	0.00		B
09-02321	08/24/09	BAYSHORE ESTATE STORM WATER RE	Open	437.00	0.00		B
09-02362	09/01/09	OUTFALL PIPES CHANGE-09-00576	Open	202.50	0.00		B
09-02590	09/24/09	NJ NATURAL LAND TRUST ACCESS	Open	135.00	0.00		B
09-02656	10/05/09	EXCROW BILLING	Open	2,365.00	0.00		
09-02733	10/13/09	ESCROW BILLING	Open	1,234.28	0.00		
				4,643.78			
01785 ROBERT HARTMAN SR							
09-02702	10/07/09	CONTRACTUAL REIMBURSEMENTS	Open	487.92	0.00		
01806 ANTHONY J HARVATT, II, ESQ							
09-00319	02/09/09	PROFESSIONAL SERVICE/ZONING BO	Open	300.00	0.00		B
09-02657	10/05/09	RESOLUTION FEES - ESCROW	Open	750.00	0.00		
				1,050.00			
02021 JERSEY CAPE DOOR*							
09-02076	07/28/09	REPAIRS TO GARAGE DOOR-DPW	Open	173.00	0.00		
02116 FRAN KENNEDY COFFEE CO.*							
09-02706	10/08/09	COFFEE SUPPLIES - TOWNHALL	Open	49.19	0.00		

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02136 TED KINGSTON INC*							
09-01298	05/20/09	COMMUNICATIONS MAINT.	Open	2,493.27	0.00		
02223 LANDSMAN UNIFORMS*							
09-01282	05/20/09	UNIFORMS	Open	1,851.00	0.00		
02247 LAWSON PRODUCTS, INC.*							
09-02437	09/08/09	SUPPLIES FOR GARAGE-DPW	Open	1,285.27	0.00		
02320 LOWER TOWNSHIP BRD OF EDUCATN							
09-01062	04/27/09	SCHOOL TAXES DUE 1ST OF MONTH	Open	1,437,188.90	0.00		
02334 LOWER TWSP CHAMBER OF COMMERCE							
09-02594	09/24/09	ANNUUAL DUES OCT 09 TO SEPT 10	Open	100.00	0.00		
02417 MAGELLAN HILL TECHNOLOGIES*							
09-02676	10/05/09	PHONE SERVICE	Open	2,950.18	0.00		
02541 ROBERT D. MARTIN, JR							
09-02701	10/07/09	CONTRACTUAL REIMBURSEMENT	Open	70.99	0.00		
02640 FRANK MCCLOSKEY							
09-02761	10/15/09	SHOE ALLOWANCE FOR 2009-DPW	Open	84.80	0.00		
02709 ANTHONY MONZO*							
09-02737	10/14/09	LITIGATION EXPENSE - AUG,2009	Open	10,185.93	0.00		
02726 MIDDLE TOWNSHIP							
09-02557	09/22/09	ACO COVERAGE FOR JUNE	Open	502.14	0.00		
02731 MOBILE LIFTS, INC							
09-00653	03/18/09	2009 OR NEWER TRUCK W/SIGN LIF	Open	74,850.00	0.00		
02940 MUNICIPAL RECORD SERVICE*							
09-02593	09/24/09	PLEA AGREEMENT FORMS	Open	91.00	0.00		
03086 NJ STATE ASSN CHIEFS OF POL*							
09-02079	07/28/09	EMBLEMS	Open	127.00	0.00		
03104 NORTHEAST IND.&MARINE SUPPLY*							
09-02157	08/05/09	PARTS FOR RDS/SANT/RECY/DPW	Open	332.40	0.00		
03132 NEXTEL COMMUNICATIONS							
09-02760	10/15/09	NEXTEL	Open	1,254.91	0.00		
03135 NEXT GENERATION IND, INC*							
09-02187	08/07/09	SUPPLIES FOR GARAGE-DPW	Open	2,286.60	0.00		
03158 NYSCA*							
09-02559	09/22/09	COACHING CERTIFICATIONS	Open	60.00	0.00		
03211 BRUCE OLEXA							
09-02700	10/07/09	CONTRACTUAL REIMBURSEMENT - V	Open	88.00	0.00		

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03280 PARAMOUNT SANITARY SUPPLY*							
09-02610	09/29/09	C- FOLD TOWELS	Open	76.96	0.00		
03301 RED BANK VETERINARY HOSPITAL							
09-02653	10/02/09	ANIMAL CONTROL EMERGENCY SVC	Open	417.61	0.00		
03305 PEDRONI FUEL*							
09-02672	10/05/09	NO LEAD GAS - DPW	Open	799.92	0.00		
03354 PERNA FINNIGAN, INC*							
09-02537	09/18/09	CONFLICT W/NEW DRAINAGE	Open	2,941.38	0.00		
03370 PHYSIO CONTROL CORPORATION							
09-02476	09/14/09	AED REPLACEMENT BATTERIES	Open	520.39	0.00		
03466 R & R SPECIALTIES							
09-02614	09/29/09	COSTUME PARADE MEDALLIONS	Open	104.00	0.00		
03478 RED THE UNIFORM TAILOR, INC.*							
09-02301	08/19/09	UNIFORMS	Open	416.35	0.00		
03611 SERVICE TIRE TRUCK CENTERS*							
09-02438	09/08/09	TIRES FOR RDS/SANT/RECY/DPW	Open	626.31	0.00		
03683 SNAP-ON TOOLS*							
09-02277	08/18/09	ABRASIVE BLAST CABINET	Open	2,454.31	0.00		
03687 SOUTH JERSEY WRESTLING ASSOC.*							
09-02648	10/02/09	YOUTH WRESTLING LEAGUE FEES	Open	500.00	0.00		
03700 SPORTS-N-STUFF*							
09-02558	09/22/09	SOCCER SHIRTS	Open	35.00	0.00		
03733 JAMES D. STRICKLAND							
09-02703	10/07/09	CONTRACTUAL REIMBURSEMENTS	Open	78.00	0.00		
03803 TONY'S MARINE SUPPLY*							
09-02156	08/05/09	SUPPLIES FOR SIGNS/BLDG/DPW	Open	123.00	0.00		
03831 TREASURER, COUNTY TAXES							
09-02707	10/08/09	4TH QTR. 2009 COUNTY TAX	Open	2,443,627.69	0.00		
03863 TREASURER, STATE OF NEW JERSEY							
09-02660	10/05/09	STTE SURCHARGE - 3RD QTR 2009	Open	3,523.00	0.00		
03899 UPS							
09-02549	09/18/09	SHIPPING - ADA CONTRACT	Open	15.49	0.00		
03914 ULINE INC*							
09-02482	09/14/09	PATROL OPERATION SUPPLIES	Open	29.10	0.00		
03917 STATE OF NJ DEPT OF CHILD/FAML							

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
09-02662	10/05/09	QRTLY MARRIAGE/CIVIL UNIONS	Open	1,200.00	0.00		
03918		TREASURER, STATE OF NJ BURIAL					
09-02663	10/05/09	3RD QTR BURIAL PERMIT FEES	Open	40.00	0.00		
03926		STEVEN WINTER ASSOCIATES*					
09-02615	09/29/09	CLEAN ENERGY AUDIT PROGRAM	Open	6,711.00	0.00		B
03935		STAPLES BUSINESS ADVANTAGE*					
09-02539	09/18/09	PRINTER/OFFICE SUPPLIES	Open	603.34	0.00		
09-02583	09/23/09	OFFICE SUPPLIES	Open	150.91	0.00		
				754.25			
03960		VECTOR SECURITY*					
09-02480	09/14/09	COURT ENTRY DOORS	Open	90.00	0.00		
03963		US LUBES, LLC *					
09-02600	09/28/09	SUPPLIES FOR SANITATION-DPW	Open	1,717.08	0.00		
03992		VAL-U AUTO PARTS LLC*					
09-02432	09/08/09	PARTS FOR RDS/SANT/RECY/DPS	Open	2,389.52	0.00		
04150		BARRY, CORRADO, GRASSI &					
09-02398	09/03/09	PUBLIC DEFENDER EXPENSE	Open	655.05	0.00		
04266		NJ DEPT OF HEALTH&SENIOR SVCS					
09-02675	10/05/09	STATE DOG LICENSE FEES SEPT,09	Open	96.60	0.00		
04275		CLARKTON, LLC*					
09-00616	03/12/09	FIELD MAINTENANCE FOR	Open	4,010.00	0.00		B
04277		UNIVERSAL INSTRUMENT SERVICES*					
09-02464	09/11/09	CALIBRATION AND CERTIFICATION	Open	600.00	0.00		
04290		E L & M AUTOMOTIVE RECYCLING*					
09-02579	09/23/09	WEHICLE REPAIR/INSURANCE CLAIM	Open	2,600.00	0.00		
04301		SEASHORE ASPHALT CORPORATION*					
09-02424	09/08/09	PATCH FURNISHED AT PLANT-DPW	Open	288.75	0.00		
09-02530	09/16/09	ASPHALT FURNISHED AT PLANT	Open	1,357.28	0.00		
				1,646.03			
AUTO		AUTO PARTS STORE					
09-02375	09/01/09	PARTS FOR RDS/SANT/RECYC/DPS	Open	3,430.66	0.00		
BLAUE		BLAUER ASSOCIATES INC*					
09-02199	08/11/09	DCA 08 PUB FACILITIES - ADA	Open	975.00	0.00		B
DOHERTY		THOMAS & JACQUELINE DOHERTY					
09-02652	10/02/09	SPAY/NEUTER PROGRAM	Open	35.00	0.00		

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
FRO-ME FRO-ME-A-PARTY							
09-02039	07/24/09	BALOON ANIMAL MAN/NAT NIGHT OU	Open	260.00	0.00		
G-DB DB ELECTRONICS							
09-02483	09/14/09	REPAIRS TO MEETING ROOM SOUND	Open	405.00	0.00		
HOOVER ROBERT HOOVER & SONS INC*							
09-02442	09/08/09	PARTS FOR SANT. TRUCKS	Open	299.76	0.00		
LERARIO LEONARD LERARIO							
09-02763	10/15/09	FOOTBALL REFUND FOR VOLUNTEER	Open	20.00	0.00		
MOUSTAFA CAROLINE MOUSTAFA							
09-02651	10/02/09	SOCCER REFUND FOR VOLUNTEER	Open	41.25	0.00		

Total Purchase Orders: 112 Total P.O. Line Items: 325 Total List Amount: 4,053,268.40 Total Void Amount: 0.00

I hereby certify the foregoing resolution was adopted by the Township Council at a meeting held on October 19, 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 #2009-274

TITLE: REJECTION OF BIDS FOR REPLACEMENT OF GYMNASIUM FLOOR

WHEREAS, the Township advertised for bids on September 24, 2009 for Replacement of Gymnasium Floor and sealed bids were received by the Township QPA on October 14, 2009 at 11:00 a.m. , and

WHEREAS, three bids were submitted, and were opened and reviewed by the QPA and the Recreation Director, and

WHEREAS, two bids were not for the specified product and the only compliant bidder exceed the budget appropriation; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council, of the Township of Lower the all bids hereby rejected and the QPA is authorized to readvertise for bids.

I hereby certify the foregoing to be a resolution adopted by the Township Council on October 19, 2009.

Claudia R. Kammer

Claudia R. Kammer, Twp. Clerk

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

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

RESOLUTION #2009-275

TITLE: A resolution requesting reduction of Performance Guarantee for Marie Nicole's Restaurant; Block 697; Lots 3-7; Escrow #Z02-12-03

WHEREAS, 9510 Associates, Inc., posted a Performance Guarantee with the Township of Lower in the amount of $49,026.00 for the site plan referenced above; and

WHEREAS, the Township Engineer has recommended that improvements having a total value of $45,390.00 have been properly installed and are presently acceptable; and

WHEREAS, the Township Engineer has recommended that the Performance Bond be reduced $16,342.00 (30% retained to ensure completion 40:55D-53.e(1))

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 $16,3642.00

I hereby certify this is the original resolution adopted by the Township Council at the meeting of October 19, 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 #2009-276

TITLE: RESOLUTION REQUESTING COAH TO REVIEW AND APPROVE TOWNSHIP'S DRAFT DEVELOPMENT FEE ORDINANCE

WHEREAS, the Township Council of the Township of Lower, County of Cape May petitioned the Council on Affordable Housing (COAH) for substantive certification on ; and

WHEREAS, P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), permits municipalities that are under the jurisdiction of COAH or of a court of competent jurisdiction and that have a COAH-approved spending plan to impose and retain fees on residential and non-residential development; and

WHEREAS, subject to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), N.J.A.C. 5:97-8.3 permits a municipality to prepare and submit a development fee ordinance for review and approval by the Council on Affordable Housing (COAH) that is accompanied by and includes the following:

.A description of the types of developments that will be subject to fees per N.J.A.C. 5:97-8.3(c) and (d);
.A description of the types of developments that are exempted per N.J.A.C. 5:97-8.3(e);
.A description of the amount and nature of the fees imposed per N.J.A.C. 5:97-8.3(c) and (d) ;
.A description of collection procedures per N.J.A.C. 5:97-8.3(f);
.A description of development fee appeals per N.J.A.C. 5:97-8.3(g); and
.A provision authorizing COAH to direct trust funds in case of non-compliance per N.J.A.C. 5:97-8.3(h).

WHEREAS, Lower Township has prepared a draft development fee ordinance that establishes standards for the collection, maintenance, and expenditure of development fees consistent with COAH's regulations at N.J.A.C. 5:97-8 and in accordance with P.L.2008, c.46, Sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

NOW THEREFORE BE IT RESOLVED that the Township Council of the Township of Lower, Cape May County requests that COAH review and approve Lower Township's development fee ordinance.

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 October 19, 2009.

Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2009-277

TITLE: **RESOLUTION REQUESTING COAH TO REVIEW AND APPROVE TOWNSHIP'S DRAFT DEVELOPMENT FEE ORDINANCE**

WHEREAS, the Township Council of the Township of Lower, County of Cape May petitioned the Council on Affordable Housing (COAH) for substantive certification on October 19, 2009; and

WHEREAS, P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), permits municipalities that are under the jurisdiction of COAH or of a court of competent jurisdiction and that have a COAH-approved spending plan to impose and retain fees on residential and non-residential development; and

WHEREAS, subject to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), N.J.A.C. 5:97-8.3 permits a municipality to prepare and submit a development fee ordinance for review and approval by the Council on Affordable Housing (COAH) that is accompanied by and includes the following:

1. A description of the types of developments that will be subject to fees per N.J.A.C. 5:97-8.3(c) and (d);
2. A description of the types of developments that are exempted per N.J.A.C. 5:97-8.3(e);
3. A description of the amount and nature of the fees imposed per N.J.A.C. 5:97-8.3(c) and (d) ;
4. A description of collection procedures per N.J.A.C. 5:97-8.3(f);
5. A description of development fee appeals per N.J.A.C. 5:97-8.3(g); and
6. A provision authorizing COAH to direct trust funds in case of non-compliance per N.J.A.C. 5:97-8.3(h).

WHEREAS, Lower Township has prepared a draft development fee ordinance that establishes standards for the collection, maintenance, and expenditure of development fees consistent with COAH's regulations at N.J.A.C. 5:97-8 and in accordance with P.L.2008, c.46, Sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

NOW THEREFORE BE IT RESOLVED that the Township Council of the Township of Lower, Cape May County requests that COAH review and approve Lower Township's development fee ordinance.

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 October 19, 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 #2009-278

TITLE: INSERTION OF SPECIAL ITEM OF REVENUE PURSUANT TO N.J.S.A. 40A:4-87, CHAPTER 159

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount,

SECTION 1.

NOW, THEREFORE BE IT RESOLVED that the Township of Lower, County of Cape May, hereby requests the Director of the Division of Local Government Services to approve the increase of $130,000.00 for an item of revenue in the budget of the year 2009 as follows:

Miscellaneous Revenues –
Revenue Offset with Appropriations - NJDOT Municipal Aid
Total with increase to be $130,000.00

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of $130,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations –
Public & Private Programs Offset by Revenues - NJDOT Municipal Aid

State/Federal Share	$	130,000.00
Non State Share	$	
Total with increase to be	$	130,000.00

FURTHER RESOLVED that two certified copies of this resolution with a copy of the appropriate documentation be forwarded to the Division of Local Government Services.

I hereby certify this is the original resolution adopted by the Township Council on October 19, 2009

Claudia R. Kammer

Claudia R. Kammer, Township Clerk

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