

## RESOLUTIONS ADOPTED OCTOBER 18, 2010

- Res. #2010-261, Small Cities Housing Rehabilitation Program Policy and Procedural Manual -  
**Removed Oct. 4** (required by grant)
- Res. #2010-263, Bid Acceptance & Contract Award for Material & Pipe Supplies -**Removed Oct. 4**  
Res. #2010-264, Bid Acceptance & Contract Award for Tideflex Check Valves or Equal for Outfall  
Project - **Removed Oct. 4**
- Res. #2010-267, Payment of Vouchers, \$1,796,266.37  
Res. #2010-268, Certification of Lot Clearing Charges to the Tax Collector (3 properties)  
Res. #2010-269, A Resolution Requesting Release of Demolition Bond for Block 542, Lot 16, 212  
Iselin Road, North Cape May
- Res. #2010-270, Renewal of Liquor License for DSSK Inc. License #0505-33-007-003 (Special  
ruling rec'd. from ABC permitting Council to renew the inactive license)
- Res. #2010-271, Approving Application to Conduct A Flea Market for November 6, 2010 for Greater  
Cape May Elk's #2839 (Nov. 6)
- Res. #2010-272, Over the Limit under Arrest 2010 Year End Statewide Crackdown Grant  
Res. #2010-273, Authorization for the Township of Lower to Accept a Subgrant Award of the Federal Fiscal  
Year 2010 of Department of Homeland Security Emergency Management Performance  
Grant Program Funding and for the Township Chief Financial Officer to Amend the  
Budget and Certify the Availability of Funds
- Res. #2010-274, Appointment to Recreation Advisory Board (filling vacancy of R. Osborne)  
Res. #2010-275, 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 & Acquisition of Property)

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

**RESOLUTION #2010-261**

**Title: Small Cities Housing Rehabilitation Program Policy and Procedural Manual**

WHEREAS, the Township of Lower by resolution authorized the Mayor to apply for a Small Cities Housing Rehabilitation CDBG from the Department of Community Affairs; and,

WHEREAS, as a condition of that grant the Department of Community Affairs requires the Township of Lower to develop a policy and procedural manual that will delineate the activities of the program and will describe the manner in which the grant funds are to be expended; and,

WHEREAS, approval of the governing body is required for final approval of the policy and procedural manual by the Department of Community Affairs; and,

WHEREAS, final approval of said policy and procedural manual will permit the Grants Office of the Township of Lower to proceed with the required activities to fulfill the stipulations of the Department of Community Affairs Small Cities Housing Rehabilitation Program grant.

NOW THEREFORE, BE IT RESOLVED, by the Township of Lower Council that they reviewed the particulars of the policy and procedural manual of said grant; and,

BE IT FURTHER RESOLVED that the said policy and procedural manual is approved to be enacted by the Township Council of the Township of Lower, New Jersey.

**I hereby certify the foregoing resolution was adopted by the Township Council at a meeting held on October 4, 2010.**

  
Claudia R. Kammer, Township Clerk

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

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

RESOLUTION #2010-263

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

WHEREAS, the Notice to Bidders for Pipe & Pipe Supplies was advertised on September 16, 2010 and accepted on September 30, 2010 at 11:00 a.m., and

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

WHEREAS, the lowest bidder for Options #1 to #3 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. #10-09 C 04-55-398-110

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 Options listed below as follows:

**OPTION #1 - Pipe and Pipe Supplies**  
**AWARD TO: HD Supply Waterworks**  
**TOTAL: \$102,538.10**

**OPTION #2 - Lumber Material**  
**AWARD TO: Martin Piling and Lumber Company**  
**TOTAL: \$13,132.92**

**OPTION #3 - Nuts, Bolts and Washer**  
**AWARD TO: Martin Piling and Lumber Company**  
**TOTAL: \$8,164.92**

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 October 18, 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 #2010-264

**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 September 16, 2010 and accepted on September 30, 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 #10-09 C.04.55.398.110

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: \$79,975.00**

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 October 4, 2010.

  
Claudia R. Kammer, Township Clerk

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



10/14/10  
13:21:48

Lower Township  
Bill List By Vendor Id

Page No: 2

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00652	CAPE COUNTY CLIPPERS LLC*							
	10-02453	09/29/10	LOT CLEARING 141 E ATLANTIC	Open	275.00	0.00		
00739	CAPE MAY VETERINARY HOSPITAL							
	10-02502	10/04/10	TRN PROGRAM	Open	40.00	0.00		
00784	CAPE MAY STAR & WAVE							
	10-02367	09/22/10	CLASSIFIED HELP WANTED AD	Open	8.60	0.00		
	10-02486	10/01/10	LEGALS	Open	92.38	0.00		
	10-02525	10/06/10	LEGALS	Open	1,900.92	0.00		
	10-02585	10/13/10	LEGALS	Open	141.35	0.00		
					-----			
					2,143.25			
00820	COMCAST OF WILDWOOD* DPW							
	10-02478	09/30/10	INTERNET PROVIDER/DPW	Open	95.14	0.00		
00825	COMCAST*							
	10-02581	10/13/10	INTERNET ACCESS - TOWNHALL	Open	95.14	0.00		
	10-02592	10/13/10	INTERNET ACCESS	Open	60.04	0.00		
					-----			
					155.18			
00852	CHERRY VALLEY TRACTOR CO.*							
	10-02209	08/30/10	PARTS	Open	783.62	0.00		
00991	COLONIAL ELECTRIC SUPPLY*							
	10-02338	09/15/10	LIGHTING DPS	Open	1,281.96	0.00		
01170	VERIZON WIRELESS* F/S							
	10-02535	10/07/10	CELL SVC FOR FIRE SAFETY	Open	82.37	0.00		
01171	VERIZON WIRELESS - TOWNHALL							
	10-02501	10/04/10	CELL SERVICE 8/24-9/23/10	Open	1,104.22	0.00		
01241	BRIAN MCEWING							
	10-02495	10/04/10	TRAINING MEALS	Open	38.98	0.00		
01245	G & K SERVICES CO*							
	10-02516	10/06/10	UNIFORM RENTALS/DPW/SEPT/2010	Open	933.46	0.00		
01519	TOM FOLS ELECTRICALCONTRACTOR*							
	10-02491	10/04/10	MISC. PARTS & LABOR FOR	Open	150.00	0.00		
	10-02576	10/12/10	OHIO AVE PUMP HOUSE/LABOR/MAT.	Open	575.00	0.00		
					-----			
					725.00			
01653	GENTILINI FORD*							
	10-02255	09/07/10	MOTOR FOR POLICE VEH/DPS	Open	2,805.00	0.00		
01690	GRANTURK EQUIPMENT CO*							
	10-02280	09/08/10	HOSE FOR VAC TRUCK/DPW	Open	1,913.87	0.00		

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13:21:48

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01797 GROVE SUPPLY INC*	10-02372	09/22/10	MISC. PARTS FOR FAUCET'S	Open	361.00	0.00		
01806 ANTHONY J HARVATT, II, ESQ	10-01272	05/24/10	ZONING BOARD SOLICITOR SALARY	Open	300.00	0.00		
	10-02571	10/12/10	ESCROW RESOLUTIONS	Open	450.00	0.00		
					750.00			
02025 HUNTER JERSEY PETERBILT*	10-02418	09/23/10	PARTS FOR ROLL-OFF -RECYCLING	Open	2,335.80	0.00		
02134 THOMAS KEYWOOD	10-02496	10/04/10	training meals	Open	10.45	0.00		
02136 TED KINGSTON INC*	10-01782	07/06/10	COMM. MAINT. - OCTOBER	Open	498.16	0.00		
	10-02296	09/09/10	BATTERIES	Open	667.12	0.00		
					1,165.28			
02140 KINDLE FORD LINC/MERC., INC.*	10-02256	09/07/10	TRANSMISSION FOR POLICE VEH	Open	1,575.10	0.00		
	10-02308	09/13/10	PARTS FOR POLICE VEH/DPS	Open	1,304.78	0.00		
					2,879.88			
02247 LAWSON PRODUCTS, INC.*	10-02310	09/13/10	SUPPLIES FOR GARAGE/DPW	Open	1,284.30	0.00		
02248 LAWREN SUPPLY*	09-03506	12/29/09	AMMO	Open	5,515.19	0.00		
02320 LOWER TOWNSHIP BRD OF EDUCATN	10-01087	05/03/10	SCHOOL TAX DUE 1ST OF MONTH	Open	1,437,188.90	0.00		
02334 LOWER TWP CHAMBER OF COMMERCE	10-02468	09/29/10	DINNER MEETING OCTOBER 5, 2010	Open	45.00	0.00		
02417 MAGELLAN HILL TECHNOLOGIES*	10-02490	10/04/10	PHONE SERVICE	Open	3,141.56	0.00		
02585 WILLIAM MASTRIANA	10-02566	10/12/10	TRAINING MEALS	Open	11.44	0.00		
02800 MURPHY FENCE COMPANY*	10-02313	09/13/10	INSTALL NEW HOCKEY RINK FENCE	Open	3,378.27	0.00		
03158 NYSCA*	10-02169	08/26/10	RENEW COACHING CERTIFICATIONS	Open	200.00	0.00		
03226 OLD DOMINION BRUSH CO.*	10-02337	09/15/10	PART FOR LEAVE/VAC/RECY/DPW	Open	220.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03305 PEDRONI FUEL*	10-02529	10/06/10	FUEL OIL FOR REC. CENTER	Open	1,611.01	0.00		
03478 RED THE UNIFORM TAILOR, INC.*	10-01886	07/19/10	UNIFORMS	Open	2,106.00	0.00		
	10-01996	07/30/10	UNIFORMS	Open	469.00	0.00		
	10-02336	09/15/10	UNIFORMS	Open	348.85	0.00		
					-----			
					2,923.85			
03491 RENTAL COUNTRY*	10-02462	09/29/10	ASPHALT BLADES/DPW	Open	453.00	0.00		
03549 RICHO CORPORATION	10-00592	03/15/10	MAINTENANCE FEE SCAN/COPIER	Open	549.46	0.00		
03608 SEAWAVE CORPORATION*	10-02366	09/22/10	CLASSIFIED HELP WANTED AD	Open	110.55	0.00		
03619 THOMAS SOLENSKI	10-02575	10/12/10	SHOE ALLOWANCE FOR 2010-DPW	Open	275.00	0.00		
03637 SHOPPE	10-00216	02/01/10	FARMERS MARKET CLASSIFIED/DISP	Open	113.27	0.00		
03790 THE PRESS*	10-01042	04/27/10	ADVERTISING FOR BLOCK PARTY	Open	247.00	0.00		B
03809 MUNICIPAL UTIL AUTH TAX OFFICE	10-02527	10/06/10	MUA CHARGES PAID - TAX SALE	Open	181,859.29	0.00		
03814 UNIVERSAL COMPUTING SERV., INC*	10-02426	09/24/10	MAILERS	Open	352.20	0.00		
03863 TREASURER, STATE OF NEW JERSEY	10-02558	10/08/10	STATE 3RD QTR - WEST CAPE MAY	Open	830.00	0.00		
	10-02559	10/08/10	STATE - 3RD QTR LOWER TWP	Open	5,812.00	0.00		
					-----			
					6,642.00			
03917 STATE OF NJ DEPT OF CHILD/FAML	10-02488	10/04/10	QUARTERLY LICENSE FEES	Open	1,325.00	0.00		
03921 UNIFORM & ACCESSORIES WHSE*	10-02361	09/22/10	NEW VEHICLE OUTFITTING	Open	1,710.83	0.00		
03935 STAPLES BUSINESS ADVANTAGE*	10-02363	09/22/10	2011 calenders	Open	57.81	0.00		
	10-02417	09/23/10	TONER - REC	Open	51.61	0.00		
	10-02503	10/04/10	OFFICE SUPPLIES/CALENDARS	Open	369.41	0.00		
					-----			
					478.83			



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Lower Township  
Bill List By Vendor Id

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
	10-02489	10/04/10	STATE DOG LICENSE FEES 10/10	Open	81.60	0.00		
04300	W B MASON CO INC*							
	10-02350	09/16/10	SUPPLIES	Open	156.48	0.00		
	10-02459	09/29/10	COPY PAPER - TOWNHALL	Open	269.90	0.00		
					-----			
					426.38			
04320	PREMIER OFFICE SUPPLY*							
	10-02153	08/23/10	OFFICE SUPPLIES - FIRE SAFETY	Open	293.88	0.00		
04375	DENNIS CLUFF JR							
	10-02596	10/13/10	FOOTBALL COACH REFUND	Open	20.00	0.00		
04376	PAUL MELLI							
	10-02594	10/13/10	SOCCER COACHING REFUND	Open	66.25	0.00		
04444	SCOTT SALINSKY							
	10-02599	10/13/10	FOOTBALL COACH REFUND	Open	15.00	0.00		
BOSNA	KAREN MANETTE BOSNA							
	10-02583	10/13/10	YOGA INSTRUCTOR	Open	80.00	0.00		
DOLBOW	JENNIFER DOLBOW							
	10-02569	10/12/10	SOCCER COACHING REFUND	Open	15.00	0.00		
ECKEL	ROBERT ECKEL							
	10-02612	10/14/10	BACKGROUND REIMBURSEMENT	Open	26.25	0.00		
ECKELS	SHERRY ECKEL							
	10-02598	10/13/10	FOOTBALL COACH REFUND	Open	20.00	0.00		
FREEMAN	KEVIN FREEMAN							
	10-02474	09/30/10	CHEERLEADING REFUND FOR	Open	15.00	0.00		
GALLAGHE	VINCENT & VIDA MAY GALLAGHER							
	10-02534	10/07/10	RELEASE DEMO BOND	Open	300.00	0.00		
GIANCOLA	BRIAN GIANCOLA							
	10-02568	10/12/10	SOCCER COACHING REFUND	Open	25.00	0.00		
HOOVER	ROBERT HOOVER & SONS INC*							
	10-02287	09/09/10	PARTS FOR TRASH TRUCKS/DPW	Open	286.64	0.00		
MORRISS	SHAWN MORRIS							
	10-02600	10/13/10	FOOTBALL COACH REFUND	Open	30.00	0.00		
PRINCE	STEPHEN PRINCE							
	10-02597	10/13/10	FOOTBALL COACH REFUND	Open	20.00	0.00		
SJAP	SJAP							
	10-02425	09/24/10	100 CU.YDS TIMBER TURF	Open	2,170.00	0.00		

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10/14/10  
13:21:48

Lower Township  
Bill List By Vendor Id

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

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Total Purchase Orders:	109	Total P.O. Line Items:	276	Total List Amount:	1,793,609.37	Total Void Amount:	0.00
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**Lower Township  
Bill List  
10/18/10**

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
Atlantic Co Joint Ins Fund	10-02504	4 <sup>th</sup> Qtr Surcharge	43447	10/08/10	2,657.00

Total Manual Checks \$ 2,657.00

Total brought forward from computer generated bill list \$ 1,793,609.37

**TOTAL BILL LIST \$ 1,796,266.37**

I certify the foregoing to be a Resolution adopted by the Township Council on October 18, 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 #2010-268

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>
Stillwell, Patricia 8 Arizona Ave. Block 334.09, Lot 6	\$150.00	\$25.00
Donaghy, Melissa & Brassard. 141 E. Atlantic Avenue Block 93, Lot 47	\$275.00	\$25.00
Compton, Thomas 249 W. Atlantic Avenue Block 130, Lot 1	\$390.00	\$25.00

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on October 18, 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 #2010-269**

**TITLE:** A resolution requesting **RELEASE** of Demolition Bond for Block 542, Lot 16, 212 Iselin Road, North Cape May

WHEREAS, Vincent D. And Mary Gallagher posted a Demolition Bond with the Township of Lower, in the amount of \$300.00, and

WHEREAS, the Township Building Inspector made a final inspection and the Certificate of Occupancy was issued September 17, 2010, 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**,

AND HEREBY BE IT FURTHER RESOLVED, that the Township Treasurer is granted permission to issue a check in the amount of \$300.00 plus any accrued interest for payment of the above released demolition bond.

I hereby certify this is the original resolution adopted by the Township Council at the meeting of October 18, 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 #2010-270

TITLE: RENEWAL OF LIQUOR LICENSE FOR DSSK INC. #0505-33-007-003

WHEREAS, application has been made by DSSK Inc. for renewal of Plenary Retail Consumption License #0505-33-007-003; heretofore granted by this issuing authority; and,

WHEREAS, said license has been inactive for two licensing periods and required a Special Ruling for Council to consider its renewal, and

WHEREAS, DSSK Inc. petitioned and received a Special Ruling from the State Division of Alcoholic Beverage Control to permit the Township to consider the license for renewal; and

WHEREAS, all things required to be done by the said applicant 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 renewal has been received, and the applicant has now received their Tax Clearance Certificate, and

WHEREAS, this governing body is of the opinion that said application should be granted and license 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 1, 2010 through June 30, 2011.

#0505-33-007-003      DSSK Inc.      \$2000.00  
Fish Dock Road, Lower Township  
Wildwood Crest, NJ 08260  
t/aTwo Mile Inn; Crab House

I hereby certify this is the original resolution adopted by the Township Council at the meeting of October 18, 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 #2010-271**

**TITLE: APPROVING APPLICATION TO CONDUCT A FLEA MARKET FOR NOVEMBER 6, 2010 FOR GREATER CAPE MAY ELK'S #2839**

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 Township Council has reviewed the application of Greater Cape May Elks #2839 to conduct a flea market on November 6, 2010 and a rain date of November 13, 2010 at 917 Bayshore Road, Villas, 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 is hereby granted.

I hereby certify this is the original resolution adopted by the Township Council at the meeting held on October 18, 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 #2010-272

TITLE: OVER THE LIMIT UNDER ARREST 2010 YEAR END 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 \$5,000.00 to carry out a Over the Limit Under Arrest 2010 Year End Statewide Crackdown Grant from December 6, 2010 – January 2, 2011;

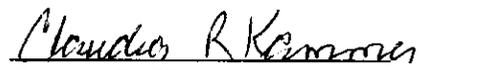
BE IT THEREFORE RESOLVED, that the Township of Lower does hereby authorize the application for such a grant; and, upon receipt of the grant agreement from the New Jersey Department of Law and Public Safety, Division of Highway Traffic Safety, does further authorize the execution of the grant agreement; 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 October 18, 2010.

  
Claudia R. Kammer, Township Clerk

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

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

**RESOLUTION #2010-273**

**TITLE: AUTHORIZATION FOR THE TOWNSHIP OF LOWER TO ACCEPT A SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2010 OF DEPARTMENT OF HOMELAND SECURITY EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM FUNDING AND FOR THE TOWNSHIP CHIEF FINANCIAL OFFICER TO AMEND THE BUDGET AND CERTIFY THE AVAILABILITY OF FUNDS**

WHEREAS, the Municipality of Lower Township, Office of Emergency Management has been awarded State Homeland Security Grant Program Subgrant CFDA #97.042, Award #2010-P130-0505 from the New Jersey State Police Office of Emergency Management. The Subgrant, consisting of a total amount of \$10,000.00, including \$5,000.00 Federal Award and \$5,000.00 Local Matching Funds, is for the purpose of enhancing Lower Township's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the subgrant award incorporates all conditions and representations contained or made in application and notice of award #2010-272; and

WHEREAS, the Lower Township Office of Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an Application for Subgrant Award that has been required by the said New Jersey State Police Office of Emergency Management; and

WHEREAS, the Application for Subgrant Award calls for a match in the amount of \$5,000.00 which the Lower Township Office of Emergency Management adequately satisfies through the 2010 Lower Township approved budget for Division salaries and wages and fringe benefits.

NOW, THEREFORE, BE IT RESOLVED that the Township of Lower here with accepts the award of the FFY10 Homeland Security Emergency Management Performance Grant Program Subgrant in the amount of \$5,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management; and

BE IT FURTHER RESOLVED that the Director of the Division of Local Government Services is requested to approve the insertion of an item of revenue in the budget of the year 2010 in the sum of \$5,000.00, which is now available from the New Jersey State Police, Office of Emergency Management in the like amount of \$5,000.00 from the aforementioned grant; and

BE IT FURTHER RESOLVED that the like sum of \$5,000.00 is hereby appropriated under the caption FFY10 Homeland Security Emergency Management Performance Grant; and

BE IT FURTHER RESOLVED that Lauren Read, the Chief Fiscal Officer and the Emergency Management Coordinator are authorized to sign the appropriate subgrant award documents; and

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded to the New Jersey State Police, Office of Emergency Management; the Director of the Division of Local Government Services; Lauren Read, Chief Financial Officer; Arthur Treon, Emergency Management Coordinator and Office of the Treasury.

I hereby certify this is the original resolution adopted by the Township Council on October 18, 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 #2010-274

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

WHEREAS, Robert Osborn submitted his resignation from the Recreation Advisory Board in September 2010, and

WHEREAS, the applications on file in the Clerk's Office for the Recreation Advisory Board were provided to Council, and

WHEREAS, Council has reviewed the applications and desires to maintain a full Board.

NOW, THEREFORE, BE IT RESOLVED after review the following individual was selected for appointment to the Recreation Advisory Board to fill the unexpired term of Robert Osborn.

<u>Name</u>	<u>Type</u>	<u>Term Exp.</u>
Michael Laing	Regular Member (Unexp. term R. Osborn)	June 30, 2013

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on October 18, 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 # 2010-275**

**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.
- (7) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township council of the Township of Lower, assembled in public session on October 18, 2010 that an Executive Session closed to the public shall be held on this date at approximately 7:30 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 October 18, 2010.

  
 Claudia R. Kammer, Township Clerk

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