

**UPPER TOWNSHIP REORGANIZATION MEETING
JANUARY 2, 2009
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270**

6:30 P.M. Call to Order

Sunshine Announcement

Presentation of the Colors - Boy Scout & Cub Scout Troop 55 of Tuckahoe,
William Eagan, Scout Master

National Anthem - presented by Missy Schenck

ROLL CALL

Barbara Camp	Present
Frank E. Conrad	Present
Curtis Corson	Present
John "Jay" Newman	Present
Richard Palombo	Present

Also present were Municipal Clerk Wanda Gaglione, Municipal Attorney Daniel Young, Chief Financial Officer Barbara Spiegel and Municipal Engineer Paul Dietrich. A full audience was in attendance.

Invocation –

Father Robert Gregorio-Church of the Resurrection

Statement of Determination of Election

Oath of Office

Committeeman - Frank E. Conrad

Sworn in by Wanda Gaglione, Municipal Clerk

Nominations for Mayor – 2009

The Clerk asked for nominations for Mayor. Curtis Corson nominated Richard Palombo, Jay Newman seconded. There were no other nominations and they were closed. During the roll call vote on the nomination of Richard Palombo, all five Committee members voted in the affirmative. Richard Palombo was chosen as the 2009 Mayor of Upper Township

Resolutions:

- 1. Appointment of Deputy Mayor.**

TOWNSHIP OF UPPER

**CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 001-2009
RE: APPOINTMENT OF DEPUTY MAYOR.**

WHEREAS, it is deemed advisable to appoint a member of the Township Committee to the position of Deputy Mayor of the Township of Upper in the County of Cape May and State of New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey, as follows:

1. Committeeman Curtis T. Corson is hereby designated and appointed as Deputy Mayor of the Township of Upper, in the County of Cape May and State of New Jersey, effective immediately, to serve until the next annual meeting of the Township Committee and until his successor is duly appointed and qualified.

Resolution No.001-2009

Offered by: Palombo

Seconded by: Camp

Adopted: January 2, 2009

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Camp	<u> x </u>	_____	_____	_____
Conrad	<u> x </u>	_____	_____	_____
Corson	<u> x </u>	_____	_____	_____
Newman	<u> x </u>	_____	_____	_____
Palombo	<u> x </u>	_____	_____	_____

2. Establishment of Departments.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 002-2009
RE: ESTABLISHMENT OF DEPARTMENTS**

WHEREAS, it is deemed necessary to establish Departments within the Township government to provide for the orderly and efficient transaction of Township business and to promote public service.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey, as follows:

1. The allegations of the preamble are incorporated herein by this reference.

2. The following Departments are hereby established within the Township of Upper, effective immediately and to remain in effect until the next Reorganization Meeting of the Township Committee, unless sooner modified or terminated and the member of the Township Committee assigned to oversee the operation of such Department is as follows:

Committeeman Conrad:	Recreation Department, Public Buildings and Grounds, and Animal Control.
Committeewoman Camp:	Department of Public Works.
Committeeman Corson:	Revenue and Finance.
Committeeman Newman:	Municipal Court, Fire and Rescue, and Public Safety.
Committeeman Palombo:	Personnel, Emergency Management, and Lifeguards .

Resolution No.002-2009

Offered by: Camp

Seconded by: Conrad

Adopted: January 2, 2009

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Camp	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Conrad	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Newman	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Palombo	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

3. Appointment of Municipal Auditor, Engineer, Solicitor, Prosecutor and Public Defender.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 003-2009
RE: APPOINTMENT OF MUNICIPAL AUDITOR; TOWNSHIP ENGINEER;
TOWNSHIP SOLICITOR; MUNICIPAL PROSECUTOR
AND MUNICIPAL PUBLIC DEFENDER**

WHEREAS, the Township of Upper is required, in accordance with the provisions of N.J.S. 40A:5-4, to cause an annual audit of the books, accounts and financial transactions of the Township of Upper and in order to do so, it is necessary to retain a Registered Municipal Accountant; and

WHEREAS, N.J.S. 40A:9-140 requires the appointment of a Municipal Engineer and the Township Committee desires to make such appointment at a salary as set forth in Resolution No. 12-2009 and the Township of Upper recognizes the need for professional engineering services and advice to ensure the orderly, efficient and proper conduct of the affairs of the said Township; and

WHEREAS, N.J.S. 40A:9-139 requires the appointment of a Municipal Attorney and the Township Committee desires to make such appointment at a salary in accordance with the Salary Ordinance and the terms of the Professional Services Contract to be entered into and the Township of Upper recognizes the need for professional legal services and advice to ensure the orderly, efficient and proper conduct of the affairs of the said Township; and

WHEREAS, there also exists a need for the appointment of an Attorney At Law of the State of New Jersey to act in the capacity of Municipal Prosecutor at a salary of \$27,500.00; and

WHEREAS, there also exists a need for the appointment of an Attorney At Law of the State of New Jersey to serve in the capacity of Municipal Public Defender at a salary of \$16,600.00; and

WHEREAS, the services to be performed by the Auditor, Engineer, Township Solicitor, Municipal Prosecutor and Municipal Public Defender are declared to be professional services performed by persons authorized by law to practice recognized professions, which professions are regulated by law within the meaning of the Local Public Contracts Law (N.J.S. 40A:11-1, et seq.) and, hence, are exempt from competitive bidding; and

WHEREAS, the Township has a need to acquire the services of the Municipal Auditor, Township Solicitor and Municipal Prosecutor as non-fair and open contracts pursuant to the provisions of N.J.S.A. 19:44A-2.05; and

WHEREAS, the Township purchasing agent has determined and certified in writing that the value of each of the contracts for the Municipal Auditor, Township Solicitor and Municipal Prosecutor will exceed \$17,500.00; and

WHEREAS, the proposed Municipal Auditor, Township Solicitor and Municipal Prosecutor have completed and submitted Business Entity Disclosure Certifications which certify that the contractor has not made any reportable contributions to a political or candidate committee in the Township that would bar the award of this contract and that the contract will prohibit the contractor from making any reportable contributions through the term of the contract; and

WHEREAS, funds are available for the purposes set forth above.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey, as follows:

1. The allegations of the preamble are incorporated herein by this reference.
2. **Leon Costello, C.P.A., R.M.A.**, is hereby appointed as Registered Municipal Accountant for the Township of Upper for a term of one (1) year, commencing January 1, 2009, and until his successor is duly appointed and qualified.
3. **Paul Dietrich, P.E., is appointed as Township Engineer** for the Township of Upper for a term of one (1) year, commencing January 1, 2009, and until his successor is duly appointed and qualified.

4. **Daniel J. Young, Esquire is hereby appointed as Township Solicitor** for the Township of Upper for a term of one (1) year commencing January 1, 2009, and until his successor is duly appointed and qualified.

5. **Patrick F. Martin, Esquire is hereby appointed as Municipal Prosecutor** for the Township of Upper for a term of one (1) year, commencing January 1, 2009, and until his successor is duly appointed and qualified.

6. **William E. Brewer, Esquire is hereby appointed as Municipal Public Defender** for the Township of Upper for a term of one (1) year, commencing January 1, 2009, and until his successor is duly appointed and qualified.

7. Compensation for the Auditor, Engineer, Solicitor, Prosecutor and Public Defender shall be on the basis of Professional Contracts to be negotiated with such individuals and payment shall be made by the Township of Upper for such professional services based upon vouchers to be submitted and approved by the Township Committee, unless the Annual Salary Ordinance shall make provision for the payment of part or all of the compensation for any such professionals in accordance with said Professional Contract.

8. The Mayor and the Township Clerk are hereby authorized and directed to execute, on behalf of the Township of Upper, professional Contracts with the Auditor, Engineer, solicitor, Prosecutor and Public Defender in accordance with the terms and provisions of the Local Public Contracts Law, subject to and in accordance with the limitations imposed in Paragraph 7 hereof.

9. A Copy of this Resolution shall be published in the official newspaper of the Township of Upper within ten (10) days from the date of adoption.

10. The Business Disclosure Entity Certification and the Determination of Value for the Municipal Auditor, Township Solicitor and Municipal Prosecutor contracts shall be placed on file with this Resolution.

Resolution No. 003-2009

Offered by: Camp

Seconded by: Conrad

Adopted: January 2, 2009

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Camp	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Conrad	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Newman	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Palombo	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

4. **Appointment of Official to Certify Municipal Improvement Searches.**

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 004-2009
RE: APPOINTING OFFICIAL TO CERTIFY
MUNICIPAL IMPROVEMENT SEARCHES.**

WHEREAS, it is necessary to have an authorized official of the Township of Upper, in the County of Cape May and State of New Jersey, to execute, on behalf of the Township of Upper, certificates for municipal improvements; and

WHEREAS, the Township Committee of the Township of Upper desires to make such an appointment.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey, as follows:

1. The allegations of the preamble are incorporated herein by this reference.
2. WANDA GAGLIONE, the Township Clerk of the Township of Upper, is hereby designated as the official of the Township of Upper authorized to execute certificates as to liability for municipal improvements for the year 2009.

3. This Resolution shall become effective immediately upon its adoption.

Resolution No.004-2009

Offered by: Camp

Seconded by: Conrad

Adopted: January 2, 2009

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Camp	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Conrad	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Newman	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Palombo	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

5. Designation of Banking Institutions as Official Depositories.

**TOWNSHIP OF UPPER
 CAPE MAY COUNTY
 R E S O L U T I O N
 RESOLUTION NO. 005-2009
 RE: DESIGNATION OF BANKING INSTITUTIONS
 AS OFFICIAL DEPOSITORIES**

WHEREAS, it is necessary that the Township Committee of the Township of Upper, in the County of Cape and State of New Jersey, designate certain banking institutions as official depositories for Township funds.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey, as follows:

1. The allegations of the preamble are incorporated herein by this reference.
2. The TD Bank, is hereby designated as the principal depository of the Township of Upper.
3. The following banking institutions are hereby designated as secondary depositories of the

Township of Upper:

- (A) Sun National Bank;
- (B) Wachovia;
- (C) Ocean City Home Bank;
- (D) PNC Bank, New Jersey;
- (E) Cape Bank;
- (F) First Bank of Sea Isle City;
- (G) Municipal Investors Corp.;

- (H) N.J. Cash Management Plan and
- (I) Crown Bank of Ocean City
- (J) Bank of America, N.A.
- (K) Sovereign Bank

4. The Mayor, the Township Clerk and the Township Chief Financial Officer, as well as such other officials as may be designated by law, are hereby authorized, directed and empowered to execute any Resolutions of any of the aforesaid banking institutions which may be reasonably required in order to carry out the intent and purpose of this Resolution.

5. This Resolution shall become effective immediately upon adoption.

Resolution No. 005-2009

Offered by: Conrad

Seconded by: Camp

Adopted: January 2, 2009

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Camp	_____x_____	_____	_____	_____
Conrad	_____x_____	_____	_____	_____
Corson	_____x_____	_____	_____	_____
Newman	_____x_____	_____	_____	_____
Palombo	_____x_____	_____	_____	_____

6. Designation of Official Newspapers.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 006-2009
RE: DESIGNATION OF OFFICIAL NEWSPAPERS**

WHEREAS, it is necessary to designate one (1) or more newspapers as an official newspaper of the Township of Upper.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey, as follows:

1. The allegations of the preamble are incorporated herein by this reference.
2. The following newspapers are hereby designated as the official newspapers of the Township of Upper:

The Press and Sunday Press
and/or
Ocean City Sentinel Ledger

Resolution No.006-2009

Offered by: Corson

Seconded by: Camp

Adopted: January 2, 2009

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Camp	<u> x </u>	_____	_____	_____
Conrad	<u> x </u>	_____	_____	_____
Corson	<u> x </u>	_____	_____	_____
Newman	<u> x </u>	_____	_____	_____
Palombo	<u> x </u>	_____	_____	_____

7. Appointments to the Recreation Committee.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 007-2009**

RE: APPOINTMENTS TO THE RECREATION COMMITTEE.

WHEREAS, a need exists in the Township of Upper to appoint suitable persons to the Recreation Committee of the Township of Upper.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey, as follows:

1. The allegations of the preamble are incorporated herein by this reference.
2. The following persons be and they are hereby appointed to the Recreation Committee of the Township of Upper for a one (1) year term, commencing January 1, 2009 and expiring on December 31, 2009, provided, however, that such member shall continue to serve until his/her successor is duly appointed and qualified:

Regular Members

Justin Oliver-Girls Softball
 Vincent Levin-Wrestling
 Jay Davis-Soccer
 Bruce DiNardo-Certification
 Tom Shallcross-Football
 Robert Kimball-Basketball
 Cynthia Williams-Cheerleading
 Stephen C. Martinelli-Skatepark
 Ed Terry-Baseball
 Cheryl Weigel-Inline Hockey
 William Bailey--LaCrosse

Alternate Members

Bill Handley-Girls Softball
 Joseph Monteleone-Wrestling
 Joe Fenton-Soccer
 Tina Dinardo-Certification
 Kevin Wiesner-Football
 Dan Palombo-Basketball
 Julie Hartley--Cheerleading
 Vacant--Skatepark
 Frank Fumo-Baseball
 Vacant--Inline Hockey

Karen Buchanan – Secretary

3. The forgoing appointees shall constitute the sole members of the Recreation Committee for 2009, subject to the provision of Paragraph 4 hereof.

4. The Township Committee expressly reserves the right to supplement this Resolution by the appointment of an additional member or members to the Recreation Committee.

Resolution No. 007-2009

Offered by: Camp

Seconded by: Conrad

Adopted: January 2, 2009

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Camp	<u> x </u>	_____	_____	_____
Conrad	<u> x </u>	_____	_____	_____
Corson	<u> x </u>	_____	_____	_____
Newman	<u> x </u>	_____	_____	_____
Palombo	<u> x </u>	_____	_____	_____

8. Payment of Real Estate Taxes and Penalty for Late Payments.

**TOWNSHIP OF UPPER
 CAPE MAY COUNTY
 RESOLUTION
 RESOLUTION NO. 008-2009
 RE: PAYMENT OF REAL ESTATE TAXES**

AND PENALTY FOR LATE PAYMENT.

WHEREAS, N.J.S. 54:4-66, which mandates the date on which real estate taxes shall be paid to the municipality, has been amended by P.L. 1991, c.410, s.4; and

WHEREAS, N.J.S. 54:4-67, which mandates the rate of interest to be charged on the payment of all real estate taxes which are delinquent, has also been amended by P.L. 1991, c. 75, s.39; and

WHEREAS, said amendments were amended by P.L. 1994, c.32, which was approved May 12, 1994; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey, as follows:

1. The allegations of the preamble are incorporated herein by this reference.
2. In accordance with N.J.S. 54:4-66, all real estate taxes shall be payable quarterly in accordance with the following schedule:

First Installment - February 1

Second Installment - May 1

Third Installment - August 1

Fourth Installment - November 1

3. In the event that the real estate taxes are not paid in accordance with the foregoing quarterly payment schedule, said taxes shall become delinquent and remain delinquent until such time as all unpaid taxes, including taxes and other liens subsequently due and unpaid, together with interest, have been fully paid and satisfied.
4. In accordance with N.J.S. 54:4-67, if taxes are not paid when due, and are delinquent, then, in addition to the taxes due and payable an additional sum equal to eight (8%) percent per annum on the first \$1,500.00 of delinquency and eighteen (18%) percent per annum on any amount in excess of \$1,500.00, to be calculated from the date the tax was payable until the date that actual payment to the lien holder will be next authorized
5. No interest shall be charged pursuant to Paragraph 4 of this Resolution if payment of any installment is made within the tenth (10th) calendar day following the date upon which the same became payable.

6. In addition to the interest penalty imposed pursuant to Section 4 of this Resolution, a further penalty shall be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the fiscal year. The fiscal year for the Township of Upper shall be the calendar year. The penalty so fixed shall equal six (6%) percent of the amount of the delinquency.
7. If delinquent taxes in excess of \$10,000.00 are fully paid and satisfied by the holder of any outstanding Tax Sale Certificate, the holder shall be entitled to receive the amount of the penalty, that is, six (6%) percent of the amount of the delinquency, as part of the amount required to redeem such Certificate of Sale.
8. It is the policy of the Upper Township Tax Collector's Office to accept small coins as payment only
when coins are wrapped or the balance is \$.50 cents or less. If a taxpayer wishes to pay taxes all in
coins, they may do so at the TD Bank (formerly Commerce Bank), at which a coin counting machine is located on the premises.
9. A copy of this Resolution shall be prominently posted in the office of the Tax Collector of the Township of Upper and shall also be prominently posted upon the bulletin board in the Township Hall.
10. This Resolution shall take effect immediately.

Resolution No. 008-2009

Offered by: Corson

Seconded by: Conrad

Adopted: January 2, 2009

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Camp	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Conrad	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Newman	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Palombo	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

9. Schedule of Township Committee meetings for 2009.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 009-2009
RE: 2009 SCHEDULE OF TOWNSHIP COMMITTEE MEETINGS**

WHEREAS, N.J.S.A. 10:4-18 requires that every public body give notice concerning the schedule of regular meetings to be held during the succeeding year, which schedule shall contain the location of each meeting, to the extent that it is known, and the time and date of each meeting.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey, as follows:

1. The allegations of the preamble are incorporated hereby by this reference.

Regular meetings of the **Upper Township Committee** shall be held at 2100 Tuckahoe Road, Petersburg, New Jersey, on the second (2nd) and fourth (4th) Mondays of each month, at 7:30 P.M. unless otherwise indicated, in accordance with the following schedule:

2009 SCHEDULE - REGULAR MEETINGS

		<u>Work Session</u>		<u>Regular Meeting</u>
January	12	Regular Meeting	6:30 p.m.	7:30 p.m.
January	26	Regular Meeting	6:30 p.m.	7:30 p.m.
February	09	Regular Meeting	6:30 p.m.	7:30 p.m.
February	23	Regular Meeting	6:30 p.m.	7:30 p.m.
March	09	Regular Meeting	6:30 p.m.	7:30 p.m.
March	23	Regular Meeting	6:30 p.m.	7:30 p.m.
April	13	Regular Meeting	6:30 p.m.	7:30 p.m.
April	27	Regular Meeting	6:30 p.m.	7:30 p.m.
May	11	Regular Meeting	6:30 p.m.	7:30 p.m.
May (Tues.)	26	Regular Meeting	6:30 p.m.	7:30 p.m.
June	8	Regular Meeting	6:30 p.m.	7:30 p.m.
June	22	Regular Meeting	6:30 p.m.	7:30 p.m.
July	13	Regular Meeting	6:30 p.m.	7:30 p.m.
July	27	Regular Meeting	6:30 p.m.	7:00 p.m.
August	10	Regular Meeting	6:30 p.m.	7:30 p.m.
August	24	Regular Meeting	6:30 p.m.	7:30 p.m.
September	14	Regular Meeting	6:30 p.m.	7:30 p.m.
September	28	Regular Meeting	6:30 p.m.	7:30 p.m.

Oct. (Tues)	13	Regular Meeting	6:30 p.m.	7:30 p.m.
October	26	Regular Meeting	6:30 p.m.	7:30 p.m.
November	09	Regular Meeting	6:30 p.m.	7:30 p.m.
November	23	Regular Meeting	6:30 p.m.	7:30 p.m.
December	14	Regular Meeting	6:30 p.m.	7:30 p.m.
December	28	Regular Meeting	6:30 p.m.	7:30 p.m.

2. Unless otherwise indicated, all regular meetings of the Township Committee will be held on the dates indicated, at the Township Hall, Tuckahoe, New Jersey. A work session shall generally precede every regular meeting of the Township Committee. The work session will be open to the public unless the matter under discussion involves one or more matters set forth in N.J.S.A. 10:4-12(b). In the event that any such matter is discussed, the public will be excluded from that portion of the meeting pursuant to Resolution which shall be adopted in accordance with N.J.S. 10:4-13. The meetings will recess from 9:00 p.m. to 9:15 p.m. and will then continue until 10:30 p.m., at which time the public portion of the meeting will be adjourned and the Township Committee will further consider matters set forth in N.J.S.A. 10:4-12(b) and the public shall be excluded from that portion of the meeting. At the conclusion of such closed session, the meeting shall be reopened to the public. All meetings of the Township Committee, whether closed or open, will end at 11:00 p.m.

3. In the event of a necessity for holding a meeting of the Township Committee, in addition to the meeting schedule set forth in Paragraph 2 of this Resolution, the Township Clerk shall give written advance notice of at least forty eight (48) hours giving the date, time, location and, to the extent known, the agenda, of any regular, special or rescheduled meeting, which notice shall state whether formal action may or may not be taken. Such notice shall be:

- (A) Prominently posted on the bulletin board in the Township Hall; and
- (B) Mailed, telephoned, telegraphed or hand delivered to the newspapers hereinafter set forth in this Resolution; and
- (C) Filed in the Township Clerk's office.

4. The Township Clerk shall post either a copy of this Resolution or a copy of the scheduled meetings for the current year on the bulletin board in the Township Hall and, in addition, shall mail a copy of this Resolution to the following newspapers:

The Press and Sunday Press
1 South Main Street

Cape May Court House, N.J. 08210

The Ocean City Sentinel Ledger
112 East 8th Avenue
Ocean City, N.J. 08226

5. Any person requesting to be mailed copies of any regular meeting schedule or revision thereof and any advance written notice of such meetings as permitted by N.J.S.A. 10:4-19, shall pay a fee to the Township Clerk as follows:

Schedule of Fees

For copy of schedule of regular meetings and revisions thereto:	\$10.00
For advance written notice of a particular meeting designated in the request:	\$10.00
For advanced written notice of all regular, special or rescheduled meetings during the calendar year:	\$25.00

All notices sent to any person requesting same in accordance with N.J.S.A. 10:4-19 shall terminate December 31, 2009.

Resolution No. 009-2009

Offered by: Conrad

Seconded by: Camp

Adopted: January 2, 2009

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Camp	<u> x </u>	_____	_____	_____
Conrad	<u> x </u>	_____	_____	_____
Corson	<u> x </u>	_____	_____	_____
Newman	<u> x </u>	_____	_____	_____
Palombo	<u> x </u>	_____	_____	_____

10. Providing for Bi-Weekly Payroll.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 010-2009
RE: PROVIDING FOR BI-WEEKLY PAYROLL.**

BE IT RESOLVED by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey, as follows:

1. All of the employees of the Township of Upper covered by the Salary Ordinance shall be paid bi-weekly on alternate Fridays, commencing January 2, 2009, unless such employees elect to be paid monthly or quarterly and notify the Chief Financial Officer of such fact, in which case, such employees shall be paid in accordance with such election.

2. The Chief Financial Officer is directed to distribute all payroll checks to the Department Heads of the employees of the Township of Upper at or before the close of business on those days designated as payday and the Chief Financial Officer shall not be required to present such paychecks for approval at a meeting of the Township Committee when such payment is for salaries and wages which have been approved by the Salary Ordinance currently in effect in the Township of Upper.

3. This Resolution shall take effect immediately.

Resolution No.010-2009

Offered by: Corson

Seconded by:Camp

Adopted: January 2, 2009

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Camp	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Conrad	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Newman	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Palombo	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

11. Meeting Procedures.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 011-2009
RE: PROCEDURE TO BE FOLLOWED IN WORK SESSION
MEETINGS AND REGULAR MEETINGS OF THE TOWNSHIP
COMMITTEE; LIMITING THE TIME OF SUCH MEETINGS;
AND PROVIDING A SCHEDULE FOR THE ORDERLY
CONDUCT OF SUCH MEETINGS
AND ESTABLISHING CERTAIN OTHER
RULES AND REGULATIONS PERTAINING TO SAME**

WHEREAS, the Open Public Meetings Law of the State of New Jersey requires that meetings of the Governing Body be open to the public, except in certain limited instances; and

WHEREAS, the Township Committee intends to hold a work session meeting prior to the regularly scheduled meeting of the Township Committee, which work session meeting shall be open to the public in accordance with the provisions of Resolution No. 009-2009, unless the subject matter under discussion involves one or more matters set forth in N.J.S.A. 10:4-12(b), in which event the public shall be excluded from that portion of the meeting; and

WHEREAS, it is necessary to establish a procedure for the orderly transaction of such business.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey, as follows:

1. The allegations of the preamble are incorporated herein by this reference.

2. The regular meeting of the Township Committee will commence at 7:30 p.m. on those dates which have been designated as meeting dates. The Township Committee will convene publicly, however, at 6:30 p.m. for a work session meeting. The public may be excluded from the work session meeting upon the adoption of an appropriate Resolution in order to discuss one or more of the following subject matters:

(A) 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 subsection A. of this section (N.J.S.A. 10:4-12);

(B) Any matter in which the release of information would impair a right to receive funds from the Government of the United States;

(C) Any material, the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, dates, 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;

(D) 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;

(E) Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed;

(F) 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 or possible violations of the law;

(G) Any pending or anticipated litigation or contract negotiations other than in subsection (4) herein in which the public body is, or may become, a party. Any matter 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;

(H) 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;

(I) 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 as a result of an act or omission for which the responding party bears responsibility.

3. The Resolution which shall be adopted closing the meeting to the public shall be adopted in accordance with the provisions of N.J.S.A. 10:4-13, which shall state the general nature of the subject to be discussed and shall state, as precisely as possible, the time when and the circumstances under which the discussion conducted in closed session of the Governing Body can be disclosed to the public.

4. Promptly at 7:30 p.m. the work session of the Township Committee, whether opened or closed to the public, shall terminate and the regular meeting of the Township Committee shall commence. All meetings shall continue until 9:00 p.m., at which time a fifteen (15) minute recess will occur, with the meeting resuming at 9:15 p.m. and continuing until 10:30 p.m., at which time the public shall be excluded from the meeting in order to permit the Township Committee to take up one or more of the matters enumerated in Section 2 of this Resolution. Such closed session shall terminate so as to permit the meeting to be reopened to the public and to be adjourned not later than 11:00 p.m.

RULES PERTAINING TO PUBLIC COMMENT:

5. In the conduct of public meetings and the course of receiving public comments, the following procedures shall apply:

(A) Any member of the public wishing to address the Township Committee on any matter, including public hearings on the adoption of Ordinances or the adoption of the Township Budget, shall be limited to a total of five (5) minutes, at which point such individual shall cease speaking and shall not thereafter be recognized, except in the exercise of the sound discretion of the Mayor or other presiding officer, which discretion should only be exercised after all other persons desiring to address the Township Committee on any issue have had an opportunity to do so.

(B) In receiving public comments on a particular issue or in conducting public hearings on the adoption of an Ordinance or the Annual Budget, or in conducting any other public hearing, the Mayor, or the presiding officer in the absence of the Mayor, shall determine, either in the exercise of his discretion or on a motion adopted by a majority of the members of the Township Committee, the amount of time that is to be devoted to the particular issue and discussion thereon shall be limited accordingly. Any such determination made by the Mayor or presiding officer may be the subject of an appeal to the Township Committee as a whole, which may overrule such determination by majority vote.

(C) In calling for public comment, the Mayor or presiding officer shall recognize a particular member of the public. Upon being recognized, such person shall state his or her full name, address and general nature of the matter to be commented upon, unless such comments are in the course of a public hearing on a particular subject, in which event such comments must be limited to the matter under discussion and shall not relate to any other issue.

(D) The Mayor or other presiding officer shall give preference to residents of the Township of Upper who shall be afforded an opportunity to speak first before any non-resident is recognized. Such determination shall not apply to any public official seeking to address the Township Committee, nor shall it apply to any attorney or other representative appearing on behalf of any resident of the Township, provided that the identity and address of the Township Resident is first disclosed.

(E) All comments made by the public shall be addressed to the Township Committee and shall not be addressed to any other member of the public, nor shall such comments provide a forum for debate between or among members of the public. Any person violating this provision shall be declared "out of order" and shall thereupon forfeit his or her right to address the Governing Body.

(F) The procedures outlined in this Resolution are intended to encourage and to foster the greatest

possible participation in municipal government by members of the public and in order to achieve that purpose, these rules and regulations are intended to reduce multiplicitious comments by a single individual, as well as comments of long duration or which are or may be repetitive or argumentative in nature.

Resolution No. 011-2009

Offered by:Camp

Seconded by:Newman

Adopted: January 2, 2009

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Camp	<u> x </u>	_____	_____	_____
Conrad	<u> x </u>	_____	_____	_____
Corson	<u> x </u>	_____	_____	_____
Newman	<u> x </u>	_____	_____	_____
Palombo	<u> x </u>	_____	_____	_____

12. Appointment of Various Officers and Employees to Annual and Specified Terms.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 012 -2009

**RE: APPOINTMENT OF VARIOUS OFFICERS AND
EMPLOYEES TO ANNUAL AND SPECIFIED TERMS**

WHEREAS, a need exists in the Township of Upper to appoint various administrative, clerical and other personnel in order to staff the various positions of the Township for the ensuing year.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey, as follows:

1. The allegations of the preamble are incorporated herein by this reference.
2. The following persons shall be appointed to the position opposite his or her name for a one (1) year term commencing **January 1, 2009**:

ANNUAL APPOINTMENTS - ONE (1) YEAR TERM

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>
Wanda Gaglione	Official to Certify Municipal Improvement Searches; General Licensing Official	\$ 1,850.00
Barbara Spiegel	Assistant Personnel Officer	550.00
Barbara Young	Deputy Township Clerk Secretary Board of Health	550.00 550.00
Therese Smuz	Personnel Officer Assistant Finance Officer Claims Coordinator/Fund Commissioner	3,550.00 550.00 3,500.00
Patricia Garbutt	Purchasing Agent/Q.P.A	42.13/Hr.
Susan Peifer	Tax Search Officer	1,850.00
Rhonda Sharp	Deputy Tax Collector	550.00
Thaddeus Klepac	Public Information Officer	10,000.00
Jay Potter	Safety Coordinator	3,500.00
Jeffrey Pierson	Asst. Safety Coordinator	1,500.00

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>
Paul Dietrich	Township Engineer	84,300.00
	Computer Director	1,500.00
	Stormwater Program Coordinator	
	SWAC	
	Municipal Housing Liaison	2,500.00
Karen Buchanan	Flood Plains Manager	
	Air Quality Control Officer	
Karen Buchanan	Secretary, Recreation Department	2,200.00
Edward Kenney	Fire Protection Inspector	2,279.00
John Deuter	9-1-1 Coordinator/ Right to Know Director	1,000.00
J. Michael Jones	Deputy Municipal Director of Emergency Management	2,845.00
Bruce Riordan	1 st Assistant Municipal Director of Emergency Management	900.00
Rob Spiegel	2 nd Assistant Municipal Director of Emergency Management	900.00
Edward J. Carter	3 rd Assistant Municipal Director of Emergency Management	900.00
	Deputy Right to Know	1,500.00
Edward Johnson	Bailiff	\$175.00/Session
Karen Veach	School Crossing Guard	12.25/Hr.
	Skate Park Attendant	
Larry Bond	Recycling Coordinator	5,698.00
LeRoy Shone	Acting Recycling Coordinator Alternate SWAC	2,849.00
Brenda Layton	Beach Inspector	4,000.00
Richard Hartman	Boat Ramp Attendant (Seasonal)	11.50/Hr.
Thomas Duffy	Boat Ramp Attendant (Seasonal)	11.50/Hr.
Kenneth Lea	Boat Ramp Attendant (Seasonal)	
	Skate Park Attendant (Seasonal)	11.50/Hr.
Clarence Lauer	Skate Park Attendant (Seasonal)	11.50/Hr.
Susan DeMore	Skate Park Attendant (Seasonal)	11.50/Hr.

3. The following persons are being appointed or are presently serving in the position indicated, either in a permanent or provisional capacity or for a fixed term.

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>	<u>TERM</u>
Wanda Gaglione	Township Clerk Data Information Coordinator Registrar of Vital Statistics	\$56,850.00 3,500.00 1,850.00	Tenured
Susan Peifer	Tax Collector	62,862.00	Tenured
Megan A. McAfee	Township Tax Assessor	56,750.00	4-year appt. commencing 7/1/2007 & expiring 6/30/2011
Michelle Johnson	Deputy Tax Assessor Clerk Typist	550.00 32,700.00	Fill unexp. Term & 4-yr. appt. commencing 8/30/07 to 6/30/12
Barbara Spiegel	Sr. Clerk-Typist Temp. Chief Financial Officer	49,350.00	1-yr. Appt. commencing 6/1/08 to 5/31/09
James Birchmeier	Judge, Municipal Court	29,500.00	3-year term commencing 8/1/2008 & expiring 7/31/2011
Rosemary Bonner	Municipal Court Admin. Violations Clerk	56,850.00	Permanent
Nancy Palmer	Deputy Mun. Court Admin. Deputy Violations Clerk	47,600.00	Permanent
Carol Rosiak	Sr. Clerk-Typist, Tax Office	39,200.00	Permanent
Therese Smuz	Clerk-Typist, Finance	30,050.00	Permanent
Janet McCrosson	Clerk-Typist, Construction	36,900.00	Permanent
Shelley Lea	Clerk-Typist	43,500.00	Permanent
Barbara Young	Sr. Clerk-Typist, Clerk's Office Deputy Registrar of Vital Statistics	40,200.00 550.00	Permanent 3-yr. term commencing 3/9/2006 & expiring 3/8/2009

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>	<u>TERM</u>
Rosemary Trout	Clerk-Typist, Clerk's Office Alt. Deputy Registrar of Vital Statistics	30,600.00 550.00	Permanent 3-year term commencing 1/1/2007 expiring 12/31/2009
Patricia Smyth	Clerk Typist, Clerk's Office Alt. Deputy Registrar of Vital Statistics	29,300.00 550.00	Permanent 3-year term commencing 1/1/2009 expiring 12/31/2011
Rhonda Sharp	Sr. Clerk-Typist, Tax Office	40,300.00	Permanent
Edward Kenney	Construction Code Official Building Sub-Code Official Plumbing Inspector(P/T) Fire Sub-Code Official	64,718.00 6,769.00 6,524.00	Permanent Permanent Permanent 4 year appt. commencing 1/2/2008 & expiring 12/31/2011
William Hoffmann	Electric Sub-Code Official Electrical Inspector	27,170.00	Permanent Permanent
William Bramble	Plumbing Sub-Code Official (Part-Time)	8,250.00	Tenured
Michelle Previti	Clerk Typist, MAC	4,450.00	Permanent
Karen Buchanan	Clerk Typist, Recreation Dept.	33,584.00	Permanent
Shelley Lea	Zoning Official Housing Officer/Code Enforcement	15,000.00	Permanent
John Deuter	Municipal Director of Emergency Management	11,000.00	3 year term commencing 1/1/2007 & expiring 12/31/2009
Barbara Grund	Bldg. Maintenance Worker	31,861.00	Permanent
Jay Potter	Chief E.M.T.	60,898.00	Permanent
Judith May	Sr. Emergency Medical Tech.	53,279.00	Permanent
Linwood Chatten	Emergency Medical Technician (3 or more years)	46,072.00	Permanent
Mellissa Schaffer	Emergency Medical Technician (3 or more years)	46,072.00	Permanent

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>	<u>TERM</u>
Melissa Blackledge	Emergency Medical Technician (3 or more years)	46,072.00	Permanent
Michelle Sampson	Emergency Medical Technician (3 or more years)	46,072.00	Permanent
Gary Bishop	Emergency Medical Technician	13.25/Hr.	Part-Time
Kimberly Boken	Emergency Medical Technician	13.25/Hr.	Part-Time
Regan Corcoran	Emergency Medical Technician	13.25/Hr.	Part-Time
Joseph Repici	Emergency Medical Technician	13.25/Hr.	Part-Time
William Friend	Emergency Medical Technician	13.25/Hr.	Part-Time
Daniel Dubbs	Emergency Medical Technician	13.25/Hr.	Part-Time
Patricia Kravitz	Emergency Medical Technician	13.25/Hr.	Part-Time
Roy Blackledge	Emergency Medical Technician	13.25/Hr.	Part-Time
Jonathan Mruz	Emergency Medical Technician	13.25/Hr.	Part-Time
Donna Smith	Emergency Medical Technician	13.25/Hr.	Part-Time
Misti Pancari	Emergency Medical Technician	13.25/Hr.	Part-Time
James Sampson	Emergency Medical Technician	13.25/Hr.	Part-Time
Victor Rolls	Emergency Medical Technician	13.25/Hr.	Part-Time
Kevin McLaughlin	Emergency Medical Technician	13.25/Hr.	Part-Time
Mort Schmerling	Emergency Medical Technician	13.25/Hr.	Part-Time
Valerie Craver	Emergency Medical Technician	13.25/Hr.	Part-Time
Richard Shipman	Emergency Medical Technician	13.25/Hr.	Part-Time
Ed Corcoran	Emergency Medical Technician	13.25/Hr.	Part-Time
Angel Scanlon	Emergency Medical Technician	13.25/Hr.	Part-Time
Carolyn Wiggins	Emergency Medical Technician	13.25/Hr.	Part-Time
Ronald Hallam	Emergency Medical Technician	13.25/Hr.	Part-Time
Deborah Dore	Emergency Medical Technician	13.25/Hr.	Part-Time
Matthew Steintal	Emergency Medical Technician	13.25/Hr.	Part-Time
John Hemby	Emergency Medical Technician	13.25/Hr.	Part-Time
Mark Barham	Emergency Medical Technician	13.25/Hr.	Part-Time

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>	<u>TERM</u>
Daniel Opperman	Emergency Medical Technician	13.25/Hr.	Part-Time
Ray Norton	Emergency Medical Technician	13.25/Hr.	Part-Time
Anthony Caine	Emergency Medical Technician	13.25/Hr.	Part-Time
John L. Sammons	Emergency Medical Technician	12.75/Hr.	Part-Time

4. The following persons are presently serving in the Department of Public Works and the Department of Recreation in the position indicated in a capacity as follows:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>	<u>TERM</u>
Paul Dietrich	Superintendent of Public Works	\$ 10,00.00	Permanent
Larry Bond	Supervisor of Roads	66,050.00	Permanent
LeRoy Shone	Supervisor of Roads	66,050.00	Permanent
Christopher Thomas	Asst. Supervisor of Road	60,898.00	Permanent
William Layton	Supr. Maintenance Repairer	51,112.00	Permanent
Thomas Woolley	Supervising Equip. Operator	51,112.00	Permanent
Brenda Layton	Supervisor Recreation Maint.	64,100.00	Permanent
Duane Terwilliger	Ass't Supervisor Recreation	58,554.00	Permanent

5. The following persons are presently serving in the Department of Public Works and the Department of Recreation at a salary as specified as the maximum salary authorized in the Salary Ordinance in the position and capacity indicated as follows:

<u>NAME</u>	<u>POSITION</u>	<u>TERM</u>
Joseph D'Augustine	Sr. Mechanic (0-9 yrs.)	Permanent
David Keene	Sr. Sanitation Inspector	Permanent
George Adams, Jr.	Recycling Laborer	Permanent
Claude Kohler	Truck Driver (10 or more yrs.)	Permanent
Joseph Paynter	Mechanics Helper (0-9 yrs.)	Permanent
Harry Downam	Maintenance Repairer (0-9 yrs.)	Permanent

<u>NAME</u>	<u>POSITION</u>	<u>TERM</u>
James Schuler	Groundskeeper (0-9 yrs.)	Permanent
Daniel Schuler	Mechanic (0-9 yrs.)	Permanent
George Grund	Equipment Operator (0-9 yrs.)	Permanent
James M. Jones	Sr. Carpenter (0-9 yrs.)	Permanent
William McDaniels	Laborer (0-9 yrs.)	Permanent
Richard Kaczmariski	Maintenance Repairer (0-9 yrs.)	Permanent
David Pennello	Carpenter (0-9 yrs.)	Permanent
Nicholas Mason	Equipment Operator (0-9 yrs.)	Permanent
Raymond Blaker	Truck Driver (0-9 yrs.)	Permanent
Arthur Hall	Truck Driver (0-9 yrs.)	Permanent
Edward Kline	Truck Driver (0-9 yrs.)	Permanent
Stewart Segin	Truck Driver (0-9 yrs.)	Permanent
Robert J. Young	Truck Driver (0-9 yrs.)	Permanent
Richard McCauley	Truck Driver (0-9 yrs.)	Permanent
John Hope	Truck Driver (0-9 yrs.)	Permanent
Joel Lloyd	Laborer (0-9 yrs.)	Permanent
Peter Buganski	Laborer (0-9 yrs.)	Permanent
Ralon Armstrong	Laborer (0-9 yrs.)	Permanent
John Chisholm	Laborer (0-9 yrs.)	Permanent
Roger Van Order	Laborer (0-9 yrs.)	Permanent
Josh Adams	Laborer (0-9 yrs.)	Permanent
Josh Armstrong	Laborer (3 rd year)	Permanent
Brian Bushong	Laborer (2 nd year)	Permanent
Matthew Taylor	Laborer (2 nd year)	Permanent
John Adams	Sr. Rec. Maint. Worker (10 or more yrs.)	Permanent
William Haberman	Sr. Rec. Maint. Worker (0-9 yrs.)	Permanent
Jeremiah Williams	Sr. Rec. Maint. Worker (0-9 yrs.)	Permanent
Brian Keenan	Recreation Maint. Worker (0-9 yrs.)	Permanent

<u>NAME</u>	<u>POSITION</u>	<u>TERM</u>
Edward Carter	Recreation Maint. Worker (0-9 yrs.)	Permanent
John Kohler	Laborer (0-9 yrs.)	Permanent
Michael Mayne	Laborer (3 rd year)	Permanent
Gary Crager	Laborer (2 nd year)	Permanent
John McCardell	Laborer (2 nd year)	Permanent

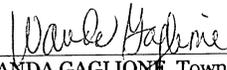
5. The following persons shall be appointed to the Board of Health of the Township of Upper:

Committeewoman Barbara Camp
 Committeeman Frank E. Conrad
 Committeeman Curtis Corson
 Committeeman Jay Newman
 Committeeman Richard Palombo
 Tax Assessor, Megan McAfee
 Barbara Young, Clerk for the Board

6. The following persons shall be appointed to the Lighting Committee of the Township of Upper:

Committeewoman Barbara Camp
 Committeeman Frank E. Conrad
 Committeeman Curtis Corson
 Committeeman Jay Newman
 Committeeman Richard Palombo


 RICHARD PALOMBO, Mayor


 WANDA GAGLIONE, Township Clerk

Resolution No. 012 -2009
 Offered by: Corson Seconded by: Camp
 Adopted: January 2, 2009

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Camp	<u>X</u>	_____	_____	_____
Conrad	<u>X</u>	_____	_____	_____
Corson	<u>X</u>	_____	_____	_____
Newman	<u>X</u>	_____	_____	_____
Palombo	<u>X</u>	_____	_____	_____

13. Appointment of Class 3 member to the Upper Township Planning Board.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 013-2009
RE: APPOINTMENT OF CLASS 3 MEMBER TO THE
UPPER TOWNSHIP PLANNING BOARD.**

WHEREAS, it is necessary to appoint a member of the Governing Body to the Planning Board of the Township of Upper to serve as a Class 3 member of such Planning Board.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey, that Committee person **Curtis Corson** is hereby appointed as a Class 3 member of the Upper Township Planning Board for a term of one (1) year, effective immediately.

Resolution No. 013-2009
Offered by: Newman
Adopted: January 2, 2009

Seconded by: Conrad

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Camp	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Conrad	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Newman	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Palombo	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

14. Appointments to the Upper Township Zoning Board of Adjustment.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 014-2009
RE: APPOINTMENTS TO THE UPPER TOWNSHIP
ZONING BOARD OF ADJUSTMENT.**

WHEREAS, N.J.S.A. 40:55D-69 provides for the appointment of a Zoning Board of Adjustment, which shall consist of seven (7) regular members and may have not more than two (2) alternate members and prescribes the term of office for such regular and alternate members; and

WHEREAS, such Statute further provides that the members of the Zoning Board of Adjustment shall be appointed by the Governing Body of the municipality; and

WHEREAS, it is necessary to make certain appointments or re-appointments to the Zoning Board of Adjustment of the Township of Upper, as hereinafter provided.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey as follows:

1. The following appointment or re-appointments are hereby made to the Zoning Board of Adjustment:

Paul Casaccio – reappointed to a four (4) year term commencing January 1, 2008 and expiring on December 31, 2011.

Ted Klepac – reappointed to a four (4) year term commencing January 1, 2009 and expiring December 31, 2012.

Jeffrey Pierson – presently serving a four (4) year term commencing January 1, 2006 and expiring December 31, 2009.

Andrew L. Shawl- presently serving a four (4) year term commencing January 1, 2007 and expiring 12/31/2010.

Christopher Phifer – reappointed to a four (4) year term commencing January 1, 2009 and expiring 12/31/2012.

Matt Unsworth – reappointed to a four (4) year term commencing January 1, 2009 and expiring 12/31/2012.

Mary Jean Burgin – reappointed to a four (4) year term commencing January 1, 200 and expiring 12/31/2012.

Lynn Petrozza – reappointed to a two (2) year term as Alternate #1, and expiring 12/31/2010.

Kenneth Yakopcic – reappointment to a (2) year term as Alternate #2, and expiring 12/31/20010.

Resolution No. 014-2009
Offered by: Newman
Adopted: January 2, 2009

Seconded by: Corson

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Camp	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Conrad	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Newman	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Palombo	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

15. Imposing a fee of twenty-five dollars on all checks given to the Township of Upper, which are dishonored for any reason.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N
RESOLUTION NO. 015-2009
RE: IMPOSING A FEE OF TWENTY-FIVE (\$25.00) DOLLARS
ON ALL CHECKS GIVEN TO THE TOWNSHIP OF UPPER WHICH ARE
DISHONORED FOR ANY REASON**

WHEREAS, the Treasurer of the Township of Upper has reported to the Township Committee an increase in the number of checks which are returned by the maker's bank due to insufficient funds or for other reasons; and

WHEREAS, such circumstances have greatly increased the time involved in the processing of transactions and has otherwise increased the administrative costs to the Township; and

WHEREAS, a returned check item results in a charge to the Township of Upper by the depository bank; and

WHEREAS, the Treasurer has recommended to the Township Committee the imposition of a charge to cover all such checks which are returned or dishonored by the maker's bank for any reason.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper in the County of Cape May and State of New Jersey, as follows:

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township of Upper is hereby authorized to impose a charge of twenty-five (\$25.00) Dollars against any person who tenders a check to the Township, which check is dishonored by the bank upon which it is drawn for insufficient funds or for any other reason. The Twenty-five (\$25.00) Dollar fee shall be in addition to all other fees which are due and payable to the Township and shall be collected in the same manner as are taxes and penalties.

3. An appropriate notice shall be posted by the Municipal Clerk in a conspicuous location, advising all persons that such charge will be imposed effective immediately.

4. This Resolution shall take effect immediately.

Resolution No. 015-2009

Offered by: Corson

Seconded by: Newman

Adopted: January 2, 2009

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Camp	<u> x </u>	_____	_____	_____
Conrad	<u> x </u>	_____	_____	_____
Corson	<u> x </u>	_____	_____	_____
Newman	<u> x </u>	_____	_____	_____
Palombo	<u> x </u>	_____	_____	_____

16. Authorizing the Chief Financial Officer to maintain a Petty Cash Fund.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N
RESOLUTION NO. 016-2009
RE: AUTHORIZING THE CHIEF FINANCIAL OFFICER TO
MAINTAIN A PETTY CASH FUND IN THE AMOUNT OF \$100.00**

WHEREAS, N.J.S A. 40A:5-21 authorizes the establishment of a Petty Cash Fund for the Chief Financial Officer; and

WHEREAS, said Petty Cash Fund was established by Resolution dated June 28, 1993 by the Township Committee of the Township of Upper; and

WHEREAS, said Petty Cash Fund received approval from the Director of Local Government Services on July 13, 1993; and

WHEREAS, it is the desire of the Township Committee that said fund be continued under the direction of the Chief Financial Officer;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Upper that:

1. The allegations of the preamble are incorporated in full.
2. During the year **2009**, Barbara Spiegel, Acting Chief Financial Officer, be and is hereby authorized and permitted to establish a Petty Cash Fund in the amount not to exceed \$100.00 pursuant to

the provisions of N.J.S.A. 40A:5-21. Said Petty Cash Fund will be used by such office or department to pay claims for small miscellaneous expenses.

3. Barbara Spiegel, Acting Chief Financial Officer, having custody of the Fund be bonded in an amount not less than \$1,000.00 or the amount of the fund, which ever is greater and will maintain said Fund in accordance with the laws and regulations governing its operation.

Resolution No. 016-2009

Offered by: Conrad

Seconded by: Palombo

Adopted: January 2, 2009

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Camp	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Conrad	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Newman	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Palombo	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

17. Authorizing the Tax Assessor to file a petition of Appeal or Appeals for the Tax Year 2008 with the Cape May County Board of Taxation and/or the Tax Court of New Jersey to seek corrections of errors and proper values.

**TOWNSHIP OF UPPER
COUNTY OF CAPE MAY
R E S O L U T I O N
RESOLUTION NO. 017-2009
RE: AUTHORIZING THE TAX ASSESSOR TO FILE A
PETITION OF APPEAL OR APPEALS FOR
THE TAX YEAR 2009 WITH THE
CAPE MAY COUNTY BOARD OF TAXATION
AND OR THE TAX COURT OF NEW JERSEY
TO SEEK CORRECTION OF ERRORS AND PROPER VALUES.**

WHEREAS, from time to time the Tax Assessor of the Township of Upper discovers an error in calculation, transposition, measurement or typographical error in the tax assessment on the tax list after the time within which the County Board of Taxation has certified the tax rates of the tax year; and

WHEREAS, the governing body of the taxing district of the Township of Upper is desirous that every taxpayer shall pay their fair share of taxes; and

WHEREAS, if said error is discovered by the Tax Assessor in the normal course of his business and is not corrected, the affected taxpayers would be paying more or less than their fair share of taxes; and

WHEREAS, in each instance, the error discovered was not caused by any act or omission of the taxpayer.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Township Committee of the taxing district of the Township of Upper that the Tax Assessor is hereby authorized and permitted to file a Petition of Appeal or Appeals for the tax year **2009** with the Cape May County Board of Taxation and or the Tax Court of New Jersey to seek correction of such errors, and in each instance, to either raise or lower the assessment to the correct and proper value; and

BE IT FURTHER RESOLVED that in each such instance, a copy of any Petition of Appeal filed with the Cape May County Board of Taxation and or the Tax Court of New Jersey pursuant to the authorization extended by this Resolution shall be filed with the Township Clerk of the Township of Upper; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded by the Clerk of the Township of Upper to the Cape May County Board of Taxation and or the Tax Court of New Jersey upon passage of this Resolution; and

BE IT FINALLY RESOLVED that a certified copy of this Resolution shall be forwarded to the Cape May County Board of Taxation and or the Tax Court of New Jersey accompanying any Petition of Appeal which may be filed by the Assessor under this authority extended herein.

Resolution No. 017-2009

Offered by: Corson

Seconded by: Camp

Adopted: January 2, 2009

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Camp	<u> x </u>	_____	_____	_____
Conrad	<u> x </u>	_____	_____	_____
Corson	<u> x </u>	_____	_____	_____
Newman	<u> x </u>	_____	_____	_____
Palombo	<u> x </u>	_____	_____	_____

18. Adopting of the Cash Management Plan of the Township of Upper.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 018-2009
RE: ADOPTING THE CASH MANAGEMENT PLAN OF
THE TOWNSHIP OF UPPER**

WHEREAS, N.J.S.A. 40A:5-14 requires each municipality adopt a Cash Management Plan and that all municipal funds shall be managed pursuant to that Plan; and

WHEREAS, the cash management plan shall include the designation of a depository or depositories as permitted in section 4 of P.L. 1970, c235(C:17:9-44); and

WHEREAS, the cash management plan shall be designed to assure to the extent practicable, the investment of local funds in interest bearing accounts and may be modified from time to time in order to reflect changes in federal or state law or regulations and other reasons; and

WHEREAS, the cash management plan shall be subject to the annual audit conducted pursuant to N.J.S.A. 40A:5-4.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper in the County of Cape May and State of New Jersey, as follows:

1. The allegations to the preamble are incorporated herein by this reference.
2. The Cash Management Plan for the Township of Upper for the year January 1, 2009 through December 31, 2009, a copy of which is on record in the office of the Township Clerk and in the office of the Township Treasurer, is hereby adopted.
3. The Cash Management Plan shall remain in full force and effect for the term January 1, 2009 through December 31, 2009, unless sooner modified or amended, as permitted by law, and until such time as a replacement Cash Management Plan is approved by the Governing Body through the adoption of a formal Resolution.

BE IT FURTHER RESOLVED that the proper officials be and are hereby authorized to do all things necessary to carry out the intent of this Resolution.

Resolution No. 018-2009

Offered by: Conrad

Seconded by: Camp

Adopted: January 2, 2009

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Camp	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Conrad	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Newman	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Palombo	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

**TOWNSHIP OF UPPER
COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

CASH MANAGEMENT PLAN

I. STATEMENT OF PURPOSE:

This Cash Management Plan (the “Plan”) is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits (“Deposits”) and investment (“Permitted Investments”) of certain public funds of the Township, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes) and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investments matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN.

- A. The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Township.

Current Fund
Trust Fund
General Capital Fund
Public Assistance Fund
Payroll Fund

III. DESIGNATION OF OFFICIALS OF THE TOWNSHIP AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN.

The Chief Financial Officer and the Treasurer of the Township (the “Designated Officials”) are hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investment, such officials of the Township are directed to supply all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

IV. DESIGNATION OF DEPOSITORYES.

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of Deposit which are not otherwise invested in Permitted Investments as provided for in this Plan.

PNC Bank N.J.
Sun National Bank
Wachovia

Summit Bank
Ocean City Home Bank
TD Bank
Cape Bank
1st Bank of Sea Isle City
Municipal Investors Corp
N.J. Cash Management Plan
Crown Bank of Ocean City
Bank of America, N.A.
Sovereign Bank

All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official(s) referred to in Section III.

V. **DESIGNATION OF OFFICIALS TO SIGN CHECK AND WITHDRAWALS OF THE TOWNSHIP OF UPPER.**

Pursuant to N.J.S.A. 40A:5-17B(2), that the following named officials shall sign checks and authorized withdrawals for the Township of Upper.

Richard Palombo
Mayor

Wanda Gaglione, RMC
Township Clerk

Barbara Spiegel
Acting CFO

All checks and withdrawals shall be signed with three (3) signatures, namely, the Mayor, Township Clerk and Township Chief Financial Officer.

VI. **DESIGNATION OF BROKERAGE FIRMS AND DEALERS WITH WHOM THE DESIGNATED OFFICIALS MAY DEAL**

The following brokerage firms and/or dealers and other institutions are hereby designated as firms with whom the Designated Official(s) of the Township referred to in this Plan may deal for purposes of buying and selling securities identified in this Plan as Permitted Investments or otherwise providing for Deposits. All such brokerage firms and/or dealers shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official(s) referred to in Section III above.

None Designated

VII **AUTHORIZED INVESTMENTS.**

A. Except as otherwise specifically provided for herein, the Designated Officials are hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

- (1) Bonds or other obligations of the United States of America or Obligations guaranteed by the United State of America;
- (2) Government money market mutual funds;
- (3) Any obligation that a federal agency or a federal instrumentally has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such Obligation bears a fixed rate of interest not dependent on any index or other external factor;
- (4) Bonds or other obligations of the Local unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located;
- (5) Bonds or other obligations, have a maturity date not more than 397 days From the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units;
- (6) Local government investment pools;
- (7) Deposits with the State of New Jersey Cash Management Fund established Pursuant to section 1 of P.L. 1977, c.281 (C.52:18A-90.4) or
- (8) Agreements for the repurchase of fully collateralized securities if:
 - (a) the underlying securities are permitted investments pursuant to Paragraphs (1) and (3) of this subsection;
 - (b) the custody of collateral is transferred to a third party;
 - (c) the maturity of the agreement is not more than 30 days;
 - (d) the underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (C17:9-41); and
 - (e) a master repurchase agreement providing for the custody and security of collateral is executed.

For purposes of the above language, the terms "government money market mutual fund" and "local government investment pool" shall have the following definitions:

Government Money Market Mutual Fund. An investment company or investment trust:

- (a) which is registered with the Securities and Exchange Commission Under the "Investment Company Act of 1940", 15 U.S.C. sec. 80a-1 et seq. And operated in accordance with 17 C.F.R. sec 270.2a-7.
- (b) the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- (c) which has:

- (i) attained the highest ranking or the highest letter and Numerical rating of a nationally recognized statistical rating organization; or
- (ii) retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission Pursuant to the “Investment Advisors Act of 1940,” 15 U.S.C. sec.80b-1 et seq., with investing in U.S. government securities recent past 60 months and with excess of \$500 million. Act of experience for at least the most assets under management in

Local Government Investment Pool, An investment pool:

- (a) which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
- (b) which is rated in the highest category by a nationally recognized Statistical rating organization;
- (c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec.270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;
- (d) which is in compliance with rules adopted pursuant to this Administrative Procedure Act, P.L. 1968, c.410 (c.52:14B-1 et Esq.) By the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirement, and other provisions deemed necessary by the board to provide for The safety, liquidity and yield of the investment.
- (e) which does not permit investments in instruments that are subject to high price volatility which changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- (f) which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9 (C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.

B. Notwithstanding the above authorization, the monies on hand in the following funds and accounts shall be further limited as to maturities, specific investments or otherwise as follows:

Limited only to maturities, 1 year or less

VIII. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN.

To the extent that any Deposit or Permitted Investments involve a document or security which is not physically held by the Township, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Township to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a delivery versus payment method to insure that such Permitted Investments are either received by the Township or by a third party custodian prior to or upon the release of the Township's funds. To assure that all parties with whom the Township either by way of Deposits or Permitted Investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official(s).

IX REPORTING REQUIREMENTS

On the first day of each month during which this Plan is in effect, the Designated Official(s) referred to in Section III hereof shall supply to the governing body of this Township, a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the Township as a Deposit Or a Permitted Investment.
- B. The amount of securities or Deposits purchased or sold during the Immediately preceding month.
- C. The class or type of securities purchased or Deposits made.
- D. The book value of such Deposits or Permitted Investments.
- E. The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- F. The fees incurred to undertake such Deposits or Permitted Investments.
- G. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- H. All other information which may be deemed reasonable from time to time By the governing body of the Township.

X TERM OF PLAN.

This Plan shall be in effect **from January 1, 2009 to December 31, 2009**. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Township Committee, the Designated Officials are directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

19. Temporary Budget for year 2009.

TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N
RESOLUTION NO. 019-2009
RE: 2009 TEMPORARY BUDGET

WHEREAS, N.J.S.A. 40;A4-19 provides that the governing body shall by Resolution adopted prior to January 31 of the fiscal year make appropriations to provide for the period between the beginning of the fiscal year and the adoption of the Budget; and

WHEREAS, the total of the appropriations so made shall not exceed 26.25% of the total of the appropriations made for all purposes in the Budget for the preceding year excluding public assistance, such amount being **\$3,075,674.18**.

NOW, THEREFORE BE IT RESOLVED, that the following appropriations shall constitute the Temporary Budget for the year 2009:

ADMINISTRATIVE & EXECUTIVE

Mayor and Committee	
Salary and Wages	15,500.00
Mayor and Committee O/E	5,000.00
Municipal Clerk	
Salary and Wages	46,000.00

OTHER EXPENSES

Legal Advertising	8,000.00
Miscellaneous O/E	12,000.00
Purchase of Office Equipment	5,000.00
Codification of Ordinances	2,988.00
MAC	6,867.00
Cape Mediation	1,364.00
Cape Assist EAP	1,045.00

FINANCIAL ADMINISTRATION

Salaries & Wages	38,000.00
Miscellaneous O/E	3,000.00
Computer Hardware/Software	20,000.00
Annual Audit	17,000.00

ASSESSMENT OF TAXES

Salaries & Wages	30,000.00
Miscellaneous O/E	4,000.00

COLLECTION OF TAXES

Salaries & Wages	38,000.00
Miscellaneous O/E	5,000.00
Purchase TTL	1,000.00

LIQUIDATION OF TTL & FORECLOSED PROPERTY

Other Expenses	1,000.00
-----------------------	-----------------

LEGAL SERVICES AND COSTS

Salaries & Wages	16,000.00
Other Expenses	25,000.00

MUNICIPAL COURT

Salaries & Wages	40,000.00
Miscellaneous O/E	5,000.00

PUBLIC DEFENDER

Salaries & Wages	4,500.00
-----------------------------	-----------------

MUNICIPAL PROSECUTOR

Salaries & Wages	7,000.00
-----------------------------	-----------------

ENGINEERING SERVICES & COSTS

Salaries & Wages	22,000.00
Other Expenses	30,000.00

PUBLIC BUILDINGS & GROUNDS

Salaries & Wages	28,000.00
Other Expenses	88,300.00

PLANNING BOARD

Salaries & Wages	9,000.00
Other Expenses	3,000.00

BOARD OF ADJUSTMENT

Salaries & Wages	9,000.00
Other Expenses	3,000.00

CONSTRUCTION OFFICE & BUILDING INSPECTOR

Salaries & Wages	42,000.00
Other Expenses	3,000.00

GYPSY MOTH PROGRAM

Other Expenses	1,000.00
----------------	----------

INSURANCE

Group Insurance for Employees	360,000.00
Other Insurance Premiums	80,000.00
Workers Compensation	80,000.00

SCHOOL CROSSING GUARD

Salaries & Wages	2,500.00
Miscellaneous O/E	500.00

BEACH PATROL

Salaries & Wages	6,000.00
Other Expenses	4,000.00

EMERGENCY MANAGEMENT/RTK/911 COORDINATOR

Salaries & Wages	5,500.00
Miscellaneous O/E	10,000.00

ROAD REPAIRS & MAINTENANCE

Salaries & Wages 250,000.00
Miscellaneous O/E 50,000.00

SURFACING OF ROADS CONTRACTUAL 25,000.00

STREET LIGHTING 75,000.00

GARBAGE & TRASH REMOVAL

Salaries & Wages 95,000.00
Miscellaneous O/E 50,000.00
Tipping Fees 71,000.00

BOARD OF HEALTH

Salaries & Wages 550.00
Miscellaneous O/E 5,000.00

DOG REGULATION

Miscellaneous O/E 25,000.00

PUBLIC RELATIONS & INFORMATION OFFICER

Salaries & Wages 3,100.00
Miscellaneous O/E 5,000.00

ZONING/CODE OFFICIAL

Salaries & Wages 5,000.00
Miscellaneous O/E 1,500.00

RECREATION

Salaries & Wages 160,000.00
Miscellaneous O/E 72,000.00

FIRST AID ORGANIZATION

Salaries & Wages 135,000.00
Miscellaneous O/E 28,000.00

RECYCLING

Salaries & Wages 165,000.00
Miscellaneous O/E 21,000.00

AFFORDABLE HOUSING

Salaries & Wages	2,500.00
Miscellaneous O/E	2,300.00

COMMUNITY CENTER

Salaries & Wages	8,200.00
Miscellaneous O/E	12,000.00

CELEBRATION OF PUBLIC EVENTS 3,000.00

SOCIAL SECURITY SYSTEM 83,000.00

SPECIAL LITIGATION 44,000.00

SUI CONTRIBUTION 6,200.00

SHORE PROTECTION O/E 40,000.00

BEACH REPLENISHMENT 40,000.00

CENTRAL DISPATCH 60,000.00

RENOVATIONS HISTORICAL BUILDING 5,000.00

MAC GRANT 27,469.00

ALCOHOL & DRUG TESTING 8,500.00

MASTER PLAN/COAH 5,000.00

REPAIRS MUNICIPAL BUILDING 20,000.00

COMP. ABSENCES RESERVES 100.00

PERS 271,191.00

SMART GROWTH GRANT 50,000.00

\$3,075,674.00

Resolution No. 019-2009

Offered by: Corson

Seconded by: Newman

Adopted: January 2, 2009

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Camp	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Conrad	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Newman	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Palombo	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

20. Appointment of the Risk Management Consultant.

TOWNSHIP OF UPPER

CAPE MAY COUNTY

R E S O L U T I O N

RESOLUTION NO. 020-2009

**RE: AUTHORIZING THE APPOINTMENT OF KERRY G. THOMSON
AND KERRY G. THOMSON INSURANCE AGENCY
AS RISK MANAGEMENT CONSULTANT TO PERFORM VARIOUS
PROFESSIONAL SERVICES ON BEHALF OF THE TOWNSHIP OF UPPER RELATIVE TO
THE ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND AND MUNICIPAL
EXCESS LIABILITY JOINT INSURANCE FUND
FOR AN AMOUNT NOT TO EXCEED
EIGHTEEN THOUSAND ONE HUNDRED TWENTY EIGHT DOLLARS, (\$18,128.00).**

WHEREAS, the Township Committee of the Township of Upper has resolved to join the Atlantic County Municipal Joint Insurance Fund, a self-insurance pooling fund, following a detailed analysis; and

WHEREAS, the by-laws of the Funds require that each municipality appoint a Risk Management Consultant to perform various professional services as detailed in the by-laws; and

WHEREAS, the by-laws indicate a fee not to exceed six percent (6%) of the municipal assessment, which expenditure represents reasonable compensation for the services required and is included in the cost to be considered by the Township Committee; and

WHEREAS, NJSA 40A:11-5 (1)(m), specifically exempts the hiring of insurance consultants from competitive bidding as an extraordinary unspecifiable service; and

WHEREAS, the experience, knowledge of public insurance and risk management issues and judgmental nature required of a Risk Management Consultant's are clearly an extraordinary unspecifiable service which therefore render competitive bidding impractical:

WHEREAS, the Township purchasing agent has determined and certified in writing that the value of each of the contract for the Risk Management Consultant will exceed \$17,500.00; and

WHEREAS, the proposed Risk Management Consultant has completed and submitted Business Entity Disclosure Certifications which certify that the contractor has not made any reportable contributions to a political or candidate committee in the Township that would bar the award of this contract and that the contract will prohibit the contractor from making any reportable contributions through the term of the contract; and

NOW THEREFORE BE IT RESOLVED that the governing body of the Township of Upper does hereby appoint Kerry G. Thomson and Kerry G. Thomson Insurance Agency as its Risk Management consultant in accordance with 40A:11-5 and;

BE IT FURTHER RESOLVED that the governing body is hereby authorized and directed to execute the Consultant's Agreement annexed hereto as "Exhibit A"; and

1. The Township Clerk is hereby authorized and directed to cause a Notice of Award of this Contract to be published in the official newspaper of the Township of Upper, as required by N.J.S.A. 40A:11-5(1),(a),(i), within ten (10) days of its passage.

2. The contractor has registered with the State of New Jersey pursuant to c.57, Laws of 2004 and has provided proof of that registration to the Township of Upper.
3. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 020-2009
 Offered by: Camp
 Adopted: January 2, 2009
 Roll Call Vote:

Seconded by: Conrad

NAME	YES	NO	ABSTAINED	ABSENT
Camp	<u> x </u>	_____	_____	_____
Conrad	<u> x </u>	_____	_____	_____
Corson	<u> x </u>	_____	_____	_____
Newman	<u> x </u>	_____	_____	_____
Palombo	<u> x </u>	_____	_____	_____

21. Confirming Appointments to various positions required by the Atlantic County Municipal Joint Insurance Fund.

**TOWNSHIP OF UPPER
 CAPE MAY COUNTY
 R E S O L U T I O N
 RESOLUTION NO. 021-2009
 RE: CONFIRMING APPOINTMENTS TO VARIOUS POSITIONS REQUIRED BY THE
 ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, the Township of Upper is a member of the Atlantic County Municipal Joint Insurance Fund ("JIF"); and

WHEREAS, the Township, as a participating member of JIF, is required to create certain positions and to fill those positions; and

WHEREAS, the Township Committee duly considered this matter at its regular meeting held on January 2, 2009 and made certain appointments which are hereby ratified and confirmed through this

Resolution;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey, as follows:

1. The allegations of the preamble are incorporated herein by this reference.

2. The Township Committee hereby makes the following appointments as Township representatives or Township committees with respect to Township participation in the Atlantic County JIF:

Fund Commissioner: Theresa Smuz, Personnel Officer

Alternate

Fund Commissioner: Wanda Gaglione, Township Clerk

Risk Management

Consultant: Kerry G. Thomson; Kerry G. Thomson Insurance Agency

Claims Coordinator: Theresa Smuz, Personnel Officer

Safety Coordinator: Jay Potter, Chief, Upper Township Rescue Squad

Asst. Safety Coordinator: Jeff Pierson, Sr.

Safety Committee: John Deuter; Jay Potter; Leroy Shone; Duane Terwilliger; Jeff Pierson, Sr.; Theresa Smuz; Wanda Gaglione; J. Michael Jones, David Pennello and Paul Dietrich.

The Safety Committee will meet not less than quarterly to discuss safety issues.

3. A certified copy of this Resolution shall be sent to the Atlantic County Joint Insurance Fund to the attention of Paul Miola, Executive Director and a copy of this Resolution shall be provided to each of the persons named herein.

Resolution No. 021-2009

Offered by: Corson

Second by: Camp

Adopted: January 2, 2009

Roll Call Vote:

NAME YES NO ABSTAINED ABSENT

Camp	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Conrad	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Newman	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Palombo	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

22. Adoption of the National Incident Management System.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 023 -2009
RE: ADOPTION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM**

WHEREAS, the United States Department of Homeland Security has developed a National Incident Management System (“NIMS”) to provide a consistent nationwide approach for Federal, State, local and tribal governments to work effectively and efficiently together to prepare for, prevent, respond to, and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, the NIMS incorporates the best-practices currently in use by incident managers at all levels; and

WHEREAS, the Township Committee has determined that it is in the best interest of the Township of Upper to adopt the NIMS and that by doing so the Township will satisfy a condition for Federal preparedness assistance; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey, as follows:

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township Committee of the Township of Upper hereby adopts the National Incident Management System as administered by the U.S. Department of Homeland Security.
3. A copy of this Resolution shall be forwarded to the Cape May County Board of Chosen Freeholders and the Cape May County Office of Emergency Management.
4. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 023-2009
 Offered by: Corson
 Adopted: January 2, 2009
 Roll Call Vote:

Seconded by: Camp

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Camp	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Conrad	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Newman	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Palombo	<u>x</u>	<u> </u>	<u> </u>	<u> </u>

23. Naming the overall winner of the 2008 Safety Program.

**TOWNSHIP OF UPPER
 CAPE MAY COUNTY
 R E S O L U T I O N
 RESOLUTION NO. 022-2009
 CONGRATULATING EMPLOYEE JOHN ADAMS
 OF THE UPPER TOWNSHIP RECREATION DEPARTMENT
 AS THE UPPER TOWNSHIP 2008 SAFETY EMPLOYEE OF THE YEAR**

WHEREAS, employee John Adams is recognized for his efforts to promote safety for his fellow employees and residents of the Township through his participation in the Upper Township Safety Award Program; and

WHEREAS, John was chosen as the 2008 Safety Employee of the Year by the Upper Township Safety Committee from the quarterly recipients for the promotion of safety for employees and the community; and

WHEREAS, John should be publicly recognized for his recommendation for repairs to a damaged concrete bench foundation in close proximity of the blacktop recess area of the Upper Township

Elementary School and has earned him the designation of the 2008 Safety Employee of the Year;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey, as follows:

1. That this Committee extends its appreciation and publicly recognizes John Adams on his participation in this program and his commitment to safety by identifying a potential hazard and presenting a solution.
2. That this Committee, on behalf of his fellow employees and the citizens of the Township of Upper extend to John our congratulations and present him with the "2008 Safety Employee of the Year Award".

BE IT FURTHER RESOLVED, that this Committee also recognizes and extends appreciation to the following employees for their safety suggestions submitted this year and encourages their further participation:

Robert Young, Jr.	Bill Layton
Rosemary Trout	Janet McCrosson
Barbara Grund	Rhonda Sharp
John Hope	Patty Smyth
William Haberman	Barbara Young
Nancy Palmer	Harry Downam

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 2nd day of January, 2009.

Resolution No. 022-2009

Offered by: Newman

Seconded by: Camp

Adopted: January 2, 2009

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Camp	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Conrad	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Newman	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Palombo	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

24. Executive Order of the Mayor-Planning Bd. Appointments.

**TOWNSHIP OF UPPER
EXECUTIVE ORDER OF THE MAYOR**

Pursuant to the authority vested in me as Mayor of the Township of Upper, I hereby make the following appointments to the Upper Township Planning Board, pursuant to the provisions of the Municipal Land Use Act of the State of New Jersey:

CLASS II:

Duane Terwilliger is hereby reappointed for a one (1) year term effective January 1, 2009, which term shall expire on December 31, 2009.

The foregoing appointees shall serve with the other members of the Upper Township Planning Board, who are as follows:

CLASS I:

Mayor, Richard Palombo

CLASS III:

**Curtis Corson, (Member of the Governing Body,
appointed by the Governing Body)**

CLASS IV:

Susan Ragan reappointed to a four (4) year term commencing January 1, 2009 and expiring on December 31, 2012.

Renee Scrocca reappointed to a four (4) year term commencing January 1, 2009 and

expiring on December 31, 2012.

Daniel Bready reappointed to a four (4) year term commencing January 1, 2007 and expiring December 31, 2010.

William Brown reappointed to a four (4) year term commencing January 1, 2007 and expiring December 31, 2010.

James Kelly reappointed to a four (4) year term commencing January 1, 2006 and expiring on December 31, 2009.

Gary Riordan reappointed to a four (4) year term commencing January 1, 2006 and expiring on December 31, 2009.

Donald Kissling reappointed to a two (2) year term as Alternate #1 commencing on January 1, 2008 and shall expire on December 31, 2009.

James Schroder reappointed to a two (2) year term as Alternate #2 commencing on January 1, 2009 and shall expire on December 31, 2010.

RICHARD PALOMBO, Mayor
Effective January 1, 2009

Comments by Members of the Governing Body

Frank Conrad: He thanked Mayor Palombo and the Committee for their support during his re-election. He made the following remarks, “as life starts out you never know where you’ll wind up – I never thought I would be in this position today.” He stated that his career in Township government began after meeting Curtis Corson who encouraged him to join (the Club) and learn and understand Township government. I want to thank my wife and children who deal with me on an everyday basis in dealing with government, coaching, and everything else. My family is very important to me. My brothers and sisters could not be here as they are scattered all over the country, as are my parents. We can talk about this great community but it mainly comes back to one thing – its about family and friendship. “In my travels around the world, the country, and little towns, you don’t find many communities like Upper Township. I was just in Lake Adirondack, a great little community. We have a very large community but it feels like a small tight-knit community. You go into Wawa and you know everybody. It’s a great feeling! Before moving here I lived for many years in North Jersey, and you don’t get that small town friendly feeling there. It is something we should cherish.” All of us (indicating the Committee) try to remember this everyday and in every decision we make because we live here.

Mr. Conrad recognized he good friend and college fraternity brother in the audience. He stated that he has other fraternity brothers who live in the area and that they are another part of his family. “It all comes back to family.” Frank gesturing toward his family; “my wife again – I can’t thank her enough! It’s difficult to live with me, I’m sure. Getting through the campaign and election this past year took a lot of help from other people. He thanked his campaign team for an exceptional job, UT Rep. Leader

David Beyel, Assistant Mary Jean Burgin, and Hobart Sapp for an unbelievable job –“he is the political guru and it’s great to have his advice”. He thanked Robert Dinick (Dinicolantonis), who was sitting in the audience. He and his team do a great job! “The election signs go up 35 days ahead and are down the day after election”. He thanked Paul Casaccio on his fine work in handling the money and reports.

He recognized two of his best friends and their families in the audience. “This is what its about – family, children and friends.” He referred to the children in attendance and said, “this is the future of America!” He welcomed them and hoped that having them participate in these events would encourage them to later be involved and maybe someday be sitting up here too. Mr. Conrad stated, “I enjoy this – I don’t miss many meetings, because I enjoy it. I will continue to be at as many meetings as possible and do whatever I can for the Township. He thanked everyone and invited everyone to the Deauville Inn afterwards for refreshments.

Barbara Camp: She congratulated Richard Palombo on being named Mayor for 2009, Curtis Corson on being appointed Deputy Mayor, and Frank Conrad on his recent re-election to Township Committee. She thanked Municipal Clerk Wanda Gaglione for an exceptional job this year, “a lot of trying times and a lot of hours in the office”. She especially thanked Municipal Attorney Daniel Young and Municipal Engineer Paul Dietrich for their exceptional work this past year. She referred to Mr. Dietrich and said the DPW is a big department to keep track of and that she is very pleased how it is being handled. She commended Barbara Spiegel, the new Chief Financial Officer and stated that “stepping into someone else’s shoes was not easy, but I know you can do it.” Mrs. Camp looks forward to another energetic year on Township Committee and serving her community with her colleagues and wished everyone a happy, healthy New Year.

Curtis Corson, Deputy Mayor: He congratulated Mayor Palombo and Frank Conrad. He thanked everyone for reaffirming him as Deputy Mayor for 2009. Mr. Corson commented that he “is expecting a trying budget year ahead” here in Upper Township as well as the rest of the country. He reminded everyone that all meetings are open to the public and encouraged the public to come out and be involved, “it is easy to sit back and complain but it is just as easy to get involved.” He stated that he is looking forward to working with everyone in this New Year.

Jay Newman: He congratulated Mayor Palombo, Deputy Mayor Corson, and Frank Conrad. He thanked his family for being with him and for being supportive of his role with the Township and the fire company. His comments included, “Family drives us to live in the best community in the state of New Jersey---Upper Township, barring the one in North Jersey. Upper Township is a clean, safe, educationally friendly, great community to live in and raise a family. Working for and living in this community is great! Serving on Township Committee has been fantastic.” Jay noted he has an excellent public safety staff as well as Township staff that makes our (Committee’s) job easier and continues to help him and make him look good. He thanked everyone for doing a great job and that he is looking forward to working with everyone in the future.

Richard Palombo, Mayor: Congratulated Frank Conrad and thanked everyone for their support and allowing him the privilege to serve as Mayor again this year. He mentioned that both he and Mr. Corson have been serving together on the Committee for 10 (ten) years. He thanked State Senator Van Drew, the Legislators, and the County Freeholders for their support and hard work in getting the Beesleys Point Bridge closer to be opened. He commented that “he knows there are those who question the bridge opening, however from a public safety stand point, from an

emergency management standpoint, and from just public health in general – its important that the bridge be reopened. Even with the plan of evacuating CMC using all four lanes of the Garden State Parkway heading north – we still need to have an access southbound. We need to have a way to move people back and forth, such as emergency personnel or moving people from the hospital. That is a very important issue for the year that has been addressed. As of Wednesday, December 31st, taking it to the absolute max end of the year it became official that the County took possession of the bridge. I can't tell you how strongly I feel about this; many of you know that I had the experience of serving in recovery efforts in New Orleans after Hurricane Katrina. I've taken from that experience that we can't plan enough for evacuations and emergencies. This is a great thing not only for Upper Township but all of Cape May County and thank you everyone for that.”

Mayor Palombo continued his comments; “with respect to Strathmere, I am only going to talk a little bit about the beach replenishment project. We had to declare a “State of Emergency” in October. As many of you have seen the State Park was literally washed away. We placed a rock groin there that seems to be serving a real beneficial service there. We hope to have the beach replenishment program take place some time in the next few months. In fact, Paul Dietrich, Daniel Young, and I met recently with the NJDEP to finalize those plans. We are looking forward to the State putting it out to bid. We have a few parcels to address from an easement standpoint but I feel we are very well prepared for the easement situation and should have beach replenishment done hopefully sometime around March this year.”

He continued, “we addressed Gypsy moth suppression this year. Many of you remember a couple years ago the decision was made not to spray, this year we had a double spray. I think this worked out well and we remain vigilant in that we are already putting together a 2009 program to make sure our area is eradicated of those nasty caterpillars.”

With respect to Amandas Field, we continue to use developers' fees and hope to expand some other projects at the site including installing lighting onto some of the sports fields. We are also working with a group of volunteers to put a Dog Park together on Township property located on Tuckahoe-Mount Pleasant Road.

Many of you have seen that the new Shoprite supermarket is under construction and well on its way to completion. This is a great thing for the Township. It is a great tax rate able and will help offset the tax burden for all of us. I hope to have an opportunity to lure some more commercial properties in the very near future. At this point I am not at liberty to comment on the commercial development proposed but needless to say some of the areas of the former South Shore Ford Complex are under agreement and negotiations are ongoing. We are hoping to develop some more commercial rateables that will continue to offset our tax base.

With respect to COAH Housing, this is a subject many of you have interest in. I can't thank the Planning Board and Paul Dietrich enough, but especially the COAH Subcommittee that spent endless days and months putting a plan together. I will tell you that we already have our plan sent to the state and we are one of the few municipalities that submitted in a timely fashion. We did so in an effort to try and offset an opportunity for a Builders Remedy suit. As I reported last year, we were faced with a Builders Remedy suit. We were very successful in winning that suit but had we not been successful, potentially 400 units could have been built with no control from the Township in development of that property. I know this is a difficult issue for individuals to consider but we need to work at this. We

have a responsibility to develop some of this lower income, moderate housing and we will do what we need to do to be compliant with the state regulations.

From an Emergency Management standpoint, I am happy to say the Reverse 911 Broadcast Telephone System went into play this past year. It was successfully tested with Township residents being notified via telephone of several weather conditions that occurred throughout the year. As a reminder to those that are seasonal or transient the Reverse 911 System will accept a cell phone number. Those persons need to register so that they can receive the message on their cell phone. In addition to the Reverse 911 System we are continuing to work with those that need exceptional care; that physically might need additional help. We are developing a list of those that need extra care during an emergency situation.

We continue to expand UTTV, Channel 2 on Mainland, Channel 96 in Strathmere. We have added “streamers” so if there is an emergency situation it will be streamed on the bottom of the screen so you will not have to wait until the panels cycle through. This is something we intend to continue expanding on as the technology is available.

The only thing I am going to say about the Strathmere De-annexation is that the Planning Board continues to hold its public meetings and the Township Committee is expected to receive the recommendation from the Planning Board on de-annexation sometime in the first quarter of 2009. Just to educate everyone, this has been a yearlong process. There have been public hearings at least one monthly, and when the Planning Board forwards their recommendation, the Township Committee will ultimately make a decision on this.”

Mayor Palombo concluded his summary of the year by saying, “he would be remiss if he did not close by thanking all those that volunteer; those in recreation, Boy and Girl Scouting, the Planning and Zoning Boards, the list is endless. As Frank, Jay, Barbara, Curtis and everyone has alluded to, this community is what it is because of you and so we thank you for your participation and volunteerism. Many of you do the same thing with your churches and other organizations. That’s why as Jay said, “We were Number Two (in the state as the best place to live) but we always feel we are Number One because we are the best part of the state. “

He continued, “I want to thank my wife, Sandy. Though she would kill me for calling her this, she is my Administrative Assistant. She takes all my calls, I get thousands of calls, she is very patient. She reminds me people can be impatient and want calls back – she is very patient. I also want to acknowledge that my son, Zack, and my daughter-in-law Laurie, are also here.

In conclusion, he thanked everyone for being here. “As Curtis said, we are about to embark on a difficult budget year. We need your input and we will be making some difficult decisions. We first want to try and not cut any services, that is our goal and we hope to accomplish that. We are trying to do this as frugally as possible and hopefully not have any disadvantage from a cap standpoint and still maintain the same level of municipal services to all of you.

Thank you again and Happy New Year to all of you.”

Recognition of Distinguished Guests

Mayor Palombo extended congratulations to Frank Conrad on behalf of Congressman Lobiondo who was unable to attend this evening. He recognized and thanked Upper Township Republican Leader Daniel Beyel, CMC Clerk Rita Fulginiti, CMC Republican Leader David VonSavage, and Member of Board of Election Hobart Sapp for being present at this Reorganization meeting. State Senator Jeffrey Van Drew arrived shortly after the meeting began and Mayor Palombo thanked him for coming, and recognized him for his efforts on working to get the Beesley's Point Bridge reopened.

Benediction-Father Robert Gregorio, Church of the Resurrection

Adjournment

Motion to adjourn the meeting by Richard Palombo, second by Curtis Corson, with all five Committee members voting in the affirmative.

As customary, children from the audience were invited up to bang the gavel to signify the end of the meeting. The Mayor invited Frank Conrad's son Kyle, up to the dais for this task.

There being no further business for this evening, the meeting was adjourned at 7:25 P.M. and everyone was invited over to the Deauville Inn for refreshments.

The next regular meeting is scheduled for January 12, 2009 at 7:30 P.M.

Minutes prepared by:

Wanda Gaglione, RMC
Municipal Clerk