

RESOLUTIONS ADOPTED JANUARY 20, 2010

- Res. #2010-40 Payment of Vouchers, \$1,662,460.56
- Res. #2010-41, Authorizing Execution of Enrollment Form and Contract with Energy Curtailment Specialists, Incorporated with the Township of Lower
- Res. #2010-42 Authorization for the Issuance of a Duplicate Tax Sale Certificate
- Res. #2010-43, Resolution Approving Settlement of Tax Appeal Litigation Known as Richard S. Piotrowski and Mary F. Piotrowski v. Lower Township
- Res. #2010-44, Resolution Approving the Mission Statement of the Rural Sustainability Plan for the Township of Lower
- Res. #2010-45, Approval of Change Order #2 for Municipal Building ADA Project (Inc. of \$5,005.00 for new door locks & baseboard heat for 2 rooms)
- Res. #2010-46, Resolution Requesting the Camden Diocese to Reconsider the Decision to Close Wildwood Catholic
- Res. #2010-47, Resolution Accepting Bids & Awarding the Contract to Supply Asphalt for 2010 (Seashore Asphalt Corp.)
- Res. #2010-48, Approval of 2010 Rotary Towing License - Cape Harbor Auto Repair, Inc. & Clark's Auto & Towing LLC (Annual renewal)
- Res. #2010-49, Issuance of 2010 Limousine, Taxi & Operator's Licenses (Annual renewals -Aarts, AA Plus Cab & High Roller, Off Shore)
- Res. #2010-50, Authorization for the Payout of Accumulated Sick Leave (per contract - 2 employees)
- Res. #2010-51, Transfer of Appropriations, \$11,450.00 (from gasoline to natural gas, street lighting & electric)
- Res. #2010-52, *Acceptance of Bid and Award of Contract for Delaware Bay Shore Outfall Extensions (Channel Marine Construction, Inc. \$465,150)*
- Ord. #2010-01, Salary and Benefit Ordinance for the Township of Lower, 1st rdg. (Annual ordinance establishing salary ranges for all titles and authorizing benefit plan) (2nd rdg. & public hearing Feb. 17)
- Res. #2010-53, Appointment to the Lower Township MUA (5 year term beginning Feb. 1)
- Res. #2010-54, Payment of Vouchers, \$15,000. (LT Rescue Squad - Contractual)
- Res. #2010-55, Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12." (Labor Relations)

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 12:24:26

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

Include Project Line Items: Yes

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

Vendor # Name
 PO # PO Date Description Status Amount Void Amount Contract PO Type

00026	ACCUTRONICS*						
09-03486	12/24/09	UPGRADE DPW PROGRAM	Open	450.00	0.00		
00110	ANCO HOME CENTER*						
09-03165	11/20/09	MISC. SUPPLIES REC. DEC. 09	Open	122.34	0.00		
09-03318	12/09/09	SUPPLIES FOR SIGNS/BLDG/DPW	Open	74.60	0.00		
				196.94			
00153	ATLANTIC CITY ELECTRIC*						
09-03475	12/23/09	DECEMBER, 2009	Open	15,985.21	0.00		
00177	ANACONDA SPORTS INC.*						
09-03157	11/20/09	WRESTLING EQUIPMENT	Open	703.88	0.00		
00180	AUTO PARTS CO, INC*						
09-03313	12/09/09	PARTS FOR RDS/TRASH/RECY/DPW	Open	793.66	0.00		
00301	BELMONT AND CRYSTAL SPRINGS*						
09-03538	01/08/10	BOTTLED WATER - TOWNHALL	Open	55.73	0.00		
09-03547	01/12/10	BOLED WATER - REC CTR - DEC	Open	19.96	0.00		
10-00111	01/14/10	BOTTLED WATER DPS	Open	35.39	0.00		
				111.08			
00323	JOHN BEERS						
09-03545	01/12/10	CONTRACTUAL REIMBURSEMENT	Open	77.00	0.00		
10-00073	01/12/10	CONTRACTUAL REIMBURSEMENT	Open	10.00	0.00		
				87.00			
00348	BENNETT BATTERIES, LLC*						
09-03319	12/09/09	BATTERIES FOR SANT/RECY/POLICE	Open	369.60	0.00		
00370	BLUE CROSS/BLUE SHIELD OF NJ						
10-00012	01/05/10	JANUARY, 2010 RETIREES - RX	Open	2,674.34	0.00		
00535	PHILLIP CALFINA						
09-03551	01/13/10	CONTRACTUAL REIMBURSEMENT	Open	374.00	0.00		
00611	COUNTY OF CAPE MAY						
09-03548	01/13/10	DECEMBER, 2009 FUEL	Open	21,979.81	0.00		
00616	ANIMAL ALLIANCE OF CAPE						
10-00070	01/11/10	TNR AND SPAY/NEUTER PROGRAM	Open	290.00	0.00		
00651	MUNICIPAL UTIL AUTH DUMP FEES						
09-03541	01/12/10	TIPPING FEES DEC, 20009	Open	63,756.08	0.00		

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Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00735	CATERINA SUPPLY, INC.*	09-02847	10/27/09	PIPE FOR DRAINAGE/BENNETTS	Open	2,618.00	0.00		
00775	CAPRIONI PORTABLE TOILETS, INC*	09-03440	12/22/09	HANDICAP & STANDARD TOILET	Open	130.00	0.00		
00784	CAPE MAY STAR & WAVE	09-03292	12/07/09	CLASSIFIED WANT ADS	Open	11.60	0.00		
		09-03532	01/07/10	LEGALS	Open	70.68	0.00		
		10-00097	01/13/10	LEGALS	Open	370.52	0.00		
						----- 452.80			
00820	COMCAST OF WILDWOOD* DPW	10-00079	01/12/10	INTERNET PROVIDER-DPW	Open	95.14	0.00		
00825	COMCAST*	09-03544	01/12/10	MONTHLY INTERNET - TOWNHALL	Open	95.14	0.00		
01170	VERIZON WIRELESS* F/S	09-03531	01/06/10	11/27-12/16 CELL SVC - F/SAFET	Open	172.44	0.00		
01200	DELTA DENTAL PLAN OF NJ	10-00065	01/11/10	JANUARY, 2010 DENTAL	Open	12,384.98	0.00		
01239	DIANA L DeNOTE	09-03552	01/13/10	CONTRACTUAL REIMBURSEMENT	Open	85.00	0.00		
01245	G & K SERVICES CO*	09-03519	12/31/09	UNIFORM RENTALS - DPW	Open	678.54	0.00		
01389	EDDIE'S AUTO BODY*	09-03233	11/30/09	PAINT DODGE DURANGO - POLICE	Open	1,200.00	0.00		
01390	EDMUNDS & ASSOCIATES, INC.*	09-03282	12/03/09	SYMBOL LS9208 BARCODE SCANNER	Open	1,254.00	0.00		
01399	ENFORSYS POLICE SYSTEMS INC*	09-03410	12/16/09	MAINT. FEE FOR UPGRADE	Open	4,850.00	0.00		
01433	HELEN EPPEHIMER	09-03423	12/17/09	CPR RECERT	Open	150.00	0.00		
01500	FEDEX	09-03549	01/13/10	LOWER TWP ACCT#1843-5961-8	Open	68.95	0.00		
01526	GERALD FINNEGAN	09-03522	12/31/09	SHOE ALLOWACE FOR 2009-DPW	Open	191.60	0.00		
01641	GALL'S INC*	09-02276	08/18/09	PATROL OPERATION SUPPLIES	Open	1,370.00	0.00		
		09-03159	11/20/09	PATROL OPERATIONS SUPPLIES	Open	230.00	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
						1,600.00			
01690	GRANTURK EQUIPMENT CO*	09-03306	12/08/09	PART FOR RECYCLING TRUCK/DPW	Open	362.54	0.00		
01703	HARBOR SALES COMPANY*	09-02807	10/22/09	REFLECTIVE TAPE	Open	596.28	0.00		
		09-02897	11/02/09	VINYL & TAPE - SIGNS-DPW	Open	863.09	0.00		
						1,459.37			
01713	PATRICK GREENE	09-01336	05/20/09	2009 EQUIP ALLOW	Open	134.85	0.00		
01722	NAOMI NICHOLS*	09-03408	12/16/09	CPR TRAINING	Open	405.00	0.00		
01735	MICHAEL GUIFFRIDA	09-03520	12/31/09	SHOE ALLOWANCE FOR 2009-DPW	Open	34.50	0.00		
01781	HATCH MOTT MACDONALD, LLC*	10-00055	01/08/10	ESCROW BILLING	Open	1,693.30	0.00		
01785	ROBERT HARTMAN SR	09-03554	01/13/10	CONTRACTUAL REIMBURSEMENT	Open	451.46	0.00		
01806	ANTHONY J HARVATT, II, ESQ	10-00054	01/08/10	ESCROW RESOLUTIONS	Open	150.00	0.00		
02035	MEDIA IN MOTION, INC*	09-02806	10/22/09	TRIANGLE EMBLEMS	Open	64.00	0.00		
02108	KEEN COMPRESSED GAS CO*	09-02689	10/07/09	BOTTLED GAS FOR GARAGE-DPW	Open	426.32	0.00		
02118	TECHNOLOGY BY DESIGN LLC*	09-03513	12/30/09	TIME CLOCK/MANAGEMENT SERVER	Open	11,125.34	0.00		
02140	KINDLE FORD LINC/MERC., INC.*	09-03315	12/09/09	PARTS FOR RDS/DPS POLICE	Open	481.38	0.00		
02247	LAWSON PRODUCTS, INC.*	09-03270	12/03/09	SUPPLIES FOR SANT. TRUCKS-DPW	Open	1,222.60	0.00		
02292	DONALD LOMBARDO	09-03556	01/13/10	CONTRACTUAL REIMBURSEMENT	Open	445.04	0.00		
02320	LOWER TOWNSHIP BRD OF EDUCATN	10-00001	01/05/10	SCHOOL TAXES DUE 1ST OF MONTH	Open	1,437,188.90	0.00		
02406	MAACO AUTO PAINTING&BODYWORK*	09-03425	12/17/09	PAINT VEHICLE	Open	504.90	0.00		

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02415	STEPHEN FLITCROFT	10-00068	01/11/10	SHOE ALLOWANCE FOR 2010-DPW	Open	64.99	0.00		
02417	MAGELLAN HILL TECHNOLOGIES*	10-00096	01/13/10	PHONE SERVICE	Open	3,080.63	0.00		
02443	ALLEN MAGNAVITA	09-03528	01/05/10	2009 SHOE ALLOWANCE	Open	165.45	0.00		
02461	JOHN MAHER	09-03555	01/13/10	CONTRACTUAL REIMBURSEMENTS	Open	300.04	0.00		
02541	ROBERT D. MARTIN, JR	09-03533	01/07/10	CONTRACTUAL REIMBURSEMENT	Open	88.99	0.00		
02629	MATTHEW MASTALSKI	10-00069	01/11/10	SHOE ALLOWANCE FOR 2010-DPW	Open	37.50	0.00		
02640	FRANK MCCLOSKEY	10-00039	01/07/10	SHOE ALLOWANCE FOR 2010-DPW	Open	129.99	0.00		
		10-00074	01/12/10	CONTRACTUAL REIMBURSEMENT - V	Open	70.00	0.00		
						199.99			
03020	NJ DIVISION OF MOTOR VEHICLES	10-00037	01/07/10	MVC ONLINE ACCESS PROGRAM	Open	150.00	0.00		
03072	NJ STATE LEAGUE OF MUNICIPALITI*	09-03140	11/17/09	SUSTAINABLE JERSEY 11/17/09	Open	35.00	0.00		
03132	NEXTEL COMMUNICATIONS	09-03524	12/31/09	CELL SERVICE - TOWNHALL	Open	847.39	0.00		
		09-03559	01/14/10	NEXTEL DPS #816032212	Open	655.24	0.00		
						1,502.63			
03226	OLD DOMINION BRUSH CO.*	09-03307	12/08/09	PARTS FOR LEAF TRUCK VAC/DPW	Open	1,996.65	0.00		
03241	SARGENT OSHEA	09-03557	01/13/10	CONTRACTUAL REIMBURSEMENT	Open	17.13	0.00		
03280	PARAMOUNT SANITARY SUPPLY*	09-03182	11/23/09	CLEANING SUPPLIES	Open	174.80	0.00		
03305	PEDRONI FUEL*	09-03403	12/16/09	ANNEX BUILDING FUEL	Open	496.29	0.00		
		09-03523	12/31/09	FUEL ANNEX BUILDING	Open	457.17	0.00		
		09-03527	01/04/10	FUEL FOR REC CENTER	Open	2,361.83	0.00		
		10-00075	01/12/10	FUEL OIL FOR REC. CENTER	Open	3,404.97	0.00		
						6,720.26			

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03365 LYNN JEFFERIS	09-03553	01/13/10	CONTRACTUAL REIMBURSEMENT	Open	128.00	0.00		
03387 POGUE INC. *	10-00018	01/05/10	YEARLY TESTING-DPW	Open	2,494.00	0.00		
03427 POLAR BEAR*	09-03398	12/16/09	HEATING SYSTEM @ MILLMAN	Open	509.60	0.00		
	09-03419	12/17/09	ENERGENCY REPAIR - RESCUE	Open	5,900.00	0.00		
	09-03437	12/22/09	WORK AT MILLMAN CENTER	Open	749.40	0.00		
	09-03451	12/22/09	REPAIRS TO REC CENTER HEAT	Open	1,042.03	0.00		
					----- 8,201.03			
03449 QC INC*	09-03514	12/30/09	RETENTION POND WATER SAMPLE	Open	35.00	0.00		
03478 RED THE UNIFORM TAILOR, INC.*	09-03257	12/01/09	UNIFORMS	Open	720.15	0.00		
03518 RIGGINS, INC.*	09-03521	12/31/09	OFF-HIGHWAY DIESEL-DPW	Open	1,533.04	0.00		
03550 JOSEPH REMENTER	09-03516	12/31/09	SHOE ALLOWANCE FOR 2009-DPW	Open	212.99	0.00		
03611 SERVICE TIRE TRUCK CENTERS*	09-03320	12/09/09	TIRES FOR RDS/SANT/RECY/DPW	Open	2,716.30	0.00		
03683 SNAP-ON TOOLS*	09-02907	11/02/09	PARTS FOR GARAGE SHOP-DPW	Open	690.51	0.00		
03688 SOUTHERN NJ CHAPTER NIGP*	10-00030	01/06/10	2010 SJNIGP MEMBERSHIP	Open	110.00	0.00		
03764 TCTANJ	10-00029	01/06/10	20120 MEMBERSHIP LAUREN READ	Open	75.00	0.00		
03863 TREASURER, STATE OF NEW JERSEY	09-03537	01/07/10	STATE SURCHARGE 10/1-12/31/09	Open	12,345.00	0.00		
03893 USHER PUBLISHING COMPANY*	09-02616	09/29/09	2010 DOG LICENSES & HOOKS	Open	735.00	0.00		
03902 DONALD VANAMAN JR	10-00072	01/12/10	CONTRACTUAL REIMBURSEMENT - V	Open	110.00	0.00		
03917 STATE OF NJ DEPT OF CHILD/FAML	09-03535	01/07/10	QTRLY MARRIAGE/CIVIL UNION FEE	Open	975.00	0.00		
03918 TREASURER, STATE OF NJ BURIAL	09-03534	01/07/10	BURIAL PERMIT FEES	Open	10.00	0.00		

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03948	USPS TMS ACCT#23370							
	10-00094	01/13/10	POSTAGE	Open	3,000.00	0.00		
03953	VESPIA TIRE CENTERS, INC.*							
	09-03434	12/18/09	TIRES FOR DPS	Open	879.32	0.00		
03969	VERIZON							
	09-03526	12/31/09	PHONE SERVICE	Open	428.37	0.00		
03975	VERIZON CABS T-1*							
	09-03558	01/14/10	T-1 LINES - DPS	Open	396.08	0.00		
03992	VAL-U AUTO PARTS LLC*							
	09-03314	12/09/09	PARTS FOR RDS/SANT/RECY/DPW	Open	165.52	0.00		
04059	THOMAS WILL							
	09-03536	01/07/10	CONTRACTUAL REIMBURSEMENT	Open	156.75	0.00		
	09-03550	01/13/10	CONTRACTUAL REIMBURSEMENTS	Open	127.50	0.00		
	10-00098	01/13/10	CONTRACTUAL REIMBURSEMENT	Open	15.00	0.00		

					299.25			
04075	BARBER CONSULTING SERVICES LLC							
	10-00031	01/06/10	COMPUTER SVC - JAN, 2010	Open	300.00	0.00		
04089	WIZARD'S FESTIVAL OF FUN, INC*							
	09-02805	10/22/09	FERRY MERRY CHRISTMAS	Open	4,335.00	0.00		
	09-03382	12/15/09	NEW YEARS EVE PARTY	Open	2,750.00	0.00		

					7,085.00			
04101	SPANKY'S BBQ CATERING*							
	09-03388	12/15/09	REFRESHMENTS FOR NEW YEARS PAR	Open	500.00	0.00		
04157	GREGG CARDACCI PLUMBING*							
	09-03518	12/31/09	REPLACE GAS LINE TO SIGN SHOP	Open	1,300.00	0.00		
04266	NJ DEPT OF HEALTH&SENIOR SVCS							
	09-03540	01/11/10	STATE DOG LIC FEE DEC, 2009	Open	29.40	0.00		
04275	CLARKTON, LLC*							
	09-01686	06/15/09	FERTILIZER APPLICATION	Open	1,425.00	0.00		
04300	W B MASON CO INC*							
	09-03353	12/10/09	PRINTER - BOCA ANEX	Open	195.00	0.00		
	09-03362	12/11/09	SUPPLIES BOCA	Open	187.48	0.00		

					382.48			
04445	TRICOMM SERVICES CORP*							
	09-03184	11/23/09	NETWORK LINE COPIER TOWNHALL	Open	255.00	0.00		

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Lower Township
Bill List By Vendor Id

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
BAILEYL LANCE BAILEY	10-00076	01/12/10	COACHING REFUND - VOLUNTEER	Open	25.00	0.00		
BIRCH BIRCH'S COMMUNICATIONS LLC*	09-02920	11/04/09	MOBILE RADIO - SIGNS-DPW	Open	510.05	0.00		
BLAUE BLAUER ASSOCIATES INC*	09-02199	08/11/09	DCA 08 PUB FACILITIES - ADA	Open	450.00	0.00		B
	09-02857	10/28/09	ARA 09 PUB FACILITIES - OUTFAL	Open	525.00	0.00		B
					975.00			
DOLBOW JENNIFER DOLBOW	10-00077	01/12/10	COACHING REFUND/REIMB BACKGROU	Open	41.25	0.00		
G-DB DB ELECTRONICS	09-03304	12/07/09	MEETING ROOM PA	Open	174.00	0.00		
WAGNER JENNIFER WAGNER	10-00078	01/12/10	COACHING REFUND/REIMB BACKGROU	Open	41.25	0.00		
Total Purchase Orders: 116					Total P.O. Line Items: 256	Total List Amount: 1,653,784.74	Total Void Amount: 0.00	

**Lower Township
Bill List
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<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
Atlantic County JIF	10-00009	Install Due 1/15/10	41653	01/06/10	7,382.82
NJ Dept of Treasury	10-00051	Tidelands License	41665	01/07/10	1,193.00
NJ Dept of Treasury	10-00052	License Processing Fee	41666	01/07/10	100.00
Total Manual Checks				\$	8,675.82
Total brought forward from computer generated bill list				\$	1,653,784.74
TOTAL BILL LIST				\$	<u>1,662,460.56</u>

I certify the foregoing to be a Resolution adopted by the Township Council on January 20, 2010



 Claudia R. Kammer, RMC, Township Clerk

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

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

RESOLUTION #2010-41

TITLE: AUTHORIZING EXECUTION OF ENROLLMENT FORM AND CONTRACT WITH ENERGY CURTAILMENT SPECIALISTS, INCORPORATED WITH THE TOWNSHIP OF LOWER

WHEREAS, the Township of Lower has reviewed and agreed to participate in Energy Curtailment Specialists Incorporated's "Power Play" Program; and

WHEREAS, the Township of Lower is committed to "GREEN" alternatives and wishes to participate to reduce the environmental impact by reducing their electric loading during peak periods; and,

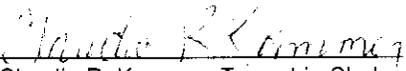
WHEREAS, the Township of Lower must enroll in said Program for receipt of capacity payments; and,

WHEREAS, the Township of Lower has reviewed and agreed to execution of the attached enrollment form and any and all necessary documents to finalize said enrollment.

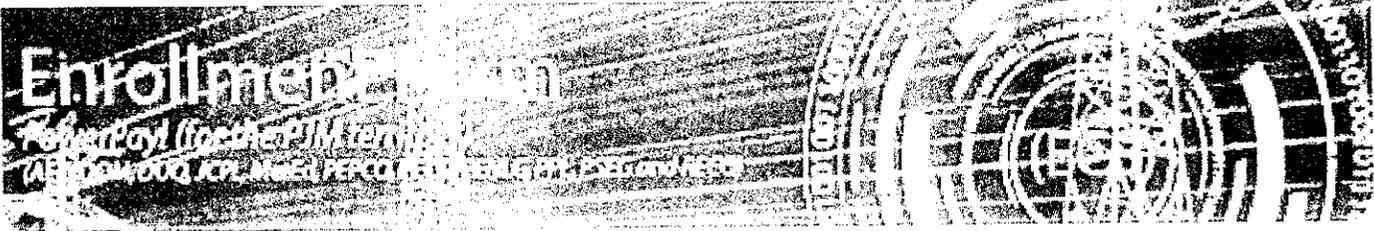
NOW, THEREFORE, BE IT RESOLVED, by the Mayor & Council, the governing body of the Township of Lower as follows:

1. The Township does hereby approve and authorize execution of the attached enrollment form with Energy Curtailment Specialists Incorporated and the Township's participation in the "Power Play" Program and any and all documents necessary to finalize said enrollment.
2. That the Chairman or Executive Director be and is hereby authorized to execute said enrollment form on behalf of the Township of Lower.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on January 20, 2010.


Claudia R. Kammer, Township Clerk

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



Company Name: _____ Utility Acct #: _____
 Address: _____ City: _____ Zip: _____
 Contact Person: _____ Tel # _____
 Fax # _____ Email: _____

We want to participate in Energy Curtailment Specialists (ECS)' "PowerPay!" Program(s). By signing this form we understand the following:

I. PowerPay! Program (Capacity-Based Program):

- 1.) **(A.) Capacity Payment:** We will be paid as follows for our certified reduction: For years 2010 and 2011, we will receive a firm **\$27,000 per Megawatt (MW) annually**; Beginning 2012 our payments will increase to **\$32,000 per MW annually**, capped at 75% of the PJM final clearing price for my utility zone. Payments are made twice a year, 1/2 prior to November 30th and 1/2 prior to May 31st.
- (B.) Energy Payment:** We will additionally receive **100% of any energy payments** received for our reduction, with ECS taking 0%.
- (C.) Energy Savings:** We are further entitled to **100% of any energy savings** associated with our participation, with ECS taking 0%.
- 2.) We will only be required to curtail during PJM's Obligation Period (June 1 – September 30). If events are called outside the Obligation Period, participation is strictly voluntary and we will be paid based upon our performance. PJM does require a test by the end of each season, in the event that an actual emergency event is NOT called. If there is no actual event called, our payments will be based on our performance during that test.
- 3.) **We will not be subject to out-of-pocket financial penalties by participating in this program, even if we fail to reduce electricity when called upon.**
- 4.) If we utilize an on-site generator, we will be reimbursed for the fuel expense for running the generator(s) for called capacity events.
- 5.) **If necessary, ECS will install an interval meter at no cost to us.** In fact, we will never be responsible for any costs as a result of our participation in the program.
- 6.) **ECS will maintain no control over how we reduce electricity when called upon.**
- 7.) ECS receives at least a two (2) hour notice of a called event. ECS will immediately thereafter notify us of the event details.
- 8.) **Limit on # of hours:** The maximum amount of hours we can be called is 60 hours during the Obligation Period (maximum 10 events called for a maximum duration of 6 hours a piece). There were no event calls in 2008 and 2009 (with a 1 hour test in 2009) and historically there has been an average of 2 event hours called annually.

II. PowerPay! Plus Program (PJM's Real-Time Economic Program):

By initialing below, we also agree to participate in PowerPay! Plus (PJM's Real-Time Economic Program).

We will receive 75% of payments related to the difference between (1.) the lower of my price trigger or the real time LMP clearing price; and (2.) my retail rate. If payments from PJM are less than what can be calculated based upon the above formula, we will receive 75% of any revenues received from PJM whatsoever pertaining to our reduction with no additional offsets or costs. We will advise ECS as to a trigger pricing point at which we want to be notified of an opportunity to reduce power. In the absence of that pricing point, ECS will notify us of a reduction opportunity on a day-ahead basis every time the forecasted price is 120% of our retail electric rate. If PJM rules on this program change, ECS will notify us of those changes and we will have the right to continue participation or opt out at our discretion. We may opt out of this program at any time.

III. Miscellaneous (Applies to all programs enrolled in):

We agree to participate for the next five (5) complete obligation periods. Based upon the market or other circumstances, ECS may opt us out of the program in an obligation period. If ECS opts us out, ECS shall provide us with a minimum 90 days prior written notice. To ensure continuous enrollment, our participation will automatically renew in future periods (one period at a time) with the same terms, unless we notify in writing by February 15th. ECS may in its discretion determine our certified reduction levels annually.

Signature: _____ Title: _____ Date: _____

Signed by ECS: _____ Date: _____

To be completed by ECS. Copy of this enrollment sent to Customer: _____ Date _____
 Estimated Reduction (kW): Minimum: _____ Maximum: _____

Fax toll free to 877.711.0506



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

RESOLUTION #2010-42

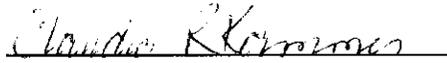
TITLE: AUTHORIZATION FOR THE ISSUANCE OF DUPLICATE TAX SALE CERTIFICATE

WHEREAS, the Township Tax Collector has previously issued a tax sale certificate to William R Kern, covering premises commonly known and referred to as Lot 36.03 in Block 410.01 as set out on the municipal tax map then in use, which certificate bears number 02-060 and is dated April 17, 2002: and

WHEREAS, the purchaser of the aforesaid tax sale certificate has indicated to the Tax Collector that the original tax sale certificate has been lost or otherwise misplaced and has filed the appropriate Affidavit of Loss with the Tax Collector.

NOW, THEREFORE, BE IT 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 issue an appropriate duplicate tax sale certificate to the said purchaser covering the certificate lost as previously described.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on January 20, 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. 2010-43

**TITLE: RESOLUTION APPROVING SETTLEMENT OF TAX APPEAL LITIGATION
KNOWN AS RICHARD S. PIOTROWSKI AND MARY F. PIOTROWSKI v. LOWER
TOWNSHIP**

WHEREAS, the Township of Lower (the "Township") is the defendant in Tax Court litigation entitled Richard S. Piotrowski and Mary F. Piotrowski v. Lower Township, Docket No. 012934-2009 (the "Litigation"); and

WHEREAS, the Township Tax Assessor and Township Solicitor have recommended that the litigation be settled in accordance with the proposed Stipulation of Settlement attached hereto as EXHIBIT A (the "Stipulation"); and

WHEREAS, the Township desires to settle the Litigation in accordance with the Stipulation.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey, that the Township Solicitor is hereby authorized and directed to settle the Litigation and to execute a Stipulation of Settlement in substantially the same form as is attached hereto as EXHIBIT A.

I hereby certify this is the original Resolution adopted by the Township Council at a meeting held on January 20, 2010.


Claudia R. Kammer, Township Clerk

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

Anthony P. Monzo, Esquire
 MONZO CATANESE, P.C.
 Schoolhouse Office Park
 211 S. Main Street, Suite 104
 Cape May Court House, NJ 08210
 (609) 463-4601; Fax (609) 463-4606
Attorneys for Defendant, Township of Lower

<p>RICHARD S. PIOTROWSKI and MARY F. PIOTROWSKI</p> <p style="text-align: center;"><i>Plaintiffs,</i></p> <p style="text-align: center;">v.</p> <p>LOWER TOWNSHIP,</p> <p style="text-align: center;"><i>Defendant.</i></p> <p>Address of Property: 106 Cloisters Abbey Block 709, Lot 8 Unit C106</p>	<p>TAX COURT OF NEW JERSEY</p> <p>DOCKET NO. 012934-2009</p> <p style="text-align: center;">CIVIL ACTION</p> <p style="text-align: center;">STIPULATION OF SETTLEMENT</p>
---	---

1. It is hereby stipulated and agreed that the assessment of the following property be adjusted and a judgment be entered as follows:

a) Block: 709
 Lot: 8
 Unit: C106
 Street Address: 106 Cloisters Abbey
 Lower Township, New Jersey
 Year : 2009

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND:	\$170,000	\$153,700	\$153,000
BUILDING:	<u>\$275,800</u>	<u>\$247,500</u>	<u>\$217,000</u>
TOTAL	\$445,800	\$401,200	\$370,000

2. It is also the understanding and agreement of the parties that the agreed assessments for the requested Tax Court Judgment represent the fair assessable value of the properties in question for the tax year 2009.

3. The undersigned have made such examination of the value and proper assessment of the properties and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the properties as they deem necessary and appropriate for the purpose of enabling them to enter into this Stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to this settlement and has concurred.

4. All refunds as a result of the settlement set forth herein are to be credited toward future taxes due.

5. Taxpayer agrees to waive prejudgment interest.

6. Based upon the foregoing, the undersigned represent to the Court that the above settlement will result in an assessment at the fair assessable value of the properties consistent with assessing practices generally applicable in the taxing district as required by law.

RICHARD S. PIOTROWSKI, *Pro Se* Plaintiff

Dated: _____

MARY F. PIOTROWSKI, *Pro Se* Plaintiff

MONZO CATANESE, P.C.
Attorneys for Defendant

Dated: _____

By: _____
Anthony P. Monzo, Esquire
For the Firm

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

RESOLUTION #2010-44

TITLE: RESOLUTION APPROVING THE MISSION STATEMENT OF THE RURAL SUSTAINABILITY PLAN FOR THE TOWNSHIP OF LOWER

WHEREAS, the Mission Statement for the Rural Sustainability Plan for the Township of Lower was presented to the Lower Township Planning Board at their meeting of December 10, 2009, and

WHEREAS, Planning Board after review made certain recommendations which were incorporated into the plan, and

WHEREAS, the revised plan was presented to the Township Council at the meeting of January 20, 2010 by Eric Gundrum, AICP, PP of Remington & Vernick.

WHEREAS, the Council has reviewed the revised Mission Statement as presented and has no objections.

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the Vision Statement for the Rural Sustainability Plan as presented is hereby approved.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on January 20, 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 #2010-45

TITLE: APPROVAL OF CHANGE ORDER #2 FOR MUNICIPAL BUILDING ADA PROJECT

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

WHEREAS, during the course of the work on this project certain changes to the original contract were necessary as outlined in the Remington, Vernick & Walberg Engineer's letter dated January 7, 2010, regarding additional door locks and electric baseboard heat; and

WHEREAS, the additional total cost to the Township for this change in the scope of work is \$5,005.00 as shown on Change Order #2 (attached), and

WHEREAS, the Manager has approved Change Order # 2 and the CFO has certified the availability of funds as evidenced by her signature appended hereto

Account # C-04-55-393-301 Signature 

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Lower, that Change Order No. 2 for the Municipal Building ADA Improvements is hereby approved and that the total contract amount for this project including Change Order #1, previously approved and Change Order # 2 is \$291,235.00.

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

I hereby certify this is the original resolution adopted by the Township Council on January 20, 2010


 Claudia R. Kammer, Township Clerk

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

Eagle Construction Services, Inc
 1624 Jacksonville Road
 Burlington, NJ 08016
 609-239-8000 Phone
 609-239-8008 Fax

Upgrades To Municipal Building
 Lower Twp., NJ
 12/21/09
 Add new door hardware/locks to 9 Existing doors

UCI CODE	ITEM DESCRIPTION	QUANTITY		MATERIAL/EQUIPMENT		LABOR		Subs	ITEM TOTAL		TOPIC \$TOTAL
		#	UNIT	\$ Unit Price	\$ TOTAL	\$ Unit Price	\$ TOTAL	\$ Unit Price	\$ TOTAL		

Change out door locks on existing doors 9 each 200 1800 102.00 918 302.00 2,718

Sub Total Project Costs 1,800 918 0 2,718

Total & Labor material Costs		2,718
Sales Tax on Material & Equipment		0
Labor Burden		2,718
Subcontractors		230
Installing Contractor Overhead		0
Installing Contractor Profit		2,948
Bond		295
TOTAL =		3,242
		324
		3,566
		53
		3,620
		33,620

12/21/09 11:02 PM

Eagle Construction Services, Inc
 1624 Jacksonville Road
 Burlington, NJ 08016
 609-239-8000 Phone
 609-239-8008 Fax

Upgrades To Municipal Building
 Lower Twp, NJ
 10/20/09
 New electric baseboard heat rooms 133 & 134
 RFL-11

UCI CODE	ITEM DESCRIPTION	QUANTITY		MATERIAL/EQUIPMENT		LABOR		Subs	ITEM TOTAL		TOPIC \$ TOTAL
		#	UNIT	\$ Unit Price	\$ TOTAL	\$ Unit Price	\$ TOTAL		\$ Unit Price	\$ TOTAL	

	New baseboard heaters w/integral thermostats to match rooms 106 & 107	2	each	400	800	140.00	280		540.00	1,080	1,080
	Sub Total Project Costs				<u>800</u>		<u>280</u>	<u>0</u>		<u>1,080</u>	

	Total & Labor material Costs										1,080
	Sales Tax on Material & Equipment					@	7.0%				0
	Labor Burden					@	Subtotal				1,080
	Subcontractors					@	17%				48
	Installing Contractor Overhead					@	Subtotal				1,128
	Installing Contractors Profit					@	10%				113
	Bond					@	Sub-total				1,240
						@	10%				124
						@	Sub-total				1,364
						@	1.5%				20
	Sub-total										1,385
	TOTAL =										<u>\$1,385</u>

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

RESOLUTION #2010-46

TITLE: RESOLUTION REQUESTING THE CAMDEN DIOCESE TO RECONSIDER THE DECISION TO CLOSE WILDWOOD CATHOLIC

WHEREAS, the Wildwood Catholic High School was established in the city of North Wildwood in Cape May County in 1948; and

WHEREAS, for the past sixty-two years Wildwood Catholic High School has faithfully and diligently educated and served thousands of children from the Wildwoods as well as throughout Cape May County; and

WHEREAS, the values and traditions of Wildwood Catholic High School are so engrained into the fabric of the communities of Cape May County by those persons who have been taught, mentored and graduated from Wildwood Catholic High School; and

WHEREAS, the Wildwood Catholic High School is the one and only Catholic education high school within the County of Cape May and that its closure would deny so many citizens within Cape May County an opportunity for the formal parochial education; and

WHEREAS, the closure of Wildwood Catholic High School would impose an undue financial and personal burden on the students and families of Wildwood Catholic High School by forcing them to travel one hour each way to attend school, athletic practices and games, and all other extra-curricular activities and events in Atlantic County at Holy Spirit, the most proximate Catholic high school; and

WHEREAS, the closure of Wildwood Catholic High School would impose a great and far reaching negative financial impact on the teachers, employees, parents and businesses within Cape May County; and

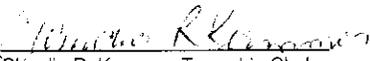
WHEREAS, the closure of Wildwood Catholic High School would cause irreparable harm to the shore communities of Cape May County as they struggle to retain a sense of year round community and identity against a rising tide of economic adversity; and

WHEREAS, the closure of Wildwood Catholic High School would cause irreparable harm to the student body of Wildwood Catholic who will be denied the opportunity to graduate from the high school where they have developed strong and beneficial bonds with teachers, coaches, and fellow classmates; and

NOW THEREFORE, BE IT RESOLVED, that the Township of Lower hereby endorses the efforts of those involved to Save Wildwood Catholic High School beyond the 2010 school year, and

BE IT FURTHER RESOLVED, that the governing body of Lower Township requests that Bishop Joseph Galante and the Diocese of Camden immediately reconsider and stay its decision to close Wildwood Catholic High School.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on January 20, 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 #2009-47

TITLE: RESOLUTION ACCEPTING BIDS & AWARDING THE CONTRACT TO SUPPLY ASPHALT FOR 2010

WHEREAS, bids were advertised on December 24, 2009 and due on January 12, 2010 at 11:00 a.m. for THE 2010 Contract to Supply Asphalt, and

WHEREAS, one (1) proposal was submitted and reviewed by the QPA and Gary Douglass, CPWM, and the bidder complied with the specifications and supplied all required certifications and bid documents, and

WHEREAS, and the CFO has determined sufficient funds are available in the budget as follows:

0.04-05 2009 1.00
Appropriation #


Lauren Read, CFO

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:

AWARD TO: SEASHORE ASPHALT CORP.

AMOUNT: ITEMIZED BELOW

Hot Mix Asphalt Base Course, Mix I-2 Furnished at Plant	\$45.00 per ton
Hot Mix Asphalt Base Course, Mix I-4 Furnished at Plant	\$53.00 per ton
Hot Mix Asphalt Base Course, Mix I-5 Furnished at Plant	\$55.00 per ton
Furnish & Deliver Hot Mix Asphalt Base Course, Mix I-2	\$68.00 per ton
Furnish & Deliver Hot Mix Asphalt Base Course, Mix I-4	\$71.00 per ton
Furnish & Deliver Hot Mix Asphalt Base Course, Mix I-5	\$72.00 per ton

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 20, 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 #2010-48

TITLE: APPROVAL OF 2010 ROTARY TOWING LICENSE - CAPE HARBOR AUTO REPAIR, INC. & CLARK'S AUTO & TOWING, LLC

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 contractor has completed the required application, paid the fee 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 applicant shall be issued Rotary Towing Licenses for the year 2010.

Jerry Mancuso - Cape Harbor Auto Repair, Inc.
2002 Ford F550

Jesse J. Clark - Clark's Auto & Towing, LLC
1998 Isuzu
1994 Ford

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 20, 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 #2010-49

TITLE; ISSUANCE OF 2010 LIMOUSINE, TAXI AND OPERATOR'S LICENSES

WHEREAS, applications have been submitted by High Roller Limousine, Inc., Aart's Transportation Service Corp. and AA plus Cab, LLC. and Ocean Cab pursuant to Ord. #2000-4 for Taxi, Limo and Operator Licenses, and

WHEREAS, the applicants submitted the appropriate fees, provided the required documentation, and the Police have reviewed and approved the application packet.

NOW, THEREFORE BE IT RESOLVED, the Clerk is hereby authorized to issue the following:

High Roller Limousine

<u>License Type</u>	<u>Description</u>
Limousine	2005 Dodge Caravan, Vin# 1D\$GP24R55B201485
Limousine	2000 Dodge Caravan, Vin# 1B4GP86G0YB806796
Operators	Arthur Wolf, Karen Wolf & Joseph Pallotta

Aart's Transportation Service

<u>License Type</u>	<u>Description</u>
Taxi	1997 Plymouth Voyager, Vin #1P4GP44ROVB425333
Taxi	2001 Dodge Caravan, Vin# 2B8GP44G91R106832
Taxi	2002 Chrysler Town & Country, Vin #2C4GP74L332RTT1037
Limousine	1997 Mercury Marquis, Vin# 2MELM74W2VX626603
Operators	William Garner, James Volpe, Thomas Fontannaz, Roy Wolf, Keith Bancroft

AA Plus Cab, LLC.

<u>License Type</u>	<u>Description</u>
Taxi	2001 Ford Taurus, Vin #1FAFP52231A291399
Operator	Barry Felice

Ocean Cab

<u>License Type</u>	<u>Description</u>
Taxi	1999 Ford Windstar, Vin #32FMZA5240XBA81667
Operator	Joseph Conforto

BE IT FURTHER RESOLVED, all licenses shall expire on December 31, 2010

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 20, 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 #2010-50

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 *[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 \$1659.72 is authorized and chargeable to the 2009 Budget:

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

Gary	Douglass	DPW	Supervisors	40	34.88	1,395.20
Don	Montgomer	DPW	Teamsters	40	21.05	842.00
						1,659.72

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

RESOLUTION #2010-51

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 \$11,450.00 be made between the 2009 budget appropriation reserves.

LINE ITEM		ACCT. NUMBER	TO	FROM
Natural Gas	OE	9-01-31-446-299	2,950.00	
Street Lighting	OE	9-01-31-435-299	4,500.00	
Electric	OE	9-01-31-430-299	4,000.00	
Gasoline	OE	9-01-31-460-299		11,450.00
			11,450.00	11,450.00

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

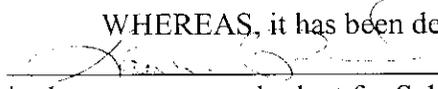
TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION #2010-58

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that payment to the individuals listed on the attached sheet in the amount of **\$ 4,244.63** is authorized and chargeable to the 2010 Budget account 0-01-25-240-132.

**I hereby certify the foregoing to be a resolution adopted by the
Township Council on February 1, 2010.**

Claudia R. Kammer, RMC, Township Clerk

Employee	Last Name	Hours	Hourly rate	Total
Donald	Vanaman	110.25	38.50	4,244.63
				0.00
Total Liability				4,244.63

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

RESOLUTION #2010-52

TITLE: BID ACCEPTANCE AND CONTRACT AWARD FOR DELAWARE BAY SHORE OUTFALL EXTENSIONS

WHEREAS, the Notice to Bidders for Delaware Bay Shore Outfall Extensions was advertised on January 7, 2010 and accepted on January 20, 2010 at 10:00 a.m., and

WHEREAS, five proposals were submitted and reviewed by the QPA, the Public Work Manager, the Engineer's office, and the Solicitor, 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 01-2010 100-734 Small Outfall AKKA
 CFO Signature [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:

AWARD TO: CHANNEL MARINE CONSTRUCTION, INC.
TOTAL: \$465,150.00

BE IT FURTHER RESOLVED, upon approval of the resolution and execution of the contract, the bid bonds shall be returned to the unsuccessful bidders.

I hereby certify the foregoing resolution was adopted by the Township Council at a meeting held on January 20, 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 #2010-53

TITLE: APPOINTMENT TO THE LOWER TOWNSHIP MUA

WHEREAS, Edward Butler, Regular Member, LTMUA expires on February 1, 2010, and

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

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower that the following appointment is hereby made:

<u>Name</u>	<u>Type</u>	<u>Term Expires</u>
Kenneth Mann	Regular Member	Feb. 1, 2015

I hereby certify the foregoing resolution was adopted by the Township Council on January 20, 2010.


Claudia R. Kammer, Twp. Clerk

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

RECEIVED
OCT 22 09

FOR TOWNSHIP USE ONLY

Res. # 2010 51

Board/Comm./Auth. MVA

Term Exp. 2-1-2015

Replaced Ed Butcher Reappointed

TOWNSHIP OF LOWER
BOARD - COMMISSION/ - AUTHORITY APPLICATION

NAME KENNETH MANN Email KENN MANN@VERIZON.NET.

ADDRESS OF RESIDENCE 608 SEA GROVE AVE CAROLAN NJ 08204

MAILING ADDRESS (if different from above)

HOME PHONE # 609 889-2396

WORK PHONE # 609 408 6822

YEARS OF RESIDENCY IN TOWNSHIP 17 OCCUPATION CONTRACTOR

Please number in order of preference which ones you wish to be considered for.

- Cable Television Advisory Board
- Environmental Commission
- Historic Preservation Commission
- Mayor Advisory Board

- Municipal Utilities Authority
- Planning Board
- Recreation Advisory Board
- Zoning Board of Adjustment

Briefly explain why you want to be considered for appointment and list any special areas of expertise you have if applicable that would be beneficial. (Attach a separate sheet, if necessary)

I FEEL IT IS NECESSARY FOR QUALIFIED MEN/WOMEN TO TAKE AN ACTIVE ROLE IN THEIR COMMUNITY.

4 YEARS COLLEGE - BUSINESS / COMMUNICATIONS
SELF EMPLOYED - HAVE DEALT ACTIVELY WITH PLANNING / ZONING / MUA
CAPE EXPRESS BOARD 2006-2008 GIRLS DIRECTOR
VOLUNTEER COACH - 10 YEARS
FULLY UNIFORMED BLUEPRINTS / SURVEYS / WATER SEWER

Date 10-19-09

Signature: [Signature]

(APPLICATIONS REMAIN ON FILE FOR ONE YEAR FROM DATE OF RECEIPT)

**Lower Township
Bill List II
01/20/2010**

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Amount</u>
Lower Twp Rescue Squad	09-01223	Expense Reimb	15,000.00
TOTAL BILL LIST			<u>\$ 15,000.00</u>

I certify the foregoing to be a Resolution adopted by the Township Council on January 20, 2010



 Claudia R. Kammer, RMC, Township Clerk

	CONRAD	MAZUREK	DOUGLASS	LARE	BECK
MOTION		✓			
SECOND			✗		
AYES		✗	✗	✗	✓
NAYS					
ABSTAIN	✗				
ABSENT					

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

RESOLUTION # 2010-55

TITLE: A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12.”

WHEREAS, the Township Council of the Township of Lower is subject to certain requirements of the Open Public Meetings Act, N.J.S.A 10:4-6, et seq., and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

WHEREAS, it is necessary for the Township Council of the Township of Lower to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

- _____ (1) Matters Required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- _____ (2) Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- _____ (3) Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information, relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
- X (4) Matters Relating to Collective Bargaining Agreement: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body. (PBA)
- _____ (5) Matters Relating to the Purchase, Lease of Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
- _____ (6) Matters relating to Public Safety and Property: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.
- _____ (7) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

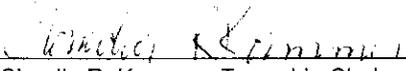
_____ (8) Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public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

_____ (9) Matters Relating to the Potential Imposition of a Penalty: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW, THEREFORE, BE IT RESOLVED by the Township council of the Township of Lower, assembled in public session on January 20, 2010 that an Executive Session closed to the public shall be held on this date at approximately 8:51 P.M. in the Conference Room of the Township Hall, 2600 Bayshore Road, Villas for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Council that the public interest will no longer be served by such confidentiality.

I hereby certify the foregoing to be a resolution adopted by the Township Council on January 20, 2010.



 Claudia R. Kammer, Township Clerk

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