

## RESOLUTIONS ADOPTED JULY 7, 2010

- Res. #2010-174 Payment of Vouchers, \$1,535,233.71
- Res. #2010-175, Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159  
(Atlantic County JIF Grant, \$7,050.00)
- Res. #2010-176, Authorization for Payout of Terminal Leave (J Laskey, \$1455.57)
- Res. #2010-177, Over the Limit Under Arrest 2010 Statewide Crackdown Grant
- Res. #2010-178, Appointment to the Recreation Advisory Board (3 Regular Members & 1 Alternate)
- Res. #2010-179, Appointment to the Planning Board (2 - Class IV and 1 Alternate)
- Res. #2010-180, Appointment to the Zoning Board (1 Regular Member & 1 Alternate)
- Res. #2010-181, Liquor License Renewals (Diamond Beach Beach Club & Acme)
- Res. #2010-182, Acceptance of Bid and Contract Award for Two (2) 2010 Dodge Chargers with V8  
Hemi Engines with Police Package (Hertrich - Total cost \$43,618)
- Res. #2010-183, Resolution Supporting Lower Township Independence Day Festival for 2011&  
Authorizing All Donations Be Put Into Reserve Account For The Event
- Res. #2010-184, Certification of Lot Clearings (6 properties)
- Res. #2010-185 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.  
(Contract Negotiation & Personnel)

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
00055	LARRY AKINS	10-01679	06/29/10	CONTRACTUAL REIMBURSEMENTS	Open	80.00	0.00		
00153	ATLANTIC CITY ELECTRIC*	10-01654	06/22/10	JUNE, 2010	Open	19,001.14	0.00		
		10-01710	06/30/10	STREET LIGHTS JUNE, 2010	Open	21,528.77	0.00		
						-----			
						40,529.91			
00179	AVERY TEITLER*	10-01271	05/24/10	BOARD SOLICITOR SALARY	Open	300.00	0.00		
00195	B.F. MOLZ, INC*	10-01317	05/28/10	OFFICE SUPPLIES	Open	583.24	0.00		
00233	ROBERT BAILEY	10-01649	06/22/10	CONTRACTUAL REIMBURSEMENT	Open	236.49	0.00		
00257	BAYSHORE LANDSCAPING INC*	10-00558	03/09/10	MAINTENANCE OF TOWNSHIP	Open	9,241.66	0.00		B
00301	BELMONT AND CRYSTAL SPRINGS*	10-01673	06/28/10	BOTTLED WATER - BOCA	Open	19.54	0.00		
00341	MATTHEW BENDER & CO INC*	10-01399	06/08/10	BOOKS	Open	480.19	0.00		
00370	BLUE CROSS/BLUE SHIELD OF NJ	10-01639	06/21/10	JULY, 2010 MED-D	Open	3,087.09	0.00		
00430	BRISTOL ENVIRONMENTAL INC*	10-01352	06/03/10	REMEDIAATION - WEST VESTIBULE	Open	4,200.00	0.00		
00432	MICHAEL BROGAN	10-01682	06/29/10	SUPP MEDICAL INS - CONTRACTUAL	Open	159.30	0.00		
00616	ANIMAL ALLIANCE OF CAPE	10-01659	06/24/10	SPAY/NEUTER PROGRAM	Open	420.00	0.00		
		10-01660	06/24/10	PETSMART GRANT SPAY/NEUTER	Open	43.00	0.00		
		10-01696	06/30/10	TNR & SPAY/NEUTER PROGRAM	Open	164.00	0.00		
						-----			
						627.00			
00784	CAPE MAY STAR & WAVE	10-01647	06/22/10	LEGALS	Open	35.96	0.00		
00825	COMCAST*	10-01662	06/24/10	FIRE INTERNET 06/30-7/29/10	Open	100.10	0.00		



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	10-01394	06/08/10	TRAINING	Open	485.00	0.00		
03109 TRU GREEN CHEMLAWN	10-01402	06/08/10	SPRAY FOR WEEDS AT REC CENTER	Open	70.00	0.00		
03172 OFFICE BUSINESS SYSTEMS INC*	10-01309	05/27/10	REPAIRS LANIER LCR-5 TWP HALL	Open	300.00	0.00		
03177 OCEAN CREST PRINTING*	10-01071	04/28/10	BUSINESS CARDS	Open	25.00	0.00		
	10-01354	06/03/10	INDEPENDENCE DAY FESTIVAL	Open	150.00	0.00		
	10-01550	06/11/10	#10 REGULAR ENVELOPES	Open	195.00	0.00		
					-----			
					370.00			
03293 BLAINE PAYNTER	10-01648	06/22/10	CONTRACTUAL REIMBURSEMENT	Open	31.00	0.00		
03305 PEDRONI FUEL*	10-01621	06/18/10	NO LEAD GAS - DPW	Open	466.76	0.00		
03427 POLAR BEAR*	10-01541	06/10/10	HVAC REPAIR	Open	716.30	0.00		
03518 RIGGINS, INC.*	10-01620	06/18/10	OFF-HIGHWAY DIESEL-DPW	Open	518.00	0.00		
	10-01667	06/24/10	OFF-HIGHWAY DIESEL 6/18/10	Open	1,308.08	0.00		
					-----			
					1,826.08			
03611 SERVICE TIRE TRUCK CENTERS*	10-01140	05/06/10	TIRES FOR RDS/SANT/RECY/DPW	Open	1,545.05	0.00		
03637 SHOPPE	10-00216	02/01/10	FARMERS MARKET CLASSIFIED/DISP	Open	522.00	0.00		B
	10-01563	06/14/10	RUN AD FOR 2 WEEKS 2X2 AD FOR	Open	52.00	0.00		
					-----			
					574.00			
03652 FRANK SIPPLE	10-01536	06/10/10	OFFICIATING YOUTH SOCCER	Open	100.00	0.00		
03723 STAPLES, INC.*	10-01275	05/24/10	WESTERN DIGITAL MY BOOK	Open	59.99	0.00		
	10-01287	05/27/10	SHREDDER - BOCA	Open	263.99	0.00		
					-----			
					323.98			
03814 UNIVERSAL COMPUTING SERV., INC*	10-01370	06/04/10	MAILERS	Open	349.65	0.00		
03904 LOWE'S HOME CENTER INC*	10-01278	05/25/10	FENCING - MAINTENANCE-DPW	Open	297.53	0.00		



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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	10-01532	06/10/10	OFFICIATING YOUTH SOCCER	Open	80.00	0.00		
SJAP	SJAP							
	10-01389	06/08/10	TIMBERTURF FOR VARIOUS PARKS	Open	3,009.50	0.00		
TRAINOR	MIKE TRAINOR'S ROOFING*							
	10-01622	06/18/10	ROOF FOR POOL CLUBHOUSE	Open	4,575.00	0.00		
	10-01637	06/21/10	FISHING CRK ROOF RES 2010-144	Open	11,500.00	0.00		
	10-01670	06/25/10	CHANGE ORDER #1 1500.00	Open	1,500.00	0.00		
	10-01692	06/29/10	REIMBURSE FOR MATERIALS	Open	744.55	0.00		
					----- 18,319.55			
<hr/>								
Total Purchase Orders:	76	Total P.O. Line Items:	169	Total List Amount:	1,527,628.71	Total Void Amount:		0.00
<hr/>								

**Lower Township  
Bill List  
07/07/10**

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
Treasurer, State of NJ	10-01674	Coastal Permit Application	42873	06/29/10	7,605.00

Total Manual Checks	\$ 7,605.000
Total brought forward from computer generated bill list	\$ 1,527,628.71
<b>TOTAL BILL LIST</b>	<b><u>\$ 1,535,233.71</u></b>

I certify the foregoing to be a Resolution adopted by the Township Council on July 7, 2010.

*Claudia R Kammer*  
Claudia R. Kammer, RMC, Township Clerk

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

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

**RESOLUTION #2010-175**

**TITLE: INSERTION OF SPECIAL ITEM OF REVENUE PURSUANT TO N.J.S.A. 40A:4-87, CHAPTER 159**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount,

SECTION 1.

NOW, THEREFORE BE IT RESOLVED that the Township of Lower, County of Cape May, hereby requests the Director of the Division of Local Government Services to approve the increase of \$7,050.00 for an item of revenue in the budget of the year 2010 as follows:

Miscellaneous Revenues --  
 Revenue Offset with Appropriations - Atlantic County JIF Grant  
 Total with increase to be \$7,050.00

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$7,050.00 be and the same is hereby appropriated under the caption of:

General Appropriations --  
 Public & Private Programs Offset by Revenues - Atlantic County JIF Grant  
 State/Federal Share       \$ 7,050.00  
 Non State Share           \$                      
 Total with increase to be \$ 7,050.00

FURTHER RESOLVED that two certified copies of this resolution with a copy of the appropriate documentation be forwarded to the Division of Local Government Services.

I hereby certify this is the original resolution adopted by the Township Council on July 7, 2010.

*Claudia R. Kammer*

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

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

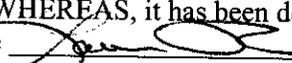
TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION # 2010-176

**Title: Authorizing Pay Out of Terminal Leave**

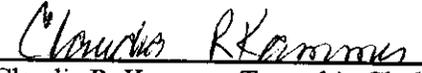
WHEREAS, the employee listed below has retired from the Township and is entitled to payment for accumulated vacation, sick and compensatory and personal time, and

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 Janice Laskey in the amount of \$ 1,455.57 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 July 7, 2010.

  
Claudia R. Kammer, Township Clerk

	Conrad	Mazurek	Douglass	Lare	Beck
Motion		X			
Second	X				
Aye	X	X	X	X	Y
Nay					
Abstain					
Absent					

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

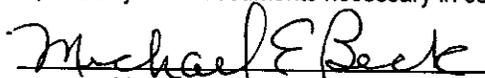
RESOLUTION #2010-177

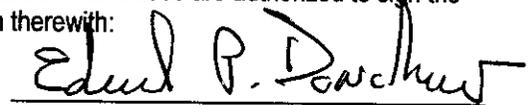
TITLE: OVER THE LIMIT UNDER ARREST 2010 STATEWIDE CRACKDOWN GRANT

WHEREAS, the Township of Lower desires to apply for and obtain a grant from the New Jersey Department of Law and Public Safety, Division of Highway Traffic Safety for \$4400.00 to carry out a Over the Limit Under Arrest 2010 Statewide Crackdown Grant from August 20, 2010 – September 6, 2010;

BE IT THEREFORE RESOLVED, that the Township of Lower does hereby authorize the application for such a grant; and, upon receipt of the grant agreement from the New Jersey Department of Law and Public Safety, Division of Highway Traffic Safety, does further authorize the execution of the grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of said agreement between the Township of Lower and the New Jersey Department of Law and Public Safety, Division of Highway Traffic Safety.

BE IT FURTHER RESOLVED, that the persons whose names, titles and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

  
Michael E. Beck, Mayor

  
Edward P Donohue, Chief of Police

I hereby certify this is the original resolution adopted by the Township Council on July 7, 2010

  
Claudia R. Kammer, Township Clerk

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



State of New Jersey

OFFICE OF THE ATTORNEY GENERAL  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF HIGHWAY TRAFFIC SAFETY  
PO Box 048  
TRENTON, NJ 08625-0048

CHRIS CHRISTIE  
Governor  
KIM GUADAGNO  
Lt. Governor

PAULA T. DOW  
Attorney General  
PAMELA S. FISCHER  
Director

June 18, 2010

Re: Over the Limit Under Arrest 2010  
Statewide Crackdown Grant

Dear Chief:

I am pleased to offer your department the opportunity to participate in our statewide impaired driving enforcement grant program. The Division of Highway Traffic Safety is prepared to offer your department \$4,400 in overtime enforcement grant funding, to be utilized during the Over the Limit Under Arrest 2010 Statewide Crackdown from August 20 through September 6, 2010.

In order to be considered for funding, please complete the attached six-page grant application and return it to my attention, with original signatures, at the address below, by the deadline of **July 15, 2010**. On Page 1 of the application please fill in Boxes A through J. On Page 3 please obtain the signatures and email addresses of the Project Director, Chief Financial Officer and Authorizing Government Official (Mayor). If you do not plan to accept the grant, please advise me ASAP.

In addition, please familiarize yourself with the Project Guidelines, as you will be expected to adhere to all components of the grant. This is a reimbursement grant, meaning your agency will incur the costs and then submit documentation to this Division to be reimbursed. The maximum hourly rate that will be reimbursed for the enforcement overtime is \$50 per hour.

After you have submitted your completed application, you may check the Division's web site for your approval (located in section "HTS Grants"). No written approvals will be sent out.

I am confident that your participation in this grant program will help enhance safety on our roads during the summer season. If you have any questions, please call me at (609) 633-9048.

Sincerely,

Edward O'Connor  
Southern Region Supervisor  
NJ Division of Highway Traffic Safety  
140 East Front Street, 7<sup>th</sup> Floor  
PO Box 048  
Trenton, NJ 08625



TEL: (609) 633-9300 (800) 422-3750 FAX: (609) 633-9020  
[www.njsaferoads.com](http://www.njsaferoads.com)



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

RESOLUTION #2010-178

**TITLE: APPOINTMENT TO THE RECREATION ADVISORY BOARD**

WHEREAS, Robert Osborne, Frank Simonsen and Mary Calfina, Regular Members of the Recreation Advisory Board terms expired on June 30, 2010 along with Alternate Member Debbie Johns, and

WHEREAS, in order to maintain a full Board Council has reviewed the applications on file including those members who have reapplied for reappointment.

NOW, THEREFORE, BE IT RESOLVED after review the following individuals were selected for appointment to the Recreation Advisory Board as noted below:

<u>Name</u>	<u>Type</u>	<u>Term Exp.</u>
Arthur Stig Blomkvist	Regular Member	June 30, 2013
Robert Osborn	Regular Member	June 30, 2013
Frank Simonsen, Jr.	Regular Member	June 30, 2013
Debbie Johns	Alternate Member	June 30, 2013

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on July 7, 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 #2010-179

**TITLE: APPOINTMENT TO THE PLANNING BOARD**

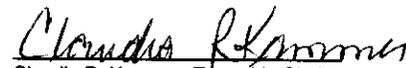
WHEREAS, Ed Butler & Dan Senico, Class 4 Members & Chirs McDuell, Alternate Member of the Planning Board terms expired on June 30, 2010 along, and

WHEREAS, in order to maintain a full Board Council has reviewed the applications on file including those members who have reapplied for reappointment.

NOW, THEREFORE, BE IT RESOLVED after review the following individuals were selected for appointment to the Planning Board as noted below:

<u>Name</u>	<u>Type</u>	<u>Term Exp.</u>
Daniel J. Senico	Regular Member	June 30, 2014
Paul St. John	Regular Member	June 30, 2014
Chris McDuell	Alternate Member	June 30, 2012

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on July 7, 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 #2010-180

**TITLE: APPOINTMENT TO THE ZONING BOARD OF ADJUSTMENT**

WHEREAS, Ernest Utsch, Regular Member & Christopher Kobik, Alternate Member of the Zoning Board terms expired on June 30, 2010 along, and

WHEREAS, in order to maintain a full Board Council has reviewed the applications on file including those members who have reapplied for reappointment.

NOW, THEREFORE, BE IT RESOLVED after review the following individuals were selected for appointment to the Zoning Board as noted below:

<u>Name</u>	<u>Type</u>	<u>Term Exp.</u>
Ernest Utsch III	Regular Member	June 30, 2014
Christopher Kobik	Alternate Member	June 30, 2012

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on July 7, 2010.

*Claudia R. Kammer*  
 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 #2010-181

**TITLE: RENEWAL OF LIQUOR LICENSE FOR DIAMOND BEACH BEACH CLUB AND ACME MARKETS INC FOR THE YEAR 2010-2011**

WHEREAS, application has been made by Diamond Beach Beach Club and Acme Markets, Inc. hereinafter named for renewal of Plenary Retail Consumption Licenses, heretofore granted by this issuing authority; and,

WHEREAS, all things required to be done by the said applicants have been done, including the payment of the required fees and all laws and regulations for the control of alcoholic beverages and,

WHEREAS, no written objections to the renewals have been received, and the applicants have now received their Tax Clearance Certificates, and

WHEREAS, this governing body is of the opinion that said applications should be granted and licenses issued,

NOW, THEREFORE, BE IT RESOLVED, by the Township Council, the Municipal Issuing Authority, that the license be issued to the person, firms and/or corporations named below for the period of one year commencing July 7, 2010 through June 30, 2011.

**#0505-31-029-001**      **Diamond Beach Beach Club**      **\$150.00**  
600 E. Raleigh Ave.,  
Wildwood Crest, NJ 08260  
t/a Diamond Beach Beach Club

**#0505-44-028-003**      **Acme Markets, Inc.**      **\$1000.00**  
3845 Bayshore Road  
N. Cape May, NJ 08204  
t/a Acme

I hereby certify this is the original resolution adopted by the Township Council at the meeting of July 7, 2010.

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

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

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

RESOLUTION #2010-182

**TITLE: ACCEPTANCE OF BID AND CONTRACT AWARD FOR TWO (2) 2010 DODGE CHARGERS WITH V8 HEMI ENGINES WITH POLICE PACKAGE**

WHEREAS, bids were advertised on June 17, 2010 and due on June 30, 2010 at 11:00 a.m. for Two (2) 2010 Dodge Charges with V8 Hemi Engines with Police Package, and

WHEREAS, three (3) proposals were submitted and reviewed by the QPA and Captain Marker who determined that Hertrich Fleet Services Inc. was the apparent low bidder, and

WHEREAS, Hertrich Fleet Services Inc. has supplied all required certifications and bid documents and the CFO has determined sufficient funds are available in the budget as follows:

Budget Year & Appropriation 2010 - 0-01-25-240-255

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 bidders as follows:

**AWARD TO: Hertrich Fleet Services Inc.**  
**TOTAL: \$43,618 for 2 vehicles w/Black & White Paint Option**

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 July 7, 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 #2010-183

**TITLE: RESOLUTION SUPPORTING LOWER TOWNSHIP INDEPENDENCE DAY FESTIVAL & FIREWORKS FOR 2011 & AUTHORIZING ALL DONATIONS BE PUT INTO A RESERVE ACCOUNT FOR THE EVENT**

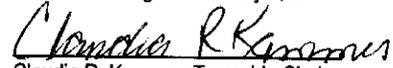
WHEREAS, the Township Council feels the annual Independence Day Festival & Fireworks is a family and community event they would like to see preserved, and

WHEREAS, the Township Council would like to continue this annual family and community event without undo burden on the budget and taxpayers, and

WHEREAS, in order to fund this event the Township will need to solicit donations from the community and local businesses prior to the event and in preparation of the 2011 budget.

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the 2011 Independence Day Festival & Fireworks event has the full support of Council and that any and all donations solicited and collected on behalf of the event shall be given to the CFO to be put into a reserve account dedicated to the event.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on July 7, 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 #2010-184

**TITLE: CERTIFICATION OF LOT CLEARING CHARGES TO THE TAX COLLECTOR**

WHEREAS, Ordinance #99-10 establishes the minimum regulations governing the conditions and maintenance of all property, buildings and structures within the Township of Lower, which is also known as the Property Maintenance Code, and

WHEREAS, according to Section 302.4 of the Property Maintenance Code, all premises and exterior property shall be maintained free from weeds or plant growth in excess of 10" and all obnoxious weeds shall be prohibited: and

WHEREAS, the properties listed below contained conditions which violated Section 302.4 of the Property Maintenance Code; and notice was duly sent to the property owners to abate the conditions and such conditions were not abated; and

WHEREAS, the Township of Lower has abated the conditions pursuant to the requirements of the Property Maintenance Code and desires to place a lien on the properties listed below:

WHEREAS, the Code Enforcement Officer of the Township of Lower has certified the costs incurred to abate such conditions to the Township Council, which has examined the certification and has found it to be correct.

NOW, THEREFORE, be it resolved by the Township Council of the Township of Lower, County of Cape May and State of New Jersey that the costs and fees set forth below incurred by the Township of Lower to abate the unlawful conditions on the properties listed below are charges as a lien against such properties, to be added to and become part of the taxes next to be assessed and levied upon such properties, to bear interest at the same rate as taxes, and to be collected and enforced in the same manner as taxes.

<u>Owner and Location of Property</u>	<u>Cost</u>	<u>Administrative Fee</u>
Moore, John W. 260 Birch Road Block 349.08, Lot 36	\$325.00	\$25.00
Mastromarino, Joel & Nicole 201 Willow Drive Block 499.18, Lot 1	\$265.00	\$25.00
Steelman, Joseph & Debra 365 Corson Lane Block 485, Lot 46	\$250.00	\$25.00
Ulrich, Tomasz 421 Townbank Road Block 494.06, Lot 5	\$275.00	\$25.00
Gilbert c/o Public Guardian 31 Walnut Avenue Block 307, Lot 21.02	\$250.00	\$25.00

Ha, Trieu  
220 Village Road  
Block 375, Lot 5.02

\$200.00

\$25.00

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on July 7, 2010.

  
Claudia R. Kammer, Township Clerk

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

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

**RESOLUTION # 2010-185**

**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.

X (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 July 7, 2010 that an Executive Session closed to the public shall be held on this date at approximately 7:55 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 July 7, 2010.

  
 Claudia R. Kammer, Township Clerk

	Conrad	Mazurek	Douglass	Lare	Beck
Motion		X			
Second			X		
Aye	X	X	X	X	X
Nay					
Abstain					
Absent					