

**UPPER TOWNSHIP REORGANIZATION MEETING
JANUARY 4, 2010
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270**

6:30 P.M. Call to Order

Sunshine Announcement

Presentation of the Colors –

Boy Scout Troop 55 of Tuckahoe, William Eagan, Scout Master

God Bless America - presented by Miss Alanna Grace Palombo

Roll Call –

Frank E. Conrad	Present
Curtis Corson	Present
Kristine Gabor	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 –

Pastor Thomas Fisher, Wesley United Methodist Church

Statement of Determination of Election

Oath of Office

Committeeman Richard Palombo

Sworn in by Wanda Gaglione, Municipal Clerk

Committeewoman-elect Kristine A. Gabor

Sworn in by Wanda Gaglione, Municipal Clerk

Nominations for Mayor – 2010

The Clerk asked for nominations for Mayor. Curtis Corson nominated Richard Palombo, Jay Newman seconded. There were no other nominations and nominations 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 2010 Mayor of Upper Township

Resolutions:

1. Appointment of Deputy Mayor.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY**

**RESOLUTION
RESOLUTION NO. 001-2010**

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.001-2010

Offered by: Newman Seconded by: Conrad

Adopted: January 4, 2010

Roll Call Vote:

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

2. Establishment of Departments.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 002-2010
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: Revenue and Finance, and Public Buildings and Grounds.
- Committeeman Corson: Department of Public Works.
- Committeewoman Gabor: Recreation Department and Animal Control.
- Committeeman Newman: Municipal Court, Fire and Rescue, and Public Safety.
- Committeeman Palombo: Personnel, Emergency Management, and Lifeguards.

Resolution No.002-2010

Offered by: Conrad

Seconded by: Newman

Adopted: January 4, 2010

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Conrad	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Gabor	<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. 003-2010

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. 012-2010 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 in accordance with 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 \$39,000.00; 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 \$19,000.00; 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, Municipal Prosecutor and Municipal Public Defender 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, Municipal Prosecutor and Municipal Public Defender will exceed \$17,500.00; and

WHEREAS, the proposed Municipal Auditor, Township Solicitor, Municipal Prosecutor and Municipal Public Defender 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, 2010, 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, 2010, 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, 2010, 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, 2010, 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, 2010, 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. 003-2010

Offered by: Corson

Seconded by: Conrad

Adopted: January 4, 2010

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Conrad	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Gabor	<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. 004-2010
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 2010.
3. This Resolution shall become effective immediately upon its adoption.

Resolution No.004-2010

Offered by: Newman Seconded by: Gabor

Adopted: January 4, 2010

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Conrad	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Gabor	<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
RESOLUTION
RESOLUTION NO. 005-2010
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. 005-2010

Offered by: Conrad Seconded by: Gabor

Adopted: January 4, 2010

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Conrad	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Gabor	<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>

6. Designation of Official Newspapers.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 006-2010
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.006-2010

Offered by: Corson

Seconded by: Conrad

Adopted: January 4, 2010

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Conrad	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Gabor	<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. Appointments to the Recreation Committee.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 007-2010
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, 2010 and expiring on December 31, 2010, provided, however, that such member shall continue to serve until his/her successor is duly appointed and qualified:

Township Committee Member in charge of Recreation; Kristine A. Gabor

Recreation Supervisor; Brenda Layton

Alternate;_Duane Terwilliger

Regular Members

Justin Oliver-Girls Softball

Douglas Keil-Wrestling

Jay Davis-Soccer

Bruce DiNardo-Certification

Thomas Shallcross-Football

Robert Kimball-Basketball

Cynthia Williams-Cheerleading

Stephen C. Martinelli-Skatepark

Edward Terry-Baseball

Cheryl Weigel-Inline Hockey

William Bailey-LaCrosse

Orvis Leopardi-Dog Park

Alternate Members

William Handley-Girls Softball

Joseph Monteleone-Wrestling

Joseph Fenton-Soccer

Christina Rose-Certification
 Kevin Wiesner-Football
 Daniel Palombo-Basketball
 Julie Hartley-Cheerleading
 Vacant--Skatepark
 Frank Fumo-Baseball
 James Card-Inline Hockey
 Peter Schuler-LaCrosse
 Mark Bisignaro-Dog Park

Karen Buchanan – Secretary

3. The forgoing appointees shall constitute the sole members of the Recreation Committee for 2010, subject to the provision of Paragraph 4 hereof.

4. The Township Committee expressly reserves the right to supplement this Resolution at any time it deems it appropriate to change the membership of the Recreation Committee or change the policies, programs and personnel with respect to any recreational activity of the Township.

Resolution No. 007-2010

Offered by: Gabor

Seconded by: Corson

Adopted: January 4, 2010

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Conrad	<u> x </u>	_____	_____	_____
Corson	<u> x </u>	_____	_____	_____
Gabor	<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. 008-2010
 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 and municipal liens and charges are not paid when due, and are delinquent, then, in addition to the taxes, municipal liens and charges 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 same was payable until the date that actual payment to the Tax Collector is made.
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, municipal liens and charges 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. 008-2010

Offered by: Conrad

Seconded by: Corson

Adopted: January 4, 2010

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Conrad	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Gabor	<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 2010.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 009-2010
RE: 2010 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:

2010 SCHEDULE - REGULAR MEETINGS

			<u>Work Session</u>	<u>Regular Meeting</u>
January	11	Regular Meeting	6:30 p.m.	7:30 p.m.
January	25	Regular Meeting	6:30 p.m.	7:30 p.m.
February	08	Regular Meeting	6:30 p.m.	7:30 p.m.
Feb. (Tues)	23	Regular Meeting	6:30 p.m.	7:30 p.m.
March	08	Regular Meeting	6:30 p.m.	7:30 p.m.
March	22	Regular Meeting	6:30 p.m.	7:30 p.m.
April	12	Regular Meeting	6:30 p.m.	7:30 p.m.
April	26	Regular Meeting	6:30 p.m.	7:30 p.m.
May	10	Regular Meeting	6:30 p.m.	7:30 p.m.
May	24	Regular Meeting	6:30 p.m.	7:30 p.m.
June	14	Regular Meeting	6:30 p.m.	7:30 p.m.
June	28	Regular Meeting	6:30 p.m.	7:30 p.m.
July	12	Regular Meeting	6:30 p.m.	7:30 p.m.
July	26	Regular Meeting	6:30 p.m.	7:30 p.m.
August	09	Regular Meeting	6:30 p.m.	7:30 p.m.
August	23	Regular Meeting	6:30 p.m.	7:30 p.m.
September	13	Regular Meeting	6:30 p.m.	7:30 p.m.
September	27	Regular Meeting	6:30 p.m.	7:30 p.m.
Oct. (Tues)	12	Regular Meeting	6:30 p.m.	7:30 p.m.
October	25	Regular Meeting	6:30 p.m.	7:30 p.m.
November	08	Regular Meeting	6:30 p.m.	7:30 p.m.
November	22	Regular Meeting	6:30 p.m.	7:30 p.m.

December	13	Regular Meeting	6:30 p.m.	7:30 p.m.
December	27	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 may precede a 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 may recess 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, telegrammed 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

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, 2010.

Resolution No. 009-2010

Offered by: Corson

Seconded by: Conrad

Adopted: January 4, 2010

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Conrad	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Gabor	<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>

10. Providing for Bi-Weekly Payroll.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 010-2010
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 1, 2010, 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 paydays 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.010-2010

Offered by: Conrad Secended by: Corson

Adopted: January 4, 2010

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Conrad	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Gabor	<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. 011-2010

**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 may 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. 009-2010, 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 may convene publicly, however, at 6:30 p.m. for a work session meeting. The public may be excluded from a 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 unless a recess occurs, 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. 011-2010

Offered by: Corson Seconded by: Gabor

Adopted: January 4, 2010

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Conrad	<u> x </u>	_____	_____	_____
Corson	<u> x </u>	_____	_____	_____
Gabor	<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 -2010
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, 2010*:

ANNUAL APPOINTMENTS - ONE (1) YEAR TERM

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>
Wanda Gaglione	Official to Certify Municipal	\$ 1,850.00

	Improvement Searches; General Licensing Official Personnel Officer	\$3,000.00
Barbara Young	Deputy Township Clerk Secretary Board of Health	\$550.00 \$550.00
Barbara Spiegel	Assistant Personnel Officer	\$550.00
Therese Smuz	Claims Coordinator/Fund Commissioner Assistant Finance Officer	\$3,500.00 \$550.00
Patricia Garbutt	Purchasing Agent/Q.P.A	\$43.37/Hr.
Rhonda Sharp	Tax Search Officer	\$1,850.00
Thaddeus Klepac	Public Information Officer	\$10,000.00
Jay Potter	Safety Coordinator	\$3,500.00
Jeffrey Pierson	Asst. Safety Coordinator	\$1,500.00
Paul Dietrich	Township Engineer Computer Director Municipal Housing Liaison Stormwater Program Coordinator Solid Waste Advisory Committee Flood Plains Manager Air Quality Control Officer	\$86,550.00 \$1,500.00 \$2,500.00
<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>
Karen Buchanan	Secretary, Recreation Department	\$2,200.00
Edward Kenney	Fire Protection Inspector	\$2,279.00
Rob Spiegel	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
Edward J. Carter	2 nd Assistant Municipal Director of Emergency Management Deputy Right to Know	\$900.00 \$1,500.00
Russell Barham	3 rd Assistant Municipal Director of	

	Emergency Management	\$900.00
Harry Norcross	Court Attendant/Bailiff	\$200.00/Session
Charles Johnson	Substitute Court Attendant/Bailiff	\$200.00/Session
Karen Veach	School Crossing Guard	\$12.50/Hr.
LeRoy Shone	Recycling Coordinator	\$2,849.00
	Alternate Solid Waste Advisory Committee	
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)	\$11.50/Hr.
William Bramble	Vacation Substitute for Construction Code Official	\$25.00/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	\$59,100.00	Tenured
	Data Information Coordinator	\$3,500.00	
	Registrar of Vital Statistics	\$1,850.00	
Rhonda Sharp	Tax Collector	\$50,100.00	4-year appt. commencing 1/1/2010 & expiring 12/31/2013
Megan A. McAfee	Township Tax Assessor	\$59,000.00	4-year appt. commencing 7/1/2007 & expiring 6/30/2011
Michelle Johnson	Clerk-Typist; Deputy Tax Assessor	\$34,550.00 \$550.00	Fill unexp. Term & 4-yr. appt. commencing 8/30/07 to 6/30/12

Barbara Spiegel	Sr. Clerk-Typist; Chief Financial Officer	\$56,600.00	4-yr. term commencing 1/1/09 to 12/31/12
James Birchmeier	Judge, Municipal Court	\$42,000.00	3-year term commencing 8/1/2008 & expiring 7/31/2011
Rosemary Bonner	Municipal Court Admin. Violations Clerk	\$64,100.00	Permanent
Nancy Palmer	Deputy Mun. Court Admin. Deputy Violations Clerk	\$51,950.00	Permanent
Carol Rosiak	Sr. Clerk-Typist, Tax Office	\$40,500.00	Permanent
Therese Smuz	Clerk-Typist, Finance	\$31,900.00	Permanent
Janet McCrosson	Clerk-Typist, Construction	\$38,200.00	Permanent
Shelley Lea	Clerk-Typist	\$45,750.00	Permanent
Barbara Young	Sr. Clerk-Typist, Clerk's Office Deputy Registrar of Vital Statistics	\$42,050.00 \$550.00	Permanent 3-yr. term commencing 1/1/2009 & expiring 12/31/2011
Rosemary Trout	Clerk-Typist, Clerk's Office	\$31,900.00 \$550.00	Permanent Alt. Deputy Registrar of Vital Statistics 3-year term commencing 10/17/2007 expiring 10/16/2010
Patricia Smyth	Clerk Typist, Clerk's Office	\$30,600.00 \$550.00	Permanent Alt. Deputy Registrar of 3-year term Vital Statistics commencing 11/21/2008 expiring 11/20/2011

Edward Kenney	Construction Code Official	\$66,968.00	Permanent
	Building Sub-Code Official	\$6,769.00	Permanent
	Plumbing Inspector(P/T)	\$6,524.00	Permanent
	Fire Sub-Code Official		4 year appt. commencing 1/2/2008 & expiring 12/31/2011
William Hoffmann	Electric Sub-Code Official	\$27,820.00	Permanent
	Electrical Inspector		Permanent
William Bramble	Plumbing Sub-Code Official (Part-Time)	\$8,900.00	Tenured
Michelle Previti	Clerk Typist, MAC	\$4,450.00	Permanent
Karen Buchanan	Clerk Typist, Recreation Dept.	\$34,759.00	Permanent
Shelley Lea	Zoning Official Housing Officer/Code Enforcement	\$15,000.00	Permanent
Rob Spiegel	Municipal Director of Emergency Management	\$11,000.00	3-year term commencing 1/1/2010 & expiring 12/31/2012
Barbara Grund	Bldg. Maintenance Worker	\$32,976.00	Permanent
Jay Potter	Chief E.M.T.	\$63,148.00	Permanent
Judith May	Sr. Emergency Medical Tech.	\$55,129.00	Permanent
Linwood Chatten	Emergency Medical Technician (3 or more years)	\$47,372.00	Permanent
Mellissa Schaffer	Emergency Medical Technician (3 or more years)	\$47,372.00	Permanent
Melissa Blackledge	Emergency Medical Technician (3 or more years)	\$47,372.00	Permanent
Michelle Sampson	Emergency Medical Technician (3 or more years)	\$47,372.00	Permanent
Gary Bishop	Emergency Medical Technician	\$13.50/Hr.	Part-Time
Kimberly Boken	Emergency Medical Technician	\$13.50/Hr.	Part-Time
Regan Corcoran	Emergency Medical Technician	\$13.50/Hr.	Part-Time

Joseph Repici	Emergency Medical Technician	\$13.50/Hr.	Part-Time
William Friend	Emergency Medical Technician	\$13.50/Hr.	Part-Time
Daniel Dubbs	Emergency Medical Technician	\$13.50/Hr.	Part-Time
Patricia Kravitz	Emergency Medical Technician	\$13.50/Hr.	Part-Time
Roy Blackledge	Emergency Medical Technician	\$13.50/Hr.	Part-Time
Jonathan Mruz	Emergency Medical Technician	\$13.50/Hr.	Part-Time
Donna Smith	Emergency Medical Technician	\$13.50/Hr.	Part-Time
Misti McNulty	Emergency Medical Technician	\$13.50/Hr.	Part-Time
James Sampson	Emergency Medical Technician	\$13.50/Hr.	Part-Time
Kevin McLaughlin	Emergency Medical Technician	\$13.50/Hr.	Part-Time
Mort Schmerling	Emergency Medical Technician	\$13.50/Hr.	Part-Time
Valerie Craver	Emergency Medical Technician	\$13.50/Hr.	Part-Time
Francis Corcoran	Emergency Medical Technician	\$13.50/Hr.	Part-Time
Angel Anderson	Emergency Medical Technician	\$13.50/Hr.	Part-Time
Carolyn Wriggins	Emergency Medical Technician	\$13.50/Hr.	Part-Time
Ronald Hallam	Emergency Medical Technician	\$13.50/Hr.	Part-Time
Deborah Dore	Emergency Medical Technician	\$13.50/Hr.	Part-Time
Matthew Steintal	Emergency Medical Technician	\$13.50/Hr.	Part-Time
John Hemby	Emergency Medical Technician	\$13.50/Hr.	Part-Time
Mark Barham	Emergency Medical Technician	\$13.50/Hr.	Part-Time
Daniel Opperman	Emergency Medical Technician	\$13.50/Hr.	Part-Time
Ray Norton	Emergency Medical Technician	\$13.50/Hr.	Part-Time
Anthony Caine	Emergency Medical Technician	\$13.50/Hr.	Part-Time
John L. Sammons	Emergency Medical Technician	\$13.50/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	\$10,000.00	Permanent
LeRoy Shone	Supervisor of Roads	\$68,300.00	Permanent
Christopher Thomas	Asst. Supervisor of Road	\$63,148.00	Permanent
William Layton	Supr. Maintenance Repairer	\$52,962.00	Provisional
Thomas Woolley	Supervising Equip. Operator	\$52,962.00	Permanent
James M. Jones	Supervising Carpenter	\$52,962.00	Provisional
Brenda Layton	Supervisor Recreation Maint.	\$66,350.00	Permanent
Duane Terwilliger	Asst. Supervisor Recreation	\$61,804.00	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
Daniel Schuler	Mechanic (10 or more yrs.)	Permanent
Joseph Paynter	Mechanic (0-9 yrs.)	Provisional
Claude Kohler	Truck Driver (10 or more yrs.)	Permanent
George Adams, Jr.	Recycling Laborer	Permanent
David Keene	Sr. Sanitation Inspector	Permanent
James Schuler	Groundskeeper (10 or more yrs.)	Permanent
George Grund	Equipment Operator (0-9 yrs.)	Permanent
Harry Downam	Maintenance Repairer (0-9 yrs.)	Permanent

Richard Kaczmarek	Maintenance Repairer (0-9 yrs.)	Permanent
William McDaniels	Carpenter's Helper	Provisional
David Pennello	Carpenter (0-9 yrs.)	Permanent
Nicholas Mason	Equipment Operator (0-9 yrs.)	Permanent
Raymond Blaker	Truck Driver (0-9 yrs.)	Permanent
Edward Kline	Truck Driver (0-9 yrs.)	Permanent
Arthur Hall	Truck Driver (0-9 yrs.)	Permanent
Stewart Segin	Truck Driver (0-9 yrs.)	Permanent
Brian Keenan	Recreation Maint. Worker (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 (4th year)	Permanent
Brian Bushong	Laborer (3rd year)	Permanent
Matthew Taylor	Laborer (3rd year)	Permanent
James J. Osborn	Laborer (2 nd year)	Permanent
John D. Mayberry	Laborer (2 nd year)	Permanent
Lester F. Woody, III	Laborer (2 nd year)	Permanent
Anthony V. Parsio	Laborer (2 nd year)	Permanent
John Adams	Sr. Rec. Maint. Worker	Permanent

(10 or more yrs.)

William Haberman	Sr. Rec. Maint. Worker (0-9 yrs.)	Permanent
Jeremiah Williams	Sr. Rec. Maint. Worker (0-9 yrs.)	Provisional
Edward Carter	Recreation Maint. Worker (0-9 yrs.)	Permanent
Robert J. Young	Recreation Maint. Worker (0-9 yrs.)	Permanent
John Kohler	Laborer (0-9 yrs.)	Permanent
Michael Mayne	Laborer (4th year)	Permanent
Gary Crager	Laborer (3 rd year)	Permanent
John McCardell	Laborer (3rd year)	Permanent

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

- Committeeman Frank E. Conrad
- Committeeman Curtis Corson
- Committeewoman Kristine Gabor
- 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:

- Committeeman Frank E. Conrad
- Committeeman Curtis Corson
- Committeewoman Kristine Gabor
- Committeeman Jay Newman
- Committeeman Richard Palombo

Resolution No. 012 –2010
Offered by: Conrad
Adopted: January 4, 2010

Seconded by: Corson

Roll Call Vote:

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

**13. Appointment of Class 3 member to the Upper Township Planning Board.
TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N
RESOLUTION NO. 013-2010
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 Frank E. Conrad 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. 013-2010

Offered by: Gabor

Seconded by: Corson

Adopted: January 4, 2010

Roll Call Vote:

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

**14. Appointments to the Upper Township Zoning Board of Adjustment.
TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N
RESOLUTION NO. 014-2010
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 – reappointed to a four (4) year term commencing January 1, 2010 and expiring December 31, 2013.

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, 2009 and expiring 12/31/2012.

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

Kenneth Yakopic – reappointment to a (2) year term as Alternate #2,expiring 12/31/2010.

Resolution No. 014-2010

Offered by: Corson

Seconded by: Newman

Adopted: January 4, 2010

Roll Call Vote:

NAME YES NO ABSTAINED ABSENT

Conrad	<u> x </u>	_____	_____	_____
Corson	<u> x </u>	_____	_____	_____
Gabor	<u> x </u>	_____	_____	_____
Newman	<u> x </u>	_____	_____	_____
Palombo	<u> x </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
RESOLUTION
RESOLUTION NO. 015-2010
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 Chief Financial Officer 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 Chief Financial Officer 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. 015-2010
Offered by: Gabor
Adopted: January 4, 2010
Roll Call Vote:

Seconded by: Newman

NAME	YES	NO	ABSTAINED	ABSENT
Conrad	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Gabor	<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>

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. 016-2010

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 **2010**, Barbara Spiegel, 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, 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. 016-2010
 Offered by: Conrad
 Adopted: January 4, 2010
 Roll Call Vote:

Seconded by: Gabor

NAME	YES	NO	ABSTAINED	ABSENT
Conrad	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Gabor	<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 2010 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. 017-2010
 RE: AUTHORIZING THE TAX ASSESSOR TO FILE A
 PETITION OF APPEAL OR APPEALS FOR
 THE TAX YEAR 2010 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 **2010** 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. 017-2010

Offered by: Corson

Seconded by: Gabor

Adopted: January 4, 2010

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Conrad	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Gabor	<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>

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

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N**

RESOLUTION NO. 018-2010

**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, 2010 through December 31, 2010, a copy of which is on record in the office of the Township Clerk and in the office of the Township Chief Financial Officer, is hereby adopted.
3. The Cash Management Plan shall remain in full force and effect for the term January 1, 2010 through December 31, 2010, 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. 018-2010

Offered by: Conrad

Seconded by: Corson

Adopted: January 4, 2010

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Conrad	<u> x </u>	_____	_____	_____
Corson	<u> x </u>	_____	_____	_____
Gabor	<u> x </u>	_____	_____	_____
Newman	<u> x </u>	_____	_____	_____
Palombo	<u> x </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 DEPOSITORIES.**

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
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.

fund For purposes of the above language, the terms

government
 and ocal gov

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

(a) which is registered with the Securities and Exchange Commission Under the investment Company Act of 1933, section 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 experience investing in U.S. government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

Local Government Investment Poll, 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 J.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

payment
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

delivery
 method

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, 2010 to December 31, 2010.** 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 2010.

TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N

RESOLUTION NO. 019-2010
RE: 2010 TEMPORARY BUDGET

WHEREAS, N.J.S.A. 40A:4-19 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 **\$3,094,533.23**.

NOW, THEREFORE BE IT RESOLVED, that the following appropriations shall constitute the Temporary Budget for the year 2010:

ADMINISTRATIVE & EXECUTIVE

Mayor and Committee	
Salary and Wages	16,000.00
Mayor and Committee O/E	5,000.00
Municipal Clerk	
Salary and Wages	48,000.00

OTHER EXPENSES

Legal Advertising	8,000.00
Miscellaneous O/E	10,000.00
Purchase of Office Equipment	5,000.00
Codification of Ordinances	2,000.00
MAC	6,867.00
Cape Mediation	1,364.00
Cape Assist EAP	1,155.00

FINANCIAL ADMINISTRATION

Salaries & Wages	32,000.00
Miscellaneous O/E	3,000.00
Computer Hardware/Software	15,000.00
Annual Audit	18,000.00

ASSESSMENT OF TAXES

Salaries & Wages	26,000.00
Miscellaneous O/E	4,000.00

COLLECTION OF TAXES

Salaries & Wages	26,000.00
Miscellaneous O/E	4,000.00
Purchase TTL	1,000.00

LIQUIDATION OF TTL & FORECLOSED PROPERTY

Other Expenses	1,000.00
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LEGAL SERVICES AND COSTS

Other Expenses	50,000.00
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MUNICIPAL COURT

Salaries & Wages	53,000.00
Miscellaneous O/E	4,000.00

PUBLIC DEFENDER

Salaries & Wages	6,000.00
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MUNICIPAL PROSECUTOR	
Salaries & Wages	12,000.00
ENGINEERING SERVICES & COSTS	
Salaries & Wages	23,000.00
Other Expenses	20,000.00
PUBLIC BUILDINGS & GROUNDS	
Salaries & Wages	26,000.00
Other Expenses	90,000.00
PLANNING BOARD	
Salaries & Wages	12,000.00
Other Expenses	2,000.00
BOARD OF ADJUSTMENT	
Salaries & Wages	12,000.00
Other Expenses	2,000.00
CONSTRUCTION OFFICE & BUILDING INSPECTOR	
Salaries & Wages	45,000.00
Other Expenses	3,000.00
INSURANCE	
Group Insurance for Employees	360,000.00
Other Insurance Premiums	90,000.00
Workers Compensation	85,000.00
SCHOOL CROSSING GUARD	
Salaries & Wages	2,500.00
Miscellaneous O/E	500.00
BEACH PATROL	
Salaries & Wages	1,500.00
Other Expenses	2,000.00
EMERGENCY MANAGEMENT/RTK/911 COORDINATOR	
Salaries & Wages	6,500.00
Miscellaneous O/E	9,000.00
ROAD REPAIRS & MAINTENANCE	
Salaries & Wages	255,000.00
Miscellaneous O/E	50,000.00
SURFACING OF ROADS CONTRACTUAL	25,000.00
STREET LIGHTING	80,000.00

GARBAGE & TRASH REMOVAL	
Salaries & Wages	100,000.00
Miscellaneous O/E	40,000.00
Tipping Fees	74,000.00
BOARD OF HEALTH	
Salaries & Wages	300.00
Miscellaneous O/E	10,000.00
DOG REGULATION	
Miscellaneous O/E	30,000.00
PUBLIC RELATIONS & INFORMATION OFFICER	
Salaries & Wages	3,000.00
Miscellaneous O/E	3,000.00
ZONING/CODE OFFICIAL	
Salaries & Wages	5,000.00
Miscellaneous O/E	1,000.00
RECREATION	
Salaries & Wages	163,000.00
Miscellaneous O/E	70,000.00
FIRST AID ORGANIZATION	
Salaries & Wages	155,000.00
Miscellaneous O/E	25,000.00
RECYCLING	
Salaries & Wages	170,000.00
Miscellaneous O/E	30,000.00
AFFORDABLE HOUSING	
Salaries & Wages	700.00
Miscellaneous O/E	2,000.00
COMMUNITY CENTER	
Salaries & Wages	10,000.00
Miscellaneous O/E	12,000.00
CELEBRATION OF PUBLIC EVENTS	3,000.00
SOCIAL SECURITY SYSTEM	90,000.00
SPECIAL LITIGATION	40,000.00
SUI CONTRIBUTION	6,600.00
SHORE PROTECTION O/E	40,000.00

CENTRAL DISPATCH	60,000.00
RENOVATIONS HISTORICAL BUILDING	3,000.00
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	306,428.00
ENERGY AUDIT GRANT	20,000.00
	\$3,094,483.00

Resolution No. 019-2010

Offered by: Conrad Seconded by: Gabor

Adopted: January 4, 2010

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Conrad	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Gabor	<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. 020-2010

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

NINETEEN THOUSAND SIX HUNDRED FIFTY FOUR DOLLARS,

(\$19,654.00)

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 6% of the municipal assessment and is 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. 020-2010

Offered by: Corson

Seconded by: Gabor

Adopted: January 4, 2010

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Conrad	<u> x </u>	_____	_____	_____
Corson	<u> x </u>	_____	_____	_____
Gabor	<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. 021-2010

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

Alternate

Fund Commissioner: Wanda Gaglione, Township Clerk

Risk Management

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

Claims Coordinator: Theresa Smuz

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

Asst. Safety Coordinator: Jeff Pierson, Sr.

Safety Committee: E. Robert Spiegel; 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. 021-2010
Offered by: Newman Second by: Gabor
Adopted: January 4, 2010

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Conrad	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Gabor	<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. Naming the overall winner of the 2009 Safety Program.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 022-2010

**RE: CONGRATULATING EMPLOYEE EDWARD CARTER
OF THE UPPER TOWNSHIP RECREATION DEPARTMENT
AS THE UPPER TOWNSHIP 2009 SAFETY EMPLOYEE OF THE YEAR**

WHEREAS, employee Edward Carter 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, Ed was chosen as the 2009 Safety Employee of the Year by the Upper Township Safety Committee for submitting the best overall safety suggestion for 2009; and

WHEREAS, Ed should be publicly recognized for identifying, reporting and correcting the following safety hazard--*the necessity to replace a drainage grate cover missing from an open hole near a swing set located at Amanda's Field*;

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 Edward Carter 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 Ed's fellow employees and the citizens of the Township of Upper extend to him our congratulations and present him with the "2009 Safety Employee of the Year Award".

BE IT FURTHER RESOLVED, that this Committee also extends appreciation to all of the employees who submitted safety suggestions this year and encourages further participation, and congratulates the 2009 quarterly winners as follows:

1 st Quarter	Rhonda Sharp
2 nd Quarter	Edward Carter
3 rd Quarter	Janet McCrosson
4 th Quarter	Edward Carter

GIVEN UNDER OUR HANDS and the seal of the
Township of Upper this 4th day of January, 2010.

Resolution No. 022-2010

Offered by: Newman

Seconded by: Gabor

Adopted: January 4, 2010

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Conrad	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Gabor	<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. Adoption of the National Incident Management System.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 023 -2010
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. 023-2010

Offered by: Newman

Seconded by: Gabor

Adopted: January 4, 2010

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Conrad	___x___	_____	_____	_____
Corson	___x___	_____	_____	_____
Gabor	___x___	_____	_____	_____
Newman	___x___	_____	_____	_____
Palombo	___x___	_____	_____	_____

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:

Janet McCrosson is hereby reappointed to a one (1) year term, which term shall expire on December 31, 2010.

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:

Frank E. Conrad, (Member of the Governing Body, appointed by the Governing Body)

CLASS IV:

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

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

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

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

James Kelly is reappointed to a four (4) year term commencing January 1, 2010 and expiring on December 31, 2013.

Gary Riordan is reappointed to a four (4) year term commencing January 1, 2010 and expiring on December 31, 2013.

Donald Kissling is reappointed to a two (2) year term as Alternate #1 commencing on January 1, 2010 and shall expire on December 31, 2011.

James Schroder reappointed to a two (2) year term as Alternate #2 commencing on January 1, 2010 and shall expire on December 31, 2011.

Effective January 1, 2010

25. Recognizing Barbara A. Camp on her retirement from public service.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 241-2009
RE: IN RECOGNITION AND APPRECIATION OF
UPPER TOWNSHIP COMMITTEEWOMAN BARBARA A. CAMP,
ON HER RETIREMENT FROM PUBLIC SERVICE**

WHEREAS, effective December 31, 2009, Committeewoman Barbara A. Camp will retire from her seat on the Upper Township Committee after six years, culminating an active career of over thirty (30) years of exemplary public service to this community; and

WHEREAS, her 30 years of public service also includes her appointment as Municipal Clerk from 1978 through 2002, after which time she then accepted the nomination for a seat on the governing body, and in 2004 was elected and became the first woman

in Upper Township to serve as a member of the Township Committee;
and

WHEREAS, it is most appropriate that Barbara Camp's tenure of public service, commitment, and leadership to her community are publicly recognized.

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 Barbara A. Camp be publicly congratulated on the occasion of her retirement as Township Committeewoman and that we all extend our deepest thanks to her for her many years of dedicated public service and acknowledge that her dedication has served to enhance the lives of everyone in this community.

BE IT FURTHER RESOLVED, that this Committee extends to our colleague and friend, Barbara A. Camp, our very best wishes for continued happiness, good health, and success in her future endeavors.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 14th day of December, 2009.

Resolution No. 241-2009

Offered by: Corson

Seconded by: Newman

Adopted: December 14, 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>

Comments by Members of the Governing Body

Frank Conrad, Committeeman; Thanked Mayor Palombo and congratulated Barbara Camp on her retirement from the Township Committee. He commented that both he and Barbara Camp have a very special relationship because they became involved in politics at the same time. He is grateful to have had the opportunity to begin his term with and sit next to her over the last four years. Mr. Conrad expanded on how helpful Mrs. Camp's experience and knowledge were to him over the years and that it has been a privilege working with her. He congratulated Kristine Gabor on her election and Richard Palombo on his re-election to the Township Committee and wished them both well. He also thanked the Committee for their confidence in making him responsible for the Revenue and Finance Department. Mr. Conrad noted that Upper Township is very conservative and that it plays an important role when making financial decisions. He will miss the Recreation Department and is proud of the fact that Upper Township sports coaches are certified and finger printed.

He is confident that Kristine Gabor will do a good job leading the Recreation Department as she has been involved in Upper Township sports for many years with her own children. Mr. Conrad thanked the audience and stated that he hopes the public will continue to attend the meetings and participate. Mr. Conrad ended his comments by wishing everyone well and a Happy New Year.

Kristine Gabor, Committeewoman; Thanked everyone for entrusting her to this position. She is looking forward to working on behalf of the Township and will do her best to live up to everyone's expectations. She especially thanked her husband, her children, and her mother and she appreciates their support. She thanked Barbara Camp for opening the doorway for women on the Township Committee and wished her well in her retirement. In closing, she thanked the Committee for making her feel welcome and helping her along the way and that she is looking forward to working with them for the next three years.

Curtis Corson, Deputy Mayor, began by wishing everyone a happy and healthy New Year. He congratulated Mayor Palombo on being named Mayor again for this year and congratulated Kristine Gabor on her election to the Township Committee. He commented that Barbara Camp would be missed and that her help to all of them over the years was invaluable. He stated that "Barbara was the "go to" person" and that during her tenure as Committee person overseeing the Department of Public Works the department experienced many improvements. Mr. Corson continued to say that Mrs. Camp first initiated the research into using an automated trash truck system in the Public Works Department, which he would continue to do. He is looking forward to a good year and a nice evening at the Deauville Inn after this meeting.

Jay Newman, Committeeman; Wished everyone a happy and healthy New Year. He congratulated Mayor Palombo and welcomed Mrs. Gabor. He also congratulated Barbara Camp on her retirement and stated that she has been an outstanding example of an Upper Township Citizen and thanked her for her dedication and her years of service. He discussed the Fire & Rescue Departments and services and commented that "this is a very active organization, busy 24 hours a day, 7 days a week". He stated that the final statistics for 2009 showed there were over 1450 calls for the EMS people, "that's three to four calls a day". He asked that the public please keep this in mind when those organizations are fundraising. He stated that the current Township Committee supports fire and rescue and will continue to do so. He thanked everyone for a great year and stated that he is proud to be a part of a clean and safe community and that Upper Township is a great place to live.

Richard Palombo, Mayor, Upper Township: The following is an excerpt from the Mayor's comments. "Thank for your confidence in me by electing me for another term on the Township Committee. To my colleagues—thank you for your confidence in my leadership for another year. Happy New Year to everyone, 2010—this is the beginning of my 11th year as Mayor of Upper Township."

Mayor Palombo went on to briefly highlight some of the significant events of the past year; "a significant beach replenishment project occurred in the Strathmere/Whale Beach area. The project included the state owned land that was devastated in the October 2008 storm that virtually destroyed the north end of the beach. This began the arduous task of obtaining easements to allow this beach replenishment project to occur." At this point the Mayor thanked the Township Committee for their dedication in seeing this project come to fruition. "I would like to especially thank our Municipal Attorney, Dan Young, Municipal Engineer Paul Dietrich and the Clerk's Office, especially Barbara Young, for their assistance in

making this project a reality. The project proved to be beneficial in protecting our infrastructure and homes during the recent nor'easter that occurred in November 2009. The Township fared well but still had some significant beach erosion for which the Township has applied for re-imbusement for the loss through FEMA. The good news is that the President has declared our county as a disaster area thus enabling us to be eligible for that FEMA money."

"We also had a significant snowstorm just before Christmas, and I point this out because in both the snow storm and the major nor'easter our Public Works and Recreation crews did a fantastic job in plowing the streets and completing the necessary clean-up from the storms."

With regards to other areas he commented "we also had several new commercial properties added to our tax ratable including the new Shop Rite and the stores associated with that complex. These are a significant amount of resources with respects to Tax Ratables. I am confident that some of the other proposed projects (for the abandoned car dealerships on Rt. 9) will be developed. Interest dropped off with the economy but there has recently been an influx of interest in these properties as the economy seems to be getting back on track.

Also in 2009, "We instituted our reverse 911 calls, alerting our residents when a significant event is about to occur such as a severe storm or flooding is about to take place. This has also been used for school closings. Our Fire and Rescue companies have begun to utilize an automated text message for 911 dispatch calls."

Mayor Palombo also congratulated Committeeman Frank Conrad on getting the Dog Park up and running.

He continued that "since we are putting an end to a decade I thought I'd take a few minutes and highlight a few memorable moments of the past decade"...

He discussed improvements made to our Emergency Preparedness and Emergency Management plan for the Township. When he was first elected to the Township Committee he was appointed as the Committee person in charge of Public Safety. At that time Jay Newman, John Deuter and others asked the Committee to make improvements to our Emergency Preparedness and Emergency Management plan. He briefly summarized the list of the improvements made over the last ten years.

"We created a central location (at the Township Hall), a hub, where all emergency management would be headquartered. That goal was realized in 2005 with the expansion of the municipal building. Currently, the EM department is now housed here.

In 2004 - Diesel-powered generators were installed at Township Hall and the Community Center capable of keeping operations fully functional. That same year we also entered into a Shared Services agreement with Ocean City for our 911 emergency calling response system to improve reliability; the 911 backup system is located at Township Hall should the Ocean City system ever become inoperable.

We also entered into an agreement with Comcast to provide Upper Township with a local T.V. station; UTTV Channel 2 for the mainland; and Channel 96 in Strathmere was added a few years later when Comcast upgraded their system to allow access. It's available for school closings and emergency notifications, as well as community events.

Our website at www.uppertownship.com is another tool that has been upgraded to be utilized as a way to communicate with our residents for general information and more importantly if an emergency event should arise

Our Fire and Rescue network, as far as I am concerned, is one of the best in the state. We can all rest comfortably because of our dedicated and highly trained volunteer personnel. It is imperative that our Fire and Rescue system continues to evolve to meet the demands of this community, and to meet those demands we instituted a 24-hour, 7-day a week paid EMS squad.

I would be remiss if I didn't acknowledge the work that John Deuter our Emergency Management Director and Committeeman Jay Newman have provided over the years to ensure our safety.

John (Deuter) has retired effective December 31, 2009 and he will be missed. We do look forward to working with Rob Spiegel who will take over as Emergency Management Director as of today."

Mayor Palombo continued to summarize some of the other highlights over the past decade.

"In 2000 there was the completion and dedication of our Community Center. In 2001, a minor beach replenishment project was undertaken for Strathmere. In 2002, the historic Tuckahoe Train Station was completed and dedicated. That project was a great partnership between the Township Committee, Public Works, the Historical Society, and the Greater Tuckahoe Area Merchants Association and also included an Eagle Scout Project. 2002 was the year we started technology upgrades. We began to use a GIS system for simplifying land development."

Also in 2002 Fort Nuwi was completed. "I would be remiss if I didn't mention the Mother's Club and their completion of the Fort Nuwi playground located at Caldwell Park; that project was completed in 5 days. It was a community effort. I can't stress enough the accomplishments of our volunteers in this Township."

"2003, saw the completion of the new Rescue Squad building. We also formerly dedicated Amanda's Field and began implementing some of the initial phases of the Amanda's Field project. Our vision was, and still is to create a sports complex for everyone; to provide passive recreation for all age groups. Amanda's Field is still an ongoing project and improvements are made every year and paid for from developer fees." He thanked Cape May County for allowing the Township to lease the Amanda's Field property for \$1.00 per year.

"Also in 2003, Upper Township was named in the New Jersey Monthly Magazine as the number 1 place to live in South Jersey; something we have known for years."

"In 2004, the big news in Upper Township was that Barbara Camp was elected to the Township Committee; and she was the first woman elected to the Township Committee ever. We are breaking that record again this year with Kris Gabor being the second woman ever elected."

That year "We also built the salt barn which was a big project the state required the Township to do. The Township instituted a mandatory spay and neuter program for all animals adopted in this community. This also led to a partnership with the volunteers of Beacon Animal Shelter now housed at the former animal shelter on Butter Road."

"In 2005 the Township saw the revision of the Master Plan; and the new Lifeguard Station was built in Strathmere. That year we also received a \$50,000 grant from the Office of Smart Growth that enabled us to accomplish the first steps necessary to develop a program, which has since been approved by the state. 2005 was when the Township began to hear the first rumblings regarding the closure of the B.L. England Plant. The Committee began extensive work researching the history of the plant and how to ensure that plant would remain open.

In 2006, a Veteran's Memorial Park aptly named "Patriot Park" located at the front of Osprey Point was dedicated to an Upper Township resident, Sergeant William R. Godfrey, of the U.S. Army. Sergeant Godfrey was the only resident from Upper Township who gave his life in the line of duty during the Vietnam War. I think it's appropriate at this time to thank all those serving in our armed forces, whether in Afghanistan, Iraq, or other area of confrontation – even here just before Christmas with the attempted terrorist attack on Northwest Airlines. We thank you all."

“In 2007; we began to formulate the contentious but necessary COAH Housing Plan. This is a state mandated plan. We experienced a huge victory in a Builders Remedy suit that had it been decided differently would have put hundreds of affordable housing units in Upper Township which would have been a major impact on our way of life and especially overwhelming to our school system. At this point I have to thank Dan Young and the Committee for their efforts.

In 2007, with the help of Dan Young and other outside council we were able to convince the NJDEP that another sale of the BL England Plant should take place and that it did not make sense to close the facility at this point. The Township had to fight for this as the plant supplies approximately \$6.4 million in Energy Receipts Tax on a yearly basis, which has supported this community without having a local purpose tax. The plant did in fact sell to another energy supplier and I’m happy to say that the new owners over the past three years have dedicated a lot of time and resources in taking care of environmental issues. They have cleaned up the area and are on a positive road to making sure the facility continues to decrease the amount of environmental impact. There has been a proposal to convert part of the facility into a solar farm—generating green energy. That’s a good thing for everyone.”

“In 2008 we received a grant for the reconstruction of Peach Orchard Road. As I mentioned earlier we had the negative impact of the October 2008 storm along the north section of Strathmere necessitating an emergency action to place a rock revetment along the shore in order to protect both private and public properties. Also in December 2008 Cape May County officially took possession of the Beesley’s Point Bridge. The Committee and I have strongly supported this effort. At some point we may need to evacuate and even though there is a plan to open both sides of the Parkway in a Northbound direction – the problem with that is that if there is an emergency within the Township, emergency vehicles could not easily regain entry southbound. We need to have another access road out of Cape May County. There was an accident last summer that closed the Parkway for several hours and if that had been an emergent situation serious problems would present themselves.” He stated that he and the Committee will continue to work with the county and hope that county and state funding will be put in place so that this bridge can open as soon as possible.

He also mentioned that in May of 2008, Upper Township was voted as the Number 2 most desirable place to live in the state by the NJ Monthly Magazine. “We have moved up from South Jersey to New Jersey. This says a lot about what a great community this is to live in and to raise our families.”

“In closing, I want to thank my family; my wife Sandi, who supports me and the time it takes to serve on the Committee. I am out of the house a lot. Personally 2010 will be busy for us. We are excited that soon we will be grandparents for the first time. My son, Zach, and his wife, Lori, are expecting their first child and my son, Matt, and his fiancée Joanne will be married in October.”

“I believe that the Township Committee is ready for the many challenges that lie ahead and we will do everything in our power to protect the interests of this Township and our Residents. Serving this community in the past and into the future has been a great pleasure. I thank all of you again for coming this evening and wish all of you a happy and healthy New Year!” He thanked his niece Allanna for singing at tonight’s meeting.

Recognition of Distinguished Guests

Mayor Palombo recognized and thanked the following distinguished guests for attending this evening:

Freeholder Daniel Beyel, Freeholder, Ralph Bakley, Freeholder, Gerald Thornton, CMC Clerk Rita Fulginiti, CMC Sheriff Gary Schaeffer, Dan Lockwood Republican leader in Middle Township, CMC Republican Chairman David VonSavage, Upper Township Republican Chairman, David Beyel, and Member of the Board of Election Hobart Sapp, former Committeewoman Barbara Camp, Municipal Prosecutor Patrick Martin, Municipal Planning and Zoning Attorney Dean Marcolongo, Zoning Board Chairman, Paul Cassachio, School Board Members, Chris Lintz, Jill Cassachio, Fran Newman, and Lynn Petrozza.

Benediction-Pastor Thomas Fisher, Wesley United Methodist Church

Adjournment-

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

Kristine Gabor's son was invited to the dais to formally adjourn the meeting by banging the gavel.

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

The next regular meeting is scheduled for January 11, 2010 at 7:30 P.M.

Minutes prepared by:

Wanda Gaglione, RMC
Municipal Clerk