

RESOLUTIONS ADOPTED JANUARY 4 2010

- Resolution #2010-01, Appointment of Municipal Solicitor for the Year 2010 Pursuant to Non-Fair and Open Procedures (Anthony Monzo)
- Resolution #2010-02, Appointment of Municipal Engineer for the Year 2010 Pursuant to Non-Fair and Open Procedures (Hatch Mott McDonald Engineers)
- Resolution #2010-03, Appointment of Municipal Auditor for the Year 2010 Pursuant to Non-Fair and Open Procedures (*Ford Scott Seidenburg & Kennedy*)
- Resolution #2010-04, Appointment of Bond Counsel for the Year 2010 Pursuant to Non-Fair and Open Procedures (*Mc Manimon & Scotland*)
- Resolution #2010-05, Appointment of Municipal Prosecutor for the Year 2010 (Mary Bittner)
- Resolution #2010-06, Appointment of Municipal Public Defender for the Year 2010 (Christopher Gibson)
- Resolution #2010-07, Appointment of Emergency Management Council for the Year 2010 (Annual Required Appointments)
- Resolution #2010-08, Appointment of Class III Member to the Planning Board (Kevin Lare)
- Resolution #2010-09, Appointment of Officials for Joint Insurance Fund and Municipal Excess Liability Fund (Annual Resolution)
- Resolution #2010-10, Appointment of JIF Risk Management Consultant, (B. Weigand, NIA Group, LLC)
- Resolution #2010-11, Establishment of Council Meeting Dates and Times (1st & 3rd Mondays except holidays)
- Resolution #2010-12, Setting the Interest Rate for Delinquent Taxes (Statutorily regulated)
- Resolution #2010-13, Designation of Official Depositories
- Resolution #2010-14, Designation Of Official Newspapers for Legal Advertising for the Year 2010 (Star & Wave & Herald)
- Resolution #2010-15, Authorizing Payment of 2010 Debt Service
- Resolution #2010-16, Annual Approval of Petty Cash Funds (Police Dept. & Treasurer's Office)
- Resolution #2010-17, Adopting Cash Management Plan (annual adoption)
- Resolution #2010-18, Resolution to Defer The Regional School Tax (annual resolution)
- Resolution #2010-19, Adopting 2010 Temporary Current Budget
- Resolution #2010-20, Approving 2010 Contract with Cape Assist (EAP Program)
- Resolution #2010-21, Authorizing Clerk to Issue Bingo & Raffle Licenses Throughout the Year to Qualified Organizations
- Resolution #2010-22, Authorization for Public Bidding (Annual resolution for bidding throughout the year)
- Resolution #2010-23, Designation of Public Agency Compliance Officer for the Township of Lower (M. Vitelli)
- Resolution #2010-24, Transfer of 2009 Appropriations, \$17,000
- Resolution #2010-25, Authorization for the Payout of Accumulated Compensatory Time for 2009 (\$425.78)
- Resolution #2010-26, Authorization for the Payout of Accumulated Sick Leave (\$33,943.75)
- Resolution #2010-27, Authorizing the Payment of 2009 Vouchers, \$67,334.47
- Resolution #2010-28, Approval of Rotary Towing Licenses for 2010 (annual renewal)
- Resolution #2010-29, Authorizing Pay Out of Terminal Leave (H Bitting - \$34,082.01)
- Resolution #2010-30, Authorizing Pay Out of Terminal Leave (J Koeck - \$460.01)
- Resolution #2010-31, Acceptance of Bid & Award of Contract for Maintenance of Township Grounds & Parks (Bayshore Landscaping - \$55,450)
- Resolution #2010-32, Certification of Lot Clearing Charges to the Tax Collector (1 property - \$3890)
- Resolution #2010-33, Resolution Approving Project Proposal Between Hatch Mott MacDonald and the Township of Lower for Engineering & Surveying Services Related to Formal Inspection of the Tax Map (\$22,900 - for additional list of changes to tax map not included with original contract for the reval with R & V)
- (OVER)
- Resolution #2010-34, Payment of 2010 Vouchers, \$3,076,699.44

- Resolution #2010-35, Rejection of Bids for Delaware Bay Shore Outfall Extensions (1 bid - over budget)
- Resolution #2010-36, Approval of Change Order #1 for Pad & Pour Gymnasium Floor Over Existing Floor (additional \$1830 for base molding)
- Resolution #2010-37, A Resolution Authorizing the Imposition of a Lien on Block 146 Lot 58 Pursuant to Chapter 206 of the Code of the Township of Lower (Demolition of 115 W. New Jersey Avenue)
- Resolution #2010-38, A Resolution Authorizing the Imposition of a Lien on Block 432 Lot 8 Pursuant to Chapter 206 of the Code of the Township of Lower (Demolition of 247 Breakwater Road)
- Resolution #2010-39, A Resolution Designating the Lower Township Rescue Squad, Inc. As The Provider of Emergency Medical Services in Lower Township

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

RESOLUTION #2010-01

TITLE: APPOINTMENT OF MUNICIPAL SOLICITOR PURSUANT TO NON-FAIR & OPEN PROCEDURES

WHEREAS, the Township of Lower ("Township") has a need to acquire legal counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Township has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one year and may be extended as approved by this governing body; and

WHEREAS, Anthony Monzo, Attorney of Monzo Catanese has submitted a proposal indicating that they will provide the goods or services described hereinabove for a total price which is likely to exceed \$17,500; and

WHEREAS, the CFO has determined sufficient funds are available in the current budget as follows:
 Appropriation # 0-01-20-155-200 Signature [Handwritten Signature]

WHEREAS, Anthony Monzo has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Lower in the previous one year, and that the contract will prohibit the Anthony Monzo from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lower hereby appoints Anthony Monzo as Solicitor and approves the contract with the firm of Monzo Catanese for the goods and services described above.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that a notice of Award of Professional Contract for the above appointment shall be published in the official Township paper.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council at a meeting held on January 4, 2010.

[Handwritten Signature: Claudia R. Kammer]
 Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2010-02

**TITLE: APPOINTMENT OF MUNICIPAL ENGINEER FOR THE YEAR 2010
PURSUANT TO NON-FAIR & OPEN PROCEDURES**

WHEREAS, the Township of Lower ("Township") has a need to acquire a municipal engineer as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Township has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is *one* year and may be extended as approved by this governing body; and

WHEREAS, Hatch Mott MacDonald Engineers has submitted a proposal indicating that they will provide the goods or services described above for a total price which is likely to exceed \$17,500; and

WHEREAS, the CFO has determined sufficient funds are available in the current budget as follows:
Appropriation # 0-01-20-165-200 Signature 

WHEREAS, Hatch Mott MacDonald Engineers has completed and submitted a Business Entity Disclosure Certification which certifies that Hatch Mott MacDonald Engineers has not made any reportable contributions to a political or candidate committee in the Township of Lower in the previous one year, and that the contract will prohibit the Hatch Mott Macdonald Engineers from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lower hereby approves a contract with Hatch Mott Macdonald Engineers for the goods and services described hereinabove.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that a notice of Award of Professional Contract for the above appointment shall be published in the Township's Official paper.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council at a meeting held on January 4, 2010.


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 #2010-03

**TITLE: APPOINTMENT OF MUNICIPAL AUDITOR FOR THE YEAR 2010
PURSUANT TO NON-FAIR AND OPEN PROCEDURES**

WHEREAS, the Township of Lower ("Township") has a need to acquire a municipal auditor as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Township has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one year and may be extended as approved by this governing body; and

WHEREAS, Ford Scott & Associates, LLC has submitted a proposal indicating that they will provide the goods or services described for a total price which is likely to exceed \$17,500; and

WHEREAS, the CFO has has determined sufficient funds are available in the current budget as follows:
Appropriation # 0-01-20-135-200 Signature 

WHEREAS, Ford Scott & Associates, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Ford Scott & Associates, LLC has not made any reportable contributions to a political or candidate committee in the Township of Lower in the previous one year, and that the contract will prohibit Ford Scott & Associates, LLC from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lower hereby approves a contract with Ford Scott & Associates, LLC for the goods and services described.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that a notice of Award of Professional Contract for the above appointment shall be published in the Township's Official paper.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council at a meeting held on January 4, 2010.


Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2010-04

**TITLE: APPOINTMENT OF BOND COUNSEL FOR THE YEAR 2010
PURSUANT TO NON-FAIR & OPEN PROCEDURES**

WHEREAS, the Township of Lower ("Township") has a need to acquire Bond Counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Township has determined and certified in writing that the value of the acquisition may exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is *one* year(s) and may be extended as approved by this governing body; and

WHEREAS, McManimon & Scotland has submitted a proposal indicating that they will provide the goods or services described hereinabove for a total price which is likely to exceed \$17,500; and

WHEREAS, the CFO has has determined sufficient funds are available in the current budget as follows: Appropriation # Capital Expenses Signature 

WHEREAS, McManimon & Scotland has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Lower in the previous one year, and that the contract will prohibit McManimon & Scotland from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Lower hereby approves a contract with McManimon & Scotland for the goods and services described hereinabove.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that a notice of Award of Professional Contract for the above appointment shall be published in the Cape May Star and Wave.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council at a meeting held on January 4, 2010.


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 #2010-05

TITLE: APPOINTMENT OF MUNICIPAL PROSECUTOR FOR THE YEAR 2010

WHEREAS, there exists a need for the service of a Municipal Prosecutor in the Township of Lower in the County of Cape May, State of New Jersey; and

WHEREAS, the maximum amount of the contract is \$18,500.00 plus \$80.00 per hour for Special Court sessions and funds are available in the current fund entitled Office of the Township Solicitor - Salary & Wages as evidenced by the Chief Financial Officer's Certification & signature [Signature]; and

WHEREAS, the Local Public Contracts Law (N.S.J.A. 40A:11-5 et seq.) requires that the resolution authorizing the award of contracts for Professional Services without competitive bids and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower in the County of Cape May as follows:

The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Mary Bittner.

This contract is awarded without competitive bidding as a Professional Service in accordance with N.J.S.A. 40A:11-5 (1)(a) of the Local Public Contracts Law as the contract is for a service performed by a person authorized by law to practice a recognized profession that is regulated by law.

A notice of this action shall be printed once in the Township's Official newspaper.

I hereby certify this is the original resolution adopted by the Township Council at the meeting of Jan. 4, 2010.

[Signature]
Claudia R. Kammer, Township Clerk

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

Res. #2010-05

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

RESOLUTION #2010-06

TITLE: APPOINTMENT OF MUNICIPAL PUBLIC DEFENDER FOR 2010

WHEREAS, there exists a need for the service of a municipal public defender in the Township of Lower in the County of Cape May, State of New Jersey; and,

WHEREAS, the maximum amount of the contract is \$ 11,200.00 and funds are available in the current fund entitled Office of the Public Defender - Salary & Wage as evidenced by the Chief Financial Officer's signature [Signature]; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for Professional Services without competitive bids and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower of Lower in the County of Cape May as follows:

The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Christopher Gibson.

This contract is awarded without competitive bidding as a Professional Service in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law as the contract is for a service performed by a person authorized by law to practice a recognized professional that is regulated by law.

A notice of this action shall be printed once in the Township's Official newspaper.

I hereby certify this is the original resolution adopted by the Township Council on Jan 4, 2010.

[Signature]
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 #2010-07

TITLE: ANNUAL APPOINTMENT OF EMERGENCY MANAGEMENT COUNCIL

WHEREAS, the Township is required to annually appoint the Emergency Management Council.

NOW, THEREFORE BE IT RESOLVED by the Township Council, the governing body thereof, that the following persons are hereby appointed to the Emergency Management Council for 2010.

NAME	CATEGORY	NAME	CATEGORY
Michael Beck	1	Wayne Mazurek	1
Art Treon	1 & 2	Joan Koeck	2 & 4
Tom Conrad	2	Carol Kapurelos	2
Andy Hilvert	2	Lou McGonigal	2
Warner Muller	2	Mike Demarcantonio	1 & 5
Edward Donohue	2	Dave Perry	2
Brian Marker	2 & 3	George Wehner	2

I hereby certify this resolution was adopted by the Township Council at their meeting of Jan. 4, 2010.


 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 #2010-08

TITLE: APPOINTMENT OF CLASS III MEMBER TO THE PLANNING BOARD

WHEREAS, the term of, Kevin Lare, Class III Member on the Lower Township Planning Board, expired on Dec. 31, 2009, and

WHEREAS, Kevin Lare is interested in serving and also holds the Council At Large seat on Council, and.

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the following person is hereby reappointed to the Lower Township Planning Board as follows.

<u>Name</u>	<u>Type/Class</u>	<u>Exp. Date</u>
Kevin Lare	Class III	12-31-2010

I hereby certify the foregoing to be a resolution adopted by the Township Council on Jan. 4, 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 #2010-09

TITLE: CONFIRMATION OF OFFICIALS FOR JOINT INSURANCE FUND AND MUNICIPAL EXCESS LIABILITY FUND

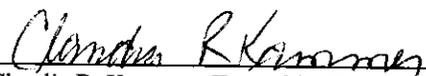
WHEREAS, it is necessary for the Township to designate certain persons for the receipt of notices and processing of claims for the Joint Insurance Fund, and

WHEREAS, the Township is desirous of updating the records of the Atlantic County Municipal Joint Insurance Fund with changes.

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the following persons are named in the capacity listed for the Joint Insurance Fund for 2010 and shall remain in said positions until changed by resolution:

Fund Commissioner	Claudia Kammer
Alt. Fund Commissioner	Kathleen McPherson
Claims Coordinator	Marie LoMonaco
Risk Management Consultant	Barbara Weigand, National Associates
Safety Coordinator	Brian Marker, Police Captain
Township Clerk	Claudia R. Kammer, Township Clerk

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2010.


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 #2010-10

TITLE: APPOINTMENT OF JIF RISK MANAGEMENT CONSULTANT

WHEREAS, the Governing Body of the Township of Lower has resolved to joint Atlantic County Municipal Joint Insurance Fund, a self insurance pooling fund, following a detailed analysis and;

WHEREAS, the Bylaws of said Fund require that each municipality appoint a RISK MANAGEMENT CONSULTANT to perform various professional services as detailed in the Bylaws and;

WHEREAS, the Bylaws indicate a fee not to exceed six percent (6%) of the municipal assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the governing body and;

WHEREAS, N.J.S.A. 40A: 11-5 (1) (m), specifically exempts the hiring of insurance consultants from competitive bidding as an extraordinary unspecifiable service; and

WHEREAS, the experience, knowledge of public insurance and risk management issues and judgmental nature required of a Risk Management Consultant's are clearly an extraordinary unspecifiable service which therefore render competitive bidding impractical;

NOW, THEREFORE, be it resolved that the governing body of the Township of Lower does hereby appoint Barbara Weigand/NIA Group Associates, LLC as its Risk Management Consultant in accordance with 40A:11-5 for a fee of three percent (3%) of the combined ACMJIF & MELJIF net assessment amount of \$928,657, as per their proposal, and;

BE IT FURTHER RESOLVED that the governing body is hereby authorized and directed to execute the Consultant's Agreement annexed hereto an to cause a notice of this decision to be published according to N.J.S.A. 40A: 11-5 (1), (a), (i).

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2010.



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 #2010-11

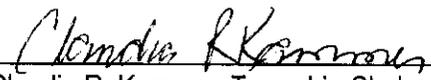
TITLE: ESTABLISHMENT OF COUNCIL MEETING DATES AND TIMES

WHEREAS, the Reorganization Meeting of the Township Council of the Township of Lower was held on January 4, 2010 at which time it was necessary to establish the official Council Meeting dates and times.

NOW, THEREFORE, BE IT RESOLVED that Council Meetings be held in the Meeting Room of Township Hall beginning at 7:00 p.m. prevailing time on the first and third Monday of each month with the exception of the holiday dates designated below when the meeting will be held on the date listed. The annual schedule of Council meetings shall be posted on the official Township bulletin board at the Township Hall. Unless otherwise provided by law, all of the above described meetings shall be open to the public.

Meeting of January 18 shall be changed to January 20
Meeting of February 15 shall be changed to February 17
Meeting of July 5 shall be changed to July
Meeting of September 6 shall be changed to September 8

I hereby certify this is the original resolution adopted by the Township Council at the meeting of January 4, 2010.


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 #2010-12

TITLE: SETTING THE INTEREST RATE FOR DELINQUENT TAXES

WHEREAS, the Reorganization Meeting of the Township Council of the Township of Lower, the governing body thereof, was duly held on January 5, 2009 at the Township Hall, Villas, New Jersey, and

WHEREAS, R.S. 54:4-67 as amended authorizes municipalities to fix a rate of interest to be charged for the non-payment of taxes or assessments on or before the date when they would become delinquent. Delinquency is to be calculated on the sum of all taxes from year to year and not be calculated on an individual year basis, and N.J.S.A. 40A:5-17.1 provides that a municipality may authorize the cancellation of tax delinquencies of less than Ten (\$10.00) Dollars.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Township Council of the Township of Lower, that interest be charged for the non-payment of taxes or assessments on or before the date when they would become delinquent in accordance with R.S. 54:4-67 and that the rate of interest shall be eight percent (8%) based on a 365 day year on the first \$1,500.00 of delinquency and eighteen per cent (18%) based on a 365 day a year on any amount in excess of \$1,500.00 to be calculated from the date the tax was payable until the date of actual payment. Interest will stay at eighteen per cent (18%) until taxes are completely current. No interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same become payable.

FURTHER RESOLVED that a penalty of 6% shall be levied against a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay the delinquency prior to the end of the calendar year. This 6% penalty shall also apply to delinquency in excess of \$10,000.00 to third party lien holders and that an additional penalty shall be levied against tax sale certificates as follows:

When the taxes, interest and cost shall exceed the sum of \$200.00, such additional sum shall be equal to 2% of such amount paid.

When the taxes, interest and costs shall exceed the sum of \$5,000.00, such additional sum shall be equal to 4% of such amount paid; and when that sum exceeds \$10,000, such additional sum shall be equal to 6% of such amount paid. This section is retroactive only as to existing municipally held certificates but acts prospectively with regard to certificates held by third parties as of March 28, 1991.

FURTHER RESOLVED that the Tax Collector be and hereby is directed to collect interest on delinquents at the aforesaid rate.

FURTHER RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the Tax Collector is hereby authorized to process, without further action on the part of the Township Council, the cancellation of any property tax delinquency of less than Five (\$5.00) Dollars.

FURTHER RESOLVED, that a Certified Copy of this Resolution be provided by the Municipal Clerk to the Tax Collector and the Chief Financial Officer.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2010.


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 #2010-13

TITLE: DESIGNATION OF OFFICIAL DEPOSITORIES

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, the official depositories for the Township funds shall be: Sturdy Savings & Loan, Crest Savings, Cape Savings, Bank of America, PNC, NJ Cash Management Fund and MBIA;

BE IT FURTHER RESOLVED that all disbursements by check require two signatures unless noted otherwise and shall be signed by the following officials:

<u>ACCOUNT</u>	<u>AUTHORIZED OFFICIALS</u>
Municipal Court Account – General (One signature required)	CFO, Asst. Treasurer, Judge, Court Administrator, Deputy Court Administrator
Municipal Court Account – Bail (One signature required)	CFO, Asst. Treasurer, Judge, Court Administrator, Deputy Court Administrator
Payroll Account (One signature required)	CFO, Asst. Treasurer, Township Clerk, or Asst. Twp. Clerk
Payroll-Flexible Spending Account (One signature required)	CFO, Asst. Treasurer, Township Clerk, Asst. Twp. Clerk or Aflac representative
Tax Redemption Account	Tax Collector, Asst. Tax Collector, CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Tax Premium Account	Tax Collector, Asst. Tax Collector, CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Council Checking Account	Mayor, Deputy Mayor, Twp. Clerk, Asst. Twp. Clerk, CFO, Asst. Treasurer
Dog Damage Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Trust Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Unemployment Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Grants Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Revitalization Savings Account (transfers)	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Economic Development Account (transfers)	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Historic Commission Trust Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Joint Housing Trust Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk

Police Investigative Trust Account	Police Chief, Police Captain(s), CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Police Forfeiture Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Community Police Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Local Law Enforcement Block Grant	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Developer's Escrow Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
Harbortown (Escrow Savings)	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
MBIA-Current Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
MBIA-Capital Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk
NJ Cash Management Fund – Capital Account	CFO, Asst. Treasurer, Twp. Clerk, Asst. Twp. Clerk

BE IT FURTHER RESOLVED that the use of electronic signatures for the signatures of the Mayor, Township Clerk and Chief Financial Officer is hereby authorized.

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

January 4, 2009


 Claudia R. Kammer, RMC, 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 #2010-14

TITLE: DESIGNATION OF OFFICIAL NEWSPAPERS FOR LEGAL ADVERTISING FOR THE YEAR 2010

WHEREAS, the Reorganization Meeting of the Township Council of the Township of Lower, the governing body thereof, was duly held on January 4, 2010 at the Township Hall, Villas, New Jersey; and,

WHEREAS, it has been deemed necessary to select a newspaper to serve as the official publication of all Township advertising; and,

WHEREAS, it has been deemed necessary to designate a second newspaper for the publication of all meeting notices required under the Open Public Meetings Law; and

WHEREAS, it has been deemed necessary to establish a fee to cover the cost of providing notice of all public meetings to any persons requiring such notices,

NOW, THEREFORE, BE IT RESOLVED by the Township of Lower, the governing body thereof, that the official newspaper for all Township advertising, including notices of public meetings, shall be the Cape May Star & Wave.

BE IT FURTHER RESOLVED that the second newspaper to be utilized for publication of all notices of public meetings as required by the Open Public Meetings Law shall be The Herald.

BE IT FURTHER RESOLVED that anyone requesting personal notice of all Township Council meetings occurring during the course of the year as required by the Open Public Meetings Law shall be assessed a fee of \$20.00 payable to the Township of Lower. Said fee shall be waived upon request for media representatives covering Lower Township.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2010.


Claudia R. Kammer, 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 #2010-15

Title: AUTHORIZING PAYMENT OF 2010 DEBT SERVICE

WHEREAS, the amounts listed below are owed for debt service in the current year 2010 and are due on the dates noted and it is necessary to receive authorization for the payment of bills which affect the budget, and

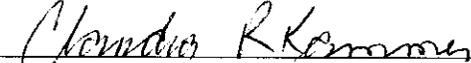
WHEREAS, it is the recommendation of the Chief Financial Officer that authorization for debt service payments be made through one annual resolution so that such payments are made in a timely and efficient manner, and

WHEREAS, funds for debt service are available in the 2010 budget appropriations for Bond Principal, Bond Interest, Note Interest, Loan Principal and Loan Interest as certified by the Chief Financial Officer 

NOW, THEREFORE BE IT RESOLVED by the Township Council that the following debt service payments are hereby authorized:

<u>DATE</u>	<u>TOTAL</u>	<u>PRIN</u>	<u>INT</u>	
1/15/2010	86,943.75		86,943.75	BOND
2/9/2010	24,873.28	17,911.32	6,961.96	LOAN
2/15/2010	9,327.48	6,327.48	3,000.00	LOAN
3/7/2010	27,982.44	19,753.20	8,229.24	LOAN
4/1/2010	847,125.00	700,000.00	147,125.00	BOND
4/2/2010	7,500.00		7,500.00	NOTE
6/15/2010	61,562.50		61,562.50	BOND
7/15/2010	716,943.75	630,000.00	86,943.75	BOND
8/9/2010	24,873.28	18,090.44	6,782.84	LOAN
8/15/2010	9,327.48	6,390.75	2,936.73	LOAN
9/7/2010	27,982.44	19,950.73	8,031.71	LOAN
10/1/2010	136,625.00		136,625.00	BOND
12/15/2010	561,562.50	500,000.00	61,562.50	BOND
	<u>2,542,628.90</u>	<u>1,918,423.92</u>	<u>624,204.98</u>	

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2010.


 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 #2010-16

TITLE: ANNUAL APPROVAL OF PETTY CASH FUNDS

WHEREAS, N.J.S.A. 40A: 5-21 authorizes the establishment of a Petty Cash fund; and

WHEREAS, it is the desire of the Township Council of the Township of Lower, County of Cape May to approve the following petty cash funds:

<u>Location</u>	<u>Amount</u>	<u>Custodian</u>
Treasurer's Office	\$100.00	Lauren Read, CFO Colleen Crippen, Asst. Treas.
Police Department	\$250.00	Chief Edward Donohue Captain Brian Marker

NOW, THEREFORE BE IT RESOLVED that the Township Council of the Township of Lower, County of Cape May hereby approves the use of petty cash funds as defined by N.J.S.A. 40A: 5-21.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2010.



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 #2010-17

Title: ADOPTING THE CASH MANAGEMENT PLAN

WHEREAS, it is in the best interest of the Township of Lower to earn additional revenue through the investment and prudent management of its cash receipts; and

WHEREAS, P.L. 1983, Chapter 8, approved January 18, 1983 is an act concerning the Local Fiscal Affairs Law and amends N.J.S.A. 40A: 5-2 and N.J.S.A. 40A5-14; and

WHEREAS, THEREFORE BE IT RESOLVED, that the following shall constitute the Cash Management Plan for the Township of Lower and the Treasurer shall deposit and manage its funds pursuant to this plan:

Definitions

1. Treasurer shall mean the Treasurer of the Township of Lower
2. Fiscal Year shall mean the twelve-month period ending December 31.
3. Cash Management Plan shall mean that plan as approved by resolution.

Designation of Depositories

At least once each fiscal year the governing body shall by resolution designate the depositories for the Township of Lower in accordance with N.J.S.A. 40A: 5-14. In addition to the designation, the Township of Lower may make deposits with the State of New Jersey Cash Management Fund in accordance with N.J.S.A. 40A: 5-14.

Audit Requirement

1. The cash Management Plan shall be subject to the annual audit conducted pursuant to N.J.S.A. 40A: 5-4.

Authority to Invest

1. The governing body shall pass a resolution at its first meeting of the fiscal year designating the Township of Lower officials who shall make and be responsible for municipal deposits and investments.

Investment Instruments

1. The Treasurer shall invest at his/her discretion in any investment instrument as approved by the State of New Jersey in accordance with N.J.S.A. 40A: 5-15.1.

Records and Reports

1. The Treasurer shall report all investments in accordance with N.J.S.A. 40:5-15.2.

At a minimum the Treasurer shall:

- Keep a record of all investments.
- Keep cash position records that reveal, on a daily basis, the status of the cash in its bank accounts.
- Confirm investments with the governing body at the next regularly scheduled meeting.
- Report monthly to the governing body as to the status of cash balances in bank accounts, revenue collection, interest rates and interest earned.

Cash Flow

1. The Treasurer shall ensure that the accounting system provides regular information concerning the cash position and investment performance.
2. All moneys shall be turned over to the Treasurer and deposited in accordance with N.J.S.A. 40A: 5-15.

3. The Treasurer is authorized and directed to invest surplus funds of the Township of Lower as the availability of the funds permit. In addition, it shall be the responsibility of the Treasurer to minimize the possibility of idle cash by depositing the moneys in interest bearing accounts wherever practical and in the best interest of the Township of Lower.
4. The Treasurer shall ensure that funds are borrowed for Capital Projects in a timely fashion.

Schedule of Statutory Payments

1. Any changes made to a statutory payment schedule that allows for the payment of an amount greater than the requirement must be authorized in the cash management plan. In accordance with N.J.S.A. 40A: 14-79, the Lower Township Fire District No. 2 has requested that their payments be made in the following increments:

40% due April 1
 30% due July 1
 20% due October 1
 10% due on or before December 31

Also, Fire District No. 3 has requested their first payment be made by January 15 rather than April 1 to assure their February 1 debt service payment can be paid. These changes were deemed necessary by the Lower Township Fire Commission to assure all debt service requirements due in the first quarter could be met.

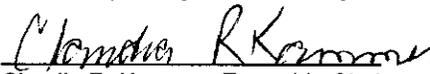
Annual Allowance Amounts

The Township of Lower has authorized participation in a flexible spending account for the employees. The flexible spending account allows a portion of the employee's salary to be redirected to provide reimbursement for allowable medical expenses. At the beginning of each plan year, a specific dollar amount must be elected. For 2010, the allowable amount is \$1,500.00.

Banking Policies

Every two to three years the Treasurer will utilize the competitive contracting process to request proposals from local banking institutions to provide banking services for the Township. This is to assure that banking services being provided to the Township are based on a competitive "bidding" process. The Township will have the option to extend the contract if it is in the best interest of the Township to do so. At least once every year the Treasurer will evaluate current banking services to assure compliance with the specifications contained in the contract and any new services that may become available in the banking industry. A detailed banking policy will be kept in the Office of the Treasurer detailing the Township's specific banking requirements.

I hereby certify the foregoing to be a resolution adopted by the Township Council on Jan. 4, 2010.


 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 #2010-18

TITLE: RESOLUTION TO DEFER THE REGIONAL SCHOOL TAX

WHEREAS, by statute, when a municipality raises school taxes on a school year basis, an amount of not more than 50% of the school levy may be deferred to the following year, and

WHEREAS, the 2009 Regional School Levy was \$11,628,430.02 and not more than 50% is \$5,814,215.01.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, the governing body thereof, that it desires to defer regional school taxes to the year 2010 in the amount of \$5,814,215.01.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2010.



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 #2010-19

TITLE: ADOPTING 2010 TEMPORARY CURRENT BUDGET

WHEREAS, N.J.S.A. 40A: 4-19 provides that where any contracts, commitments or payments are to be made prior to the final adoption of the 2010 Budget, temporary appropriations should be made by resolution prior to January 30th of the fiscal year; and

WHEREAS, the total of the appropriations so made shall not exceed 26.25% of the total of the appropriations made for all purposes in the budget for the preceding fiscal year, excluding appropriations made for interest and debt redemption charges and capital improvement fund; and

WHEREAS, the total appropriations of the 2009 Budget, exclusive of any appropriations for interest and debt redemption charges and capital improvement fund is \$22,041,553.92; and

WHEREAS, 26.25% of the total appropriations in the 2009 Budget, exclusive of any appropriations made for interest and debt redemption charges and capital improvement fund, is \$5,785,907.90.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the 2010 Temporary Current Budget is set in an amount not to exceed \$5,785,907.90.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2010.



Claudia R. Kammer, Township Clerk

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

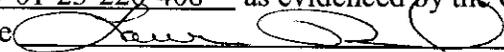
TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION #2010-20

TITLE: APPROVING 2010 CONTRACT WITH CAPE ASSIST

WHEREAS, N.J.S.A. 40A:11-3 authorizes the award of any contract without competitive bidding for any purchase, work or service that does not exceed in the fiscal year the total sum of Seventeen Thousand Five Hundred (\$17,500) Dollars.

WHEREAS, the Township is desirous of renewing its contract with Cape May County Council on Alcoholism and Drug Abuse, Inc. administered by Cape Assist for the Employee Assistance Program, and

WHEREAS, the contract amount for 2010 is Twenty-One Dollars (\$21) per employee currently based on 153 employees for a total of Three Thousand Two Hundred Thirteen Dollars (\$3213.00) and funds are available in the current fund entitled Group Health 9-01-23-220-408 as evidenced by the Chief Financial Officer's Certification & signature 

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk are hereby authorized to sign the contract agreement for the year 2010.

I hereby certify that the foregoing resolution was adopted by the Township Council at the meeting of January 4, 2010.


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 2010-21

TITLE: AUTHORIZING THE CLERK TO ISSUE BINGO & RAFFLE LICENSES THROUGHOUT THE YEAR TO QUALIFIED ORGANIZATIONS

WHEREAS, the Township Clerk receives applications throughout the year from various organizations to conduct bingo and/or raffle games within Lower Township, and

WHEREAS, the below listed applicants have obtained their state registration from NJ Legalized Games of Chance and have been in good standing with the Township for many years, and

WHEREAS, there appears to be no reason to deny said licenses for 2010 providing all paperwork is completed and required fees have been paid.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, the governing body thereof, that the Township Clerk is authorized to issue bingo/raffle licenses for 2010 to the following organizations as applicable throughout the year.

- | | |
|---|--|
| Cape Regional Medical Center Aux. | National Quilters Assoc. of CMC, #279 |
| Christ Child Society of CMC | St. Raymond's Holy Name Society |
| Erma Volunteer Fire Company | St. Raymond's Catholic Church |
| Friends of Historic Cold Spring Village | St. John of God Altar Rosary Society |
| Greater Cape May Elks Lodge | St. John of God Catholic Church |
| Knights of Columbus | Townbank Volunteer Fire Company |
| Lower Cape May Regional Little League | VFW Post 5343 Lt. Charles Buddy Lewis |
| Lower Township Optimist Club | Vietnam Vets of America - Chapter #602 |
| Make A Wish Foundation | Villas Volunteer Fire Co. |
| N.J. Marine Science Consortium, Inc. | |

FURTHER RESOLVED, the Clerk may issue additional Bingo & Raffle Licenses to organizations not listed above upon a valid LGCC ID certificate and all appropriate paperwork and fees.

I hereby certify this is the original resolution adopted by the Township Council at the meeting January 4, 2010.


 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 #2010-22

TITLE: AUTHORIZATION FOR PUBLIC BIDDING

WHEREAS, the Township is required to publicly bid certain items during the course of the year in accordance with the Local Public Contracts Law, and

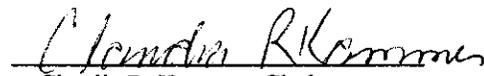
WHEREAS, the Township may also desire to obtain public bids on certain other items that may become necessary during the course of the year but which are not required to be publicly bid.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Qualified Purchasing Agent is hereby authorized to obtain public bids as necessary for items or services 2010 as they become necessary in accordance with the Local Public Contract Law.
2. The Township Engineer's Office is also hereby authorized to obtain public bids for engineering projects required by the Township during the course of the year.

BE IT FURTHER RESOLVED that all contracts awarded through public bidding be made a resolution of the Township Council and the required Chief Financial Officer's certification as to the availability of funds for the items/services to be procured.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2010.


Claudia R. Kammer, 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 #2010-23

TITLE: DESIGNATION OF PUBLIC AGENCY COMPLIANCE OFFICER FOR LOWER TOWNSHIP

WHEREAS, in accordance with N.J.A.C. 17:27-3.2, each public agency shall designate an individual to serve as its Public Agency Compliance Officer (P.A.C.O.); and

WHEREAS, the Public Agency Compliance Officer is the liaison between Lower Township and the Division of Public Contracts Equal Employment Opportunity Compliance for all matters concerning implementation and administration of the statute; and

WHEREAS, the Public Agency Compliance Officer is responsible for administering contracting procedures pertaining to equal employment opportunity regarding both the Public Agency and the service providers. The P.A.C.O. must have the authority to recommend changes to effectively support the implementation of the statute and its regulations.

NOW, THEREFORE, BE IT RESOLVED that Margaret Vitelli be appointed the Public Agency Compliance Officer for the Township of Lower.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on January 4, 2010.


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 #2010-24

Title: Transfer of 2009 Appropriations

WHEREAS, N.J.S.A. 40A: 4-59 provides for appropriation transfers during the first three months of the succeeding year when it has been determined that any appropriation reserve for the immediately preceding fiscal year is insufficient to pay the claims authorized or incurred during the preceding year, which were chargeable to said appropriation, and there is an excess in any appropriation reserve 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, and totaling \$17,000.00 be made between the 2009 budget appropriation reserves.

<u>LINE ITEM</u>		<u>ACCT. NUMBER</u>	<u>TO</u>	<u>FROM</u>
Municipal Clerk	S&W	9-01-20-120-101	10,000.00	
Assessor	S&W	9-01-20-150-101	5,000.00	
Electric	OE	9-01-31-430-299	1,500.00	
Natural Gas	OE	9-01-31-446-299	500.00	
Solid Waste-Tipping Fees	OE	9-01-32-465-600		17,000.00
			<u>17,000.00</u>	<u>17,000.00</u>

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2010.



 Claudia R. Kammer, RMC, Township Clerk

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

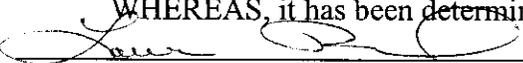
TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION # 2010-25

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 year's budget for Salaries and Wages.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that payment to the individuals listed on the attached sheet in the amount of \$425.78 is authorized and chargeable to the 2009 Budget.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2010.


Claudia R. Kammer, Township Clerk

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

2010 Comp payout

Employee	Last Name	Hours	Hourly rate	Total
Dorothy	Crawford	12.5	20.77	259.63
Pamela	Felder	0.5	22.81	11.41
Walt	Fiore	0.75	22.47	16.85
Gloria	Luzny	11.75	18.36	215.73
Julie	Picard	10.54	18.33	193.20
				0.00
				0.00
				0.00
Total Liability				425.78

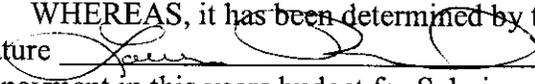
TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION #2010-26

Title: AUTHORIZATION FOR THE PAYOUT OF ACCUMULATED SICK TIME

WHEREAS, the employees listed on the attached schedule have accrued sick time due from the Township and per union contract the Township will at the employees request, annually buy back five (5) days of unused sick leave in December of any year, from employees who have not used more than five (5) sick days that calendar year.

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 this years budget for Salaries and Wages

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that payment to the employees listed on the attached schedule not to exceed the amount of \$33943.75 is authorized and chargeable to the 2009 Budget:

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2010.


Claudia R. Kammer, Township Clerk

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

Sick Buyout: 12/31/2009

R45 - 2010 - 20

First Name	Last Name	Department	Union	Hours	Rate	Total	Check	submitted	Qualifies	Budget Line
Arthur	Amonette	Assessor	Supervisor	35	41.53	1,453.55	y	y	9-01-20-150-101	
Margaret	Crompton	Assessor	AFSCME	35	22.81	798.35	y	y	9-01-20-150-101	
Deborah	Johns	Boca	AFSCME	35	21.69	759.15	y	y	9-01-22-195-101	
Thomas	Mills	Boca	AFSCME	30	32.16	964.80	y	y	9-01-22-195-101	
Gary	Playford	Boca	Supervisors	35	35.50	1,242.50	y	y	9-01-22-195-101	
Colleen	Horwath	Clerk	non-union	35	25.33	886.55	y	y	9-01-20-120-101	
Claudia	Kammer	Clerk	non-union	35	41.97	1,468.95	y	y	9-01-20-120-101	
Susan	Jackson	collector	Supervisors	35	40.88	1,430.80	y	y	9-01-20-145-101	
Elizabeth	Byrne	Court	Supervisors	35	36.62	1,281.70	y	y	9-01-43-490-101	
Mark	Alexander	DPW	Teamsters	40	21.05	842.00	y	y	9-01-26-305-101	
Howard	Bailey	DPW	Teamsters	40	27.24	1,089.60	y	y	9-01-26-305-155	
Robert	Bailey	DPW	Supervisor	40	29.42	1,176.80	y	y	9-01-26-305-155	
Harold	Carty	DPW	Supervisor	40	28.09	1,123.60	y	y	9-01-26-305-195	
Thomas	Eagan	DPW	Teamsters	40	21.05	842.00	y	y	9-01-26-305-127	
Timothy	Fauman	DPW	Teamsters	40	21.05	842.00	y	y	9-01-26-305-127	
Gerald	Finnegan	DPW	Teamsters	40	23.28	931.20	y	y	9-01-26-305-155	
David	Lepor	DPW	Teamsters	40	24.90	996.00	y	y	9-01-26-305-101	
Allen	Magnavita	DPW	Teamsters	40	21.05	842.00	y	y	9-01-26-305-134	
Keith	Palek	DPW	Teamsters	40	21.05	842.00	y	y	9-01-26-305-175	
Stephen	Parker	DPW	Teamsters	40	21.05	842.00	y	y	9-01-26-305-175	
Raymond	Small	DPW	Teamsters	40	21.05	842.00	y	y	9-01-26-305-134	
Thomas	Solenski	DPW	Teamsters	40	22.24	889.60	y	y	9-01-26-305-195	
Linda	Thomas	DPW	AFSCME	35	21.33	746.55	y	y	9-01-26-305-175	
Thomas	Will	DPW	AFSCME	35	27.40	959.00	y	y	9-01-26-305-175	
Ronald	Young	DPW	Teamsters	40	21.05	842.00	y	y	9-01-26-305-134	
Kathleen	McPherson	Manager	non-union	35	41.60	1,456.00	y	y	9-01-20-105-101	
William	Galestok	Planning	Supervisors	35	39.36	1,377.60	y	y	9-01-20-170-101	
Lisa	Schubert	Planning	AFSCME	35	22.25	778.75	y	y	9-01-20-170-101	
Colleen	Crippen	Grants	Supervisors	35	29.71	1,039.85	y	y	9-01-20-130-103	
Lauren	Read	Treasurer	non-union	35	42.59	1,490.65	y	y	9-01-20-130-101	
William	Johns	Recreation	AFSCME 2	40	10.04	401.60	y	y	9-01-28-370-101	
Vernon	Kline	Recreation	AFSCME 2	40	9.76	390.40	y	y	9-01-28-370-101	
Elaine	McDermott	Recreation	AFSCME 2	40	10.32	412.80	y	y	9-01-28-370-101	
Christine	Petronzi	Recreation	AFSCME 2	40	9.76	390.40	y	y	9-01-28-370-101	
Mitchell	Plehn	Recreation	AFSCME	35	25.16	880.60	y	y	9-01-28-370-101	
Rocco	Sansone	Recreation	AFSCME 2	40	9.76	390.40	y	y	9-01-25-370-101	
						33,943.75				

12/31/09
10:06:46

Lower Township
Bill List By Vendor Id

Page No: 2

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	08-01808	07/01/08	2008 EQUIP ALLOW	Open	150.00	0.00		
00935	COASTAL PHYSICIANS & SURGEONS*							
	09-03431	12/17/09	GREEN EVALUATION	Open	190.00	0.00		
01239	DIANA L DeNOTE							
	09-03480	12/24/09	CONTRACTUAL REIMBURSEMENT	Open	434.00	0.00		
01267	EDWARD DONOHUE							
	09-03435	12/22/09	REIEMB CHIEF OF POLICE CONF	Open	80.00	0.00		
01289	ROBERT DOUGLASS							
	09-03503	12/29/09	CONTRACTUAL REIMBURSEMENT	Open	73.48	0.00		
01641	GALL'S INC*							
	09-02822	10/23/09	POLICE CAR OUTFITTING	Open	2,998.00	0.00		
01643	WILLIAM GALESTOK							
	09-03387	12/15/09	REIMBURSEMENT	Open	13.00	0.00		
01826	WILLIAM HIENKEL							
	09-03483	12/24/09	CONTRACTUAL REIMBURSEMENT	Open	152.00	0.00		
01834	RICHARD HOOYMAN							
	09-03504	12/29/09	CONTRACTUAL REIMBURSEMENT	Open	66.00	0.00		
02006	MEDIA PASSPORT*							
	09-03450	12/22/09	SET UP NEW SCHEDULE SOFT	Open	570.00	0.00		
02116	FRAN KENNEDY COFFEE CO.*							
	09-03433	12/17/09	COFFEE SUPPLIES - TOWNHALL	Open	90.07	0.00		
02125	KDI*							
	09-03147	11/17/09	COLOR COPIER - TOWNHALL	Open	8,450.50	0.00		
02189	KNOX ASSOCIATES, INC*							
	09-03415	12/16/09	KNOX KET SECURE UNIT	Open	545.00	0.00		
02251	LAWYERS DIARY AND MANUAL*							
	09-01727	06/19/09	LAWYERS DIARY & MANUAL	Open	90.25	0.00		
02402	MGL PRINTING SOLUTIONS							
	09-03209	11/25/09	PURCHASE ORDERS	Open	737.50	0.00		
02709	ANTHONY MONZO*							
	09-03511	12/30/09	NOVEMBER LITIGATION	Open	11,242.21	0.00		
02763	DONALD MONTGOMERY							
	09-03432	12/17/09	SHOE ALLOWANCE 2009	Open	225.00	0.00		
	09-03481	12/24/09	CONTRACTUAL REIMBURSEMENT	Open	195.00	0.00		

					420.00			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	09-03295	12/07/09	OFFICE SUPPLIES	Open	152.42	0.00		
	09-03422	12/17/09	OFFICE SUPPLIES	Open	38.19	0.00		

					190.61			
03960	VECTOR SECURITY*							
	09-02892	11/02/09	EMERGENCY SERVICE CALL ON DOOR	Open	90.00	0.00		
03969	VERIZON							
	09-03476	12/23/09	PHONE SERVICE	Open	286.72	0.00		
03971	VERIZON WIRELESS							
	09-03494	12/29/09	MDT WIRELESS	Open	544.14	0.00		
04049	SUSAN JACKSON							
	09-03482	12/24/09	CONTRACTUAL REIMBURSEMENT	Open	74.00	0.00		
04160	RONALD YOUNG							
	09-03429	12/17/09	SHOE ALLOWANCE FOR 2009-DPW	Open	107.96	0.00		
04300	W B MASON CO INC*							
	09-01955	07/14/09	COMPUTER PAPER	Open	273.12	0.00		
04301	SEASHORE ASPHALT CORPORATION*							
	09-03168	11/20/09	ASPHALT FURNISHED AT PLANT	Open	1,704.08	0.00		
04320	PREMIER OFFICE SUPPLY*							
	09-03299	12/07/09	OFFICE SUPPLIES FIRE SFTY	Open	369.10	0.00		
BOSNA	KAREN MANETTE BOSNA							
	09-03507	12/30/09	YOGA INSTRUCTOR	Open	95.00	0.00		
FIEDLER	WILLIAM FIEDLER							
	09-03151	11/20/09	REFUND 3 PROPERTY INSPECTIONS	Open	300.00	0.00		
G-MUA	LTMUA							
	09-03383	12/15/09	ROAD RESTORATION REFUND/DPW	Open	755.65	0.00		

Total Purchase Orders:	66	Total P.O. Line Items:	109	Total List Amount:	63,299.47	Total Void Amount:		0.00

**Lower Township
Bill List
01/04/10**

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
WaWa, Inc	09-03430	Safety Incentive	41469	12/17/09	495.00
Blauer Associates	09-02199	Public Facilities	41596	12/22/09	540.00
NJ Natural Lands Trust	09-03479	MOU – Stormwater Pipe	41598	12/29/09	4,000.00
Total Manual Checks					\$ 5,035.00
Total brought forward from computer generated bill list					\$ 63,299.47
TOTAL BILL LIST					\$ <u>68,334.47</u>

I certify the foregoing to be a Resolution adopted by the Township Council on January 4, 2010



 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 #2010-28

TITLE: APPROVAL OF ROTARY TOWING LICENSES FOR 2010

WHEREAS, Section 22-1 requires any contractor providing towing and storage services for the Township of Lower be licensed by the Township, and

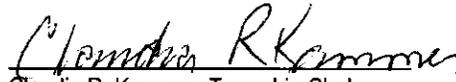
WHEREAS, the following contractors have completed the required applications, paid the required fees and provided all documentation required by ordinance, and

WHEREAS, the Police have reviewed said applications as required by Section 22-4 (d) of the General Ordinances and have no objection to the issuance of said license.

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the following applicants shall be issued Rotary Towing Licenses for the year 2010.

**Cape May Exxon
Eddies Auto Body
Just in Time Towing
Off Shore Getty
South Jersey Towing**

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2010.


Claudia R. Kammer, Township Clerk

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

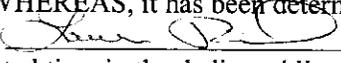
TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION # 2010-29

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 Harrison Bitting in the amount of \$34,082.01 is authorized and chargeable to the Reserve for Accumulated Absences.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2010.


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
 RETIREMENT PAYOUT ANALYSIS
 2009

EMPLOYEE: Harrison Bitting
 DATE OF RETIRMENT: 12/31/2009
 DATE OF PAYMENT: _____
 RESOLUTION #: 2010-

Hire Date	3/11/1987
Annual Salary:	\$63,257.87
Hourly Rate:	\$30.41
Longevity	\$2,400.00
RECYCLE COORDINATOR	\$5,000.00

SALARY:	
Salary due to	12/31/2009 \$70,657.87
Salary paid through	\$70,657.87
Balance due	\$0.00

TERMINAL LEAVE:			
	Hours	Rate	Total
Comp	0.00	30.41	0.00
Personal	0.00	30.41	0.00
Sick	960.00	30.41	29,193.60
Vacation	160.75	30.41	4,888.41
	0.00	30.41	0.00
	0.00	30.41	0.00
Terminal Leave Payout			\$34,082.01

	(A)	(B)	(C)	(B * C)	(E)	A + D - E	
	Carryover	Annual	52 weeks / 52 weeks	Prorated Time Due	Time Used	Hours to be paid	
Comp				0.00		0.00	
Personal	8.00	32.00	1.00	32.00	40.00	0.00	
Sick	1,115.00	120.00	1.00	120.00	136.00	960.00	=120*8
Vacation	64.75	200.00	1.00	200.00	104.00	160.75	
				0.00		0.00	
				0.00		0.00	
Total	1,187.75	352.00	3.00	352.00	280.00	1,120.75	

Employee Signature: _____
 Date: _____

Treasurer's Signature: _____
 Date: _____

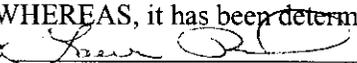
TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION # 2010-30

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 Joan Koeck in the amount of \$ 460.01 is authorized and chargeable to the Reserve for Accumulated Absences.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 4, 2010.


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
 RESIGNATION PAYOUT ANALYSIS
 11/19/2009

EMPLOYEE: Joan Koeck
 DATE OF RETIREMENT: 12/31/2009
 DATE OF PAYMENT: _____
 _____ 2010- _____

Annual Salary:		
Hourly Rate:	\$ 11.97	\$0.00
Longevity per hour hours worked	\$ 0.72	\$0.00

As an hourly employee
 Joan gets paid only for
 the hours she works or
 for which she uses
 accumulated P, V, or S

SALARY:		
Salary due to	12/31/2009	
Salary paid through		
Balance due	1/8/2009	\$0.00

TERMINAL LEAVE:			
	Hours	Rate	Total
Comp	0.00	12.69	0.00
Personal	9.50	12.69	120.56
Sick	0.00	12.69	0.00
Vacation	26.75	12.69	339.46
Terminal Leave Payout			\$460.01
Final pay			\$460.01

	(A)	(B)	(C)	(B * C)	(E)	A + D - E
	Carryover	Annual	52 weeks / 52 weeks	Prorated Time Due	Time Used	Hours to be paid
Comp				0.00		0.00
Personal	2.75	6.75	1.00	6.75	0.00	9.50
Sick	58.75	26.50	1.00	26.50	49.00	
Vacation	22.00	27.75	1.00	27.75	23.00	26.75
Total	83.50	61.00		61.00	72.00	36.25

Accrual current to 11/20/2009 subject to change
 Vacation and Personal are accrued as earned.

Employee Signature: _____

Date: _____

Treasurer's Signature: _____

Date: _____

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

RESOLUTION #2010-31

TITLE: BID ACCEPTANCE AND CONTRACT AWARD FOR MAINTENANCE OF TOWNSHIP GROUNDS AND PARKS

WHEREAS, bids for a Maintenance of Township Grounds & Parks were advertised on September 17, 2009 and accepted on October 28, 2009 at 11:00 a.m., and

WHEREAS, six proposals were submitted and reviewed by the QPA and the Recreation Director, and

WHEREAS, the low bidder complied with the specifications and supplied all required certifications and bid documents and the CFO has determined sufficient funds are available in the budget as follows:

Budget Year & Appropriation 0-01-28-370-281

CFO Signature 

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the contract for the above is hereby awarded to the lowest **qualified responsible** bidder as follows for the years 2010 and 2011.

AWARD TO: BAYSHORE LANDSCAPING, INC.
TOTAL: \$55,450 per year

BE IT FURTHER RESOLVED, upon approval of the resolution, the fully executed Purchase Order together with the official bid documents shall serve as the Contract for the award of the bid.

I hereby certify the foregoing resolution was adopted by the Township Council at a meeting held on January 4, 2010


 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 #2010-32

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.

<u>Owner and Location of Property</u>	<u>Cost</u>	<u>Administrative Fee</u>
Boyle, Joseph A. Jr. 313 Arizona Avenue Block 334.08, Lot 7	\$3,890.00	\$25.00

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on January 4, 2010.


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 #2010-33

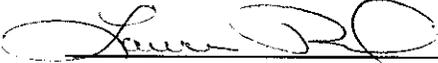
TITLE: RESOLUTION APPROVING PROJECT PROPOSAL BETWEEN HATCH MOTT MACDONALD AND THE TOWNSHIP OF LOWER FOR ENGINEERING & SURVEYING SERVICES RELATED TO FORMAL INSPECTION OF THE TAX MAP

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 and surveying services related to Formal Inspection of the Tax Map which is set forth on EXHIBIT A attached hereto (the "Project Proposal"); and

WHEREAS, the Township Council desires to approve the Project Proposal and the CFO has certified the availability of funds in the following budget appropriation:

0-01-20-150-299
Budget Appropriation


Lauren Read, CFO

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

1. The Project Proposal between Hatch Mott MacDonald and the Township of Lower, in the form attached hereto as EXHIBIT A, for a total amount of \$22,900, 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 January 4, 2010.


Claudia R. Kammer, Township Clerk

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



**Hatch Mott
MacDonald**

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

November 20, 2009
Via email: kncpherson@townshipoflower.org

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

**RE: Professional Engineering and Surveying Services Proposal
Tax Map for Formal Inspection
Township of Lower
Cape May County, New Jersey**

Dear Ms. McPherson:

Please find enclosed herewith our proposal to complete the professional engineering and surveying services required to review the Township's existing Tax Maps and make corrections as requested in the New Jersey Department of the Treasury, Division of Taxation's (Division) correspondence dated August 13, 2009 (attached herewith for reference).

The Division's correspondence contains comments from their first check review of the entire Tax Map as part of the State's Inspection for approval of the maps for Formal Purposes. Based on our discussions with Arthur Amonette, Township Tax Assessor, review of the State's first check correspondence and a set of "mark-up" prints of the Township's official Tax Maps (151 sheets) we propose the following scope of services to address the Division's latest requested corrections and re-submit the Tax Maps to the Division for Formal approval.

Scope of Services

Hatch Mott MacDonald will make the necessary corrections to the current Township of Lower Tax Maps to address the comments made in the Division's correspondence in support of the State's review of the maps for Formal approval. HMM will:

- Review and make corrections to the Tax Map sheets specifically mentioned in the Division's August 13, 2009 correspondence and depicted in the accompanying set of "mark-up" prints. All other Tax Map sheets will be reviewed for their consistency with the comments received in the Division's correspondence.
- Tax Map updates will include a review of the current Property Tax List to identify exempted properties and match the maps with the list. The Tax Assessor shall provide HMM with the Township's most current Property Tax List. The list shall include all properties exempted due to disabled veterans.
- Tax Map corrections will include adding the newly approved (2009) subdivisions and condominium units which are to be provided to HMM by the Township Tax Assessor. HMM assumes that the Tax Maps have been updated through the year



2008 and that 6 to 8 new minor subdivisions were filed in the Cape May County Clerk's office in 2009.

- Meet with the Tax Assessor to coordinate map corrections and review all corrected Tax Map sheets prior to submitting the corrected Tax Maps to the Division for approval.
- Re-submit one paper copy of the entire set of Tax maps to the Division for review and approval upon the Township's authorization. One set of the "mark-up" prints will also be submitted to the Division.
- Track the Division's review of the submitted Tax Maps. Included within our scope of services are additional revisions that are required based on the comments included within the Division's August 13, 2009 correspondence only.

We propose to complete the scope of work outlined above for the lump sum amount of **\$22,900**. The lump sum fee includes a budgeted cost of \$1,460 for printing four sets of tax maps. If additional copies are requested they will be provided at an additional cost of \$365 per set.

This scope of services does not include completing any additional corrections not specifically referenced in the above scope of services or new comments by the Division which were not previously identified in the August 13, 2009 correspondence. HMM will provide a separate scope of work and cost proposal to cover these additional corrections should they be required.

Compensation for this project shall be on a lump sum fee basis and shall be invoiced on a percent complete basis. We thank you for the opportunity to provide this scope of work for correcting the Township's Tax Maps in support of obtaining formal certification for the Maps. Should you have any questions regarding the above information or should you wish to discuss this proposal in more detail, please do not hesitate to contact this office.

Very truly yours,

Hatch Mott MacDonald

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

Steven C. Morey
Associate
T609.465.9377 F 609.465.5270
steven.morey@hatchmott.com

cc: Arthur Amonette, Tax Assessor, Lower Township
Robert C. Mainberger, PE, CME, Hatch Mott MacDonald
James K. Walz PLS, Hatch Mott MacDonald
File: 255139CM10-III-3

RESOLUTION #2010-34

JANUARY 4, 2010 REORGANIZATION MEETING

Lower Twp Board of Ed	Due 1/01/10	\$ 1,437,188.90
Lower Cape May Regional	Due 1/15/10	1,162,843.00
Edmunds & Associates	Due 1/01/10	18,225.00
Atlantic JIF	Due 1/15/10	238,711.18
Barber Consulting Svc	MIS Service	5,000.00
Lower Twp MUA	Due 1/01/10	1,160.00
Cape Assist	Employee Assistance	3,213.00
NJ State Health Benefits	Due 1/15/10	209,416.99
Ft Dearborn Life Insurance	Due 1/01/10	591.37
Brian Marker, Custodian	Petty Cash	250.00
Colleen Crippen, Custodian	Petty Cash	100.00

TOTAL \$ 3,076,699.44

I certify the foregoing to be a Resolution adopted by the Township Council on January 4, 2010

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 #2010-35

TITLE: REJECTION OF BIDS FOR DELAWARE BAY SHORE OUTFALL EXTENSIONS

WHEREAS, the Township advertised for bids on December 10, 2009 for Delaware Bay Shore Outfall Extensions and one (1) sealed bid was received by the Township QPA on December 29, 2009 at 10:00 a.m. , and

WHEREAS, one was submitted and was opened and reviewed by the QPA and the Engineer, and

WHEREAS, the bid exceeds the budget appropriation; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council, of the Township of Lower the all bids are 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 January 4, 2010.


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 #2010-36

TITLE: APPROVAL OF CHANGE ORDER NO. 1 FOR PAD AND POUR GYMNASIUM FLOOR OVER EXISTING FLOOR

WHEREAS, Dynamic Floor was previously awarded a contract in the amount of \$59,000 for a Pad & Pour Gymnasium Floor over the existing floor, and

WHEREAS, during the course of the work on this project it was determined that base molding was necessary; and

WHEREAS, the additional total cost to the Township for this change in the scope of work is \$1,830 as per the attached quote, and

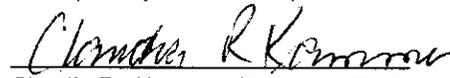
WHEREAS, the Recreation Director has reviewed and recommended payment of Changer Order No. 1 and the CFO has certified the availability of funds as evidenced by her signature appended hereto

Account # C-04-55-395-660 
 Lauren Read, CFO

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, that Change Order No. 1 for the Pad & Pour Gymnasium Floor over the Existing Floor is hereby approved and the total contract amount for this project including Change Order No. 1 is \$60,830.00, and

BE IT FURTHER RESOLVED that Dynamic Floor is authorized to proceed with the changes and complete them in accordance with the terms of the original Contract Documents.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on January 4, 2010


 Claudia R. Kammer, Township Clerk

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



Sub-Contract Bid

Date: December 3, 2009
To: Margaret Vitelli
Project: Lower Township Recreation Center
Section Bid: Base Molding

Dynamic Sports Construction, Inc. is pleased to offer the following Bid to supply and install 4" vinyl Base Molding (Black) for the sum of:

\$1,830.00

(One Thousand Eight Hundred Thirty Dollars and Zero Cents)

This Bid Includes:

Room Number	Gym
Linear Feet	366
Thickness	XXXX
Wage Scale	Prevailing
Estimated Install	2010

NOTE: Installation will begin upon acceptance of clean, dry substrate and job conditions as set out in the manufacturer's specifications. This bid is valid for a period of 60 days. Please allow a minimum of 60 days from receipt of the contract for our administrative, credit approval and material manufacturing processes to be completed prior to mobilization. Addenda () have been reviewed.

Dynamic Sports Construction offers a complete line of synthetic flooring surfaces to meet the demands of today's high use facilities. Our systems include indoor track surfaces, multipurpose athletic flooring, aerobic rooms, gymnasium and cafetorium surfacing. DSC product technicians are full-time employees (not sub-contractors), and are as experienced and professional as anyone in the industry, all having worked with our products for a minimum of ten years.

Your consideration of our bid is greatly appreciated. If you have any questions regarding this quotation, please do not hesitate to call me at my office-732-701-9100 or my cell 732-948-9641.

Respectfully submitted,

Kirby Foray
Director Northeast Sales
Dynamic Sports Construction Inc.
kforay@dynamicssportsconstruction.com

RESOLUTION #2010-37

TITLE: A RESOLUTION AUTHORIZING THE IMPOSITION OF A LIEN ON BLOCK 146 LOT 58 PURSUANT TO CHAPTER 206 OF THE CODE OF THE TOWNSHIP OF LOWER

WHEREAS, the Township of Lower (the "Township") is authorized by N.J.S.A. 40:48-2.5 and Chapter 206-1 et. seq. of the Code of The Township of Lower (the "Code") to repair, alter, improve, remove or demolish structures within the Township when such is necessary in the opinion of the Township Construction Official; and

WHEREAS, the Township is authorized by N.J.S.A. 40:48-2.5 and Section 206-8 of the Code to impose the cost of any such repair, alteration, improvement, removal or demolition and the cost incurred in the course of any proceeding taken under the Code in connection therewith as a municipal lien against the property upon which such structure is situated; and

WHEREAS, on August 7, 2009 a Notice of Unfit Structure was issued by the Township Construction Official to the owners of record of the property located at 115 W. New Jersey Avenue, Block 146, Lots 58 (the "Property") and to all parties identified by a title search as interested therein that the Township Construction Official was to consider the demolition of the structure at a hearing to be conducted on August 28, 2009, which notice was filed in the Office of the Cape May County Clerk as required by law; and

WHEREAS, no interested party appeared at the hearing conducted by the Township Construction Official on August 28, 2009; and

WHEREAS, the Township Construction Official has concluded that due to dilapidation, defects increasing the hazards of fire, accidents or other calamities, lack of ventilation, light or sanitary facilities, or due to conditions rendering such structure or parts thereof unsafe, unsanitary, dangerous or detrimental to the health or safety, or otherwise inimical to the welfare of the residents of the Township, a public necessity exists for the demolition of such structure; and

WHEREAS, based upon that finding, the Township Construction Official issued an order on October 9, 2009, ordering the removal or demolition of the unsafe structure on or before November 27, 2009, a copy of which was served on the property owners of record and all interested parties identified by a title search and was filed in the Office of the Cape May County Clerk, Book X604, Page 604 & 605 #227 as required by law; and

WHEREAS, the Township desires to impose the cost of any repairs, alterations, improvements, or removals and the cost incurred resulting from any proceedings taken under the Code in connection therewith as a municipal lien against the Property as provided by law.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Lower that the Township Construction Official's Order of October 9 2009, for the demolition of the structure situated upon Block 146 Lot 58 is hereby ratified.

BE IT FURTHER RESOLVED that a municipal lien is placed upon the Property in the amount of \$9,085.50, said amount representing (i) advertising fees, (ii) search fees, (iii) recording fees, (iv) plus the Township's attorneys fee.

I hereby certify the foregoing to be a true copy of a resolution adopted by the Township at a meeting held on January 4, 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 #2010-38

**TITLE: A RESOLUTION AUTHORIZING THE IMPOSITION OF A LIEN ON BLOCK 432 LOT 8
PURSUANT TO CHAPTER 206 OF THE CODE OF THE TOWNSHIP OF LOWER**

WHEREAS, the Township of Lower (the "Township") is authorized by N.J.S.A. 40:48-2.5 and Chapter 206-1 et. seq. of the Code of The Township of Lower (the "Code") to repair, alter, improve, remove or demolish structures within the Township when such is necessary in the opinion of the Township Construction Official; and

WHEREAS, the Township is authorized by N.J.S.A. 40:48-2.5 and Section 206-8 of the Code to impose the cost of any such repair, alteration, improvement, removal or demolition and the cost incurred in the course of any proceeding taken under the Code in connection therewith as a municipal lien against the property upon which such structure is situated; and

WHEREAS, on June 23, 2009 a Notice of Unfit Structure was issued by the Township Construction Official to the owners of record of the property located at 247 Breakwater Road, Block 432, Lots 8 (the "Property") and to all parties identified by a title search as interested therein that the Township Construction Official was to consider the demolition of the structure at a hearing to be conducted on July 17, 2009, which notice was filed in the Office of the Cape May County Clerk as required by law; and

WHEREAS, no interested party appeared at the hearing conducted by the Township Construction Official on July 17, 2009; and

WHEREAS, the Township Construction Official has concluded that due to dilapidation, defects increasing the hazards of fire, accidents or other calamities, lack of ventilation, light or sanitary facilities, or due to conditions rendering such structure or parts thereof unsafe, unsanitary, dangerous or detrimental to the health or safety, or otherwise inimical to the welfare of the residents of the Township, a public necessity exists for the demolition of such structure; and

WHEREAS, based upon that finding, the Township Construction Official issued an order on October 9, 2009, ordering the removal or demolition of the unsafe structure on or before November 24, 2009, a copy of which was served on the property owners of record and all interested parties identified by a title search and was filed in the Office of the Cape May County Clerk, Book X604, Page 606 & 607 #233 as required by law; and

WHEREAS, the Township desires to impose the cost of any repairs, alterations, improvements, or removals and the cost incurred resulting from any proceedings taken under the Code in connection therewith as a municipal lien against the Property as provided by law.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Lower that the Township Construction Official's Order of October 9 2009, for the demolition of the structure situated upon Block 432 Lot 8 is hereby ratified.

BE IT FURTHER RESOLVED that a municipal lien is placed upon the Property in the amount of \$8913.5, said amount representing i) advertising fees, (ii) search fees, (iii) recording fees, (iv) plus the Township's attorneys fee.

I hereby certify the foregoing to be a true copy of a resolution adopted by the Township at a meeting held on January 4, 2010.


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 NO. 2010-39

TITLE: RESOLUTION DESIGNATING THE LOWER TOWNSHIP RESCUE SQUAD, INC. AS THE PROVIDER OF EMERGENCY MEDICAL SERVICES IN LOWER TOWNSHIP

WHEREAS, the Lower Township Rescue Squad ("Rescue Squad") , since its inception in 1950, had the purpose of providing high quality rescue and emergency medical services to the residents of and visitors to the Township of Lower ("Township"); and

WHEREAS, the Rescue Squad has provided these services for the Township and the Township desires to continue its relationship with the Rescue Squad and to look to the Rescue Squad for the provision of all of its ambulance, rescue and emergency medical services ("Emergency Services"), except as otherwise set forth herein; and

WHEREAS, the Township desires to formalize and clarify its relationship with the Rescue Squad to insure that it is conducted pursuant to all applicable laws, and to establish clear lines of responsibility and division of authority between the Township and the Rescue Squad, as well as to make clear that the Rescue Squad is an entity separate and apart from the Township.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Lower, in the County of Cape May, State of New Jersey, that the Township hereby recognizes and designates the Rescue Squad as the primary provider of Emergency Services for the Township subject to the following terms and conditions:

1. Pursuant to N.J.S.A. 40:5-2, The Township will take all formal steps necessary to voluntarily contribute the sum of SEVENTY THOUSAND (\$70,000.00) DOLLARS per annum to the Rescue Squad retroactive to the beginning of the year 2010, which payment shall be in two (2) installments: one in the amount of THIRTY-FIVE THOUSAND (\$35,000.00) DOLLARS due on or before June 5, 2009, and the second in the amount of THIRTY-FIVE THOUSAND (\$35,000.00) DOLLARS due on or before November 5, 2010. In the event the Township designates and recognizes the Rescue Squad as the provider of Emergency Services in the Township beyond one (1) year from the effective date of this Resolution, the payments will continue on or about the same days of the following year(s).
2. In addition to the financial contributions referenced in paragraph 1 above, the Township shall further provide gasoline and supplies for equipping the Rescue Squad's ambulance vehicles and facility in an amount not to exceed an additional THIRTY-FIVE THOUSAND (\$35,000.00) DOLLARS for each calendar year thereafter, subject to approval by Council at the beginning of each such year. Such amount will be paid from time to time over the course of the fiscal year based upon the submission of vouchers for either reimbursement to the Rescue Squad or payments directly to third party vendors, in accordance with the purchasing guidelines of the Township and subject to all other applicable laws.
3. Each year the Rescue Squad shall provide the Chief Financial Officer of the Township an audit performed by a certified public accountant or registered municipal accountant of the Rescue Squad's financial records which audit shall certify to the Governing Body of the Township that such records are being maintained in accordance with sound accounting principles, as also required by N.J.S.A. 40:5-2.
4. The Rescue Squad shall operate as an entity separate and apart from the Township. Except for the voluntary contribution referred to in Paragraph 1 above and the other in-kind contributions as set forth below, the Rescue Squad shall be responsible for all other financial and administrative matters regarding its operations including, without limitation, fund-raising, billing, training, bookkeeping, and management, which such matters shall not be the responsibility of the Township. Furthermore, the Rescue Squad shall maintain title to and ownership of all vehicles, as well as title to any other property and/or facilities it currently owns, or should hereafter acquire.
5. The Rescue Squad shall further provide the Township, the Lower Township Board of Education and any other agencies within the Township, upon the Township's request, with standby ambulance services at Township or other governmental functions such as parades, school sporting events, and the like, to the extent available.

6. It is the intention of this Resolution to express the parties' belief that the relationship between the Rescue Squad and Township continue in such a fashion that the relationship will provide the citizens of the Township with the highest quality of Emergency Services in the manner most efficient and most economical to the Township, and in the best interest of the public health, safety and welfare of the Township's citizens.

7. The Rescue Squad shall, at all times, conduct its business and provide the Emergency Services and other services hereunder in strict accordance with all applicable federal, state and local laws including, without limitation, Medicare, Medicaid and other applicable health and welfare laws.

8. The Rescue Squad must, at all times, maintain adequate insurance in such amounts and with such types of coverage as required by the State and/or Township pursuant to Chapter 115 of the Code of Lower Township and shall name the Township as an additional insured on all such policies, and shall provide proof of such insurance to the Township.

I hereby certify the foregoing resolution was adopted by the Township Council at a meeting held on January 4, 2010.


 Claudia R. Kammer, Township Clerk

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