

RESOLUTIONS ADOPTED MARCH 1 2010

- Res. #2010-78, Payment of Vouchers, \$1,584,580.38
Res. #2010-79, A Resolution Requesting Reduction of Performance Guarantee for WRK Construction; Block 753.04, Lot 10; Escrow #P04-04-13
- Res. #2010-80, Authorization to Cancel General Ledger Balances (canceling balances from prior years)
- Res. #2010-81, Authorization to Cancel Uncashed Prior Year Checks (canceling 11 uncashed checks)
- Res. #2010-82, Authorization for the Payout of Accumulated Sick Time (\$724.15)
- Res. #2010-83, Authorizing the Pay Out of Terminal Leave (H. Bitting Retirement - \$2,701.01)
- Res. #2010-84, Issuance of 2010 Taxi & Operator's Licenses (1 taxi & 1 operator)
- Res. #2010-85, Authorization for Refund of Taxes (2 Duplicate Payments)
- Res. #2010-86, Resolution Urging the State Legislature to Reform Interest Arbitration
- Res. #2010-87, Approval of Change Order #3 for Municipal Building ADA Project (Removal & replacement of exterior doors in meeting room)
- Res. #2010-88, Appointment of Additional Deputy Emergency Management Coordinator (Chief Donohue)
- Res. #2010-89, Appointment of Census Complete Count Committee (Manager, Planner, Assessor, Clerk, Councilmember & Recording Secretary for Planning/Zoning Boards)

02/25/10
10:41:25

Lower Township
Bill List By Vendor Id

Page No: 2

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
					118.87			
00348 BENNETT BATTERIES, LLC*	10-00043	01/07/10	BATTERIES FOR SANT/RECY/DPS	Open	920.00	0.00		
00356 BEAVER SUPPLY INC*	10-00157	01/25/10	SUPPLIES FOR DPW	Open	21.00	0.00		
00367 APM BLAST PEST CONTROL*	10-00235	02/03/10	SUBTERRANEAN TERMITE RENEW '10	Open	341.00	0.00		
00370 BLUE CROSS/BLUE SHIELD OF NJ	10-00388	02/22/10	MARCH, 2010 MED D	Open	3,087.09	0.00		
00616 ANIMAL ALLIANCE OF CAPE	10-00339	02/16/10	TNR & SPAY/NEUTER PROGRAM	Open	100.00	0.00		
	10-00340	02/16/10	2010 PETSMAST GRANT	Open	387.00	0.00		
					487.00			
00731 CAPE PORT MARINE*	10-00296	02/08/10	RAIN GEAR - WINTER JACKETS	Open	467.95	0.00		
00739 CAPE MAY VETERINARY HOSPITAL	10-00333	02/11/10	STRAY SPAY&NEUTER PROGRAM	Open	123.32	0.00		
00784 CAPE MAY STAR & WAVE	10-00375	02/19/10	LEGALS	Open	21.08	0.00		
00818 CENTER LINE SERVICES, LLC	10-00281	02/05/10	SNOW REMOVAL - DPW	Open	12,500.00	0.00		
00825 COMCAST*	10-00329	02/11/10	INTERNET SERVICE - TOWNHALL	Open	95.14	0.00		
00852 CHERRY VALLEY TRACTOR CO.*	10-00243	02/03/10	PARTS FOR RDS BACKHOE-DPW	Open	86.19	0.00		
00928 CAPE MAY COUNTY CLERK	10-00436	02/24/10	RECORDING FEE-COASTAL GEN PERM	Open	8.00	0.00		
00981 COLLINS IRON WORKS*	10-00223	02/02/10	MISC. PARTS FOR FENCE/BENNETTS	Open	27.52	0.00		
00991 COLONIAL ELECTRIC SUPPLY*	10-00120	01/19/10	PART FOR HEATER-DPW	Open	48.38	0.00		
	10-00225	02/02/10	DPS BUILDING MAINT.	Open	449.60	0.00		
					497.98			
01122 CVR COMPUTER SUPPLIES*	10-00192	01/26/10	INK	Open	432.00	0.00		

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01189 DEERSKIN MFG INC	10-00196	01/26/10	SLIDE IN ANIMAL CONTROL UNIT	Open	11,265.00	0.00		
01196 H A DEHART & SON*	10-00213	02/01/10	SNOW PLOW PARTS - DPW	Open	1,407.01	0.00		
01201 DELL CORPORATION*	09-03309	12/09/09	TAX PC EQUOTE #1009449648542	Open	1,929.86	0.00		
	10-00149	01/22/10	2 DESKTOP PC'S FOR CLERK'S OFF	Open	1,929.86	0.00		

					3,859.72			
01330 THOMAS EAGAN	10-00363	02/18/10	SHOE ALLOWANCE FOR 2010-DPW	Open	224.90	0.00		
01500 FEDEX	10-00341	02/16/10	LOWER TWP ACCT#1843-5961-8	Open	22.47	0.00		
01582 FLAGHOUSE, INC.*	10-00130	01/19/10	RECREATION SUPPLIES	Open	182.00	0.00		
01641 GALL'S INC*	09-03493	12/29/09	OPERATIONS SUPPLIES	Open	1,082.00	0.00		
01727 CHANNEL MARINE CONSTRUCITON IN	10-00151	01/22/10	DELEWARE BAY OUTFALL EXTENSIO	Open	34,780.20	0.00		
01781 HATCH MOTT MACDONALD, LLC*	09-01216	05/11/09	QUALIFIED WITNESS IN FACT	Open	766.50	0.00		B
	09-01942	07/10/09	PROF SVC DPS ROOFING SYSTEM	Open	1,990.00	0.00		B
	09-02159	08/05/09	DELAWARE BAY SHORE OUTFALL EXT	Open	2,478.00	0.00		
	09-02590	09/24/09	NJ NATURAL LAND TRUST ACCESS	Open	337.50	0.00		B
	09-02766	10/15/09	STORM WATER REG. UPDATE-DPW	Open	675.00	0.00		B
	09-03206	11/24/09	WELL REGISTRATION - BENNETTS	Open	1,500.00	0.00		B
	09-03324	12/09/09	AIR QUALITY APPLICATION	Open	1,180.00	0.00		B
	10-00359	02/18/10	TAX MAP FOR FORMAL INSPECTION	Open	4,809.00	0.00		B
	10-00382	02/19/10	ESCROW BILLING	Open	2,326.35	0.00		

					16,062.35			
01820 DARRIN D. HICKOK	10-00432	02/24/10	CONTRACTUAL REIMBURSEMENT - V	Open	130.00	0.00		
	10-00433	02/24/10	CONTRACTUAL REIMBURSEMENT - V	Open	135.00	0.00		

					265.00			
01826 WILLIAM HIENKEL	09-03577	02/19/10	CONTRACTUAL REIMBURSEMENT	Open	21.00	0.00		
	10-00378	02/19/10	CONTRACTUAL REIMBURSEMENT	Open	162.71	0.00		

					183.71			

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01834	RICHARD HOOYMAN	10-00328	02/11/10	CONTRACTUAL REIMBURSEMENT	Open	48.00	0.00		
02025	HUNTER JERSEY PETERBILT*	10-00095	01/13/10	PARTS FOR TRASH TRUCK #24-DPW	Open	2,803.39	0.00		
02027	JESCO INC*	10-00193	01/26/10	PARTS FOR LOADER TRACTOR-DPW	Open	1,037.60	0.00		
02108	KEEN COMPRESSED GAS CO*	10-00044	01/07/10	BOTTLED GAS FOR GARAGE/DPW	Open	221.51	0.00		
02116	FRAN KENNEDY COFFEE CO.*	10-00343	02/16/10	COFFEE SUPPLIES - TOWNHALL	Open	135.57	0.00		
02136	TED KINGSTON INC*	10-00210	01/27/10	COMMUNICATIONS MAINT	Open	496.45	0.00		
02140	KINDLE FORD LINC/MERC., INC.*	10-00046	01/07/10	PARTS FOR DPS VEHICLES	Open	190.54	0.00		
02351	LOWER CAPE MAY REGIONAL	10-00002	01/05/10	SCHOOL TAX DUE 15TH OF MONTH	Open	1,162,843.00	0.00		
02415	STEPHEN FLITCROFT	10-00364	02/18/10	SHOE ALLOWANCE FOR 2010-DPW	Open	75.00	0.00		
02632	N J PLANNING OFFICIALS*	10-00086	01/13/10	MEMBERSHIP DUES	Open	360.00	0.00		
02709	ANTHONY MONZO*	10-00390	02/22/10	LITIGATION EXP - JANUARY, 2010	Open	8,691.63	0.00		
02738	MISTER BOARDWALK*	09-02890	11/02/09	25 ROLLS OF 3' WIDE X 5' LONG	Open	4,142.17	0.00		
03001	STATE TOXICOLOGY LABORATORY*	10-00108	01/14/10	APPLICANT TESTING	Open	70.00	0.00		
03008	NJ DEPT OF TREASURY	10-00323	02/10/10	ENVIRONMENTAL REGULATIONS	Open	5,250.00	0.00		
03026	NJ STATE HEALTH BENEFITS	10-00387	02/22/10	MARCH, 2010 HEALTH BENEFITS	Open	209,129.69	0.00		
03104	NORTHEAST IND.&MARINE SUPPLY*	10-00066	01/11/10	PARTS FOR RDS/SANT/RECY/DPW	Open	147.70	0.00		
03132	NEXTEL COMMUNICATIONS	10-00366	02/18/10	NEXTEL PHONES	Open	651.49	0.00		
03280	PARAMOUNT SANITARY SUPPLY*	10-00129	01/19/10	TRASH BAGS	Open	133.00	0.00		

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
10-00016	01/05/10		SUPPLIES FOR SIGNS/BLDG/DPW	Open	208.35	0.00		
03805			TOWNBANK VOLUNTEER FIRE CO.					
10-00352	02/17/10		REIMB SNOW EMERGENCY 2/7-2/10	Open	309.53	0.00		
03810			MUNICIPAL UTIL AUTH USAGE COST					
10-00331	02/11/10		SEWER SERVICE DUE 3/15/10	Open	152.30	0.00		
10-00332	02/11/10		WATER SERVICE DUE 3/15/10	Open	1,025.48	0.00		

					1,177.78			
03921			UNIFORM & ACCESSORIES WHSE*					
09-02824	10/23/09		NEW VEHICLE OUTFITTING	Open	1,157.80	0.00		
09-03406	12/16/09		VEHICLE OUTFITTING	Open	444.75	0.00		

					1,602.55			
03935			STAPLES BUSINESS ADVANTAGE*					
09-02213	08/11/09		ADDING MAC TAPE/FILE FOLDERS	Open	83.48	0.00		
10-00214	02/01/10		DVR DISKS/LABEL	Open	101.92	0.00		
10-00304	02/09/10		TONER/ADDING MACHINE TAPE	Open	235.65	0.00		

					421.05			
03954			VAN NOTE-HARVEY ASSOCIATES*					
10-00380	02/19/10		SVC FOR SNUG HARBOR	Open	132.00	0.00		
03969			VERIZON					
10-00369	02/19/10		201 Z43-6478 EMERGENCY MGMT	Open	1,479.67	0.00		
03972			ROBERT THOMAS III					
10-00428	02/24/10		SHOE ALLOWANCE FOR 2010-DPW	Open	87.20	0.00		
03992			VAL-U AUTO PARTS LLC*					
10-00042	01/07/10		PARTS FOR RDS/SANT/RECY/DPS	Open	3,533.80	0.00		
03995			VITAL COMMUNICATIONS, INC.*					
09-03280	12/03/09		MOD IV 2010 UPDATE	Open	100.00	0.00		
10-00338	02/16/10		2010 ASSESSMENT NOTICE POST CA	Open	2,612.53	0.00		

					2,712.53			
04097			CINTAS FIRST AID AND SAFETY*					
10-00391	02/22/10		FIRST AID SUPPLIES - TOWNHALL	Open	72.20	0.00		
04261			STATE OF NEW JERSEY					
10-00303	02/09/10		4TH QUARTER 2009	Open	22,584.01	0.00		
04300			W B MASON CO INC*					
09-03143	11/17/09		BOCA SUPPLIES	Open	290.90	0.00		
10-00125	01/19/10		OFFICE SUPPLIES	Open	26.72	0.00		

					317.62			

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Lower Township
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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04301 SEASHORE ASPHALT CORPORATION*								
	10-00152	01/22/10	PATCH FURNISHED AT PLANT-DPW	Open	1,065.00	0.00		
04321 GARDEN STATE GEN CONSTRUCTION								
	10-00326	02/10/10	SNOW PLOWING/REMOVAL	Open	8,812.50	0.00		
04355 WAWA, INC STORE #980								
	10-00348	02/17/10	2/6/10 SNOW STORM-FOOD SHELTER	Open	147.52	0.00		
	10-00349	02/17/10	2/7/10 SNOW - FOOD FOR SHELTER	Open	487.60	0.00		
	10-00350	02/17/10	2/7/10 SNOW -FOOD FOR SHELTER	Open	304.20	0.00		
	10-00351	02/17/10	2/7/10 SNOW - FOOD FOR SHELTER	Open	22.90	0.00		
					962.22			
BIRCH BIRCH'S COMMUNICATIONS LLC*								
	10-00155	01/22/10	MOBILE RADIO FOR NEW SIGN TRK	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	900.00	0.00		B
					1,350.00			
CAPIZ KATHI CAPIZOLA, CMCA - SECY								
	10-00237	02/03/10	JUDGE'S DUES	Open	75.00	0.00		
CLARKE ELAINE CLARK								
	10-00435	02/24/10	REFUND 1ST QTR 2010 TAX	Open	876.43	0.00		
GRISER PAUL GRISER								
	10-00376	02/19/10	REFUND - MENS HOCKEY LEAGUE	Open	75.00	0.00		
GRISERM MICHAEL GRISER								
	10-00430	02/24/10	REFUND MEN'S HOCKEY	Open	75.00	0.00		
MANNE JOHN MANNERS								
	10-00379	02/19/10	REF DUP TAX PYMT 633/13	Open	721.00	0.00		
TACPR TAC PRINTING & MARKETING SERV*								
	09-03297	12/07/09	TOWNSHIP LETTERHEAD	Open	450.00	0.00		
VILL VILLAS VOL FIRE CO								
	10-00353	02/17/10	REIMB STATE OF EMERG 2/5-2/10	Open	2,600.80	0.00		
Total Purchase Orders: 128 Total P.O. Line Items: 270 Total List Amount: 1,583,060.98 Total Void Amount: 0.00								

**Lower Township
Bill List
03/01/10**

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
C.Crippen	10-00355	Reimb Web Provider	41915	02/18/10	239.40
Treasure, State of NJ	10-00368	Permit-Compost Facility	41916	02/18/10	1,280.00
Total Manual Checks					\$ 1,519.40
Total brought forward from computer generated bill list					\$ 1,583,060.98
TOTAL BILL LIST					<u>\$ 1,584,580.38</u>

I certify the foregoing to be a Resolution adopted by the Township Council on March 1, 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 #2010-79

TITLE: A resolution requesting reduction of Performance Guarantee for WRK Construction; Block 753.04, Lot 10; Escrow # P04-04-13

WHEREAS, Mark Platzer and Wayne K. Remster posted a Performance Guarantee with the Township of Lower in the amount of \$56,620.42 for the major subdivision referenced above; and

WHEREAS, the Township Engineer has recommended that improvements have been properly installed and are presently acceptable; and

WHEREAS, the Township Engineer has recommended that the Performance Bond be reduced leaving a balance of \$42,991.42; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, the governing body thereof, that the reduced Performance Guarantee of \$56,620.42 be and hereby is reduced leaving a remaining balance of \$42,991.42

I hereby certify this is the original resolution adopted by the Township Council at the meeting of March 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. 2010-79

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

RESOLUTION #2010-80

TITLE: AUTHORIZATION TO CANCEL GENERAL LEDGER BALANCES

WHEREAS, it has been determined that there are balances in the general ledger which date back several years and; and

WHEREAS, it has been determined by an internal audit that these balances can be cancelled to properly reflect the financial position of the Township; and

WHEREAS, it is necessary to formally authorize cancellation of said balances so that they can be adjusted to show a true reflection of the financial position of the Township;

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the following cancellation is authorized:

<u>FUND</u>	<u>DESCRIPTION</u>	<u>G/L LINE</u>	<u>AMOUNT</u>
CURRENT	Due from State- SC/Vet	0-01-104-55-570-013	\$13,332.82
F/S GRANT	Appropriated-		
	Hazardous Discharge	0-02-203-40-300-317	933.07
	Municipal Stormwater	0-02-203-40-300-321	180.00
	Domestic Violence	0-02-203-40-300-411	86.67
	Receivable-		
	JIF	0-02-104-03-700-011	4.00
	Tree Planting	0-02-104-03-700-011	2,250.00
	Domestic Violence	0-02-104-03-700-011	86.64
	CMCMUA	0-02-104-03-700-011	1.00

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



 Claudia R. Kammer, RMC, Township Clerk

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

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

RESOLUTION #2010-81

TITLE: AUTHORIZATION TO CANCEL UNCASHED PRIOR YEAR CHECKS

WHEREAS, the check listed below has been outstanding for one year or more on the bank reconciliation for the Lower Township Checking Accounts; and

WHEREAS, the Chief Financial Officer has requested that such checks be officially canceled in order to properly maintain the Township records, and

NOW, THEREFORE BE IT RESOLVED by the Township Council that the following list of prior years outstanding checks are hereby canceled.

<u>Payee</u>	<u>Account</u>	<u>Amt.</u>	<u>Ck. #</u>	<u>Date</u>
Mickels Run Phase IV	Escrow	\$43.72	1757	08/21/07
Gary & Courtney Romberger	Escrow	\$60.00	1764	09/06/07
Brenton Hand, Jr.	Escrow	\$23.16	1820	06/18/08
Edward Behm/Thomas McWilliam	Escrow	\$3.75	1858	12/16/08
Pond Creek Estates	Escrow	\$78.46	1866	12/16/08
Catherine Dougherty	Payroll	1.64	24358	02/19/09
Matthew Pleasants	Payroll	2.68	24359	02/19/09
Kevin Mulville	Council	20.00	35331	09/06/07
Genron	Council	70.20	36178	01/08/08
Diane Hogandia	Council	10.00	38334	10/21/08
Verizon Wireless	Council	172.00	38738	12/16/08

I hereby certify the foregoing to be a resolution adopted by the Township Council on March 1, 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 #2010-82

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 \$724.15 is authorized and chargeable to the 2009 Budget:

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

Claudia R. Kammer
Claudia R. Kammer, Township Clerk

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

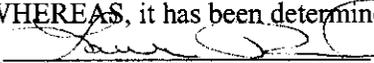
TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION #2010-83

TITLE: AUTHORIZING PAY OUT OF TERMINAL LEAVE

WHEREAS, the employee listed below has retired from the Township and is entitled to payment for accumulated vacation, sick and compensatory and personal time, and

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

WHEREAS, it has been determined by the Township Treasurer as evidenced by signature  that adequate funding is available for accumulated time in the dedicated line item "Reserved for Accumulated Absences".

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Lower that a revised payment due to Harrison Bitting in the amount of \$2701.01 is authorized and chargeable to the Reserve for Accumulated Absences.

I hereby certify the foregoing to be a resolution adopted by the Township Council on March 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 #2010-84

TITLE; ISSUANCE OF 2010 TAXI & OPERATOR'S LICENSES

WHEREAS, an application has been submitted by Irma Guy t/a Ocean Cab Service pursuant to Ord. #2000-4 for four Limousine & Operator's Licenses, and

WHEREAS, the applicant has submitted the appropriate fee, 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:

OCEAN CAB SERVICE

License Type Description
Operators Irma Guy

Limousine 1998 Ford Windstar - VIN #2FMDA5149WBB96522

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 March 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 #2010-85

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>
653	13	Allyn & John Manners	Paid by Mortgage Co	721.00
419	1 C-A	Elaine Clark	Paid by Mortgage Co	876.43

I hereby certify the foregoing to be a resolution adopted by the governing body at a meeting held on March 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 #2010-86

**TITLE: RESOLUTION URGING THE STATE LEGISLATURE TO REFORM INTEREST
ARBITRATION**

WHEREAS, the interest arbitration process was intended to fairly and adequately give all due consideration to the interest and welfare of the taxpaying public and support local government aims by arriving at award decisions that are equitable to all involved parties, including municipalities and Police and Fire Department personnel; and

WHEREAS, the New Jersey Employer-Employee Relations Act, adopted in 1968, was amended in 1977 to provide for interest arbitration as the statutorily imposed terminal step in the collective bargaining process for police and fire personnel as defined by the Act; and

WHEREAS, the Police and Fire Interest Arbitration Reform Act (L.1995, c. 425) was signed into law by Governor Christine Todd Whitman and became effective on January 10, 1996; and

WHEREAS, in 2005, the League of Municipalities' Arbitration Reform Committee suggested a number of Legislative reforms to the Interest Arbitration Process among the changes proposed by the Reform Committee were that: (1) the Arbitrator may not award salary increases in excess of the expenditure cap (N.J.S.A. 40A:4-45 et seq.); (2) the Arbitrator's Award may provide for salary increases limited to the budget cap imposed by the State of New Jersey and/or any lawful adjustment adopted by the public employer; and (3) the Arbitrator's award may provide for salary increases limited to the percentage established by the State or the lawful adjustment adopted by the public employer, as may be appropriate, on a department line basis; and

WHEREAS, in 2007 the Police and Fire Interest Arbitration statute was amended to add a new ninth factor of the 4% Tax Levy Cap which resulted in 4 of the 9 statutory factors in Interest Arbitration addresses the employer's fiscal situation; and

WHEREAS, municipalities are bound by strict fiscal controls embodied in the expenditure limit and tax levy caps and it is the norm rather than the exception for state approved arbitrators to award raises for police salaries at rates that exceed the annual caps; and

WHEREAS, binding arbitration awards in excess of the caps forces municipalities to cut other critically needed municipal services, in order to fund salary increases, compounded by pension increases, to police and fire personnel, and cost for police and fire services continue to spiral at an unacceptable rate; and

WHEREAS, the state approved interest binding arbitration process is inconsistent with the State cap laws and is unfair to municipalities attempting to control property taxes through fiscal responsibility; and

WHEREAS, interest arbitration should be reform to provide that the cost of living and the employer's ability to pay should be given greater weight and the total costs of the arbitrator's award, including steps and cost of living (COLA) increases, should not exceed the cost of living; and

WHEREAS, arbitrators should be required to evaluate and analyze the total cost of the salaries and benefits, including step increases, and must provide a detailed line item analysis and explanation of the costs in the award; and

WHEREAS, arbitrators must also evaluate and analyze the overall compensation received by the bargaining unit, including vacations, longevity, holidays, excused leave, medical and pension benefits; and

WHEREAS, arbitrators should be required to live in New Jersey and the process of selecting the arbitrators and the length of time the Arbitration process takes needs to be reviewed;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Township of Lower, in the county of Cape May, State of New Jersey hereby urges the New Jersey State Legislature to pass legislation containing substantial reforms to the binding arbitration process; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Senator Van Drew, Assemblyman Albano & Milam, the New Jersey State League of Municipalities and the Office of the Governor.

I hereby certify the foregoing resolution adopted by the Township Council at a meeting held on March 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 #2010-87

TITLE: APPROVAL OF CHANGE ORDER #3 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 proposal from Eagle Construction dated 1/27/2010 regarding the replacement of the outer doors and the removal of the electronic door locks; and

WHEREAS, the additional total cost to the Township for this change in the scope of work is \$3,142.00 as shown on Change Order #3 (attached), and

WHEREAS, the Manager has approved Change Order # 3 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. 3 for the Municipal Building ADA Improvements is hereby approved and that the total contract amount for this project including Change Orders #1 & #2, previously approved and Change Order # 3 is \$294,377.00.

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 March 1, 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
 1/27/10
 Replace existing to remain doors 2-101 vestibule outer doors

UCI CODE	ITEM DESCRIPTION	QUANTITY		MATERIAL/EQUIPMENT		LABOR		Subs	ITEM TOTAL		TOPIC \$ TOTAL
		#	UNIT	\$ Unit Price	\$ TOTAL	\$ Unit Price	\$ TOTAL		\$ Unit Price	\$ TOTAL	
	Remove existing outer doors and replace with new doors at Vestibule 101 where the existing doors were to remain and new hardware added. Credit for electric panics that were originally called for on doors.	1	lump	2498	2498	1980.00	1,980		4478.00	4,478	
		-4	each	395	-1580	167.00	-668		562.00	-2,248	
	Sub Total Project Costs				<u>918</u>		<u>1,312</u>	<u>0</u>		<u>2,230</u>	

Total & Labor material Costs			
Sales Tax on Material & Equipment	@	7.0%	2,230
Labor Burden	@	25%	328
Subcontractors			0
Installing Contractor Overhead	@	10%	2,558
Installing Contractor Profit	@	10%	256
Bond	@	1.5%	2,814
TOTAL =			<u>3,095</u>
			<u>46</u>
			<u>3,142</u>
			<u>\$3,142</u>

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

RESOLUTION #2010-88

TITLE: APPOINTMENT OF ADDITIONAL DEPUTY EMERGENCY MANAGEMENT COORDINATOR

WHEREAS, NJSP Office of Emergency Management Directive 101 recommends the appointment of Deputy Emergency Management Coordinators, and

WHEREAS, Arthur Treon, Emergency Management Coordinator with the Mayor's approval had recommended certain individuals to voluntarily serve as Deputy Emergency Management Coordinators and said Deputies were approved by Resolution #2008-

WHEREAS, the Emergency Management Coordinator would like to add another Deputy to those appointed by Resolution #2008-

NOW, THEREFORE, BE IT RESOLVED that the following individual be and is hereby appointed as Deputy Management Coordinator until December 31, 2010.

Police Chief, Edward Donohue

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on March 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 #2010-89

TITLE: APPOINTMENT OF 2010 CENSUS COMPLETE COUNT COMMITTEE

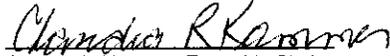
WHEREAS, Resolution #2010-59 supporting the 2010 Census states the Township will form a Complete Count Committee to disseminate and encourage participation.

NOW, THEREFORE, BE IT RESOLVED the following Township officials and/or employees are appointed to the Complete Count Committee.

Township Manager
Township Assessor
Member of Council

Planning Director
Township Clerk
Recording Secretary Planning/Zoning Boards

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on March 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					