

**TOWNSHIP OF UPPER  
2100 TUCKAHOE ROAD  
PETERSBURG, NJ 08270  
CAPE MAY COUNTY  
MINUTES FOR JUNE 22, 2009**

**REGULAR MEETING OF THE TOWNSHIP COMMITTEE –7:30 P.M.**

**CALL TO ORDER**

**SUNSHINE ANNOUNCEMENT**

**SALUTE TO THE FLAG**

**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, Finance Officer Barbara Spiegel, Municipal Attorney Daniel Young and Municipal Engineer Paul Dietrich.

**APPROVAL OF MINUTES - June 8, 2009 Regular Meeting and Closed Session Minutes**

Motion was made by Curtis Corson, second by Barbara Camp to approve the Minutes as written. During roll call vote, Jay Newman abstained and the remaining four Committee members voted in the affirmative.

**REPORT OF GOVERNING BODY MEMBERS**

**Frank Conrad** reminded everyone that the 4<sup>th</sup> of July Fireworks will be at Amanda’s field again this year. He briefly discussed the parking and traffic pattern planned for the event. He has one item for closed session under Potential Litigation/Contract regarding the Animal Control Contract.

**Barbara Camp** reported on the retirement luncheon held recently for Township Tax Collector, Susan Piefer. On behalf of the Township Committee she thanked Mrs. Piefer for her years of service, and dedication to the Township, and congratulated her on her retirement.

**Jay Newman** also discussed the 4<sup>th</sup> of July Fireworks at Amanda’s Field and that the fire companies and the rescue squad would be on hand. He also reminded the audience that Strathmere would be holding their annual parade at 10:30 a.m. Both events will be advertised on UTTV Channel 2, Channel 96 for Strathmere, and in the Gazette.

**Richard Palombo, Mayor**, reported he has been working with the County regarding plans to insure Cape May County is ready should there be an outbreak of the Swine Flu next winter. He wants the public to know that while this is not a notice of panic it could become a problem later in the year. The County and Township have established plans to protect the public.

He reported that he received acknowledgement from Senator Frank Lautenberg that he will continue to support that beach funding be re-instituted on a Federal level.

He reported that he attended an early morning meeting to discuss the new Employee Health Benefits program. He feels that the Township is providing a good health benefit plan and has accomplished everything they set out to do with this new program.

## **OTHER REPORTS**

**Wanda Gaglione, Municipal Clerk** has one Personnel issue for closed session.

**Daniel Young, Municipal Attorney** has reviewed various quotes from Tax Collector regarding online payment of taxes. He would like to get some direction from the Committee on how they would like to proceed. Public pay online at no cost vs. a taxpayer convenience charge for taking payment online. There is a one time set up fee of \$2500.00 and the Bank would pay the annual fee. Curtis Corson made motion authorizing Mr. Young to prepare a resolution to award a contract at next meeting, this was seconded by Barbara Camp with all five Committee members voting in the affirmative.

Mr. Young had 2 matters of Litigation for closed session discussion--they being the status on the current Tax Appeals, and the status on the Grubb matter.

## **PRESENTATION**

- 1. New Jersey Department of Environmental Protection and Bureau of Coastal Engineering Public Information—PowerPoint presentation regarding the beach replenishment project.** (The PowerPoint document is included in these Minutes.)

The following were present from the Bureau of Coastal Engineering: Benjamin Keiser, Bureau Manager; William Dixon, Supervisor; and Eric Doyle, Project Engineer. David Johansen, was present as Superintendent for the dredging company, Great Lakes Dredge & Dock Company.

Dr. Stewart Farrell and Stephen Hafner from Stockton State College Coastal Research Department were present to provide beach information as they have provided beach monitoring services for the Township for many years.

Mr. Keiser gave brief summary of the Bureau of Coastal Engineering duties and services. Their purpose is to administer beach nourishment, provide shore protection, and oversee navigational projects throughout the state, as well as provide protection to life and property along the coastline and preserve natural resources. By Legislature the Bureau has been given \$25 million dollars annually. The funds awarded are divided for three different phases; Federal projects, State Projects, Professional & Technical Services. He explained that payment ratios are different for federal and state projects.

He reported that all contracts and permits for this beach nourishment are being processed through Trenton and are awaiting the commissioner's signature. The permits will not be issued until all signatures are in place but are anticipated to be in place by July 1.

Eric Doyle, Project Engineer was then invited to do the presentation. His comments included the following: The project consists of placement of sand in Strathmere, Sea Isle City, North Wildwood, and Stone Harbor. The Strathmere beach renourishment will begin at the northend at the State Park area and extending to Seaview and Williams. It will pick up again at Webster and continue down to Polk Avenue. He discussed the successful placement of the rock groin. A total of 891,000 cubic yards of sand will be used to rebuild these areas.

Mr. Doyle directed attention to the channel area and stated that it would be dredged 20 feet to open the primary channel. The goal is to shut off the secondary channel which has been exacerbating the erosion on the northern tip of island. Beach berms were discussed.

The construction will begin at the northern end of the island with exceptions made to protect any nesting bird areas. The potential production from the dredge contractor is between 2000 –2500 cubic yards per hour.

The entire contract is for 180 days. It is anticipated work will begin the second week of July and the dredging contractor will begin pumping sand the 3<sup>rd</sup> week of July. The dredging will be performed 24 hours a day. A completion date for Strathmere is expected for the first week of September and all work completed by January 2010.

Committeeman Curtis Corson asked if the pipes will remain on Strathmere beaches until Sea Isle City is completed. Mr. Doyle's response was "yes" they would remain and that some beach areas would be closed due to public safety reasons. There will also be on-site construction monitoring to insure no damage occurs to houses or infrastructures around the site.

One area of concern is the pumping in of munitions debris as seen in a northern shore community. Mr. Johanson from the dredging company stated that there will be a double screen system to insure that no munitions are pumped onto beach. There will be a state inspector on site to review these screens and to shut down the project if any munitions debris is evident on screens. It is not anticipated to be a problem but is being done as a safety measure.

The total cost of this project is \$ 20,554,000, with Strathmere's cost estimated at \$6,026,000. The State of New Jersey is responsible for 75% of the cost and the Township is responsible for 25%. At this time the Township's cost will be 1.23 million dollars. This could be decreased due to cost consolidations. Mr. Doyle concluded his presentation, directed attention to website for more information.

The following comments were heard.

**Mayor Palombo** asked if dredging the channel would also help to reduce the erosion further west on the inlet section. The response was that yes it will gradually fill the flood channel

along the beach shoreline and that sand will migrate back. He asked about when the staging of the pipes would take place. The contractor responded that work would begin as soon as all paperwork is in place; that they would begin to lay it as soon as possible with as little interruption to beach use as possible.

His last question was in regards to protected birds and the beginning of work. The Bureau responded that no work is allowed in any area of Piping Plover nests. No work would begin in areas that nesting birds are present.

**Curtis Corson, Deputy Mayor** asked that since we have already paid the \$1.23 million dollars—could we receive extra sand? The representatives' reply was “no” due to regulatory restrictions; however they could discuss other options once all work was completed, such as possibly building up dunes, etc. Mr. Corson asked if the safety/rescue Kubota vehicle would be able to get over pipes? Mr. Doyle answered that the vehicle could get over them once the sand ramp is in place.

The Mayor opened the meeting for questions and comments from the public and the following speakers were heard.

**Robert Rollins, Seacliff Ave., Strathmere**, asked if the dredging would include the large sandbar in Corsons Inlet. The response was that yes it will be included however it will not create a navigable channel with markings, but would be improved somewhat.

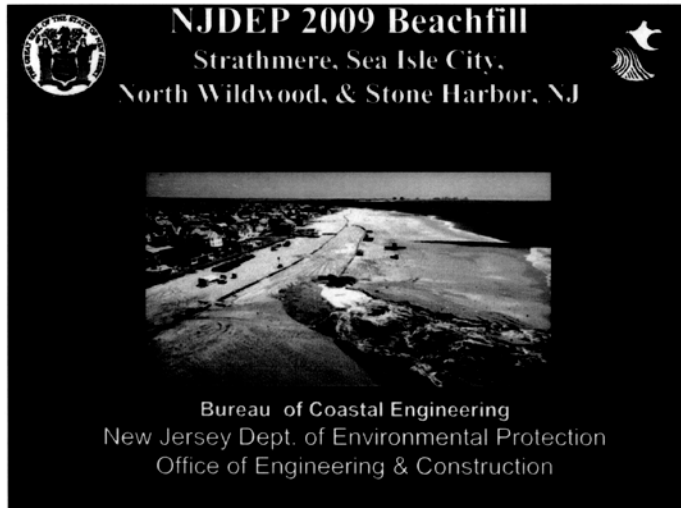
**Struthers Dunn, 29 N. Bayview Dr., Strathmere**, questioned when the pictures shown with the presentation were taken and noted that there have been substantial changes since then. The Bureau responded that they were from 2007 and they are aware of the changes however the pictures were for geographical purposes only.

**Ted Kingston, of Strathmere**, asked about the availability of the PowerPoint slides; Mr. Keiser responded that they would be available on the website within 48 hours.


**Thomas Kech, of Seaville**, questioned whether the Natural Area would be accessible for public recreational activities or only be a bird sanctuary. The Bureau responded that as the work progresses the area will be opened to the public except when protected species are on site, then it will remain closed.

A copy of the PowerPoint presentation has been included in these Minutes and also can be found on the NJDEP website at [www.nj.gov/dep/shoreprotection](http://www.nj.gov/dep/shoreprotection).

Strathmere FL6  
DEP FL6



**NJDEP 2009 Beachfill**  
Strathmere, Sea Isle City,  
North Wildwood, & Stone Harbor, NJ



Bureau of Coastal Engineering  
New Jersey Dept. of Environmental Protection  
Office of Engineering & Construction

The poster features the NJDEP seal on the left and a stylized wave logo on the right. The central image shows an aerial view of a coastal area with a road and buildings.



**New Jersey's  
Shore Protection Program**

State of New Jersey  
Jon S. Corzine, Governor

Dept. of Environmental Protection  
Mark N. Mauriello, Acting Commissioner

Natural & Historic Resources  
Amy Cradic, Assistant Commissioner

Office of Engineering & Construction  
David Rosenblatt, Administrator

The poster features the NJDEP seal on the left and a stylized wave logo on the right.

## **Bureau of Coastal Engineering**

Purpose...

To administer beach nourishment, shore protection and navigational dredging projects throughout the State to:

- Provide for the protection of life and property along the coast
- Preserve our State's vital coastal resources
- Maintain safe and navigable waterways



## **Shore Protection Fund**

Dedicated for...

"To protect existing development and infrastructure from storm surges, sea-level rise and shoreline migration through dune creation and maintenance, beach nourishment projects, and construction and repair of shore protection structures."

\$25 million dedicated annually  
Realty Transfer Tax (N.J.S.A. C.13:19-16.1)



## Shore Protection Funding

How It's Divided

### Federal Projects - NJDEP - local sponsor in these projects

- Studies
- Storm Damage Reduction Shore Protection
- Environmental Restoration

### State Projects - Municipalities - local sponsor in these projects

- Storm Damage Reduction Shore Protection

### Professional and Technical Services -

- Stevens Institute of Technology
- Richard Stockton College of New Jersey
- Division of Fish and Wildlife
- New Jersey Geological Survey



## Shore Protection Construction

Cost Share Structure

Shore Protection Project

FEDERAL

STATE

65%  
Federal

35%  
State/Local

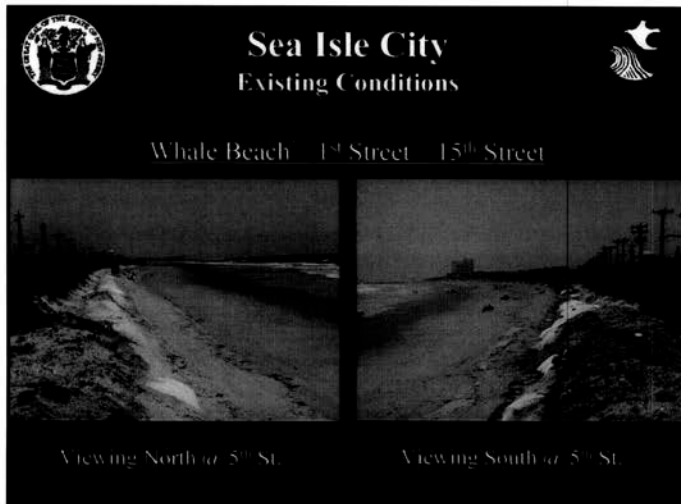
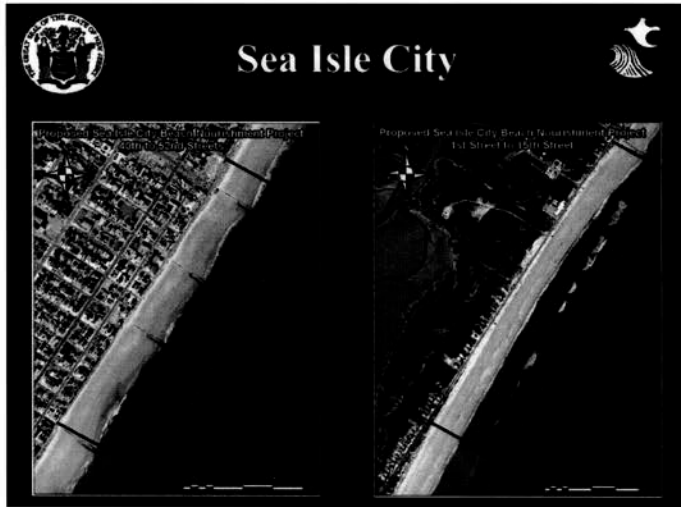
75%  
State

25%  
Local



75%  
State

25%  
Local









 **Sea Isle City**  
Existing Conditions 

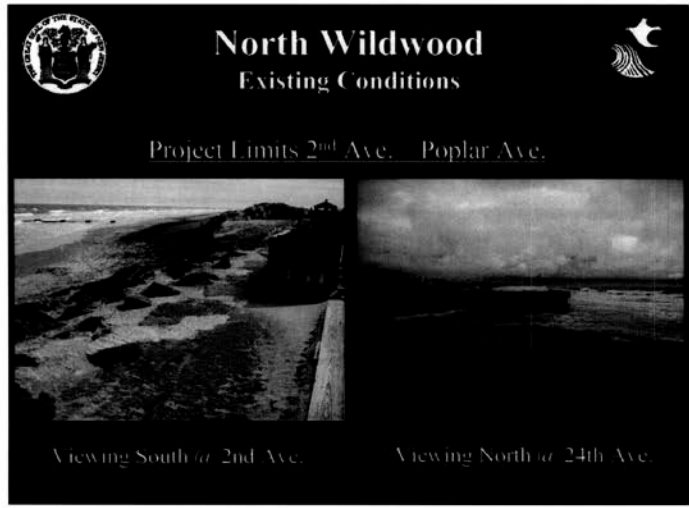
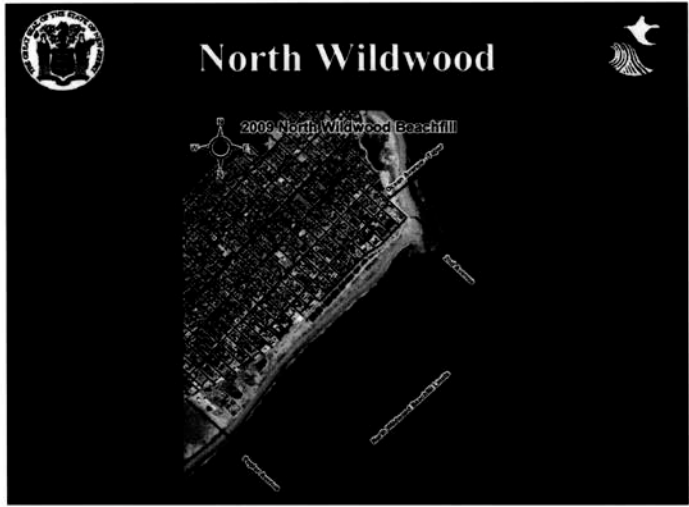
40<sup>th</sup> Street – 52<sup>nd</sup> Street



 

Viewing North at 45<sup>th</sup> St      Viewing South at 45<sup>th</sup> St

 **Sea Isle City**  
Project Specifics 

- **Material**  
394,797 Cubic Yards
- **Template**  
100' Wide Berm  
+7.00 NAV D88  
30:1 Beach Slope
- **Location**  
1<sup>st</sup> Street – 15<sup>th</sup> Street  
40<sup>th</sup> Street – 52<sup>nd</sup> Street



 **North Wildwood**  
Project Specifics 

- **Material**  
1,186,400 Cubic Yards
- **Template**  
300' Wide Berm  
+6.50 NAVD88  
25:1 Beach Slope, 12:1 Toe Slope
- **Location**  
Terminal Groin @ 2<sup>nd</sup> Ave – Poplar Ave

 **Stone Harbor** 



2009 Stone Harbor Beachfill





98th Street

Stone Harbor Beachfill Limits



114th Street

 **Stone Harbor**  
Existing Conditions 

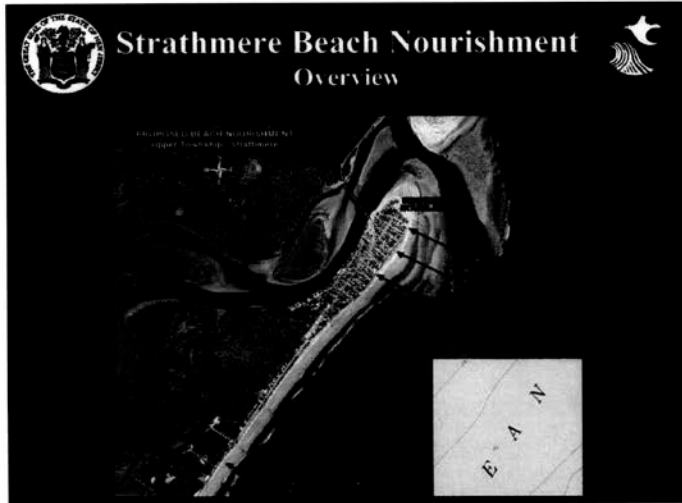
Project Limits 98<sup>th</sup> Street – 111<sup>th</sup> Street

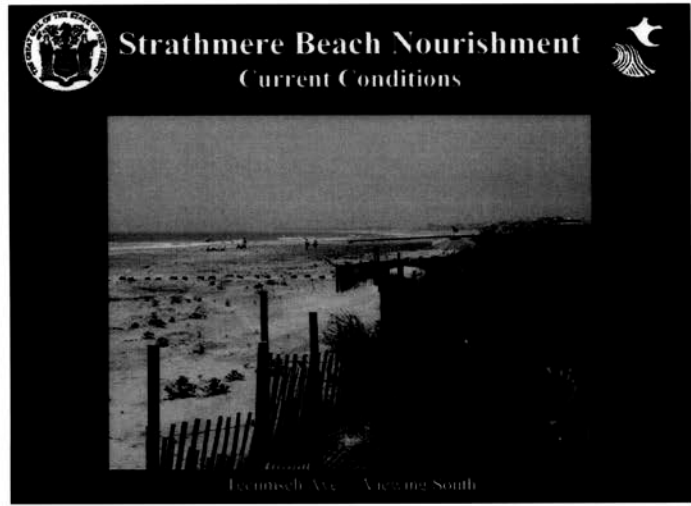
Viewing South at 98<sup>th</sup> St.      Viewing North at 111<sup>th</sup> St.

 **Stone Harbor**  
Project Specifics 

- **Material**  
245,000 Cubic Yards
- **Template**  
150' Wide Berm  
+7.25 NAVD88  
20:1 Beach Slope, 12:1 Toe Slope
- **Location**  
98<sup>th</sup> Street – 111<sup>th</sup> Street









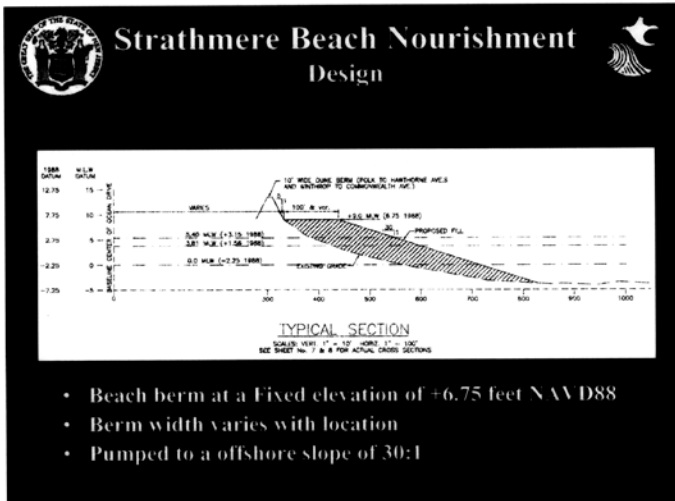
**Strathmere Beach Nourishment**  
Scope of Work

- **Total Sand: 891,000 C.Y.**  
203,100 C.Y. : Natural Area  
264,300 C.Y. : Seaview Ave. - Williams Ave.  
423,600 C.Y. : Webster Ave. - Polk Ave.
- **Borrow Area**  
Corson's Inlet  
Varying Depths: -14' - -20' NAVD88
- **Construction: North to South**
- **Production Potential: 20,000 - 25,000 C.Y.**

This slide contains a list of project details. It includes the City of Jersey City seal on the top left and a star logo on the top right.









## Strathmere Beach Nourishment What To Expect



- Dredge Pipeline
- Beach Closings: 1,000' min. sections
  - Public Safety
  - Adequate Staging
- 24 Hour Operation
  - Continuous State Inspection
- Structure Monitoring
  - Adjacent to Structures



## Strathmere Beach Nourishment Proposed Project Costs

- Total Project Costs: \$20,554,651.40
- Strathmere Proposed Costs: \$6,026,820.33
- Cost Share:
  - State = \$4,791,761.50
    - Natural Area - \$1,086,585.00 – 100% State Funded
  - Municipality = \$1,235,058.83
    - Consolidation costs savings
    - \$1,166,725.50 if Stone Harbor Awarded



## Strathmere Beach Nourishment Environmental Concerns

- **Piping Plover**
  - Favorable Habitat: Williams Ave – Webster Ave
  - Not utilized since 2005
- **Archaeological Resources**
  - Outside of project footprint
  - Protective measures within the project footprint
- **Munitions/Debris**
  - Screened at Intake
  - Screened at Discharge





## **RESOLUTIONS**

### **2. Establishing a Maintenance Program involving the Periodic Re-Nourishment of sand on the beaches of Strathmere and Whale Beach.**

*Dr. Stewart Farrell explained that this Resolution will enable FEMA to aid the Municipality in the event of a Disaster.*

TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION NO. 146-2009

RE: ESTABLISHING A MAINTENANCE PROGRAM INVOLVING THE PERIODIC RE-  
NOURISHMENT OF SAND ON THE BEACHES OF STRATHMERE AND WHALE BEACH

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WHEREAS, the Township of Upper and the State of New Jersey is about to undertake a beach nourishment project which will place as much as a million cubic yards on the Township beaches between the state park land at the northern end of Strathmere and the southern boundary of Whale Beach with Sea Isle City; and

WHEREAS, this 2009 Beach Replenishment Project has been designed to provide at least a 25 year level of storm protection to the development landward of the dunes; and

WHEREAS, the design of this 2009 Beach Replenishment Project is focused on recovery from inlet-induced erosion of the northern end of the island by secondary tidal channel development right at the beach; and

WHEREAS, this 2009 Beach Replenishment Project, as set forth in plans prepared by Paul E. Dietrich, P.E., Township Engineer, entitled "2008 Strathmere Beachfill" dated March 5, 2009 on file in the Township Engineer's Office, calls for a 12 foot elevation dune, a 100 foot wide (minimum, some with widths reaching 540 feet) berm at 6.75 feet elevation (NAVD88) with the beach face slope plan to be 1:30 slope into the ocean; and

WHEREAS, the Township of Upper has determined that it is in the best interests of the Township to provide monitoring of the Project (both quarterly surveys and immediate post-

storm cross section surveys) along with consultations with the Municipal Engineer and the Richard Stockton College Coastal Research Center to determine when maintenance would be necessary to keep the Project within a minimum of 55% of the design sand volume in place; 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 determines that the Township shall provide monitoring and maintenance of the beaches in the Strathmere and Whale Beach sections of the Township.
  
3. The Township hereby establishes a maintenance program to provide for the periodic re-nourishment of sand at least every five years and as necessary to keep the aforesaid Project with a minimum of 55% of the design sand volume in place.
  
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. 146-2009

Offered by: Conrad      Seconded by: Corson

Adopted: June 22, 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>	
Conrad	<u>  x  </u>	<u>      </u>	<u>      </u>	
Corson	<u>  x  </u>	<u>      </u>	<u>      </u>	
Newman	<u>  x  </u>	<u>      </u>	<u>      </u>	
Palombo	<u>  x  </u>	<u>      </u>	<u>      </u>	

**3. Appointing Rhonda Sharp as Tax Collector and Tax Search Officer of the Township of Upper Commencing July 1, 2009.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION NO. 147-2009  
RE: APPOINTING RHONDA SHARP AS TAX COLLECTOR AND TAX SEARCH  
OFFICER OF THE TOWNSHIP OF UPPER COMMENCING JULY 1, 2009**

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**WHEREAS**, Susan Piefer on the occasion of her retirement from the Township of Upper has submitted a resignation from the position of Tax Collector and Tax Search Officer said resignation effective June 30, 2009; and

**WHEREAS**, the said resignation creates vacancies in the Tax Office that need to be filled in accordance with N.J.S.A. 40A:9-141 et seq. ; and

**WHEREAS**, the Township Committee has duly considered the matter and has determined that Rhonda Sharp, the current Deputy Tax Collector, possesses the designation of Certified Tax Collector as issued by the Director of the Division of Local Government Services also in accordance with N.J.S.A. 40A:9-141; and

**WHEREAS**, the Township Committee is of the opinion that Rhonda Sharp is also an appropriate person for appointment to the vacant Tax Search Officer title; 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.





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

2. William McDaniels, Jr., is hereby appointed to Carpenters position effective June 12, 2009 at an annual salary of \$ 46,339.00 in accordance with the Salary Ordinance.

3. This Resolution ratifies, confirms and approves action taken by the Township Committee, by motion, at the meeting of June 22, 2009.

Resolution No. 148-2009

Offered by: Camp

Seconded by: Conrad

Adopted: June 22, 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>

**5. Appointing the 2009 Season Beach Patrol Personnel.**

TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION NO. 149-2009  
RE: APPOINTING THE 2009 SEASON BEACH PATROL PERSONNEL

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**WHEREAS**, the individuals hereinafter named have been determined to possess the requisite skills, training and are otherwise eligible for appointment to the position of lifeguard; 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 following individuals are appointed as lifeguards in the Township of Upper in a part-time seasonal position effective immediately pending pre-employment testing at a salary as stated below in accordance with the Salary Ordinance:

ROOKIE GUARDS



monitoring for certain sex offenders and creates child protection zones; and

**WHEREAS**, the Township Committee of the Township of Upper wishes to express its strong support of the Jessica Lunsford Act and its desire that same be enacted into law; 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 supports the enactment of A3128 and S155, also known as the Jessica Lunsford Act.

3. The Jessica Lunsford Act requires electronic monitoring for sex offenders who prey on minors if the offender has been released on bail or from incarceration. Additionally, this bill expands Megan's Law to restrict sex offenders from residing in areas frequented by children and imposes increased penalties on persons who commit sex crimes against minors.

4. The Township Committee and the Township of Upper strongly urges the New Jersey Assembly and New Jersey Senate to pass A3128 and S155 to secure the safety and welfare of our children.

5. A copy of this Resolution shall be forwarded to Senator Jeff Van Drew, Assemblyman Nelson T. Albano, Assemblyman Matthew Milam and Governor Jon S. Corzine.

6. 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. 150-2009

Offered by: Camp

Seconded by: Corson

Adopted: June 22, 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>

**7. In support of the construction of a southbound exit at Exit 20 on the Garden State Parkway, Seaville, Upper Township, Cape May County, New Jersey.**

**TOWNSHIP OF UPPER**

**CAPE MAY COUNTY**

**RESOLUTION NO. 151-2009**

**RE: IN SUPPORT OF THE CONSTRUCTION OF A SOUTHBOUND EXIT  
AT EXIT 20 ON THE GARDEN STATE PARKWAY, SEAVILLE, UPPER  
TOWNSHIP, CAPE MAY COUNTY, NEW JERSEY**

WHEREAS, Exit 20 of the Garden State Parkway is located in Seaville, in the Township of Upper, and is limited in that it provides an exit for northbound traffic only and an entrance for southbound traffic only; and

WHEREAS, Exit 20 is located at or near the intersection of U.S. Route 9 and Route 50; and

WHEREAS, the Township of Upper has for the past twenty (25) years, through formal action of the Township Committee, repeatedly requested that the New Jersey Highway Authority construct a full interchange at this location (Exit 20) which would provide an entrance and exit for both northbound and southbound traffic; and

WHEREAS, the Township of Upper has previously adopted resolutions in support of a full interchange at Exit 20 as

follows: Resolution No. 088-2004, adopted April 5, 2004; Resolution No. 106-7-2000, adopted July 24, 2000; Resolution 81-7-1996, adopted July 8, 1996; Resolution No. 80-7-1996, adopted July 8, 1996; Resolution No. 115-9-1997, adopted September 22, 1997; Resolution No. 115-12-1990, adopted December 21, 1990; Resolution No. 31-3-1990, adopted March 12, 1990; Resolution No. 20-2-1990, adopted February 13, 1990; Resolution No. 72-1987, adopted September 8, 1987; Resolution No. 23-1986, adopted January 20, 1986; and Resolution No. 083-2009, adopted March 24, 2009 copies of which are annexed to this Resolution as Exhibits "A" through "K", respectively; and

WHEREAS, the Township Committee wishes to make a request for, and complete support of, the construction of a southbound exit at this location on the Garden State Parkway; and

WHEREAS, the construction of a southbound exit at Exit 20 on the Garden State Parkway is vitally necessary at this time and further delay will be contrary to the public health and safety.

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 does hereby, formally endorse and urge the construction of a southbound exit at Exit 20 on the Garden State Parkway in Upper Township, Cape May County, New Jersey.

3. The Township Committee further urges that the construction of this interchange be accomplished without further delay and further public inconvenience in the furtherance of the interests of public safety.

4. Certified copies of this Resolution shall be forwarded to John T. Withers, P.E., P.P. Supervising Engineer of Highways, New Jersey Turnpike Authority, Garden State Parkway, P. O. Box 5050, Woodbridge, New Jersey 07095-5050 and also to the following:

New Jersey Department of Transportation

5. Copies of this Resolution shall also be sent to Senator Jeff Van Drew, Assemblyman Nelson Albano, Assemblyman Matt Milam, the Cape May County Board of Chosen Freeholders, the Township of Dennis, the City of Sea Isle City and the City of Ocean City.

Resolution No. 151-2009

Offered by: Corson

Seconded by: Palombo

Adopted: June 22, 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>
Corson	<u>x</u>	<u>          </u>	<u>          </u>	<u>          </u>
Conrad	<u>x</u>	<u>          </u>	<u>          </u>	<u>          </u>
Newman	<u>x</u>	<u>          </u>	<u>          </u>	<u>          </u>

Palombo

  x      \_\_\_\_\_    \_\_\_\_\_    \_\_\_\_\_    \_\_\_\_\_

8. **A Resolution to authorize participation in the New Jersey State Health Benefits Program Act of the State of New Jersey.**



STATE OF NEW JERSEY
DEPARTMENT OF THE TREASURY
DIVISION OF PENSIONS AND BENEFITS
NEW JERSEY STATE HEALTH BENEFITS PROGRAM
PO Box 299 Trenton, New Jersey 08625-0299

RESOLUTION

A RESOLUTION to authorize participation in the New Jersey State Health Benefits Program Act of the State of New Jersey.
BE IT RESOLVED:

- 1. The Township of Upper hereby elects to participate in the Health Program provided by the New Jersey State Health Benefits Act of the State of New Jersey (N.J.S.A. 52:14-17.25 et seq.) and to authorize coverage for all the employees and their dependents thereunder in accordance with the statute and regulations adopted by the State Health Benefits Commission.
A. [X] We elect to participate in the SHBP Employee Prescription Drug Plan defined by N.J.S.A. 52:14-17.25 et seq. and authorize coverage for all employees and their dependents in accordance with the statute and regulations adopted by the State Health Benefits Commission.
B. [ ] We will be maintaining as our prescription drug plan.
C. [ ] We will not have a stand-alone prescription drug plan and understand that prescription drug coverage will be provided by the Health Plan.
3. A. [ ] We elect to participate in the SHBP Employee Dental Plans defined by N.J.S.A. 52:14-17.25 et seq. and authorize coverage for all employees and their dependents in accordance with the statute and regulations adopted by the State Health Benefits Commission.
B. [X] We will be maintaining Delta Dental as our dental plan.
C. [ ] We will not have a dental plan.
4. We elect 35 hours per week (average) as the minimum requirement for full time status in accordance with N.J.A.C. 17:9-4.6.
5. As a participating employer we will remit to the State Treasury all charges due on account of employee and dependent coverage and periodic charges in accordance with the requirements of the statute and the rules and regulations duly promulgated thereunder.
6. We hereby appoint Barbara A. Spiegel, Acting CFO to act as Certifying Officer in the administration of this program.
7. This resolution shall take effect immediately and coverage shall be effective as of September 1, 2009 or as soon thereafter as it may be effectuated pursuant to the statutes and regulations.

1 If not electing prescription drug coverage and/or dental plan participation through the SHBP, attach copies of current prescription drug and dental plan contracts.
2 May not be less than 20 hours.

I hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the:

Township of Upper
Corporate Name of Employer
on the 22 day of June, 2009.
Signature
Municipal Clerk
Official Title

72
Number of Employees
2100 Tuckahoe Road, P.O. Box 205
Street Address
Tuckahoe, NJ 08250
City State ZIP Code
(609) 628-2806
Area Code Telephone
21-6001324
Employer's State Social Security Identification Number

Richard Palombo
RICHARD PALOMBO, MAYOR
Wanda Gaglione
WANDA GAGLIONE, MUNICIPAL CLERK

Resolution No. 152-2009
Offered by: Conrad Seconded by: Palombo

Adopted: June 22, 2009
Roll Call Vote:
NAME YES NO ABSTAINED ABSENT
Camp X
Conrad X
Corson X
Newman X
Palombo X

9. A Resolution to adopt the provisions of N.J.S.A. 52:14.17.38 under which a public employer may agree to pay for the State Health Benefits Program (SHBP) coverage of certain retirees.

**Township of Upper  
Cape May County  
Resolution 153-2009**

HR-0426-0608

RESOLUTION NO. 153-2009

STATE OF NEW JERSEY  
DEPARTMENT OF THE TREASURY • DIVISION OF PENSIONS AND BENEFITS

**New Jersey State Health Benefits Program**  
PO BOX 299  
TRENTON, NJ 08625-0299

**RESOLUTION**

**A RESOLUTION** to adopt the provisions of N.J.S.A. 52:14.17.38 under which a public employer may agree to pay for the State Health Benefits Program (SHBP) coverage of certain retirees.

**BE IT RESOLVED:**

The Township of Upper, Cape May County  
(CORPORATE NAME OF EMPLOYER - COUNTY - STATE HEALTH BENEFITS PROGRAM ID NUMBER)  
hereby elects to adopt the provisions of N.J.S.A. 52:14-17.38 and adhere to the rules and regulations promulgated by the State Health Benefits Commission to implement the provisions of that law. This resolution affects employees as shown on the attached Chapter 48 Resolution Addendum. It is effective on the 1st day of September (MONTH), 2009 (YEAR).

We are aware that adoption of this resolution does not free us of the obligation to pay for post-retirement medical benefits of retirees or employees who qualified for those payments under any Chapter 88 or Chapter 48 Resolution adopted previously by this governing body.

We agree that this Resolution will remain in effect until properly amended or revoked with the State Health Benefits Program. We recognize that, while we remain in the State Health Benefits Program, we are responsible for providing the payment for post-retirement medical coverage as listed in the attached Chapter 48 Resolution Addendum for all employees who qualify for this coverage while this Resolution is in force.

We understand that we are required to provide the Division of Pensions and Benefits complete copies of all contracts, ordinances, and resolutions that detail post-retirement medical payment obligations we undertake. We also recognize that we may be required to provide the Division with information needed to carry out the terms of this Resolution.

I hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the

<u>Township of Upper</u> CORPORATE NAME OF EMPLOYER on the <u>22</u> day of <u>June</u> , <u>2009</u> <u>Wanda Appleby</u> SIGNATURE Municipal Clerk OFFICIAL TITLE	<u>2100 Tuckahoe Road, P.O. Box 205</u> ADDRESS <u>Tuckahoe, NJ 08250</u>  <u>(609) 628-2806</u> TELEPHONE NUMBER
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# 10. A Resolution to authorize participation in the New Jersey State Health Benefits Program Act of the State of New Jersey for Local Prescription Drug Coverage.

RESOLUTION 154-2009

HB-0541-0501

STATE OF NEW JERSEY  
 DEPARTMENT OF THE TREASURY  
 DIVISION OF PENSIONS AND BENEFITS  
 NEW JERSEY STATE HEALTH BENEFITS PROGRAM  
 PO Box 299 Trenton, New Jersey 08625-0299

## RESOLUTION

A RESOLUTION to authorize participation in the New Jersey State Health Benefits Program Act of the State of New Jersey for Local Prescription Drug Coverage.

### BE IT RESOLVED:

- The Township of Upper \_\_\_\_\_  
Name of Employer  
 a participating employer in the Health Benefits Program, hereby elects to participate in the Local Prescription Drug Program provided by the New Jersey State Health Benefits Act of the State of New Jersey (N.J.S.A. 52:14-17,25 et seq.) and to authorize coverage for all the employees and their dependents thereunder in accordance with the statute and regulations adopted by the State Health Benefits Commission.
- As a participating employer we will remit to the State Treasury all premiums on account of employee and dependent coverage and periodic charges in accordance with the requirements of the statute and the rules and regulations duly promulgated thereunder.
- We hereby appoint the Acting Chief Financial Officer \_\_\_\_\_ to act as  
Title  
 Certifying Officer in the administration of this program.
- This resolution shall take effect immediately and coverage shall be effective as of September 1, 2009  
Date  
 or as soon thereafter as it may be effectuated pursuant to the statutes and regulations.

I hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the

Township of Upper \_\_\_\_\_  
Corporate Name of Employer  
 on the 22 day of June, 2009.  
Wanda Gaglione \_\_\_\_\_  
Signature  
 Municipal Clerk  
Official Title

2100 Tuckahoe Road, P.O. Box 205 \_\_\_\_\_  
Street Address  
Tuckahoe, NJ 08250 \_\_\_\_\_  
City State Zip Code  
(609) 628-2806 \_\_\_\_\_  
Area Code Telephone #  
 CareMark \_\_\_\_\_  
Present Prescription Drug Carrier  
72 \_\_\_\_\_  
Number of Employees  
21-6001324 \_\_\_\_\_  
Employer's State Social Security Identification Number

Richard Palombo \_\_\_\_\_  
 RICHARD PALOMBO, MAYOR  
Wanda Gaglione \_\_\_\_\_  
 WANDA GAGLIONE, MUNICIPAL CLERK

Resolution No. 1542009  
 Offered by: **Conrad**      Seconded by: **Corson**

Adopted: June 22, 2009  
 Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Camp	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Conrad	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Corson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Newman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Palombo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



11. Capital Budget Amendment.

Township of Upper  
County of Cape May  
Resolution No. 156 -2009  
**CAPITAL BUDGET AMENDMENT**

It for the year 2009 was adopted on the 13th day of April, 2009; and,  
said adopted capital budget section,  
by the Township Committee of the Township of Upper, County of Cape May, that the following amendment(s) to the capital  
e:

AYES [ CAMP  
CONRAD  
CORSON  
NEWMAN  
PALOMBO ]  
NAYS [ ]  
ABSTAIN [ ]  
ABSENT [ ]

35)

ertified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.  
ue copy of a resolution amending the capital budget section adopted by the governing body on the 22<sup>nd</sup> day of JUNE, 2009.

*Palombo*

Certified by me this 22<sup>nd</sup> day June 2009  
*Wanda Gallone*  
Wanda Gallone - Township Clerk













TO

**3 YEAR CAPITAL PROGRAM - 2009 to 2011  
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS**

2 ESTIMATED TOTAL COST	BUDGET APPROPRIATIONS		4 Capital Improvement Fund	5 Capital Surplus	6 Grants - in - Aid and Other Funds	BONDS AND NOTES					
	3a Current Year 2009	3b Future Years				7a General	7b Self Liquidating	7c Assessment	7d School		
-			-								
250,000.00			12,500.00			237,500.00					
50,000.00	-	-	12,500.00	-	-	237,500.00	-	-	-	-	-

**ORDINANCES**

**13. Public Hearing and Final Adoption of Ordinance No. 014-2009, AN ORDINANCE VACATING A PORTION OF THAT PAPER STREET KNOWN AS ATLANTIC**

Capital Budget Amendment

Township of Upper  
MERCER

**AVENUE WITHIN THE TOWNSHIP OF UPPER, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY.** During the Public Comment section of the hearing there were no speakers. Motion to adopt Ordinance No.014-2009 by Curtis Corson, second by Jay Newman. During roll call vote all five Committee members voted in the affirmative.

TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
O R D I N A N C E  
ORDINANCE NO. 014-2009

AN ORDINANCE VACATING A PORTION OF THAT PAPER STREET KNOWN AS  
ATLANTIC AVENUE, WITHIN THE TOWNSHIP OF UPPER,  
COUNTY OF CAPE MAY AND STATE OF NEW JERSEY

---

WHEREAS, N.J.S.A. 40:67-1 authorizes the Governing Body of a municipality to adopt an Ordinance, among other things, to vacate any street, highway, lane, alley, square, place or park, or any part thereof, dedicated to public use but not accepted by the municipality, whether or not the same, or any portion, has been actually opened or improved; and

WHEREAS, Warren Georgetti is the owner of Block 625, Lot 9 and has requested that the Township vacate a portion of a certain street described in this Ordinance; and

WHEREAS, the Township Committee has duly considered the matter and it appears reasonable to agree to the request since there is no present or foreseeable need or intention to utilize said roadway; and

WHEREAS, it is deemed to be in the public interest to vacate a portion of Atlantic Avenue within the Township of Upper, as hereinafter provided.

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

SECTION 1: The public right in, along, upon and over the following described land is hereby vacated, surrendered and extinguished:

DESCRIPTION  
FOR THE VACATION OF A PORTION  
OF AN UNIMPROVED STREET, ATLANTIC AVENUE  
IN THE TOWNSHIP OF UPPER  
COUNTY OF CAPE MAY, AND  
STATE OF NEW JERSEY

That portion of Atlantic Avenue extending in a Northwesterly direction from Stagecoach Road (County Road 667) BEGINNING at a point at the intersection of the Northwesterly line of

Stagecoach Road and the Southwesterly line of Atlantic Avenue, extending in a Northwestwardly direction along the Southwesterly line of Atlantic Avenue and Block 625 to a point at the corner of Lots 4 and 9 in Block 625; then 40 feet in a Northeastwardly direction across Atlantic Avenue to a point at the corner of Lots 4 and 5 in Block 622; then in a Southeastwardly direction along the Northeasterly line of Atlantic Avenue and Block 622 to the point of intersection of the Northwestery line of Stagecoach Road and the Northeasterly line of Atlantic Avenue; then extending in a Southwestwardly direction across Atlantic Avenue along the Northwestery line of Stagecoach Road to the place of beginning; as shown on the current Official Tax Map of The Township of Upper, Cape May County, New Jersey.

SECTION 2: This Ordinance vacates no portion of Atlantic Avenue except that portion set forth and described in SECTION 1 above.

SECTION 3: EXCEPTION: This Ordinance expressly reserves and excepts from vacation all rights and privileges now possessed by public utilities, as defined in R.S. 48:2-13, and by any cable television company, as defined in the "Cable Television Act",

P.L. 1972, c. 186, (C.48:5A-1, et seq.), to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, highway, lane, alley, square, place or park, or any part thereof, to be vacated, as hereinabove described.

SECTION 4: REPEALER: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency only.

SECTION 5: EFFECTIVE DATE: This Ordinance shall take effect immediately upon final adoption and publication as required by law.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 26TH DAY OF MAY, 2009 AND WILL BE TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER TO BE HELD ON THE 22ND DAY OF JUNE, 2009 AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY.

BY ORDER OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER.

WANDA GAGLIONE, TOWNSHIP CLERK  
TOWNSHIP OF UPPER



**14. Public Hearing and Final Adoption of Ordinance No. 015-2009, RE: AN ORDINANCE AMENDING REVISED GENERAL ORDINANCE CHAPTER IX (RECREATION FACILITIES) OF THE CODE OF UPPER TOWNSHIP CONCERNING BOAT RAMP FEES.** During the Public Comment section of the hearing there were no speakers. Motion to adopt Ordinance No. 015-2009 by Curtis Corson, second by Jay Newman. During roll call vote all five Committee members voted in the affirmative.

TOWNSHIP OF UPPER

CAPE MAY COUNTY

O R D I N A N C E

ORDINANCE NO. 015-2009

RE: AN ORDINANCE AMENDING REVISED GENERAL ORDINANCE CHAPTER IX  
(RECREATION FACILITIES) OF THE CODE OF UPPER TOWNSHIP CONCERNING  
BOAT RAMP FEES

---

BE IT ORDAINED by the Township Committee, in the Township of Upper,

County of Cape May and State of New Jersey, as follows:

SECTION 1. Chapter IX of the Revised General Ordinances of the Township

of Upper, also known as the Code of Upper Township, shall be amended and

supplemented as hereinafter provided:

Section 9-4 is revised as follows:

9-4 BOAT RAMP.

9-4.1-6 Unchanged.

#### 9-4.7 Township Resident.

A resident of the Township of Upper, including any part time or seasonal resident, shall be entitled to a discount for noncommercial vessels equal to one-half of the seasonal rate under the following conditions:

- a. The individual must reside within the municipal boundaries of the Township of Upper at the time of application for the seasonal noncommercial pass; and
- b. Such resident must complete an application on forms prescribed by the Township of Upper which demonstrates such residency; and
- c. Verification of such residency shall be based on a copy of a current lease (seasonal lease is acceptable), tax bill, voter registration, or a State of New Jersey driver's license, or proof of filing of a State of New Jersey income tax return from a Township of Upper address.

- d. If a Township resident owns more than one (1) vessel such resident shall be charged one-half of the resident rate for each additional noncommercial vessel.

9-4.8 and 9 Unchanged.

**SECTION 2: REPEALER:** All Ordinances or parts of Ordinances which are in conflict or inconsistent herewith are hereby repealed to the extent of such inconsistency or conflict only.

**SECTION 3: SEVERABILITY:** If any section, paragraph, subdivision, subsection, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, subsection, clause or provision declared invalid and the remainder of this Ordinance shall remain in full force and effect and shall be enforceable.

**SECTION 4: EFFECTIVE DATE:** This Ordinance shall take effect upon final adoption and publication as required by law.

**SECTION 5: CODIFICATION:** This Ordinance shall be codified in the Upper

Township Code at the sections referred to above.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 26<sup>th</sup> DAY OF MAY, 2009 AND WILL BE TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER TO BE HELD ON THE 22<sup>ND</sup> DAY OF JUNE, 2009 AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY.

BY ORDER OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER.

WANDA GAGLIONE, TOWNSHIP CLERK

TOWNSHIP OF UPPER

**15. Introduction and First Reading of Ordinance No. 018-2009, Re: AN ORDINANCE AMENDING AND SUPPLEMENTING THE FEES TO BE CHARGED FOR ELECTRONIC FILES.** Motion was made by Jay Newman, second by Frank Conrad to introduce Ordinance No. 018-2009, with public hearing and final adoption set for July 27, 2009. During roll call vote all five Committee members voted in the affirmative.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
O R D I N A N C E  
ORDINANCE NO. 018-2009  
RE: AN ORDINANCE AMENDING AND SUPPLEMENTING THE FEES TO BE  
CHARGED FOR ELECTRONIC FILES**

---

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

I. **SECTION :** Chapter 2 of the Revised General Ordinances of the Township of Upper shall be amended and supplemented as hereinafter provided:

**2-6.5 OTHER DOCUMENTS OR RECORDS.**

The following fee shall be payable by the requestor to the Township of Upper for any other record or document not set forth specifically in this section:

- a. unchanged.
- b. unchanged.
- c. unchanged.

d. A charge in the amount of Twenty Five Dollars (\$25.00) per request or an Eight Hundred Dollar (\$800.00) annual fee paid in advance shall be imposed for any electronic file requested. The Township Committee authorizes the appropriate municipal officer to collect such fee and deposit it in the Township treasury. This fee does not apply to mortgage companies and mortgage servicing companies in connection with the direct billing and payment of real estate taxes. It is hereby determined that the amount of such charge is equal to the approximate amount of the Township's administrative or other related costs.

- e. unchanged.

I. **SECTION : REPEALER:** All Ordinances or parts of Ordinances which are in conflict or inconsistent herewith are hereby repealed to the extent of such inconsistency or conflict only.

II. **SECTION : SEVERABILITY:** If any section, paragraph, subdivision, subsection, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, subsection, clause or provision declared

invalid and the remainder of this Ordinance shall remain in full force and effect and shall be enforceable.

III. **SECTION : EFFECTIVE DATE**: This Ordinance shall take effect upon final adoption and publication as required by law.

IV. **SECTION : CODIFICATION**: This Ordinance shall be codified in the Upper Township Code at the sections referred to above.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 22<sup>nd</sup> DAY OF JUNE, 2009 AND WILL BE TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER TO BE HELD ON THE 27th DAY OF JULY, 2009 AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY.

BY ORDER OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER.  
WANDA GAGLIONE, TOWNSHIP CLERK  
TOWNSHIP OF UPPER

**CORRESPONDENCE**

**NEW BUSINESS**

**UNFINISHED BUSINESS**  
**DISCUSSION**

**PAYMENT OF BILLS:**

**“I hereby move that all claims submitted for payment at this meeting be approved and then incorporated in full in the minutes of this meeting.”** motion by Jay Newman, second by Frank Conrad with all five Committee members present voting in the affirmative.

Bills approved for payment: \$ 382,935.29  
Payroll: \$ 179,967.04

**REPORT OF MUNICIPAL DEPARTMENTS:**

**16. Municipal Court**  
**Reports are available from the Clerk’s Office.**

## **PUBLIC COMMENT**

**Ted Kingston, Strathmere**, asked about the beach surveys. Mr. Corson responded that there have been quarterly charges for Dr. Stewart Farrell to monitor the beaches as well as intermittent reviews. Those charges have to be reviewed.

He also asked about the situation with the new water meters in Strathmere. Mr. Young responded that a contractor building a new home in Strathmere required a new water hook-up which spurred meetings and approvals from other governmental agencies. There is a potential problem of water hook up being permitted or not in the new home. Mr. Dietrich will provide up to date information as soon as it is available.

**Laura Olson, Marmora**, reported that there was extra funding put aside for future turtle fencing, and does the Committee have a new project selected? Mayor Palombo responded that Rt. 631 project had been selected and they are anticipating doing it this summer. Deputy Mayor Corson responded that the Township can store materials if needed.

## **CLOSED SESSION**

### **17. Resolution to conduct a closed meeting pursuant to N.J.S.A. 10:4-12, from which the public shall be excluded.**

Motion was made by Jay Newman, second by Frank Conrad to close the regular portion of the meeting and go into an executive session to discuss items previously identified as follows: Wanda Gaglione had one Personnel item for discussion; Daniel Young had 2 matters of Litigation for closed session discussion--they being the status on the current Tax Appeals, and the status on the Grubb matter; and Frank Conrad had a Potential Litigation/Contract matter with regards to the Animal Control Contract to discuss.

## **PERSONNEL HEARING**

## **RECONVENE PUBLIC PORTION OF MEETING**

## **ADJOURNMENT**

There was no further business for this evening and the meeting was adjourned at 8:50 P.M., motion by Jay Newman, second by Barbara Camp Conrad with all five Committee members present voting in the affirmative. Next meeting scheduled for July 13, 2009 at 7:30 P.M.

Minutes prepared by

Wanda Gaglione, RMC  
Municipal Clerk

## **Bill List**

49105 06/22/09 A0006 ADVANCE TREADS INC 175.00 2535  
49106 06/22/09 A0015 ADVANCE LEARNING 99.00 2535  
49107 06/22/09 A0017 A.C.M. JIF C/O T. FREEDMAN 79,712.00 2535  
49108 06/22/09 A0025 ADVANTAGE RENTAL ACE HARDWARE 303.91 2535

49109 06/22/09 A0028 ADVANTAGE RENTAL CENTER INC. 349.00 2535  
49110 06/22/09 A0030 AFTER-PROM COMMITTEE OCHS 5,000.00 2535  
49111 06/22/09 A0070 ALBERTSONS/ACME 4.95 2535  
49112 06/22/09 A0082 ARMSTRONG, JOSHUA 95.73 2535  
49113 06/22/09 A0091 ATLANTIC CITY ELECTRIC 16,452.41 2535  
49114 06/22/09 A0100 ATLANTIC CITY ELECTRIC 3,178.40 2535  
49115 06/22/09 A0117 AT&T 22.07 2535  
49116 06/22/09 A0122 ANSELL,ZARO,GRIMM & AARON 2,220.00 2535  
49117 06/22/09 B0013 BRADCO SUPPLY CORP. 35.00 2535  
49118 06/22/09 B0026 BETTER MATERIALS CORP. 591.63 2535  
49119 06/22/09 B0035 BELMONT & CRYSTAL SPRINGS 142.85 2535  
49120 06/22/09 B0052 BENNETT BATTERIES,LLC. 217.80 2535  
49121 06/22/09 B0070 HORIZON BLUE CROSS/BLUE SHIELD 118,608.25 2535  
49122 06/22/09 B0160 BONNER, ROSEMARY 19.00 2535  
49123 06/22/09 B0182 BRIGGS LAW OFFICE, P.C. 1,281.41 2535  
49124 06/22/09 C0003 CCC HEAVY DUTY TRUCK PARTS CO. 458.51 2535  
49125 06/22/09 C0011 CAPE OFFICE MACHINES & SERVICE 765.00 2535  
49126 06/22/09 C0048 CAPE MAY COUNTY MUA 30,591.44 2535  
49127 06/22/09 C0060 CAPRIONI'S PORTABLE TOILETS 2,187.00 2535  
49128 06/22/09 C0068 COMCAST 219.96 2535  
49129 06/22/09 C0071 CAPEHART & SCATCHARD, P.A. 2,155.08 2535  
49130 06/22/09 C0143 CODY'S POWER EQUIPMENT 63.53 2535  
49131 06/22/09 C0146 COLLINS IRON WORKS, INC. 54.00 2535  
49132 06/22/09 C0171 COLONIAL ELECTRIC SUPPLY CO. 179.50 2535  
49133 06/22/09 C0187 CROWTHER, BILL 1,140.00 2535  
49134 06/22/09 C0223 CASA PAYROLL SERVICE 284.45 2535  
49135 06/22/09 D0077 DIETRICH,PAUL 20.00 2535  
49136 06/22/09 D0082 DOWNTOWN AIRPORT INC 50,522.64 2535  
49137 06/22/09 D0130 DuBELL LUMBER CO. 1,785.69 2535  
49138 06/22/09 E0047 EFFINGER SPORTING GOODS CO 157.50 2535  
49139 06/22/09 G0006 GARBUTT,PATRICIA A. 34.15 2535  
49140 06/22/09 G0028 GENTILINI FORD 88.35 2535  
49141 06/22/09 G0044 GILES & RANSOME, INC. 232.44 2535  
49142 06/22/09 H0002 H.A. DEHART & SON CORP. 1,151.02 2535  
49143 06/22/09 H0018 HAROLD RUBIN/L & H SUPPLY 221.32 2535  
49144 06/22/09 I0015 ILLUSION MAKER, THE 1,000.00 2535  
49145 06/22/09 J0002 J.P. COLLINS CO. 95.39 2535  
49146 06/22/09 J0005 JACKSON,THOMAS ENTERPRISES,INC 867.12 2535  
49147 06/22/09 J0041 JONES, JAMES M. 49.99 2535  
49148 06/22/09 J0063 JOHNSON WILSHIRE, INC 20.01 2535  
49149 06/22/09 L0080 LOWES, INC. 371.00 2535  
49150 06/22/09 M0016 McAFEE, MEGAN 35.23 2535  
49151 06/22/09 M0021 MASER CONSULTING, P.A. 7,782.50 2535  
49152 06/22/09 M0046 MASON, DAVID 76.00 2535  
49153 06/22/09 M0055 MAY, JUDITH 28.00 2535  
49154 06/22/09 M0059 MCDANIELS, WILLIAM J. III 36.60 2535  
49155 06/22/09 M0076 MGL PRINTING SOLUTIONS 532.00 2535  
49156 06/22/09 M0188 MCCARTHY TIRE SERVICE OF PHILA 44.58 2535  
49157 06/22/09 N0026 N.J. RECREATION & PARK ASSOC. 400.00 2535  
49158 06/22/09 N0120 NORTHERN SAFETY CO.INC. 1,056.16 2535  
49159 06/22/09 O0006 OCS PRINTING 551.00 2535  
49160 06/22/09 O0012 OCEAN CITY BD. OF EDUCATION 540.00 2535  
49161 06/22/09 O0025 OLD DOMINION BRUSH 614.88 2535  
49162 06/22/09 P0008 PALMER, NANCY 132.70 2535  
49163 06/22/09 P0032 PEDRONI FUEL CO. 2,395.09 2535  
49164 06/22/09 P0050 PARSIO, ANTHONY 166.98 2535  
49165 06/22/09 P0056 TURF EQUIPMENT AND SUPPLY CO 164.61 2535  
49166 06/22/09 P0064 PITNEY BOWES 210.00 2535  
49167 06/22/09 P0073 POGUE INC. 2,032.00 2535  
49168 06/22/09 P0075 POSITIVE PROMOTIONS INC 141.90 2535  
49169 06/22/09 P0076 POSTMASTER-TUCKAHOE 184.00 2535  
49170 06/22/09 P0084 PROGRESSIVE BUSINESS PUBLICATI 253.00 2535  
49171 06/22/09 P0096 PREVITI,MICHELE M. 2,246.66 2535  
49172 06/22/09 Q0008 QUILL CORPORATION 1,526.47 2535  
49173 06/22/09 R0030 RIGGINS, INC. 5,630.31 2535  
49174 06/22/09 R0044 RODIO TRACTOR SALES INC 733.02 2535  
49175 06/22/09 R0055 ROSIAK, CAROL 34.05 2535  
49176 06/22/09 R0071 REMINGTON VERNICK & WALBERG 1,769.25 2535  
49177 06/22/09 S0022 SINCLAIR MATERIAL HANDLING INC 7,360.50 2535  
49178 06/22/09 S0026 GENRON/SAWYER FIRE 125.50 2535  
49179 06/22/09 S0031 SCHULER SECURITY, INC. 360.00 2535



49180 06/22/09 S0056 SEASHORE ASPHALT CORPORATION 165.75 2535  
 49181 06/22/09 S0066 SEETON TURF WAREHOUSE LLC 153.48 2535  
 49182 06/22/09 S0106 SIMPLEX/GRINNELL 72.08 2535  
 49183 06/22/09 S0113 SMITH,THOMAS G. 1,997.00 2535  
 49184 06/22/09 S0121 SMUZ, THERESE A 28.05 2535  
 49185 06/22/09 S0126 SPIEGEL, BARBARA 125.05 2535  
 49186 06/22/09 S0134 SO. JERSEY GAS COMPANY 172.80 2535  
 49187 06/22/09 S0139 SO. JERSEY WATER COND. INC. 556.15 2535  
 49188 06/22/09 S240 SJTP 2,500.00 2535  
 49189 06/22/09 T0020 TERWILLIGER, DUANE E. 60.00 2535  
 49190 06/22/09 T0032 THE PRESS & SUNDAY PRESS 256.00 2535  
 49191 06/22/09 T0038 THOMAS, CHRISTOPHER 16.10 2535  
 49192 06/22/09 T0040 THE TITLE COMPANY OF N.J. 500.00 2535  
 49193 06/22/09 T0052 TOWNSHIP OF DENNIS 1,000.00 2535  
 49194 06/22/09 T0062 TOWNSHIP OF MIDDLE 461.44 2535  
 49195 06/22/09 T0067 TOWNSHIP OF UPPER PETTY CASH 7.50 2535  
 49196 06/22/09 T0095 TRI-COUNTY ANIMAL CONTROL 1,500.00 2535  
 49197 06/22/09 T0129 TRUGREEN CHEMLAWN 4,640.00 2535  
 49198 06/22/09 T0131 TROUT, ROSEMARY 23.67 2535  
 49199 06/22/09 T0155 TUCKAHOE BIKE SHOP INC. 400.00 2535  
 49200 06/22/09 U0025 UNITED STATES POSTAL SERVICE 1,500.00 2535  
 49201 06/22/09 U0029 UPPER TOWNSHIP BD.OF EDUCATION 165.00 2535  
 49202 06/22/09 U0030 UPPER TOWNSHIP LACROSSE 1,000.00 2535  
 49203 06/22/09 U0051 U. S. LUBES LLC 619.05 2535  
 49204 06/22/09 V0001 VCI EMERGENCY VEHICLE 777.60 2535  
 49205 06/22/09 V0005 VAN EMBDEN, NATHAN, ATTORNEY 262.50 2535  
 49206 06/22/09 V0022 VERIZON 1,820.86 2535  
 49207 06/22/09 V0025 V.E. RALPH & SON,INC. 382.22 2535  
 49208 06/22/09 V0026 VITAL COMPUTER RESOURCES, INC. 100.00 2535  
 49209 06/22/09 W0001 WILFRED McDONALD INC. 319.50 2535  
 49210 06/22/09 W0069 WAHOO INTERNATIONAL, INC. 139.00 2535  
 49211 06/22/09 Y0007 YEP COMPANY 800.00 2535  
 49212 06/22/09 Y0012 YOUNG,ROBERT 28.00 2535

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Total paid: \$382,935.29