

## RESOLUTIONS ADOPTED FEBRUARY 1, 2010

- Res. #2010-56, Payment of Vouchers, \$3,913,306.90  
Res. #2010-57, A Resolution Requesting Release of Demolition Bond for Block 752.01, Lot 18.05, 1080 Seashore Road
- Res. #2010-58, Authorization for the Payout of Accumulated Compensatory Time (D Vanaman, \$4244.63)
- Res. #2010-59, A Resolution Affirming Lower Township's Support of and Partnership with the 2010 Census
- Res. #2010-60, Authorizing the Person to Person Transfer of Liquor License #0505-33-003-006 Molly O'Tooles Beverages Inc. to Buttonwood Manor Inc. (t/a The Bayshore) (New owners - same location)
- Res. #2010-61, Transfer of 2009 Appropriations, \$500 (From gasoline to street lighting)  
Res. #2010-62, Bid Acceptance & Contract Award for Pipe and Pipe Supplies (per item basis awarded to four vendors)
- Res. #2010-63, Bid Acceptance & Contract Award for Tide Flex Check Valves or Equal (Caterina Supply Inc. - Itemized)
- Res. #2010-64, Authorization for Villas Fire Company to Conduct Outdoor Flea Markets in 2010 (Last Sunday of the month - April through September)
- Res. #2010-65, A Resolution Requesting Release of Maintenance Guarantee for S & F Gas Works, In.; Block 11, Lots 32-34; Escrow P96-09-05
- Res. #2010-66, Payment of Voucher, \$555 (to L.T. Rescue Squad for CPR training for Twp. Employees)  
Res. #2010-67, Appointment to the Lower Township Recreation Advisory Board (2 Reg. Member positions)
- Res. #2010-68, 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 - PBA, Litigation - Martinelli)



01/28/10  
13:29:20

Lower Township  
Bill List By Vendor Id

Page No: 2

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00650 CAPE MAY COUNTY CLERK'S ASSN	10-00087	01/13/10	ANNUAL DUES CLERK & ASSISTANT	Open	200.00	0.00		
00784 CAPE MAY STAR & WAVE	10-00141	01/21/10	LEGALS	Open	141.98	0.00		
	10-00190	01/26/10	LEGALS	Open	144.46	0.00		
					----- 286.44			
00825 COMCAST*	10-00163	01/25/10	INTERNET ACCESS - FIRESAFETY	Open	100.10	0.00		
00986 COMMUNICATIONS MARKETING ASSOC	09-03203	11/24/09	CONCEPT SEATING DISPATCH CHAIR	Open	3,642.00	0.00		
01049 CONNECTED OFFICE PRODUCTS INC*	10-00024	01/06/10	TECH SUPPORT AGREEMENT 1/16/10	Open	1,366.00	0.00		
01072 WILLIAM CORDES JR	09-03568	01/25/10	CONTRACTUAL REIMBURSEMENT 09	Open	154.00	0.00		
01200 DELTA DENTAL PLAN OF NJ	10-00156	01/22/10	FEBRUARY, 2010 DENTAL	Open	12,331.48	0.00		
01245 G & K SERVICES CO*	09-03562	01/19/10	UNIFORM RENTALS	Open	246.48	0.00		
01247 DYNAMIC SPORTS CONSTRUCTION IN	09-03180	11/23/09	NEW PAD AND POURED GYMNASIUM	Open	59,000.00	0.00		
01254 JAMES DIETTERICH, II	10-00114	01/19/10	CONTRACTUAL REIMBURSEMENT - V	Open	465.00	0.00		
01389 EDDIE'S AUTO BODY*	09-03389	12/15/09	VEHICLE REPAIR	Open	758.70	0.00		
01598 DEARBORN NATIONAL	10-00165	01/26/10	FEBRUARY, 2010 LIFE INSURANCE	Open	591.37	0.00		
01603 GENERAL CODE PUBLISHERS*	10-00067	01/11/10	ECODE ANNUAL MAINTENANCE	Open	1,195.00	0.00		
01641 GALL'S INC*	09-03132	11/16/09	MENS TR720 DKNV 44X31	Open	154.00	0.00		
01781 HATCH MOTT MACDONALD, LLC*	10-00113	01/19/10	ESCROW BILLING	Open	1,580.70	0.00		
01806 ANTHONY J HARVATT, II, ESQ	10-00025	01/06/10	PROFESSIONAL SERVICE TO ZBA	Open	300.00	0.00		
02125 KDI*	10-00028	01/06/10	COPIER MAIN CONTRACT	Open	2,348.40	0.00		

01/28/10  
13:29:20

Lower Township  
Bill List By Vendor Id

Page No: 3

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02223 LANDSMAN UNIFORMS*								
	09-03258	12/01/09	UNIFORMS	Open	2,091.00	0.00		
	09-03495	12/29/09	UNIFORMS	Open	180.00	0.00		
					-----			
					2,271.00			
02351 LOWER CAPE MAY REGIONAL								
	10-00002	01/05/10	SCHOOL TAX DUE 15TH OF MONTH	Open	1,162,843.00	0.00		
02473 FRANCIS P. MAJANE								
	09-03567	01/25/10	CONTRACTUAL REIMBURSEMENT 09	Open	228.00	0.00		
02709 ANTHONY MONZO*								
	09-03573	01/27/10	LITIGATION EXPENSE - DEC,2009	Open	8,209.09	0.00		
02714 MITCHELL HUMPREY*								
	10-00063	01/08/10	SOFTWARE MAINT 2/1/10-1/31/11	Open	3,655.00	0.00		
02940 MUNICIPAL RECORD SERVICE*								
	10-00062	01/08/10	SUMMONS	Open	598.00	0.00		
02951 NATIONAL ASSOCIATES*								
	10-00032	01/07/10	2010 RECREATION LIBALITY INS	Open	10,697.00	0.00		
02965 KEITH PALEK								
	10-00195	01/26/10	SHOE ALLOWANCE 2010	Open	69.99	0.00		
03026 NJ STATE HEALTH BENEFITS								
	10-00164	01/26/10	FEBRUARY, 2010	Open	213,021.56	0.00		
03158 NYSCA*								
	09-03380	12/15/09	COACHING CERTIFICATION	Open	20.00	0.00		
	09-03447	12/22/09	COACHING CERTIFICATION	Open	20.00	0.00		
					-----			
					40.00			
03279 PARDO'S TRUCK PARTS WHSE*								
	09-03323	12/09/09	PARTS FOR RDS/SANT/RECY/POLICE	Open	167.97	0.00		
03305 PEDRONI FUEL*								
	09-03539	01/11/10	NO LEAD GASOLINE	Open	1,350.39	0.00		
03366 AMERI-GAS*								
	09-03530	01/05/10	PROPANE CONCESSION STAND 12/21	Open	558.83	0.00		
	09-03566	01/21/10	PROPANE FOR BENNETTS 12/30/9	Open	94.35	0.00		
	10-00117	01/19/10	PROPANE FOR CONCESSION STAND	Open	682.55	0.00		
	10-00135	01/21/10	PROPANE GAS FOR STORAGE SHED	Open	1,380.39	0.00		
					-----			
					2,716.12			
03440 QUALITY COMMUNICATIONS*								
	10-00061	01/08/10	NEW VEHICLE OUTFITTING	Open	200.00	0.00		

01/28/10  
13:29:20

Lower Township  
Bill List By Vendor Id

Page No: 4

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03478 RED THE UNIFORM TAILOR, INC.*								
	09-03409	12/16/09	UNIFORM ALTERATIONS	Open	220.00	0.00		
	09-03496	12/29/09	UNIFORMS	Open	105.00	0.00		
					-----			
					325.00			
03484 LAUREN M. READ								
	10-00191	01/26/10	CONTRACTUAL REIMBURSEMENT - V	Open	114.99	0.00		
03518 RIGGINS, INC.*								
	10-00139	01/21/10	OFF-HIGHWAY DIESEL-DPW	Open	1,144.74	0.00		
03608 SEAWAVE CORPORATION*								
	10-00127	01/19/10	LEGALS	Open	123.13	0.00		
	10-00145	01/22/10	LEGALS	Open	98.42	0.00		
					-----			
					221.55			
03692 SOUTH JERSEY GAS CO*								
	09-03490	12/28/09	DECEMBER, 2009	Open	4,129.29	0.00		
	10-00199	01/26/10	JANUARY, 2009	Open	9,647.78	0.00		
					-----			
					13,777.07			
03700 SPORTS-N-STUFF*								
	09-03399	12/16/09	BASKETBALL T-SHIRTS	Open	2,088.00	0.00		
	10-00020	01/05/10	BASKETBALL SHIRTS	Open	174.00	0.00		
	10-00033	01/07/10	TRAVEL TEAM SHIRTS- BASKETBALL	Open	138.00	0.00		
					-----			
					2,400.00			
03719 STATE OF NEW JERSEY, P.E.R.C.								
	08-02453	09/11/08	ARBITRATION FEE- PBA SUPERIORS	Open	150.00	0.00		
	08-02454	09/11/08	ARBITRATION FEE -PBA LOCAL 59	Open	150.00	0.00		
					-----			
					300.00			
03723 STAPLES, INC.*								
	10-00050	01/07/10	EXECUTIVE HIGH BACK SWIVEL	Open	275.83	0.00		
03733 JAMES D. STRICKLAND								
	09-03571	01/26/10	CONTRACTUAL REIMBURSEMENTS	Open	184.89	0.00		
	10-00200	01/27/10	CONTRACTUAL REIMBURSEMENTS	Open	103.00	0.00		
					-----			
					287.89			
03734 STEWART INDUSTRIES, INC.*								
	10-00023	01/06/10	FIRE SFTY COPIER MAINT 2010	Open	500.00	0.00		
03764 TCTANJ								
	10-00064	01/11/10	2010 MEMBERSHIP JACKSON/BROWN	Open	150.00	0.00		

01/28/10  
13:29:20

Lower Township  
Bill List By Vendor Id

Page No: 5

---

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03831	TREASURER, COUNTY TAXES							
	10-00071	01/12/10	1ST QTR TAX - DUE 2/15/10	Open	2,261,986.03	0.00		
03904	LOWE'S HOME CENTER INC*							
	09-03414	12/16/09	ENERGENCY DEMO - ATLANTIC AVE	Open	267.00	0.00		
03917	STATE OF NJ DEPT OF CHILD/FAML							
	10-00161	01/25/10	MARRIAGE LIC FEE	Open	50.00	0.00		
03918	TREASURER, STATE OF NJ BURIAL							
	10-00162	01/25/10	BURIAL PERMIT FEES	Open	10.00	0.00		
03935	STAPLES BUSINESS ADVANTAGE*							
	09-03512	12/30/09	OFFICE SUPPLIES/PAPER	Open	939.18	0.00		
	10-00022	01/05/10	TONER - PAYROLL	Open	88.99	0.00		
	10-00053	01/07/10	FLOOR MATS	Open	137.15	0.00		
					-----			
					1,165.32			
03947	VFIS*							
	10-00134	01/21/10	2010 INSURANCE PACKAGE	Open	9,286.83	0.00		
03954	VAN NOTE-HARVEY ASSOCIATES*							
	10-00144	01/22/10	SVCS FOR SNUG HARBOR MARINA	Open	6,115.80	0.00		
03969	VERIZON							
	10-00147	01/22/10	PHONE SERVICE	Open	202.80	0.00		
04082	USA MOBILITY WIRELESS INC*							
	10-00119	01/19/10	PAGER FOR DPW	Open	6.24	0.00		
04300	W B MASON CO INC*							
	09-02729	10/13/09	14 BLACK INK CARTRIDGE	Open	71.50	0.00		
	09-03288	12/07/09	INK CARTRIDGE	Open	108.00	0.00		
					-----			
					179.50			
04301	SEASHORE ASPHALT CORPORATION*							
	09-03448	12/22/09	ASPHALT FOR ROADS-DPW	Open	2,342.63	0.00		
BLAUE	BLAUER ASSOCIATES INC*							
	09-03117	11/12/09	LABOR WAGE CONSULTANT	Open	300.00	0.00		B
BOSNA	KAREN MANETTE BOSNA							
	10-00201	01/27/10	YOGA INSTRUCTOR	Open	115.00	0.00		
DOUGHE	MARK DOUGHERTY							
	10-00124	01/19/10	VOLUNTEER REFUND - COACH	Open	15.00	0.00		
LAMOR	JODI LAMOREUX							
	10-00116	01/19/10	NYSQA COACHING CERTIFICATION	Open	25.00	0.00		
MOHAN	NANCY MOHAN							

01/28/10  
13:29:20

Lower Township  
Bill List By Vendor Id

---

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	10-00205	01/27/10	BASKETBALL REFUND	Open	15.00	0.00		
MOUSTAFI CAROLINE MOUSTAFI	10-00132	01/21/10	REFUND OF PYMT - COACH	Open	25.00	0.00		
PELLER MARION PELLERIN	10-00207	01/27/10	COACHING REFUND	Open	25.00	0.00		
PORTER LORI PORTER	10-00123	01/19/10	VOLUNTEER REFUND - COACH	Open	15.00	0.00		
RANSOM STEVE RANSOM	10-00203	01/27/10	REFUND HOCKEY	Open	75.00	0.00		
REEB MICHAEL REEB	10-00121	01/19/10	VOLUNTEER REFUND - COACHING	Open	15.00	0.00		
ROBINSJ JEFFREY ROBINSON	10-00122	01/19/10	VOLUNTEER REFUND - COACH	Open	15.00	0.00		
WEBERKAT KATE WEBER	10-00206	01/27/10	COACHING REFUND	Open	25.00	0.00		
<hr/>								
Total Purchase Orders:	97	Total P.O. Line Items:	201	Total List Amount:	3,845,576.12	Total Void Amount:		0.00
<hr/>								

**Lower Township  
Bill List  
02/01/10**

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
Eagle Construction	09-02328	ADA Twp Improvements	41762	01/22/10	62,730.78
Charles Fitzmaurice	09-03569	Legal Settlement	41763	01/27/10	5,000.00
Total Manual Checks					\$ 67,730.78
Total brought forward from computer generated bill list					\$ 3,845,576.12
<b>TOTAL BILL LIST</b>					<b>\$ 3,913,306.90</b>

I certify the foregoing to be a Resolution adopted by the Township Council on February 1, 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**

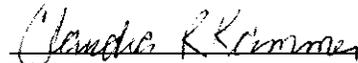
**RESOLUTION #2010-57**

**TITLE: A resolution requesting RELEASE of Demolition Bond for Block 752.01, Lot 18.05, 1080 Seashore Road**

WHEREAS, John E. Bowman posted a Demolition Bond with the Township of Lower, in the amount of \$5,000.00, and

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

I hereby certify this is the original resolution adopted by the Township Council at the meeting of February 1, 2010

  
\_\_\_\_\_  
Claudia R. Kammer, Township Clerk

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

Res. #2010-57

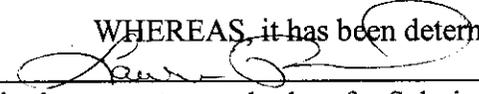
**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY**

**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

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

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

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

RESOLUTION #2010-59

TITLE: A RESOLUTION AFFIRMING LOWER TOWNSHIP'S SUPPORT OF AND PARTNERSHIP WITH THE 2010 CENSUS.

WHEREAS, the U.S. Census Bureau is required by the Constitution of the United States of America to conduct a count of the population and provides a historic opportunity for Lower Township to help shape the foundation of our society and play an active role in American democracy;

WHEREAS, Lower Township is committed to ensuring every resident is counted;

WHEREAS, more than \$300 billion per year in federal and state funding is allocated to communities, and decisions are made on matters of national and local importance based on census data, including health care community development, housing, education, transportation, social services, employment, and much more;

WHEREAS, census data determine how many seats each state will have in the U.S. House of Representatives as well as the redistricting of state legislatures, county and city councils, and voting districts;

WHEREAS, the 2010 Census creates hundreds of thousands of jobs across the nation;

WHEREAS, every Census Bureau worker takes a lifetime oath to protect confidentiality and ensure that data identifying respondents or their household not be released or shared for 72 years;

WHEREAS, a united voice from businesses, government, community-based and faith-based organizations, educators, media and others will allow the 2010 Census message to reach a broader audience, providing trusted advocates who can spark positive conversations about the 2010 Census;

NOW, THEREFORE, BE IT RESOLVED that Lower Township:

1. Form a Complete County Committee to support the goals and ideals for the 2010 Census and will disseminate 2010 Census information to encourage participation.
2. Asks its affiliates and membership to partner together to achieve an accurate and complete count.
3. Encourages people in Lower Township to participate in events and initiatives that will raise overall awareness of the 2010 Census and increase participation among all populations

I hereby certify the foregoing resolution was adopted by the Township Council at a meeting held on February 1, 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 #2010-60

**TITLE: AUTHORIZING THE PERSON TO PERSON TRANSFER OF LIQUOR LICENSE #0505-33-003-006 MOLLY O'TOOLES BEVERAGES INC. TO BUTTONWOOD MANOR INC. (t/a The Bayshore)**

WHEREAS, an application has been filed by Buttonwood Manor Inc. for a person to person transfer of Plenary Retail Consumption License #0505-33-003-006 issued to Molly O'Tooles Beverages Inc., and

WHEREAS, the submitted application form is complete in all respects, the proper fees have been paid; and

WHEREAS, the Police Department has reviewed all documentation submitted with the application, completed the background check, reviewed the fingerprint report showing no record for the applicants and has no objection to the transfer.

NOW, THEREFORE, BE IT RESOLVED that the Lower Township Council does hereby approve, effective February 3, the Person to Person transfer of the aforesaid Plenary Retail Consumption License #0505-33-003-006, to Buttonwood Manor Inc.

FURTHER RESOLVED the Clerk is hereby authorized to endorse said license certificate as follows:

"This license, subject to all its terms and conditions is hereby transferred effective Feb. 3, 2010, to Buttonwood Manor Inc."

I hereby certify the foregoing to be a resolution adopted by the Township Council on February 1, 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 #2010-61**

**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 \$500.00 be made between the 2009 budget appropriation reserves.

<u>LINE ITEM</u>		<u>ACCT. NUMBER</u>	<u>TO</u>	<u>FROM</u>
Street Lighting	OE	9-01-31-435-299	500.00	
Gasoline	OE	9-01-31-460-299		500.00
			500.00	500.00

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

*Claudia R. Kammer*  
 \_\_\_\_\_  
 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 #2010-62

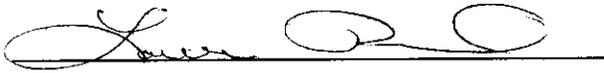
**TITLE: BID ACCEPTANCE AND CONTRACT AWARD FOR PIPE & PIPE SUPPLIES**

WHEREAS, the Notice to Bidders for Pipe & Pipe Supplies was advertised on December 31, 2009 and accepted on January 14, 2010 at 11:00 a.m., and

WHEREAS, four proposals were submitted and reviewed by the QPA, the Public Works Manager, and the Engineer's office, and

WHEREAS, the lowest bidder for Item #1 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 Ord. 09-11 C-04-55-396-110

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 for Item #1 as follows:

**AWARD TO: KENNEDY CULVERT & SUPPLY CO..**

**TOTAL: \$4,612.50**

**Item #1 Only - Five (5) 18 Feet Gauged Full Length 16 inch TR Flex CL 52 Ductile Iron Pipe**

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 February 1, 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 #2010-63

**TITLE: BID ACCEPTANCE AND CONTRACT AWARD FOR TIDE FLEX CHECK VALVES OR EQUAL**

WHEREAS, the Notice to Bidders for Tide Flex Check Valves or Equal was advertised on December 31, 2009 and accepted on January 14, 2010 at 11:00 a.m., and

WHEREAS, two proposals were submitted and reviewed by the QPA, the Public Works Manager and the Engineer's office, and

WHEREAS, the Engineer has determined the lowest bidder's valves did not meet the design requirements and therefore their bid is rejected, and

WHEREAS, the qualified 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 Ord. 09-11 C-04-55-396-110

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:

**AWARD TO: CATERINA SUPPLY INC.**

**TOTAL: \$4795.00**  
**Item #1 Only - One Neoprene Tideflex TF-1 Check Valve With Stainless Steel Mounting Bands to 16" TR-Flex CL52 52 Ductile Iron Pipe**

BE IT FURTHER RESOLVED, the purchase order shall serve as the contract.

I hereby certify the foregoing resolution was adopted by the Township Council at a meeting held on February 1, 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 #2010-64**

**TITLE: AUTHORIZATION FOR VILLAS FIRE COMPANY TO CONDUCT  
OUTDOOR FLEA MARKETS IN 2010**

WHEREAS, Section 359-13 of the Code of Lower Township prohibits outdoor flea markets within the confines of Lower Township except as provided for in Section 359.13b, and

WHEREAS, Section 359-13 of the General Ordinances of the Township of Lower permits non-profit, charitable, civic and religious organizations to conduct four (4) outdoor flea markets within the confines of the Township if approved by the Township Council.

WHEREAS, the Villas Fire Company. has applied to the Township Council for an exemption to the limitation of only four (4) flea markets per year and has requested permission to six flea markets in 2010 in the Villas Fire Hall parking lot, and

WHEREAS, the Township Council has reviewed the application and the current ordinance, and

WHEREAS, the Council has determined the applicant meets the ordinance requirements of a non-profit, charitable, civic and/or religious organization.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, that approval for Outdoor Flea Markets on April 25, May 30, June 27, July 25 and August 29 and September 26 in the year 2010 is hereby granted.

I hereby certify this is the original resolution adopted by the Township Council at the meeting held on February 1, 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 #2010-65**

**TITLE: A resolution requesting release of Maintenance Guarantee for S & F Gas Works, Inc.; Block 11, Lots 32-34; Escrow P96-09-05**

WHEREAS, S & F Gas Works, Inc., posted a Maintenance Guarantee with the Township of Lower, in the amount of \$4,578.12; and

WHEREAS, the Township Engineer has recommended that the improvements with a total value of \$30,520.80 have been properly installed and are presently maintained and acceptable; and.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, the Governing body thereof, that the applicant constructed the improvements in accordance with site plan #97-4, according to approved plans and specifications; and

AND, HEREBY BE IT FURTHER RESOLVED by the Township Council of the Township of Lower, the Governing body thereof, that the Maintenance Guarantee is released.

I hereby certify this is the original resolution adopted by the Township Council at the meeting of February 1, 2010

  
Claudia R. Kammer, Township Clerk

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

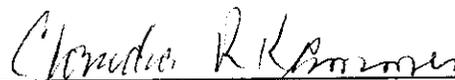
Res. 2010-65

**Lower Township  
Bill List II  
02/01/10**

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Amount</u>
Lower Twp Resuce Squad	10-00202	CPR Training	\$555.00

**TOTAL BILL LIST** **\$ 555.00**

I certify the foregoing to be a Resolution adopted by the Township Council on February 1, 2010

  
 \_\_\_\_\_  
 Claudia R. Kammer, RMC, Township Clerk

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

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

RESOLUTION #2010-67

TITLE: APPOINTMENT TO THE RECREATION ADVISORY BOARD

WHEREAS, the terms of Lonnie Bedell and William Dunn, Regular Members of the Recreation Advisory Board, expired on December 31, 2009, and

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

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

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower the following appointments are hereby made.

<u>Name</u>	<u>Type</u>	<u>Term Expires</u>
Lonnie Bedell	Regular Member (Reappointment)	December 31, 2012
James Ridgeway	Regular Member (Replaced W. Dunn)	December 31, 2012

I hereby certify the foregoing resolution was adopted by the Township Council on February 1, 2010.

  
\_\_\_\_\_  
Claudia R. Kammer, Twp. Clerk

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

Res. #2010-67

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

**RESOLUTION # 2010-68**

**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.
- (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. (Labor Relations - PBA)
- (5) Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
- (6) Matters relating to Public Safety and Property: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.
- (7) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer. (Matinelli v Twp.)

\_\_\_\_\_ (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 February 1, 2010 that an Executive Session closed to the public shall be held on this date at approximately 8:22 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 February 1, 2010.

  
 Claudia R. Kammer, Township Clerk

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