

## RESOLUTIONS ADOPTED FEBRUARY 17, 2010

- Res. #2010-69, Payment of Vouchers, \$1,692,897.30  
Res. #2010-70, Paris Grant Program For Shared Services With The County Of Cape May (Leveraging the Township's with the County for the continuation of records assistance and records recovery network)
- Res. #2010-71, Authorization for the Refund of Taxes (Veteran deduction)  
Res. #2010-72, Authorization for the Payout of Accumulated Compensatory Time (T Whittington, \$3000.75)
- Res. #2010-73, Authorization for Limousine & Operator's Licenses (A Sharper Rental, 4 Limo's & 4 Operators)
- Res. #2010-74, A Resolution Establishing the Seasonal Permit Fee Farmer's Market Vendors for the Year 2010 (Seasonal Fee \$225.00)
- Res. #2010-75, Resolution Approving Project Proposal Between Hatch Mott Macdonald and the Township of Lower for Engineering Services Related to Holmes Avenue Beach Outfall ( \$4400.00 FEMA Post Disaster Grant)
- Res. #2010-76, Approval of Change Order No. 1 for Delaware Bay Shore Outfall Extensions, Contract M-2 (\$1,390 for 44 treated timbers)
- Res. #2010-77 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 (Litigation - Fondacaro)



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
10-00299	02/08/10	LEGALS	Open	86.80	0.00			
					533.17			
00820 COMCAST OF WILDWOOD* DPW	10-00271	02/04/10	INTERNET PROVIDER-DPW	Open	95.14	0.00		
00928 CAPE MAY COUNTY CLERK	10-00093	01/13/10	RECORDING FEE	Open	8.00	0.00		
00933 CAPE MAY CO.COURT ADMIN. ASSN.	10-00027	01/06/10	DUES	Open	200.00	0.00		
00986 COMMUNICATIONS MARKETING ASSOC	09-03427	12/17/09	CHAIR COVERS	Open	735.00	0.00		
01170 VERIZON WIRELESS* F/S	10-00288	02/08/10	FIRE SAFETY CELL SERVICE	Open	171.72	0.00		
01245 G & K SERVICES CO*	10-00252	02/04/10	UNIFORM RENTALS-DPW	Open	616.35	0.00		
01258 DICTAPHONE CORP.*	10-00080	01/13/10	2010 MAINT. CONTRACT	Open	4,759.01	0.00		
01403 EMERGENCY SOFTWARE PRODUCTS*	10-00131	01/19/10	MAINTENANCE FOR NFIRS	Open	440.00	0.00		
01513 GOODFELLOWS INC*	10-00128	01/19/10	2010 ACTIVATION/WINTERIZATION	Open	320.00	0.00		
01519 TOM FOLS ELECTRICALCONTRACTOR*	10-00153	01/22/10	RUN NEW ELECTRIC TO MAINT SHOP	Open	1,850.00	0.00		
01582 FLAGHOUSE, INC.*	09-02899	11/02/09	MISC. SUPPLIES FOR GAME ROOM	Open	157.40	0.00		
01641 GALL'S INC*	09-03438	12/22/09	SUPPLIES	Open	549.00	0.00		
01680 GRACE OIL COMPANY*	09-03166	11/20/09	ENGINE SMOKE TEST DIESEL VEH	Open	2,287.50	0.00		
01781 HATCH MOTT MACDONALD, LLC*	09-02159	08/05/09	DELAWARE BAY SHORE OUTFALL EXT	Open	5,338.00	0.00		
	09-02362	09/01/09	OUTFALL PIPES CHANGE-09-00576	Open	405.00	0.00		B
	09-02426	09/08/09	PROF SVCS /CAPE MAY CANAL	Open	864.10	0.00		B
	09-02555	09/22/09	VARIOUS DRAINAGE ISSUES -DPW	Open	464.54	0.00		B
	09-02590	09/24/09	NJ NATURAL LAND TRUST ACCESS	Open	742.50	0.00		B
	09-03206	11/24/09	WELL REGISTRATION - BENNETTS	Open	68.40	0.00		B
	09-03324	12/09/09	AIR QUALITY APPLICATION	Open	2,950.00	0.00		B
	10-00278	02/05/10	ESCROW BILLING	Open	2,565.60	0.00		

02/10/10  
10:09:43

Lower Township  
Bill List By Vendor Id

Page No: 3

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
					13,398.14			
01806	ANTHONY J HARVATT, II, ESQ							
	10-00025	01/06/10	PROFESSIONAL SERVICE TO ZBA	Open	300.00	0.00		
	10-00277	02/05/10	ESCROW RESOLUTIONS	Open	450.00	0.00		
					750.00			
01834	RICHARD HOOYMAN							
	10-00286	02/08/10	CONTRACTUAL REIMBURSEMENT	Open	48.00	0.00		
01971	IACP, TRAINING KEYS DIVISION*							
	10-00083	01/13/10	TRAINING KEYS	Open	420.00	0.00		
02136	TED KINGSTON INC*							
	10-00209	01/27/10	COMMUNICATIONS MAINT	Open	496.45	0.00		
02140	KINDLE FORD LINC/MERC., INC.*							
	10-00140	01/21/10	TURN SIGNAL ASSEMBLY	Open	127.56	0.00		
02247	LAWSON PRODUCTS, INC.*							
	09-03321	12/09/09	SUPPLIES FOR GARAGE/DPW	Open	953.22	0.00		
	10-00138	01/21/10	SUPPLIES FOR GARAGE-DPW	Open	908.08	0.00		
					1,861.30			
02248	LAWMEN SUPPLY*							
	09-03404	12/16/09	BULLET PROOF VESTS	Open	1,350.00	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		
02417	MAGELLAN HILL TECHNOLOGIES*							
	10-00234	02/03/10	PHONE SERVICE	Open	2,987.20	0.00		
02473	FRANCIS P. MAJANE							
	09-03576	02/02/10	CONTRACTUAL REIMBURSEMENTS	Open	42.00	0.00		
02541	ROBERT D. MARTIN, JR							
	10-00287	02/08/10	CONTRACTUAL REIMBURSEMENT	Open	40.00	0.00		
02601	ANDREW MCGRAW SR							
	10-00294	02/08/10	SHOE ALLOWANCE FOR 2010-DPW	Open	90.00	0.00		
02632	N J PLANNING OFFICIALS*							
	10-00109	01/14/10	MANDATORY BOARD MEMEBER TRAIN.	Open	195.00	0.00		
02727	MIDDEL TWP RECREATION DEPT							
	10-00274	02/04/10	2 TRAVEL TEAMS REGISTRATION	Open	250.00	0.00		
02862	MUNICIPAL CLERK'S ASSN. NJ,INC							
	10-00212	01/29/10	2010 DUES	Open	100.00	0.00		



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	10-00273	02/04/10	LEGALS	Open	13.36	0.00		
03692 SOUTH JERSEY GAS CO*	10-00232	02/03/10	JANUARY, 2009	Open	764.95	0.00		
03765 TAX COLL&TREAS ASSN OF C M C*	10-00197	01/26/10	2010 MEMBERSHIPS	Open	300.00	0.00		
03790 THE PRESS*	09-03563	01/19/10	12/30/09 VOTERS REGISTRATION	Open	1,440.00	0.00		
03931 STERLING IRRIGATION INC*	09-03529	01/05/10	WINTERIZE - IRRIGATION MITNICK	Open	80.25	0.00		
03935 STAPLES BUSINESS ADVANTAGE*	10-00126	01/19/10	OFFICE SUPPLIES	Open	76.60	0.00		
	10-00133	01/21/10	SOAP/CONTAINERS/BATTERIES	Open	106.95	0.00		
					-----			
					183.55			
03958 DEBORAH VAN MOURIK	10-00247	02/04/10	CONTRACTUAL REIMBURSEMENT - V	Open	231.86	0.00		
03963 US LUBES, LLC *	10-00085	01/13/10	BULK MOTOR OIL - GARAGE-DPW	Open	2,075.45	0.00		
03969 VERIZON	10-00230	02/03/10	PHONE SERVICE	Open	258.16	0.00		
03971 VERIZON WIRELESS	10-00240	02/03/10	MDT VERIZON WIRELESS	Open	544.20	0.00		
03975 VERIZON CABS T-1*	10-00241	02/03/10	T-1 LINE	Open	402.05	0.00		
04012 XPRESS ELECTRONIC SERVICES*	10-00226	02/02/10	PRINTER MAINT.	Open	55.00	0.00		
04059 THOMAS WILL	10-00285	02/08/10	CONTRACTUAL REIMBURSEMENT	Open	34.00	0.00		
04075 BARBER CONSULTING SERVICES LLC	09-03509	12/30/09	TIME MGMT CONFIG/ETHERNET LINE	Open	1,247.50	0.00		
	10-00211	01/29/10	FEB 2010 WEB UPDATES	Open	300.00	0.00		
					-----			
					1,547.50			
04097 CINTAS FIRST AID AND SAFETY*	09-03426	12/17/09	FIRST AID KITS REPLENISHMENT	Open	316.05	0.00		
04266 NJ DEPT OF HEALTH&SENIOR SVCS	10-00284	02/05/10	JANUARY, 2010 DOG LICENSE FEE	Open	891.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04272 PROPET DISTRIBUTORS*	10-00035	01/07/10	DOGGIE BAGS ARTICLE #1402-30	Open	720.35	0.00		
FATH WILLIAM FATH	09-03197	11/24/09	SOCCER OFFICIAL FEES	Open	165.00	0.00		
G-DB DB ELECTRONICS	10-00110	01/14/10	ADA HEARING ASSISTANCE SYS.	Open	1,575.00	0.00		
SPINOSA DANIEL SPINOSA	10-00248	02/04/10	REFUND TAX - VETERAN DEDUCTION	Open	250.00	0.00		
WACHOW MARY WACHOWSKI	10-00221	02/02/10	RETURN UNUSED ESCROW	Open	50.00	0.00		
WILSONW WILLIAM G WILSON	10-00275	02/04/10	REFUND - MENS HOCKEY	Open	75.00	0.00		
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Total Purchase Orders:	98	Total P.O. Line Items:	152	Total List Amount:	1,588,591.94	Total Void Amount:		0.00
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**Lower Township  
Bill List  
02/17/10**

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
Treasurer, County Taxes	10-00219	Tax -Animal Shelter	41837	02/02/10	20,683.00
Treasurer, County Taxes	10-00302	09 Added/Omitted Tax	41838	02/08/10	83,622.36
Total Manual Checks				\$	104,305.36
Total brought forward from computer generated bill list				\$	1,588,591.94
<b>TOTAL BILL LIST</b>				<b>\$</b>	<b><u>1,692,897.30</u></b>

I certify the foregoing to be a Resolution adopted by the Township Council on February 17, 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 #2010-70

**TITLE: PARIS GRANT PROGRAM FOR SHARED SERVICES WITH THE COUNTY OF CAPE MAY**

WHEREAS, the State of New Jersey has launched its pioneering Public Archives and Records Infrastructure Support (PARIS) grant program to meet the strategic records management, preservation, and storage needs of county and municipal governments; and

WHEREAS, a top priority of the PARIS grants program is to achieve efficiencies of cost and operation through shared services and to create a service structure for municipalities that do not have the resources to create one for themselves; and

WHEREAS, in the 2010-2011 grant cycle, priority funding will be given to county projects that have performed municipal inventories, needs assessments and strategic plans for all of their municipalities; and

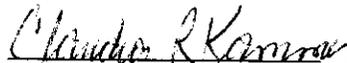
WHEREAS, the Township of Lower desires to collaborate with the County of Cape May in the performance of the PARIS Grants Program, and

WHEREAS, the Township of Lower is acknowledging that their eligible funding of \$40,000 will be leveraged with the County of Cape May, and

WHEREAS, the Township of Lower is acknowledging that the County of Cape May would be both the lead agency and the applicant for such a proposal; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Township Of Lower, that Lower Township does support and commit to cooperation and participation in the PARIS grant for the purposes set forth above, and to execute and deliver all documents required incident thereto.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on February 17, 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 #2010-71

TITLE: AUTHORIZATION FOR REFUND OF TAXES

WHEREAS, the Township Tax Collector has certified an overpayment due to the reasons listed below:  
and

WHEREAS, a refund has been requested.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Lower, County of Cape May, State of New Jersey that the CFO/Treasurer be and the same is authorized and directed to refund the overpayments according to the Tax Collector's certification on file with the CFO/Treasurer.

<u>Block</u>	<u>Lot</u>	<u>Refund To</u>	<u>Reason</u>	<u>Tax</u>
487.04	8	Daniel Spinosa	2009 Veteran Deduction	250.00

I hereby certify the foregoing to be a resolution adopted by the governing body at a meeting held on February 17, 2010.

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

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

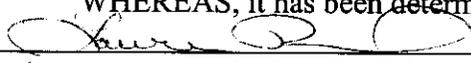
**TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY**

**RESOLUTION #2010-72**

**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 \$ 3000.75 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 17, 2010**

  
Claudia R. Kammer, 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
Timothy	Whittington	75	40.01	3,000.75
				0.00
<b>Total Liability</b>				<b>3,000.75</b>

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

RESOLUTION #2010-73

TITLE; ISSUANCE OF 2010 LIMOUSINE & OPERATOR'S LICENSES

WHEREAS, an application has been submitted by Ernest Harper t/a A Sharper Limousine pursuant to Ord. #2000-4 for four Limousine & Operator's 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:

**A Sharper Limousines, LLC**

<u>License Type</u>	<u>Description</u>
Operators	Ernest L. Harper, Lawrence K. Anderson, Francis X Kane, Richard D. Paul
Limousine	2004 Lincoln, VIN #1L1FM81W04Y655151 2002 Ford, VIN #1FMNU40S12EB96857 2001 Lincoln, VIN #1LNHM82WX1Y636723 2007 Ford, VIN #1FBSS31L27DA62052

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 February 17, 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 #2010-74

**TITLE: A RESOLUTION ESTABLISHING THE SEASONAL PERMIT FEE FARMER'S MARKET VENDORS FOR THE YEAR 2010**

WHEREAS, Ordinance #2010-03 amends Chapters 359 and 432 of the Lower Township Code, and

WHEREAS, as amended, Chapter 359-14 A(3) provides that the seasonal fee for the Farmer's Market permit shall be established each year by resolution, and

WHEREAS, the Council has determined the fee for the 2010 season.

NOW, THEREFORE, BE IT RESOLVED the seasonal fee for Farmer's Market Vendors shall be set at Two Hundred Twenty-Five Dollars (\$225.00) for the year 2010.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on February 17, 2010.

  
Claudia R. Kammer, Township Clerk

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

Resolution #2010-74

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

RESOLUTION #2010-75

**TITLE: RESOLUTION APPROVING PROJECT PROPOSAL BETWEEN HATCH MOTT MACDONALD AND THE TOWNSHIP OF LOWER FOR ENGINEERING SERVICES RELATED TO HOLMES AVENUE BEACH OUTFALL (FEMA POST DISASTER GRANT)**

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 services related to the FEMA Post-Disaster Grant for the Holmes Avenue Beach Outfall 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 by her signature in the budget as follows:

  
Lauren Read, CFO

204-53-384-106 Ord #10-13  
Account

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 \$4,400.00, 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 February 17, 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 #2010-76

**TITLE: APPROVAL OF CHANGE ORDER NO. 1 FOR DELAWARE BAY SHORE OUTFALLS, CONTRACT M-2**

**WHEREAS**, Channel Marine Construction was previously awarded a contract in the amount of \$465,150 for the Delaware Bay Shore Outfall Extensions, and

**WHEREAS**, during the course of the work on this project it was determined that the 3" x 8" x12' timbers that were to be utilized from Township inventory were pressure treated with 0.4pcf of Amine Copper Quat - Type D which is not recommended for use in the marine environment, and

**WHEREAS**, Channel Marine Construction has purchased the forty-four (44) 3" x 8" x12' Southern Yellow Pine, Grade 1, C.C.A pressure treated timbers required for the project, and

**WHEREAS**, the additional total cost to the Township for this change in the scope of work is \$1,390 as per the attached, and

**WHEREAS**, the Engineer 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-04-55-396-110   
 Lauren Read, CFO

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower, that Change Order No. 1 for the Delaware Bay Shore Outfall Extensions, Contract M-2 is hereby approved and the total contract amount for this project including Change Order No. 1 is \$466,540.00, and

**BE IT FURTHER RESOLVED** that Channel Marine Construction, Inc. 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 February 17, 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 # 2010-77**

**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. (
- \_\_\_\_\_ (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.
- X   (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. (Litigation - Fondacaro)

\_\_\_\_\_ (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 17, 2010 that an Executive Session closed to the public shall be held on this date at approximately 8:33 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 17, 2010.

  
 Claudia R. Kammer, Township Clerk

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