

## RESOLUTIONS ADOPTED DECEMBER 6, 2010

- Res. #2010-297, Payment of Vouchers, \$469,115.19
- Res. #2010-298, Authorization for Refund of Taxes (5 properties paid twice, 1 totally disabled vet)
- Res. #2010-299, Transfer of Appropriations, \$31,500.00
- Res. #2010-300, Resolution for Special Emergency as per N.J.S. 40A: 4-53 (Terminal Leave, \$900,000)
- Res. #2010-301, Renewal of Junk Yard License for Cape May Used Auto Parts (Annual renewal)
- Res. #2010-302, Resolution Authorizing Shared Services Agreement Between Lower Township and Cape May County for Records Recovery Center Electronic Data Storage (Provides an off site back-up of the Township's critical data files from the Township's server)
- Res. #2010-303, Resolution Authorizing an Interlocal Services Agreement with the Lower Township Board of Education (For police officer in school)
- Res. #2010-304, Resolution Authorizing an Interlocal Services Agreement with the Lower Cape May Regional Board of Education (For police officer in school)
- Res. #2010-305, Approval of Place to Place Transfer - Extension of Premises, License #0505-33-006-007, T/A Lobster House and Bar, Schooner American & the Raw Bar (licensing additional property purchased)
- Res. #2010-306, A Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, NJSA 10:4-12." (Attorney Client Discussion - Manager's Contract)
- Res. #2010-307, A Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, NJSA 10:4-12." (Personnel - Reorganization)
- Res. #2010-308, A Resolution of the Township Council of the Township of Lower Approving Retirement Agreement of Township Manager



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
					420.00			
00480			BURKE CHEVROLET*					
	10-02892	11/04/10	PARTS FOR POLICE VEH.	Open	242.67	0.00		
00611			COUNTY OF CAPE MAY					
	10-02991	11/19/10	OCTOBER, 2010 GAS/DIESEL	Open	25,623.86	0.00		
00616			ANIMAL ALLIANCE OF CAPE					
	10-03017	11/22/10	2010 PETSMA RT GRANT	Open	86.00	0.00		
	10-03018	11/22/10	TNR AND SPAY/NEUTER PROGRAM	Open	545.00	0.00		
	10-03087	12/01/10	TNR AND SPAY/NEUTER PROGRAM	Open	255.00	0.00		
	10-03088	12/01/10	2010 PETSMA RT GRANT	Open	473.00	0.00		
					1,359.00			
00739			CAPE MAY VETERINARY HOSPITAL					
	10-03025	11/23/10	TNR PROGRAM	Open	123.67	0.00		
00784			CAPE MAY STAR & WAVE					
	10-02994	11/19/10	LEGALS	Open	47.12	0.00		
00851			COMCAST*					
	10-03045	11/24/10	INTERNET ACCESS - FIRESAFETY	Open	100.10	0.00		
00851			CHEMSEARCH CORP.*					
	10-02757	11/03/10	SUPPLIES FOR GARAGE/DPW	Open	933.00	0.00		
00928			CAPE MAY COUNTY CLERK					
	10-02730	10/28/10	RECORD TAX SALE CERTIFICATES	Open	80.00	0.00		
01123			CORE LOGIC					
	10-03020	11/22/10	2010-298 REF 4TH QTR 2010 TAX	Open	1,954.09	0.00		
01200			DELTA DENTAL PLAN OF NJ					
	10-03016	11/22/10	DECEMBER, 2010 DENTAL	Open	15,013.17	0.00		
01201			DELL CORPORATION*					
	10-02735	10/29/10	250 SHEET DRAWER FOR PRINTER	Open	149.99	0.00		
01219			CONTRACTOR SERVICE*					
	10-02727	10/28/10	SUPPLIES FOR RECYCLING/DPW	Open	238.80	0.00		
01245			G & K SERVICES CO*					
	10-03093	12/01/10	UNIFORM RENTALS/DPW	Open	658.89	0.00		
01246			ROCCO SANSONE					
	10-02984	11/19/10	YOUTH SOCCER OFFICIAL	Open	220.00	0.00		
01247			DYNAMIC SPORTS CONSTRUCTION IN					
	10-00036	01/07/10	SUPPLY & INSTALL 4" VINYL BASE	Open	1,830.00	0.00		

Vendor # Name	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01280 DON DOUGLASS, JR	10-03089 12/01/10	CONTRACTUAL REIMBURSEMENT - V	Open	291.47	0.00		
01480 E-Z PASS	10-03033 11/23/10	E-Z PASS ACCT #2000 1152-17226	Open	200.00	0.00		
01502 PAMELA FELDER	10-02997 11/19/10	CONTRACTUAL REIMBURSEMENT	Open	35.00	0.00		
	10-03085 12/01/10	CONTRACTUAL REIMBURSEMENT	Open	57.00	0.00		
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				92.00			
01577 MIKE FLINN**	10-02992 11/19/10	PAYMENT TO INSTRUCTOR - JUDO	Open	1,400.00	0.00		
01598 DEARBORN NATIONAL	10-03056 11/30/10	DEC, 2010 LIFE INSURANCE	Open	572.83	0.00		
01690 GRANTURK EQUIPMENT CO*	10-02477 09/30/10	PARTS FOR TRASH/RECY/DPW	Open	1,565.88	0.00		
	10-02759 11/03/10	PARTS FOR SWEEPER/ROADS	Open	4,160.69	0.00		
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				5,726.57			
0 HARBOR SALES COMPANY*	10-02104 08/17/10	SIGN MATERIALS/DPW	Open	273.71	0.00		
	10-02711 10/26/10	SIGN MATERIALS/DPW	Open	668.91	0.00		
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				942.62			
01734 CHURCH'S SEASHORE NURSERY INC*	10-03026 11/23/10	WINTERIZATION OF IRRIGATION	Open	900.00	0.00		
01781 HATCH MOTT MACDONALD, LLC*	09-01942 07/10/09	PROF SVC DPS ROOFING SYSTEM	Open	995.00	0.00		B
	10-00906 04/22/10	STORM DAMAGE @ HOLMS AVE	Open	216.00	0.00		B
	10-02407 09/23/10	OUTFALL PROJECT/DEL. BAY	Open	3,091.03	0.00		B
	10-02579 10/13/10	PKE LOT PHASE 2 - RES 2010-250	Open	2,117.50	0.00		B
	10-03005 11/19/10	ESCROW BILLING	Open	1,131.45	0.00		
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				7,550.98			
01805 HERTRICH FLEET SERVICES INC*	10-01852 07/14/10	POLICE VEHICLES	Open	43,618.00	0.00		
01818 NJLM EDUCATIONAL FOUNDATION*	10-02631 10/19/10	SUSTAINABLE JERSEY 11/16/2010	Open	140.00	0.00		
01859 HESS CORPORATION	03037 11/24/10	ELECTRIC 10/18/10-11/15/10	Open	5,507.80	0.00		
01872 ERIK SIMONSEN	10-02950 11/16/10	LEAGUE FEES FOR E.SIMONSON	Open	60.00	0.00		

Vendor # Name	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
02025 HUNTER JERSEY PETERBILT*	10-02728 10/28/10	PARTS FOR TRASH/RECYC TRUCKS	Open	873.23	0.00		
02035 MEDIA IN MOTION, INC*	10-02492 10/04/10	FOOTBALL SPONSOR BANNER	Open	104.67	0.00		
02100 CLAUDIA KAMMER	10-03009 11/19/10	CONTRACTUAL REIMBURSEMENT - V	Open	239.00	0.00		
02125 KDI*	10-02896 11/05/10	COPIER OVERAGE 8/1/10-10/31/10	Open	583.00	0.00		
02136 TED KINGSTON INC*	10-01783 07/06/10	COMM. MAINT. - NOVEMBER	Open	499.80	0.00		
	10-01784 07/06/10	COMM. MAINT. - DECEMBER	Open	485.93	0.00		
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				985.73			
02140 KINDLE FORD LINC/MERC., INC.*	10-02520 10/06/10	PARTS FOR POLICE VEH/DPS	Open	444.25	0.00		
02331 LOWER TOWNSHIP ROTARY CLUB	03003 11/19/10	ANNUAL CONTRIB - TREE LIGHTING	Open	800.00	0.00		
02402 MGL PRINTING SOLUTIONS	10-02699 10/25/10	COMMERCIAL TRASH BILLS	Open	177.00	0.00		
02968 PATTI'S PARTY WORLD*	10-02604 10/13/10	6 GAL. FOG JUICE	Open	124.95	0.00		
03026 NJ STATE HEALTH BENEFITS	10-03011 11/19/10	DECEMBER, 2010 HEALTH BEBEFITS	Open	204,682.70	0.00		
03104 NORTHEAST IND.&MARINE SUPPLY*	10-02521 10/06/10	PARTS FOR TRASH/RECYCLING/DPW	Open	1,134.92	0.00		
03282 STEPHEN H PARKER	10-02996 11/19/10	CONTRACTUAL REIMBURSEMENT - V	Open	315.00	0.00		
03301 RED BANK VETERINARY HOSPITAL	10-03014 11/22/10	ANIMAL AFTER HRS EMERGENCY	Open	68.50	0.00		
03305 PEDRONI FUEL*	10-02905 11/08/10	NO LEAD GAS/DPW	Open	737.80	0.00		
	10-03050 11/29/10	FUEL OIL FOR REC.	Open	3,208.89	0.00		
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				3,946.69			
( MICHAEL PERRY	10-03024 11/23/10	REIMB MEALS-11/14-11/17-11/18	Open	63.84	0.00		
03366 AMERI-GAS*							

Vendor # Name	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
10-03065	11/30/10	PROPANE FOR BENNETT'S	Open	112.53	0.00		
03466 R & R SPECIALTIES							
10-02593	10/13/10	SOCCER SPONSOR PLAGUE	Open	89.00	0.00		
03495 ELIZABETH BYRNE							
10-02755	11/03/10	REIMB SUPPLIES FOR MEETING	Open	137.13	0.00		
10-03038	11/24/10	MILAGE	Open	74.92	0.00		
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				212.05			
03496 REGISTRARS ASSN OF NEW JERSEY							
10-02642	10/19/10	REGISTRAR MTG NOV 16 2010	Open	98.00	0.00		
03518 RIGGINS, INC.*							
10-03043	11/24/10	OFF-HIGHWAY DIESEL/DPW	Open	1,831.20	0.00		
03611 SERVICE TIRE TRUCK CENTERS*							
10-02893	11/04/10	TIRES FOR TRASH/POLICE/DPW	Open	5,644.90	0.00		
03683 SNAP-ON TOOLS*							
10-02480	09/30/10	PARTS FOR GARAGE/DPW	Open	218.00	0.00		
02723 STAPLES, INC.*							
10-02723	10/27/10	WINDOWS 7 / CUPS	Open	209.97	0.00		
03727 EDWARD STRING							
10-03027	11/23/10	SHOE ALLOWANCE FOR 2010/DPW	Open	89.99	0.00		
03733 JAMES D. STRICKLAND							
10-02998	11/19/10	CONTRACTUAL REIMBURSEMENT	Open	89.19	0.00		
03775 LISA A. SCHUBERT							
10-03101	12/02/10	CONTRACTUAL REIMBURSEMENT - V	Open	250.00	0.00		
03786 BARRY THOMAS, SR.							
10-03022	11/23/10	SHOE ALLOWANCE FOR 2010-DPW	Open	116.50	0.00		
03799 LINDA THOMAS							
10-03008	11/19/10	CONTRACTUAL REIMBURSEMENT - V	Open	315.00	0.00		
03810 MUNICIPAL UTIL AUTH USAGE COST							
10-02947	11/12/10	SEWER SERVICE DUE: 12/15/10	Open	160.00	0.00		
10-02948	11/12/10	WATER SERVICE DUE: 12/15/10	Open	1,786.80	0.00		
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				1,946.80			
03899 UPS							
10-02231	09/02/10	POSTAGE	Open	32.81	0.00		
03904 LOWE'S HOME CENTER INC*							
10-02608	10/13/10	MISC. HAYRIDE SUPPLIES	Open	187.66	0.00		

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Lower Township  
Bill List By Vendor Id

Vendor # Name	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
03909 SHOCKEYS PURE WATER SYSTEMS*							
10-02681	10/21/10	SOFTENER & SALT DELIVERY	Open	65.00	0.00		
03935 STAPLES BUSINESS ADVANTAGE*							
10-02919	11/08/10	TONER/DRUM FOR FAX	Open	194.39	0.00		
10-02949	11/12/10	CALCULATOR/POST ITS	Open	68.40	0.00		
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				262.79			
03963 US LUBES, LLC *							
10-02903	11/08/10	SUPPLIES FOR GARAGE/DPW	Open	3,500.32	0.00		
03967 SHORE VETERINARIANS PA*							
10-02993	11/19/10	FERAL SPAY/NEUTER	Open	171.08	0.00		
03969 VERIZON							
10-03035	11/24/10	PHONE SERVICE	Open	541.63	0.00		
03992 VAL-U AUTO PARTS LLC*							
10-02902	11/08/10	PARTS FOR RDS/SANTRECY/DPW	Open	3,028.24	0.00		
04049 SUSAN JACKSON							
10-03012	11/19/10	CONTRACTUAL REIMBURSEMENTS - V	Open	245.00	0.00		
10-03015	11/22/10	REIMB MILEAGE/PARKING - LEAGUE	Open	62.00	0.00		
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				307.00			
04059 THOMAS WILL							
10-03055	11/30/10	CONTRACTUAL REIMBURSEMENT	Open	536.00	0.00		
04075 BARBER CONSULTING SERVICES LLC							
10-03048	11/29/10	WEBSITE UPDATE - DEC. 2010	Open	300.00	0.00		
04082 USA MOBILITY WIRELESS INC*							
10-03042	11/24/10	PAGER FOR DPW	Open	6.24	0.00		
04089 WIZARD'S FESTIVAL OF FUN, INC*							
10-02570	10/12/10	BAND FOR COSTUME PARADE	Open	550.00	0.00		
04097 CINTAS FIRST AID AND SAFETY*							
10-01851	07/14/10	FIRST-AID KIT SUPPLIES/DPW	Open	190.35	0.00		
10-02904	11/08/10	FIRST-AID KIT SUPPLIES/DPW	Open	162.60	0.00		
10-02914	11/08/10	FIRST-AID KIT SUPPLIES/DPW	Open	195.13	0.00		
10-02989	11/19/10	FIRST AID SUPPLIES - TOWNHALL	Open	147.54	0.00		
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				695.62			
04220 RAYMOND F HANBURY, PHD*							
10-02725	10/28/10	POLICE PSYCHOLOGICAL CONSULT	Open	500.00	0.00		
04276 WPCS INTERNATIONAL- LAKEWOOD*							
10-02901	11/08/10	4 CAR WITH ISSUES	Open	1,037.50	0.00		

Vendor # Name	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
04295 PURCHASE POWER							
10-03034	11/23/10	POSTAGE - ON ACCOUNT	Open	84.09	0.00		
04300 W B MASON CO INC*							
10-02333	09/15/10	HEW-C5011D 14 INK CARTRIDGE	Open	23.99	0.00		
10-02472	09/30/10	EXPANDING WALLETS ESS-14371	Open	38.73	0.00		
				62.72			
04301 SEASHORE ASPHALT CORPORATION*							
10-02403	09/22/10	ASPHALT FURNISHED AT PLANT/DPW	Open	1,934.35	0.00		
10-02758	11/03/10	ASPHALT FOR PAVING/DPW	Open	8,489.15	0.00		
				10,423.50			
04315 GLOBAL CONNECT*							
09-02881	10/30/09	EMERGENCY NOTIFICATION SYSTEM	Open	4,237.50	0.00		
04320 PREMIER OFFICE SUPPLY*							
10-02671	10/20/10	OFFICE SUPPLIES - FIRE SAFETY	Open	175.07	0.00		
BOSNA KAREN MANETTE BOSNA							
10-03053	11/29/10	PYMT TO INSTRUCTOR - YOGA	Open	65.00	0.00		
CASEY L CHMIELEWSKI							
10-03052	11/29/10	REIMBURSEMENT FOR BACKGROUND	Open	66.25	0.00		
FIREWORK FIREWORKS BY GRUCCI							
10-02722	10/27/10	REIMB OVERPYMT TO TRUST ACCT	Open	925.00	0.00		
G-MUA LTMUA							
10-02713	10/26/10	ONE-CALL MESSAGES-DPW	Open	1,050.44	0.00		
GRIFFIS JUDITH GRIFFIS							
10-03072	12/01/10	REIMBURSEMENT FOR TRASH CAN	Open	13.90	0.00		
HINKER MICHAEL HINKER							
10-03001	11/19/10	BACKGROUND INVESTIGATION	Open	41.25	0.00		
JOHNSONG GREGORY JOHNSON							
10-03006	11/19/10	REIMBURSEMENT FOR BACKGROUND	Open	76.25	0.00		
NJSCO NJ SEX CRIMES OFFICERS ASSOC*							
10-02151	08/23/10	TRAINING DPS	Open	250.00	0.00		
PERLOFF MICHAEL & PAMELA PERLOFF							
10-03046	11/24/10	REF 4TH QTR 2010 TAX 141/33	Open	441.57	0.00		
RANDLET TODD RANDLE							
03051	11/29/10	REIMBURSEMENT FOR BACKGROUND	Open	26.25	0.00		
REID JOHN E REID & ASSOCIATES, INC*							
10-02353	09/16/10	TRAINING	Open	1,190.00	0.00		

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Vendor #	Name	PO #	Date	Description	Status	Amount	Void Amount	Contract	PO Type
REVELLI	DAVID REVELLI	10-02980	11/19/10	YOUTH SOCCER OFFICIAL	Open	30.00	0.00		
WAYTSEK	CHRISTINE KNECHT WAYTSEK	10-03007	11/19/10	SOCCER COACH REFUND	Open	40.00	0.00		
WELLSF	WELLS FARGO REAL ESTATE TAX	10-03019	11/22/10	REF 3RD & 4TH QTR 2010 TAX	Open	1,091.13	0.00		
Total Purchase Orders:		130	Total P.O. Line Items:		332	Total List Amount:	467,668.35	Total Void Amount:	0.00

**Lower Township  
Bill List  
12/06/10**

<u>Vendor</u>	<u>PO #</u>	<u>Description</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
State of New Jersey	10-03021	Unemployment	3095	11/23/10	406.84
State of New Jersey	10-03013	Villa fire house license	43824	11/23/10	1,040.00

Total Manual Checks	\$	1,446.84
Total brought forward from computer generated bill list	\$	467,668.35
<b>TOTAL BILL LIST</b>	<b>\$</b>	<b><u>469,115.19</u></b>

I certify the foregoing to be a Resolution adopted by the Township Council on December 6, 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 #2010-298

**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>
329	25	Wells Fargo	totally disabled vet	1,091.13
28	9	Core Logic	paid twice	456.10
288	3	Core Logic	paid twice	366.95
334.14	18	Core Logic	paid twice	458.57
494.09	18	Core Logic	paid twice	672.47
141	33	Michael & Pamela Perloff	paid twice	441.57

I hereby certify the foregoing to be a resolution adopted by the governing body at a meeting held on December 6, 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 #2010-299**

**Title: Transfer of 2010 Appropriations**

WHEREAS, N.J.S.A. 40A: 4-58 provides for appropriation transfers during the last two months of the current fiscal year when it has been determined that any appropriation is insufficient to pay the claims authorized or incurred during the current year, which are chargeable to said appropriation, and there is an excess in any appropriation over and above the amount deemed to be necessary to fulfill its purpose.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Lower, State of New Jersey that the following transfers totaling \$31,500.00 be made between the 2010 budget appropriations.

<u>LINE ITEM</u>		<u>ACCT. NUMBER</u>	<u>TO</u>	<u>FROM</u>
BUILDINGS AND GROUNDS	S&W	0-01-20-310-100	1,500.00	
DPW	S&W	0-01-26-305-100	10,000.00	
DPW	OE	0-01-26-305-200	20,000.00	
TIPPING FEES	OE	0-01-32-465-600		31,500.00
			<u>31,500.00</u>	<u>31,500.00</u>

**I hereby certify the foregoing to be a resolution adopted by the Township Council on December 6, 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 #2010-300**

**Title: Resolution for Special Emergency as per N.J.S. 40A: 4-53**

WHEREAS, it has been found necessary to make an Emergency Appropriation to meet certain extraordinary expenses incurred, or to be incurred, by paying contractually required severance liabilities resulting from the retirement of employees and,

WHEREAS, N.J.S.A. 40a: 4-53 provides that it shall be lawful to make such appropriation, which appropriation shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act.

NOW, THEREFORE BE IT RESOLVED, that in accordance with the provisions of N.J.S.A. 40A: 55:

1. An emergency appropriation is hereby made for Terminal Leave Payments in the total amount of \$900,000.
2. That the emergency appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of not less than \$180,000.
3. That an "emergency note", not in excess of the amount authorized pursuant to law, may be provided.
4. That such note, if required, shall be executed by Lauren Read, CFO, Township of Lower.
5. That said note, if required, may be dated 2011 and may be renewed from time to time provided that such note and any renewals shall mature and be paid in the amount of not less than one-fifth of the total amount appropriated by this resolution in each year after the authorization.
6. That the statement required by the Local Finance Board has been filed with the Clerk and a copy will be transmitted to the Director of the Division of Local Government Services.
7. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services; however, no approval is required from the Division.

BE IT FURTHER RESOVED that a copy of this resolution is forwarded to the Director of the Division of Local Government Services upon adoption.

**I hereby certify the foregoing to be a resolution adopted by the Township Council on December 6, 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					

Resolution #2010-300  
Resolution for Special Emergency (5 Year)-Terminal Leave

**CERTIFICATION FOR EMERGENCY APPROPRIATION FORM  
CHIEF FINANCIAL OFFICER**

Purpose of emergency appropriation: Payment of contractually required severance liability to employees retiring in 2011 (as per 40A: 4-53 (h)).

Date of Occurrence: November 1, 2010

Have any contracts been awarded or purchase orders placed in connection with this emergency appropriation? N/A – Payments required as per union contracts will be paid through payroll.

Date: December 6, 2010

Officer:   
Lauren Read, CFO

Municipality: Township of Lower

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

RESOLUTION #2010-301

**TITLE: RENEWAL OF JUNK YARD LICENSE FOR CAPE MAY USED AUTO PARTS**

WHEREAS, application for the renewal of a junk yard license has been received from Macum Corp./Cape May Used Auto Parts, located at Block 749, Lot 6 and,

WHEREAS, said application is in proper form and the required license fee has been paid, and

WHEREAS, no known reason exists why said license should not be renewed.

NOW, THEREFORE, BE IT RESOLVED by the Township council of the Township of Lower that the renewal of a junk yard license for the year 2011 is hereby approved for Macum Corp t/a Cape May Used Auto Parts, expiring Dec. 31, 2011 .

FURTHER RESOLVED the licensee shall conduct all business in accordance with Chapter 392 of the Code of the Township of Lower.

I hereby certify the foregoing to be a resolution adopted by the Township Council on December 6, 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 #2010-302

TITLE: RESOLUTION AUTHORIZING SHARED SERVICES AGREEMENT BETWEEN LOWER TOWNSHIP AND CAPE MAY COUNTY FOR RECORDS RECOVERY CENTER ELECTRONIC DATA STORAGE

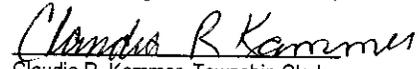
WHEREAS, the County received a Pubic Archives and Records Infrastructure Support Grant, to establish a Records Recovery Center for storage of vital records in electronic format, and

WHEREAS, the Records Recovery Center represents a critical component of overall disaster preparedness in Cape May County, and

WHEREAS, Lower Township recognizes the value of a secondary data backup at a separate and more protected location in Cape May County, and

NOW, THEREFORE, BE IT RESOLVED the Mayor and Clerk are hereby authorized to execute the attached Shared Services Agreement with the County of Cape May for the Records Recovery Center Electronic Data Storage.

I hereby certify the foregoing to be a resolution adopted by the Township Council at a meeting held on December 6, 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. #2010-302

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

RESOLUTION #2010-303

**TITLE: RESOLUTION APPROVING AN INTERLOCAL SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF LOWER AND THE LOWER TOWNSHIP BOARD OF EDUCATION**

WHEREAS, the Township of Lower (the "Township") operates a Police Department within the Township; and

WHEREAS, the Lower Township Board of Education (the "Board") operates elementary schools (collectively, the "School") within the Township; and

WHEREAS, the Board and the Township desire to enter an agreement whereby the Township shall make a police officer available to the Board for the purposes of providing security at the School upon the terms and conditions set forth in the attached Interlocal agreement (the "Agreement"); and

WHEREAS, the Agreement is authorized by *N.J.S.A. 40:8A-1 et seq.*

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, in the County of Cape May, State of New Jersey, that the Mayor and Township Clerk are hereby authorized and directed to execute an Interlocal Agreement with the Lower Township Board of Education, a copy of which is attached hereto as Exhibit A.

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 December 6, 2010.

  
Claudia R. Kammer, Twp. 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 #2010-304

**TITLE: RESOLUTION APPROVING AN INTERLOCAL SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF LOWER AND LOWER CAPE MAY REGIONAL SCHOOL DISTRICT**

WHEREAS, the Township of Lower (the "Township") operates a Police Department within the Township; and

WHEREAS, the Lower Cape May Regional School District operates secondary schools (collectively, the "Schools") within the Township; and

WHEREAS, the Lower Cape May Regional School District and the Township desire to enter an agreement whereby the Township shall make a police officer available to the Board for the purposes of providing security at the School upon the terms and conditions set forth in the attached Interlocal agreement (the "Agreement"); and

WHEREAS, the Agreement is authorized by *N.J.S.A. 40:8A-1 et seq.*

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, in the County of Cape May, State of New Jersey, that the Mayor and Township Clerk are hereby authorized and directed to execute an Interlocal Agreement with the Lower Cape May Regional School District, a copy of which is attached hereto as Exhibit A.

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 December 6, 2010.

  
Claudia R. Kammer, Twp. 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

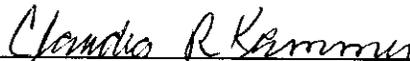
RESOLUTION #2010-305

**TITLE: APPROVAL OF PLACE TO PLACE TRANSFER - EXTENSION OF PREMISES, LICENSE #0505-33-006-007, T/A LOBSTER HOUSE AND BAR, SCHOONER AMERICAN & THE RAW BAR**

WHEREAS, an application has been filed for a place to place transfer of Plenary Retail License 0505-33-006-007 , for the purpose of adding additional buildings recently purchased to the premises under license wherein the sale, service and storage of alcoholic beverages are authorized; and

NOW, THEREFORE, BE IT RESOLVED that the Lower Township Council does hereby approve, effective December 7, 2010, the expansion of the aforesaid Plenary Retail License premises 0505-33-006-007 located at Fisherman's Wharf to place under license the area delineated in the application form and the sketch of the licensed premises attached thereto.

I hereby certify the foregoing to be a resolution adopted by the Township Council on December 6, 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 # 2010-306**

**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.

\_\_\_\_\_ (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 December 6, 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 December 6, 2010.

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

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

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

**RESOLUTION # 2010-307**

**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.

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. (Reorganization/Appointments)

\_\_\_\_\_ (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 December 6, 2010 that an Executive Session closed to the public shall be held on this date at approximately 8:55 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 December 6, 2010.

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

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

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

RESOLUTION #2010-308

**TITLE: A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LOWER APPROVING RETIREMENT AGREEMENT OF THE TOWNSHIP MANAGER**

WHEREAS, Kathleen McPherson ("McPherson") has announced her retirement as an employee from the Township of Lower ("Township") effective December 31, 2011 and has indicated that she will cease working on July 31, 2011, with regular bi-weekly salary payments based on her accumulated terminal leave, vacation time and personal time through December 31, 2011;

WHEREAS, the Township Council has requested that McPherson accelerate the date on which she will stop working to March 4, 2011 in order to fill the Township Manager position at an earlier date; and

WHEREAS, McPherson has agreed to the accelerated stop-work date and has agreed to formalize the understanding between the Township Council and McPherson pursuant to a Retirement Agreement in the form attached hereto as EXHIBIT A and by this reference made a part hereof.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey as follows:

1. That the Retirement Agreement, in the form attached hereto as EXHIBIT A, is hereby approved.
2. That the Township Manager and Clerk are hereby authorized and directed to execute the Retirement Agreement and that the appropriate Township officials are directed to take all actions necessary to effectuate the terms and conditions thereof.

I hereby certify this is the original Resolution adopted by the Township Council at a meeting held on December 6, 2010.

  
 Claudia R. Kammer, Township Clerk

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