RESOLUTIONS ADOPTED NOVEMBER 2, 2009

Res. #2009-279,	Payment of Vouchers, $1,599,758.29
Res. #2009-280,	A Resolution Requesting Release of Demolition Bond for Block 256, Lots 6-8, 110 Maple Road, Villas
Res. #2009-281,	Over the Limit Under Arrest 2009 Statewide Impaired Driving Crackdown Grant (Grant Funding for $5,000 O.T. cost for enforcement Dec 7 to Jan 3 2010)
Res. #2009-282,	Certification of Lot Clearing Charges to the Tax Collector (1 property)
Res. #2009-283,	Transfer of 2009 Appropriations, $70,050
Res. #2009-284,	Approval of Precious Metals License for Adele Christensen t/a Adele's Jeweled Treasurers for Year 2010
Res. #2009-285,	Authorization for Refund of Taxes
Res. #2009-286,	Resolution Approving an Interlocal Services Agreement Between the Lower Cape May Regional Board of Education and the Township of Lower (For 2009/2010 year - Class II officer for security at certain evening events - LCRM pays all costs)
Res. #2009-287,	Appointment to the Lower Township MUA (Joseph Mento to fill unexp. term of W. Weissman)
Res. #2009-288,	Appointment to the Recreation Advisory Board (Mark Di Donato, Reg Member & Bettina Steiger, Alt Member filling unexp. terms)
Res. #2009-289,	Approval of Change Order #1 For Municipal Building ADA Project (Reduction of $2,784.00)
Res. #2009-290,	Payment of Voucher, $35,000 (Lower Twp. Rescue payment per agreement)
Res. #2009-291,	A Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provision of the New Jersey Open Public Meetings Act (PBA)

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	PO Type
00007 ACME MARKETS, INC.*							
09-02717	10/13/09	OFFICER OF THE YEAR	Open	149.14	0.00		
00110 ANCO HOME CENTER*							
09-01291	05/20/09	AUGUST 2009	Open	55.10	0.00		
09-01292	05/20/09	SEPT 2009	Open	18.49	0.00		
09-02722	10/13/09	MISC. SUPPLIES FOR HAYRIDE	Open	182.24	0.00		
				255.83			
00153 ATLANTIC CITY ELECTRIC*							
09-02820	10/23/09	OCTOBER, 2009	Open	18,366.01	0.00		
00183 AVAYA, INC.*							
08-03458	12/19/08	MAINT CONTRACT - COURT	Open	744.48	0.00		
00195 B.F. MOLZ, INC*							
09-02634	09/30/09	REPLACEMENT ARMS FOR CHAIRS	Open	126.45	0.00		
09-02658	10/05/09	2010 CALENDARS	Open	304.89	0.00		
				431.34			
00301 BELMONT AND CRYSTAL SPRINGS*							
09-02772	10/16/09	BOTTLED WATER - FIRE SAFETY	Open	18.33	0.00		
09-02785	10/16/09	WATER - DPS	Open	40.11	0.00		
09-02803	10/22/09	BOTTLED WATER - DPW	Open	27.96	0.00		
				86.40			
00323 JOHN BEERS							
09-02855	10/28/09	CONTRACTUAL REIMBURSEMENTS	Open	217.00	0.00		
00348 BENNETT BATTERIES, LLC*							
09-02433	09/08/09	SUPPLIES FOR SANT/DPS	Open	264.70	0.00		
00370 BLUE CROSS/BLUE SHIELD OF NJ							
09-02813	10/22/09	NOVEMBER, 2009	Open	2,869.81	0.00		
00611 COUNTY OF CAPE MAY							
09-02770	10/16/09	SEPTEMBER, 2009 FUEL	Open	21,944.81	0.00		
00616 ANIMAL ALLIANCE OF CAPE							
09-02792	10/21/09	TNR AND SPAY/NEUTER PROGRAM	Open	285.00	0.00		
09-02851	10/27/09	TNR SPAY/NEUTER PROGRAM	Open	100.00	0.00		
				385.00			
00651 MUNICIPAL UTIL AUTH DUMP FEES							

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
09-02795	10/22/09	TIPPING FEES - SEPT - DPW	Open	80,652.99	0.00		
00775		CAPRIONI PORTABLE TOILETS,INC*					
09-02679	10/07/09	HANDICAP TOILET WITH WKLY/INS.	Open	367.50	0.00		
00784		CAPE MAY STAR & WAVE					
09-02789	10/19/09	LEGALS - NOTICE OF DECISION	Open	28.52	0.00		
09-02790	10/19/09	8/20/09 DISPLAY AD - NJDEP	Open	167.52	0.00		
09-02818	10/23/09	LEGALS	Open	59.52	0.00		
09-02835	10/27/09	LEGALS	Open	104.16	0.00		
				359.72			
00807		CDW-GOVERNMENT INC*					
09-02526	09/16/09	SCANJET FOR TRAC SYSTEM	Open	155.00	0.00		
00825		COMCAST*					
09-02837	10/27/09	INTERNET ACCESS - FIRESAFETY	Open	100.20	0.00		
00852		CHERRY VALLEY TRACTOR CO.*					
09-02403	09/03/09	TRACTOR PARTS - DPW	Open	1,895.93	0.00		
00928		CAPE MAY COUNTY CLERK					
09-02591	09/24/09	RECORD TAX SALE CERTIFICATES	Open	128.00	0.00		
00991		COLONIAL ELECTRIC SUPPLY*					
09-02642	10/02/09	LIGHT BULBS - TOWNHALL	Open	248.83	0.00		
01200		DELTA DENTAL PLAN OF NJ					
09-02814	10/23/09	NO, 2009 DENTAL	Open	12,384.98	0.00		
01239		DIANA L DeNOTE					
09-02850	10/27/09	REIMBURSEMENT	Open	12.88	0.00		
01251		BRIAN DICKINSON					
09-02774	10/16/09	CONTRACTUAL REIMBURSEMENT	Open	955.70	0.00		
01403		EMERGENCY SOFTWARE PRODUCTS*					
09-02619	09/29/09	MAINT FOR ESP INSPECTION SYS	Open	575.00	0.00		
01490		ROBERT FESSLER					
08-01812	07/01/08	2008 EQUIP ALLOW	Open	150.00	0.00		
09-01333	05/20/09	2009 EQUIP ALLOW	Open	55.70	0.00		
09-02815	10/23/09	CONTRACTUAL REIMBURSEMENT - VI	Open	110.00	0.00		
				315.70			
01496		TIMOTHY FAIRMAN					
09-02728	10/13/09	SHOE ALLOWANCE FOR 2009-DPW	Open	223.90	0.00		
01598		FT DEARBORN LIFE*					
09-02854	10/28/09	NOVEMBER, 2009 LIFE INSURANCE	Open	586.49	0.00		

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01649 GARDEN STATE HWY PRODUCTS,INC*							
09-02655	10/05/09	SIGN MATERIAL	Open	2,143.20	0.00		
01653 GENTILINI FORD*							
09-02670	10/05/09	PARTS FOR DUMP TRUCK-DPW	Open	627.14	0.00		
09-02694	10/07/09	MISC. PARTS FOR RC-3	Open	995.63	0.00		
				1,622.77			
01781 HATCH MOTT MACDONALD, LLC*							
09-00840	04/09/09	WELL REGISTRATION - BENNETTS	Open	162.00	0.00		B
09-01918	07/10/09	PREPARE AN APPLICATION TO THE	Open	696.00	0.00		B
09-01941	07/10/09	PROF SVC-HALL PKG LOT PHASE 1	Open	819.00	0.00		B
09-01942	07/10/09	PROF SVC DPS ROOFING SYSTEM	Open	10,920.00	0.00		B
09-02159	08/05/09	DELAWARE BAY SHORE OUTFALL EXT	Open	990.00	0.00		
09-02362	09/01/09	OUTFALL PIPES CHANGE-09-00576	Open	11.09	0.00		B
09-02555	09/22/09	VARIOUS DRAINAGE ISSUES -DPW	Open	1,697.96	0.00		B
09-02590	09/24/09	NJ NATURAL LAND TRUST ACCESS	Open	202.50	0.00		B
				15,498.55			
01820 DARRIN D. HICKOK							
09-01340	05/20/09	2009 EQUIP ALLOW	Open	83.71	0.00		
01860 GNL DOORS & HARDWARE*							
09-02765	10/15/09	DOOR REPAIRS AT BENNETT'S	Open	115.50	0.00		
02008 KAY PARK RECREATION*							
09-02443	09/08/09	2 3/8"BLK. TUBE COATED TABLE	Open	2,982.00	0.00		
02025 HUNTER JERSEY PETERBILT*							
09-02671	10/05/09	PART FOR RECYCLING TRUCK-DPW	Open	119.71	0.00		
02108 KEEN COMPRESSED GAS CO*							
09-02435	09/08/09	BOTTLED GAS FOR GARAGE-DPW	Open	206.30	0.00		
02140 KINDLE FORD LINC/MERC., INC.*							
09-02669	10/05/09	PARTS FOR DPS - POLICE	Open	173.86	0.00		
02222 JANICE LASKEY							
09-02708	10/08/09	WORK BOOTS PER UNION CONTRACT	Open	55.98	0.00		
02223 LANDSMAN UNIFORMS*							
09-02367	09/01/09	UNIFORMS	Open	186.00	0.00		
09-02551	09/18/09	UNIFORMS	Open	1,326.50	0.00		
				1,512.50			
02248 LAWMEN SUPPLY*							
09-02046	07/24/09	VESTS	Open	107.30	0.00		
02296 STEPHEN E LONERGAN							
09-02816	10/23/09	CONTRACTUAL REIMBURSEMENT - V	Open	94.99	0.00		

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02334 LOWER TWSP CHAMBER OF COMMERCE							
09-02852	10/27/09	DONATION 2010 BUSINESS DIRECTO	Open	3,500.00	0.00		
09-02853	10/27/09	DONATION - HOSPITALITY NIGHT	Open	1,000.00	0.00		
				4,500.00			
02351 LOWER CAPE MAY REGIONAL							
09-01061	04/27/09	SCHOOL TAX DUE 15TH OF MONTH	Open	1,162,843.00	0.00		
02490 MARC PUBLISHING CO*							
09-02786	10/16/09	CROSS REFERENCE BOOK LEASE	Open	149.50	0.00		
02527 MARLBORO FARM MARKET II							
09-02793	10/22/09	2009 GARDEN CLUB FLOWERS	Open	59.96	0.00		
02656 MICHAEL MCPHERSON*							
09-02650	10/02/09	4 OCEAN AVE LOT CLEARING	Open	295.00	0.00		
02935 MUNICIPAL TOY CO, INC*							
09-02757	10/14/09	HALLOWEEN BAGS	Open	69.00	0.00		
02965 KEITH PALEK							
09-02848	10/27/09	WORK BOOTS PER UNION CONTRACT	Open	69.99	0.00		
03001 STATE TOXICOLOGY LABORATORY*							
09-02491	09/15/09	APPLICANT DRUG SCREENING	Open	35.00	0.00		
03026 NJ STATE HEALTH BENEFITS							
09-02856	10/28/09	NOVEMBER, 2009 HEALTH BENEFIT	Open	183,618.07	0.00		
03177 OCEAN CREST PRINTING*							
09-02782	10/16/09	OFFICE SUPPLIES FOR GARAGE	Open	378.00	0.00		
03179 OFF-SHORE GETTY STATION*							
09-02490	09/15/09	TOW EVIDENCE	Open	125.00	0.00		
03279 PARDO'S TRUCK PARTS WHSE*							
09-02434	09/08/09	PARTS FOR RDS/SANT/RECY	Open	168.34	0.00		
03280 PARAMOUNT SANITARY SUPPLY*							
09-02659	10/05/09	CLEANING SUPPLIES - DPS	Open	605.95	0.00		
09-02716	10/13/09	MISC. CLEANING SUPPLIES	Open	390.50	0.00		
09-02784	10/16/09	OFFICE SUPPLIES - DPW	Open	168.34	0.00		
				1,164.79			
03285 PARA PLUS TRANSLATIONS,INC.*							
09-02645	10/02/09	SPANISH INTERPRETER	Open	65.00	0.00		
03366 AMERI-GAS*							
09-02769	10/16/09	PROPANE FOR BENNETTS CROSSING	Open	373.83	0.00		
09-02844	10/27/09	PROPANE FOR REC CENTER 10/9/09	Open	25.08	0.00		

Vendor # Name PO # PO Date Description	Status	Amount	Void Amount	Contract	PO Type
		398.91			
03448 REMINGTON,VERNICK & WALBERG*					
08-02723 10/09/08 ADA Municipal Building - Eng	Open	2,205.71	0.00		B
03478 RED THE UNIFORM TAILOR, INC.*					
09-01815 06/30/09 UNIFORMS	Open	303.90	0.00		
09-02550 09/18/09 UNIFORMS	Open	318.80	0.00		
		622.70			
03518 RIGGINS, INC.*					
09-02709 10/08/09 OFF-HIGHWAY DIESEL-DPW	Open	1,159.54	0.00		
03522 TSI INC					
09-02492 09/15/09 CALIBRATION PORTACOUNT PLUS	Open	815.73	0.00		
03573 SAFETY-KLEEN CORP*					
09-00588 03/10/09 EQUIPMENT MAINTENANCE-DPW	Open	580.36	0.00		
03660 SIRCHIE FINGERPRINT LAB. INV.*					
09-02725 10/13/09 INVESTIGATIVE SUPPLIES	Open	1,018.27	0.00		
03678 SMELTZER & SONS INC.*					
09-02719 10/13/09 MISC. SUPPLIES FOR HAYRIDE	Open	199.60	0.00		
03688 SOUTHERN NJ CHAPTER NIGP*					
09-01891 07/08/09 OCTOBER NIGP MEETING	Open	80.00	0.00		
03692 SOUTH JERSEY GAS CO*					
09-02834 10/27/09 SEPTEMBER, 2009	Open	131.09	0.00		
03790 THE PRESS*					
09-02817 10/23/09 LEGAL AD: COMMUNITY VISIONING	Open	38.54	0.00		
03814 UNIVERSAL COMPUTING SERV.,INC*					
09-02596 09/24/09 MESSAGE MAILERS	Open	347.70	0.00		
03904 LOWE'S HOME CENTER INC*					
09-02538 09/18/09 ANTI FATIGUE INDUSTRIAL MATS	Open	99.90	0.00		
03909 SHOCKEYS PURE WATER SYSTEMS*					
09-02688 10/07/09 SOFTENER AND SALT DELIVERY	Open	65.00	0.00		
03953 VESPIA TIRE CENTERS, INC.*					
09-02697 10/07/09 ALIGMENT FOR REC. VEHICLE RC-3	Open	79.00	0.00		
03969 VERIZON					
09-02819 10/23/09 PHONE SERVICE	Open	273.89	0.00		
03975 VERIZON CABS T-1*					
09-02726 10/13/09 T-1 LINE	Open	398.07	0.00		

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03995 VITAL COMMUNICATIONS, INC.*							
09-02332	08/26/09	ADDED & OMITTED ASSESSMENTS 09	Open	100.00	0.00		
09-02554	09/21/09	PREPAID POSTAGE ASSESS	Open	4,308.86	0.00		
				4,408.86			
04075 BARBER CONSULTING SERVICES LLC							
09-00289	02/04/09	WEB HOSTING 2/09-12/31/09	Open	300.00	0.00		B
04077 RONALD J. GELZUNAS							
09-02791	10/21/09	SPEC PROSECUTER - ST V WHITTEN	Open	392.00	0.00		
04082 USA MOBILITY WIRELESS INC*							
09-02802	10/22/09	PAGER - DPW	Open	6.24	0.00		
04097 CINTAS FIRST AID AND SAFETY*							
09-02665	10/05/09	FIRST-AID KIT SUPPLIES-DPW	Open	146.30	0.00		
09-02828	10/23/09	TOWNHALL FIRST AID #105533596	Open	38.70	0.00		
				185.00			
04101 SPANKY'S BBQ CATERING*							
09-02764	10/15/09	FOOD FOR HAYRIDE VOLUNTEERS	Open	250.00	0.00		
04275 CLARKTON, LLC*							
09-00616	03/12/09	FIELD MAINTENANCE FOR	Open	1,650.00	0.00		B
04301 SEASHORE ASPHALT CORPORATION*							
09-02666	10/05/09	ASPHALT - DPW	Open	11,327.26	0.00		
09-02731	10/13/09	ASPHALT FOR PAVING-DPW	Open	2,035.92	0.00		
09-02787	10/16/09	ASPHALT FOR PAVING-DPW	Open	2,498.22	0.00		
				15,861.40			
BLAUE BLAUER ASSOCIATES INC*							
09-02857	10/28/09	ARA 09 PUB FACILITIES - OUTFAL	Open	3,375.00	0.00		B
BOSNA KAREN MANETTE BOSNA							
09-02878	10/29/09	YOGA INSTRUCTOR	Open	120.00	0.00		
DURBIN MICHELE DURBIN							
09-02843	10/27/09	BASKETBALL REFUND - AMANDA	Open	10.00	0.00		
GALVAN MARIANNE GALVAN							
09-02849	10/27/09	BACKGROUND INVESTIGATION	Open	51.25	0.00		
GIANCOLA BRIAN GIANCOLA							
09-02794	10/22/09	REIMBURSEMENT FOR BACKGROUND	Open	66.25	0.00		
HILLJ JOE HILL							
09-02799	10/22/09	FOOTBALL REFUND FOR VOLUNTEER	Open	20.00	0.00		

Vendor # Name / PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
LINUS PATRICIA LINUS							
09-02833	10/27/09	SPAY/NEUTER PROGRAM	Open	35.00	0.00		
MARK KAREN A MARK							
09-02839	10/27/09	REFUND HOMESTEAD REBATE	Open	1,136.69	0.00		
SEYR STEPHANIE SEYR, CMCA							
09-02647	10/02/09	INSTALLATION BRUNCH	Open	50.00	0.00		
VALENTIN THOMAS & CAROL VALENTINE							
09-02840	10/27/09	REFUND HOMESTEAD REBATE	Open	392.23	0.00		

Total Purchase Orders: 117 Total P.O. Line Items: 221 Total List Amount: 1,559,758.29 Total Void Amount: 0.00

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

Claudia R. Kammer, Township

	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 #2009-280

TITLE: A resolution requesting RELEASE of Demolition Bond for Block 256, Lots 6-8, 110 Maple Road, Villas

WHEREAS, Elizabeth Church posted a Demolition Bond with the Township of Lower, in the amount of $3,840.00, and

WHEREAS, a demolition bond was required by Planning Board Resolution #07-16 and this requirement is now satisfied; and

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

AND HEREBY BE IT FURTHER RESOLVED, that the Township Treasurer is granted permission to issue a check in the amount of $3,840.00 plus any accrued interest for payment of the above released demolition bond.

I hereby certify this is the original resolution adopted by the Township Council at the meeting of November 2, 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 #2009-281

TITLE: OVER THE LIMIT UNDER ARREST 2009 STATEWIDE IMPAIRED DRIVING CRACKDOWN GRANT

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 $5000.00 to carry out a Over the Limit Under Arrest 2009 Statewide Impaired Driving Crackdown Grant from December 7, 2009 – January 3, 2010;

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
(Signature)
Michael E. Beck, Mayor

Edward P. Donohue
(Signature)
Edward P Donohue, Chief of Police

I hereby certify this is the original resolution adopted by the Township Council on November 2, 2009

Claudia R Kammer
Claudia R. Kammer, Township Clerk

	CONRAD	MAZUREK	DOUGLASS	LARE	BECK
PRESENTED		X			
SECONDED	X				
AYE	X	X	X	X	X
NAY					
ABSTAIN					
ABSENT					

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

RESOLUTION #2009-282

TITLE: CERTIFICATION OF LOT CLEARING CHARGES TO THE TAX COLLECTOR

WHEREAS, Ordinance #99-10 establishes the minimum regulations governing the conditions and maintenance of all property, buildings and structures within the Township of Lower, which is also known as the Property Maintenance Code, and

WHEREAS, according to Section 302.4 of the Property Maintenance Code, all premises and exterior property shall be maintained free from weeds or plant growth in excess of 10" and all obnoxious weeds shall be prohibited: and

WHEREAS, the properties listed below contained conditions which violated Section 302.4 of the Property Maintenance Code; and notice was duly sent to the property owners to abate the conditions and such conditions were not abated; and

WHEREAS, the Township of Lower has abated the conditions pursuant to the requirements of the Property Maintenance Code and desires to place a lien on the properties listed below:

WHEREAS, the Code Enforcement Officer of the Township of Lower has certified the costs incurred to abate such conditions to the Township Council, which has examined the certification and has found it to be correct.

NOW, THEREFORE, be it resolved by the Township Council of the Township of Lower, County of Cape May and State of New Jersey that the costs and fees set forth below incurred by the Township of Lower to abate the unlawful conditions on the properties listed below are charges as a lien against such properties, to be added to and become part of the taxes next to be assessed and levied upon such properties, to bear interest at the same rate as taxes, and to be collected and enforced in the same manner as taxes.

Owner and Location of Property	Cost	Administrative Fee
Banta, Gail 4 Ocean Avenue Block 316, Lot 6	$295.00	$25.00

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on November 2, 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 #2009-283

Title: Transfer of 2009 Appropriations

WHEREAS, N.J.S.A. 40A: 4-58 provides for appropriation transfers during the last two months of the current fiscal year when it has been determined that any appropriation is insufficient to pay the claims authorized or incurred during the current year, which are chargeable to said appropriation, and there is an excess in any appropriation over and above the amount deemed to be necessary to fulfill its purpose.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, State of New Jersey that the following transfers totaling $70,550.00 be made between the 2009 budget appropriations.

LINE ITEM		ACCT. NUMBER	TO	FROM
Assessor	S&W	9-01-20-150-100	5,000.00	
Animal Control	S&W	9-01-27-340-100	1,000.00	
Demolition	OE	9-01-22-195-300	13,000.00	
Unemployment	OE	9-01-23-225-500	50,000.00	
Loan Interest	OE	9-01-45-940-400	1,550.00	
Gasoline	OE	9-01-31-460-200		70,550.00
			70,550.00	70,550.00

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

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

RESOLUTION #2009-284

TITLE: APPROVAL OF PRECIOUS METALS LICENSE FOR ADELE CHRISTENSEN T/A ADELE'S JEWELED TREASURES FOR THE YEAR 2010

WHEREAS, application has been made for a Precious Metals license by Adele Christensen t/a Adele's Jeweled Treasures for the year 2010 in accordance with Ordinance #81-2, and

WHEREAS, the applicant has paid the proper fee, posted the required bond and the police have no objection to the issuance of said license,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, that the renewal of a Precious Metals license to Adele Christensen t/a Adele's Jeweled Treasures for the year 2010 is hereby approved.

I hereby certify this is the original resolution adopted by the Township Council at the meeting of November 2, 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 #2009-285

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.

Block	Lot	Refund To	Reason	Tax
222	14	Karen A Mark	already paid	1,136.69
382	16	Thomas & Carol Valentine	already paid	392.23

I hereby certify the foregoing to be a resolution adopted by the governing body at a meeting held on November 2, 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 #2009-286

TITLE: RESOLUTION APPROVING AN INTERLOCAL SERVICES AGREEMENT BETWEEN THE LOWER CAPE MAY REGIONAL BOARD OF EDUCATION AND THE TOWNSHIP OF LOWER

WHEREAS, the Township of Lower (the "Township") operates a police department within the Township; and

WHEREAS, the Lower Cape May Regional Board of Education (the "Board") operates a middle school and a high school (collectively, the "School") within the Township; and

WHEREAS, the Board and the Township desire to enter an agreement for the 2009/2010 school year whereby the Township shall make a Class II police officer available to the Board for the purposes of providing security at the School upon the terms and conditions set forth in the attached interlocal Agreement (the "Agreement"); and

WHEREAS, the Agreement is authorized by N.J.S.A. 40:8A-1 et seq.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower that the in the form attached hereto for the purposes of providing security at the Lower Cape May Regional High School.

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

Claudia R Kammer

	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 #2009-287

TITLE: APPOINTMENT TO THE LOWER TOWNSHIP MUA

WHEREAS, the term of Wayne Weissman, Regular Member, tendered his resignation , and

WHEREAS, Council has reviewed the applications on file with the Municipal Clerk, and

WHEREAS, Council desires to fill the vacancy left by Mr. Weissman.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower that the following appointment is hereby made to fill the unexpired term of Wayne Weissman.

Name	Type	Term Expires
Joseph Mento	Regular Member (Unexp. term of W Weissman)	Feb. 1, 2014

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

Claudia R. Kammer

Claudia R. Kammer, Twp. 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 #2009-288

TITLE: APPOINTMENT TO THE RECREATION ADVISORY BOARD

WHEREAS, two vacancies exist on the Recreation Advisory Board, one for a regular member and one for an alternate member, and

WHEREAS, Council has reviewed the applications on file with the Municipal Clerk, and

WHEREAS, Council desires to fill the vacancies to maintain a full board.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower that the following appointment is hereby made to fill the unexpired term of Wayne Weissman.

Name	Type	Term Expires
Mark DiDonato	Regular Member (Unexp. term of A. Flitcroft)	June 30, 2011
Bettina Steiger	Alternate Member (formerly J. Volpe)	Dec. 31, 2012

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

Claudia R. Kammer

Claudia R. Kammer, Twp. 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 #2009-289

TITLE: APPROVAL OF CHANGE ORDER #1 FOR MUNICIPAL BUILDING ADA PROJECT

WHEREAS, Eagle Construction Services, Inc. was previously awarded a contract in the amount of $289,014.00 for the ADA improvements at the Municipal Building, and

WHEREAS, during the course of the work on this project certain changes to the original contract were necessary as outlined in the Remington, Vernick & Walberg Engineer's letter dated October 30, 2009; and

WHEREAS, the Township will receive a credit for these changes in the scope of the work for $2,784.00 as summarized below and detailed in the attached letter from Remington, Vernick & Walberg Engineers

#	Item	Cost/Credit
1	Replace welded door frames with mechanically fastened frames.	(1,428.00)
2	Change location of light switches that interfere with new doors.	N/A
3	Add layer of sheetrock in bathrooms to match existing	274.00
4	Leave janitors closet to existing measurements	(3,511.00)
5	Maintain vestibule room 101 wood ceiling and extend into new	891.00
6	Repair floors in vestibule room 101 & 122	240.00
7	Change toilets to wall hung in rooms 133 & 134	(1025.00)
8	Replace electric baseboard in bathrooms	TBD
9	Relocate electrical box	1081.00
10	Change toilets to wall hung in rooms 106 & 107	(952.00)
11	Maintain vestibule room 122 wood ceiling and extend into new	424.00
12	Reuse existing exhaust fan EF-2	(1409.00)
13	Reuse existing roof curb for the new exhaust fan	(553.00)
14	New lintels for doors in room 137	3184.00

and,

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower, that Change Order No. 1 for the Municipal Building ADA Improvements is hereby approved and that the total contract amount for this project is amended to $286,230.00.

BE IT FURTHER RESOLVED that Eagle Construction Services, Inc. is authorized to proceed with the changes and to complete them in accordance with the terms of the original Contract Documents.

I hereby certify this is the original resolution adopted by the Township Council on November 2, 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					

RESOLUTION #2009-290

Lower Township
Bill List II
11/02/09

Vendor	PO #	Description	Amount
Lower Twp Rescue Squad	09-01222	Annual Pymt due 11/06/09	$ 35,000.00
		TOTAL BILL LIST	**$ 35,000.00**

I certify the foregoing to be a Resolution adopted by the Township Council on November 2, 2009.

Claudia R. Kammer, RMC, Township Clerk

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

officer for security at certain evening events - LCRM pays all costs)

Res. #2009-287, Appointment to the Lower Township MUA (Filling unexp term of W. Weissman)

Res. #2009-288, Appointment to the Recreation Advisory Board (1 - Reg Member & 1 Alt Member filling unexp. terms) mark Reg Bellino Alt

Res. #2009-289, Approval of Change Order #1 For Municipal Building ADA Project (Reduction of $2,784.00)

Councilmember M motioned to adopt the consent agenda items C, seconded by Councilmember The consent agenda was adopted by the following roll call vote: Councilmember **Conrad,** "yes", Councilmember **Mazurek**, "yes", Councilmember **Douglass**, "yes", **Deputy Mayor Lare**, "yes", Mayor **Beck** , "yes".

Regular Agenda

Res. #2009-290, Payment of Voucher, $35,000 (Lower Twp. Rescue payment per agreement)

Councilmember D motioned to adopt the consent agenda items M seconded by Councilmember The consent agenda was adopted by the following roll call vote: Councilmember **Conrad,** "yes", Councilmember **Mazurek**, "yes", Councilmember **Douglass**, "yes", **Deputy Mayor Lare**, "yes", Mayor **Beck** , "yes".

287 - MUA C M Joe Minto D S C Y M N. D Y L Y M Y

Administrative Reports

Personnel Action Report

Council Comments

Public Comments

Res. #2009-291, A Resolution Providing for a Meeting Not Open to the Pubic in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

Councilmember M motioned to adopt the ordinance, seconded by Councilmember C The resolution was adopted by the following roll call vote: Councilmember Conrad, "yes", Councilmember Mazurek, "yes", Councilmember Douglass, "yes", Deputy Mayor Lare, "yes", Mayor Beck "yes".

Council returned to open session and there being no further comment, Councilmember motioned to adjourn the meeting, seconded by Councilmember the meeting unanimously adjourned by verbal "ayes" at p.m.

Mayor

Township Clerk

Regular & Work Session Meeting Minutes - November 2, 2009

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on November 2, 2009 at 7:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

The Clerk announced that the meeting was being held in compliance with the Open Public Meetings Act and that adequate notice of the meeting had been provided according to law.

The following members of Council were present for roll call taken by the Clerk:

Councilmember Thomas Conrad ✓
Councilmember Wayne Mazurek ✓
Councilmember Glenn Douglass ✓
Deputy Mayor Kevin Lare ✓
Mayor Michael Beck ✓

Also present: Anthony Monzo, Solicitor, and Kathleen McPherson, Manager

Proclamation - November14, 2009 World Diabetes Day in Support of the UN Resolution

WORK SESSION

Review of Consent and Regular Agenda Items

#1

Public Questions on Consent Agenda and/or Regular Agenda Items

#2

Consent Agenda

Approval of Minutes	October 19, 2009
Res. #2009-279,	Payment of Vouchers, $1,599,758.29
Res. #2009-280,	A Resolution Requesting Release of Demolition Bond for Block 256, Lots 6-8, 110 Maple Road, Villas
Res. #2009-281,	Over the Limit Under Arrest 2009 Statewide Impaired Driving Crackdown Grant (Grant Funding for $5,000 O.T. cost for enforcement Dec 7 to Jan 3 2010)
Res. #2009-282,	Certification of Lot Clearing Charges to the Tax Collector (1 property)
Res. #2009-283,	Transfer of 2009 Appropriations, $70,050
Res. #2009-284,	Approval of Precious Metals License for Adele Christensen t/a Adele's Jeweled Treasurers for Year 2010
Res. #2009-285,	Authorization for Refund of Taxes
Res. #2009-286,	Resolution Approving an Interlocal Services Agreement Between the Lower Cape May Regional Board of Education and the Township of Lower (For 2009/2010 year - Class II

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

RESOLUTION # 2009-291

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.

__X__ (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. (PBA - Grievance)

____ (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.

____ (7) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

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

_____ (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 November 2, 2009 that an Executive Session closed to the public shall be held on this date at approximately 8:08P.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 November 2, 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					