

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR APRIL 12, 2010**

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

CALL TO ORDER

SUNSHINE ANNOUNCEMENT

SALUTE TO THE FLAG

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.

**APPROVAL OF MINUTES - March 22, 2010 Regular Meeting and
Closed Session Minutes**

Motion was made by Jay Newman, second by Frank Conrad to approve the Minutes as submitted. During roll call vote, four committee members voted in the affirmative, Mayor Palombo abstained from voting.

REPORT OF GOVERNING BODY MEMBERS

Frank Conrad, Committeeman: discussed the matter of eliminating the School Crossing Guard from the 2010 budget. He discussed that there was a question of whether the responsibility to provide a crossing guard was a Township responsibility or a School Board responsibility. He reported that after further review of the Statue it is the responsibility of the Township. Mr. Conrad also discussed budget cuts with regard to Capital Improvements. He thanked the Township Committee as well as the Chief Financial Officer, Barbara Spiegel and the Township Auditor, Leon Costello for all their diligent work in these difficult times to give our public a zero purpose tax for another year.

Kristine Gabor, Committeewoman: Reported that the Recreation Committee met on March 25th to discuss changes to their budget and to address drainage issue at Amanda’s Field. Ms. Gabor also reported that she is now a member of the Cape May County Animal Shelter Advisory Board as well as the Spay and Neuter Sub-Committee. They met on March 29th to discuss moving forward with the Spay and Neuter program. She also reported that the Township is making plans to hold a fall rabies clinic in the fall.

Jay Newman, Committeeman: Discussed the flooding and standing water situation in the Township, He reported that FEMA has declared Cape May County a disaster area for the March 10th, 11th, 12th and 13th storm and funds may be available for residents or businesses. He reported that the public can go to the FEMA website to register and report any losses incurred and to see if they would be eligible for

reimbursement. The information is available at Township Hall and the link for the FEMA website is also on the Township website. He also discussed an addition made to the Shared Service agreement with Corbin City for Upper Township to provide Municipal Court services. The cost to Corbin City increased to \$5,000.

Mr. Newman discussed the repair or replacement of the turtle fencing. Mr. Dietrich reported that as soon as the brush collection is complete the maintenance to the turtle fencing would be done.

Richard Palombo, Mayor: Presented a request by Frank Kenney the father of a Township Lifeguard who has been working in cooperation with Tufts University and the National Oceanic and Atmospheric Administration (NOAA) to collect and recycle monofilament fishing lines. A container has been developed to collect the lines. Mayor Palombo presented the request for the placement of at least three recycling containers along Township beaches. Motion to approve request by Mayor Palombo second by Frank Conrad. During roll call vote, all five Committee members voted in the affirmative.

OTHER REPORTS

Wanda Gaglione, Municipal Clerk; reported that the School Board Election would be held April 20, 2010 with the polls open from 2:00 to 9:00 P.M.

Daniel Young, Municipal Solicitor: reported that shortly there would be a vacancy on the Zoning Board and the importance of filling the vacancy as soon as possible.

He also reported that EMS billing would require an amendment to the Ordinance, and that rules and regulations can be changed with a resolution. He stated the matters to be discussed in closed session were as follows: Potential litigation re: Richnan group and Selective Insurance possible settlement of a claim on a bond. Personnel matters and a litigation matter Re: Citizens of Strathmere and Whale Beach; and litigation matters with regard to tax appeals.

Paul Dietrich, Township Engineer: reported that brush collection from all the storm damage is winding down with leaf collection starting. There will be a follow-up the last week in April with another sweep of the Township for brush collection.

Mr. Dietrich presented a request from two Public Works employees, members of the New Jersey Marine Corps League, William Layton and David Keene request for two days off to attend the New Jersey Marine Corps League Convention. Motion to approve the request made by Curtis Corson second by Jay Newman. During roll call vote, all five Committee members voted in the affirmative. Mr. Dietrich discussed the need to make an official request to the State Bureau of Coastal Engineering requesting cost sharing for FEMA for both the November 2009 and the March 2010 Storms for Beach losses. The request would be to cost share the local match of funds not covered by FEMA. Motion by Curtis Corson, second by Jay Newman with all five Committee members voting in the affirmative to draft a letter of request for cost sharing as well as request one hundred percent funding on the replenishment of the state park area.

Barbara Spiegel, Chief Finance Officer; requested permission to place a small memorial garden at the Municipal Building in memory of the recent loss of Township employee, Carol Rosiak. The Township Building and Grounds worker James Schuler can construct the garden for less than \$100. Motion to construct the garden by Curtis Corson, second by Frank Conrad. During roll call vote, all five Committee members voted in the affirmative.

Ms. Spiegel stated that she has one item for closed session, a personnel matter.

OTHER REPORTS

2010 BUDGET –CAP Ordinance and Budget Introduction

**1. Introduction and First Reading of Ordinance No. 003-2010, Re: CALENDAR YEAR 2010
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND
TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14).**

**TOWNSHIP OF UPPER
CALENDAR YEAR 2010
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

ORDINANCE NO. 003-2010

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 0% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Upper in the County of Cape May finds it advisable and necessary to increase its CY 2010 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee of the Township of Upper hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ **330,678.82** in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee of the Township of Upper hereby determines that any amount authorized hereinabove that is not appropriated, as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Upper, in the County of Cape May a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2010 budget year, the final appropriations of the Township of Upper shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ **330,678.82** and that the CY 2010 municipal budget for the Township of Upper be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

NOTICE

Ordinance 003-2010 was introduced at a regular meeting of the Township Committee of the Township of Upper, held on April 12, 2010 and will be further considered for final passage during a meeting of the Township Committee, to be held at the Township Hall, Tuckahoe, New Jersey, on May 10, 2010, 7:30 P.M. at which time a Public Hearing will be held.

Wanda Gaglione, Township Clerk

2. Introduction of 2010 Budget. Curtis Corson made motion, seconded by Frank Conrad to introduce the 2010 Municipal Budget. Municipal Clerk Wanda Gaglione read into the Minutes the Municipal Budget Notice with a Public Hearing and Final Adoption of the Budget and Tax Resolution for the year 2010 to be held May 10, 2010 at 7:30 P.M. During roll call vote all five Committee members voting in the affirmative to introduce the 2010 Budget.

2010 Municipal Budget

of the TOWNSHIP of UPPER County of
CAPE MAY for the fiscal year 2010.

Revenue and Appropriations Summaries

Summary of Revenues	Anticipated	
	2010	2009
1. Surplus	3,250,000.00	3,100,000.00
2. Total Miscellaneous Revenues	7,480,206.86	8,292,180.94
3. Receipts from Delinquent Taxes	542,572.14	417,502.82
4. a) Local Tax for Municipal Purposes	0.00	0.00
b) Addition to Local School District Tax	0.00	0.00
Tot Amt to be Rsd by Taxes for Sup of Muni Bnd	0.00	0.00
Total General Revenues	11,252,779.00	11,809,683.56

Summary of Appropriations	2010 Budget	Final 2009 Budget
	1. Operating Expenses: Salaries & Wages	4,556,760.00
Other Expenses	4,665,886.32	5,026,928.46
2. Deferred Charges & Other Appropriations	728,682.89	766,654.36
3. Capital Improvements	275,660.00	638,760.74
4. Debt Service (Include for School Purposes)	0.00	0.00
5. Reserve for Uncollected Taxes	1,025,500.00	1,009,750.00
Total General Appropriations	11,252,779.00	11,809,683.56
Total Number of Employees	108	108

2010 Dedicated Utility Budget		Anticipated	
Summary of Revenues		2010	2009
1. Surplus		0.00	0.00
2. Miscellaneous Revenues		0.00	0.00
3. Deficit (General Budget)		0.00	0.00
Total Revenues		0.00	0.00
Summary of Appropriations		2010 Budget	Final 2009 Budget
1. Operating Expenses: Salaries & Wages		0.00	0.00
Other Expenses		0.00	0.00
2. Capital Improvements		0.00	0.00
3. Debt Service		0.00	0.00
4. Deferred Charges & Other Appropriations		0.00	0.00
5. Surplus (General Budget)		0.00	0.00
Total Appropriations		0.00	0.00
Total Number of Employees			

Balance of Outstanding Debt			
General			
Interest			
Principal			
Outstanding Balance	0.00	0.00	0.00

Notice is hereby given that the budget and tax resolution was approved by the TOWNSHIP COMMITTEE of the TOWNSHIP of UPPER, County of CAPE MAY on APRIL 12, 2010.

A hearing on the budget and tax resolution will be held at TOWNSHIP HALL, on MAY 10, 2010 at 7:30 o'clock PM at which time and place objections to the Budget and Tax Resolution for the year 2010 may be presented by taxpayers or other interested parties.

Copies of the budget are available in the office of TOWNSHIP CLERK at the Municipal Building, 2100 Tuckahoe Road, Petersburg New Jersey, 609-628-2011 during the hours of 9:00 AM to 4:00 PM.

RESOLUTIONS

3. Congratulating Lauren Burch on winning the NJ State Champion Basketball Free Throw Competition.

TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N
RESOLUTION NO.079-2010
RE: A RESOLUTION CONGRATULATING
LAUREN BURCH
ON HER WINNING SEASON AND BECOMING
THE NEW JERSEY BASKETBALL FREE THROW STATE CHAMPION

WHEREAS, Lauren Burch has had an outstanding basketball season, winning the regional competition for 13 year old girls for foul shooting in the South New Jersey District Basketball Free Throw Championship event for the second consecutive year; and

WHEREAS, Lauren also went on to win the 2010 New Jersey State Basketball Free Throw Championship in Sayreville, New Jersey for the second consecutive year; and

WHEREAS, it is appropriate that on behalf of the citizens of Upper Township we recognize and congratulate Lauren; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee, on behalf of the citizens of the Township of Upper, to extend to Lauren Burch congratulations on becoming the 2010 New Jersey State Basketball Free Throw Champion.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 12th day of April, 2010.

Resolution No. 079-2010
Offered by: Corson
Adopted: April 12, 2010
Roll Call Vote:

Seconded by: Gabor

<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. Designating the first Thursday of May as “A Day Of Prayer In Upper Township”.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 080 –2010
RE: DESIGNATING THE 1ST THURSDAY IN MAY
“ A DAY OF PRAYER IN UPPER TOWNSHIP”**

WHEREAS, Civic Prayers and National Days of Prayer have a long and revered history in our constitutional democracy, dating back to the First Continental Congress in 1775; and

WHEREAS, the Declaration of Independence, our first statement as Americans of national purpose and identity, made “the Laws of Nature and Nature’s God” the foundation of our United States of America and asserted that people have inalienable rights that are God-given; and

WHEREAS, the Supreme Court has affirmed the right of state legislatures to open their sessions with prayer and the Supreme Court and the U.S. Congress themselves begin each day with prayer; and

WHEREAS, in 1988, legislation setting aside the first Thursday in May in each year as a National Day of Prayer was passed unanimously by both Houses of Congress and signed by President Ronald Reagan; and

WHEREAS, the National Day of Prayer is an opportunity for Americans of all faiths to join in united prayer to acknowledge our dependence on God, to give thanks for blessings received, to pray for peace, to request healing for wounds endured; and to ask God to guide our leaders and bring wholeness to the United States and her citizens; and

WHEREAS, it is fitting and proper to give thanks to God by observing a day of prayer in the Township of Upper when all may acknowledge our blessings and express gratitude for them, while recognizing the need for strengthening religious and moral values in our State and nation;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, that they designate the first Thursday in May, 2010 as “**A DAY OF PRAYER IN UPPER TOWNSHIP**” and encourage the citizens of Upper Township to observe the day in ways appropriate to its importance and significance.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 12th day of April, 2010.

Resolution No. 080-2010

Offered by: Newman

Seconded by: Conrad

Adopted: April 12, 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. Reassignment of Clerk Typist, Patricia Smyth from the Clerk’s Office to the Tax Office.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 081-2010
RE: REASSIGNMENT OF CLERK TYPIST
PATRICIA SMYTH
FROM THE CLERK'S OFFICE
TO TAX OFFICE**

WHEREAS, an unexpected vacancy occurred in the Tax Office and it has been determined that there is a need to have this position filled; and

WHEREAS, a recommendation was made to reassign a Clerk Typist from the Upper Township Clerk's Office to the Upper Township Tax Office, 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. Clerk Typist, Patricia Smyth is hereby reassigned from the Clerk's Office to the Tax Office.
3. In accordance with Civil Service guidance and recommendations no further administrative action is necessary to complete the reassignment.
4. The aforesaid reassignment is effective immediately with no change in employee's current title, and no change in employee's current salary in accordance with the Salary Ordinance.
5. Employee Patricia Smyth has agreed to the terms of the reassignment and has voluntarily accepted it.

Resolution No. 081-2010

Offered by: Corson Seconded by: Gabor

Adopted: April 12, 2010

Roll Call Vote:

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

Corson	<u> x </u>	_____	_____	_____
Gabor	<u> x </u>	_____	_____	_____
Newman	<u> x </u>	_____	_____	_____
Palombo	<u> x </u>	_____	_____	_____

6. Appointing Susan R. Peifer as employee to the Tax Office on an as-needed basis for the weeks of April 26, 2010 through May 10, 2010 for the Township of Upper.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 082-2010
RE: APPOINTING SUSAN R. PEIFER
AS EMPLOYEE TO THE TAX OFFICE ON AN AS-NEEDED BASIS FOR THE WEEKS OF
APRIL 26, 2010 THROUGH MAY 10, 2010
FOR THE TOWNSHIP OF UPPER**

WHEREAS, a need exists to appoint a employee on an as needed basis for the weeks of April 26, 2010 to May 5, 2010 to assist in the Tax Office for the collection of taxes to insure an orderly day-to-day operation of the Township of Upper; and

WHEREAS, Susan R. Peifer possesses all of the requisite qualifications for appointment to said temporary position; 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 hereby appoints Susan R. Peifer as employee on an as-needed basis for the Township of Upper to assist in the office of the Tax Collector at a salary of \$35.5560 per hour; and

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 12th day of April, 2010.

Resolution No. 082–2010
 Offered by: Conrad Seconded by: Corson
 Adopted: April 12, 2010
 Roll Call Vote:
 NAME YES NO ABSTAINED ABSENT
 Conrad x _____ _____ _____

Corson	<u> x </u>	_____	_____	_____
Gabor	<u> x </u>	_____	_____	_____
Newman	<u> x </u>	_____	_____	_____
Palombo	<u> x </u>	_____	_____	_____

7. Approving the application of the Marmora Volunteer Fire Co. for Highway Coin Drops on July 3, July 24, August 14, and August 28, 2010.

TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N
RESOLUTION NO. 083-2010

RE: APPROVING THE APPLICATION OF THE MARMORA VOLUNTEER FIRE CO. FOR HIGHWAY COIN DROPS

WHEREAS, the Marmora Volunteer Fire Co., a non-profit corporation providing firefighting services, has made application to the Township Committee to hold coin drop solicitations in Upper Township; and

WHEREAS, the Township Committee has approved the requests; and

WHEREAS, the requests require approval from the County of Cape May and the 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. The allegations of the preamble are incorporated herein by this reference.

2. The application of the Marmora Volunteer Fire Co. to hold a coin drop within Upper Township at the Intersection of Roosevelt Boulevard from the Garden State Parkway South Exit and South

Entrance West to the end of the Plaza on the South Side of Roosevelt Boulevard is hereby approved for the following dates:

Saturday, July 3, 2010, and Saturday, July 24, 2010 from 9:00 a.m. to 3:00 p.m.;

AND

Saturday, August 14, 2010, and Saturday, August 28, 2010 from 9:00 a.m. to 3:00 p.m.

3. Attached to this Resolution is a certified copy of Ordinance No. 7-2001, authorizing coin drops within Upper Township enacted pursuant to N.J.S.A. 39:4-60.

4. A certified copy of this Resolution shall be provided to the State of New Jersey, Department of Transportation and the Board of Chosen Freeholders of the County of Cape May.

Resolution No. 083-2010

Offered by: Corson

Seconded by: Palombo

Adopted: April 12, 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> </u>	<u> </u>	<u> x </u>	<u> </u>
Palombo	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

8. Authorizing the Township to enter into a contract and/or issue purchase orders to Computer House of South Jersey, for various services.

CAPE MAY COUNTY
R E S O L U T I O N
RESOLUTION NO. 084-2010
RE: AUTHORIZING THE TOWNSHIP TO ENTER INTO A
CONTRACT AND/OR ISSUE PURCHASE ORDERS TO
COMPUTER HOUSE OF SOUTH JERSEY, LLC, 740 SOUTH SIXTH AVENUE,
GALLOWAY, NEW JERSEY 08205, FOR VARIOUS SERVICES

WHEREAS, the Township of Upper has previously entered into a Professional Services Contract with Computer House Of South Jersey, LLC to

service Township computers and the Township wishes to extend and renew that Contract for an additional term; and

WHEREAS, the Township has also transferred past files and records to electronic storage under the rules and regulations and under the supervision of the State of New Jersey; and

WHEREAS, the rules and regulations of the State of New Jersey require certain tests and procedures to be made with respect to such electronic files and further requires that certain tests be performed at periodic intervals; and

WHEREAS, Computer House Of South Jersey, LLC has the necessary expertise, technology and qualifications to perform such service and has demonstrated their capacity and competency in their past services with the Township; and

WHEREAS, the Chief Financial Officer of the Township has certified the availability of funds to allow the award of Contract for the purchase herein authorized and has certified that adequate funds have been appropriated for this purpose in the 2010 Municipal Budget;

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

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

2. The Township Committee does hereby authorize the following services to be provided by Computer House Of South Jersey, LLC.

(A) Renewal of the Annual Maintenance/Annual Support Agreement for Alchemy versions upgrades, service patches, hot fixes, telephone technical support, one (1) on-site visit for up to four (4) hours and discounts of twenty percent (20%) on additional training and/or consulting, for a term

commencing June 29, 2010 and ending June 29, 2011, at a cost of \$4,995.00. A copy of the proposal dated January 29, 2010 is attached hereto as Exhibit "A".

(B) Acceptance of the proposal for Preventive Maintenance Agreement for a cost of \$95 per month (one year prepaid \$1,140.00). A copy of the proposal is attached hereto as Exhibit "B".

(C) Acceptance of the proposal for a bi-annual component-level restoration of the Township of Upper's Alchemy Database Server to conform to the Township's IT Disaster Prevention/Recovery Plan for the certification of scanning and archiving of public records for the State of New Jersey Division of Archives and Records Management, to include bi-annual test cycle, for a total annual cost of \$2,700.00. A copy of the proposal dated February 4, 2009, is attached hereto as Exhibit "C".

(D) Acceptance of the proposal for Technical Services and Prepaid Support for a cost of \$1,000.00. A copy of the proposal is attached hereto as Exhibit "D".

3. This Resolution is awarded subject to and conditioned upon the following:

- (i) Computer House Of South Jersey, LLC, in providing the services contemplated in this Resolution and in the attachments hereto, acknowledges that it is an independent contractor and not an employee of the Township. As such, Computer House Of South Jersey, LLC, represents and warrants that it will maintain in full force and effect workers compensation coverage and disability coverage for all of its employees.
- (ii) During the term of the Contract and any renewal or extension thereof, Computer House Of South Jersey, LLC, will maintain in full force and effect the following insurance:
 - (a) Commercial general liability insurance on an occurrence basis with limits of liability of not less than \$500,000.00 per occurrence and/or aggregate combined single limit, personal injury, bodily injury and property damage.

- (b) Motor vehicle liability insurance, including applicable no-fault coverage, with limits of liability of not less than \$500,000.00 per accident, combined single limit, bodily injury and property damage. Coverage shall include all owned vehicles, all non-owned vehicles and all hired vehicles.
- (c) Computer House Of South Jersey, LLC shall not be required to name the Township as an additional insured.
- (iii) Computer House Of South Jersey, LLC agrees to indemnify the Township and to hold it harmless from and against any and all damages, claims, losses and/or liabilities of any sort (including attorney's fees), which the Township may incur as a result of the performances of services under this Resolution and the attachments hereto by Computer House, LLC or its agents, servants and employees.
- (iv) Computer House Of South Jersey, LLC acknowledges that it must comply with the Affirmative Action requirements of the State of New Jersey, which requirements are attached to this Resolution as Exhibit "E".
- (v) Computer House Of South Jersey, LLC, 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.
- (vi) Computer House Of South Jersey, LLC, has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c.19 would bar the award of this contract and Computer House, LLC, shall not make any such reportable contributions during the term of this contract.

4. This Contract is awarded without competitive bidding for the reason that the aggregate of the amounts anticipated to be paid to Computer House Of South Jersey, LLC. are under the current bid threshold for the State of New Jersey.

5. A copy of this Resolution, when signed by the authorized representative of Computer House Of South Jersey, LLC, shall constitute a Contract executed in accordance with the requirements and provisions of the Local Public Contracts Law.

6. The Township Clerk shall cause a Notice of Award of this Contract to be published in the official newspaper of the Township as required by N.J.S.A. 40A:11-5.

7. The Chief Financial Officer is hereby authorized, directed and empowered to issue a purchase order consistent with the intention and purpose of this Resolution. All other Township officers and officials are authorized to take such action as may be necessary or required in order to carry out the intent and purpose of this Resolution.

Resolution No. 084-2010

Offered by: Newman

Seconded by: Gabor

Adopted: April 12, 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. Authorizing the execution of a Shared Services Agreement with the City of Corbin City to provide Municipal Court Services.

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

RESOLUTION NO. 085-2010

RE: AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE CITY OF CORBIN CITY TO PROVIDE MUNICIPAL COURT SERVICES

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et. seq., (“Act”) provides that any local governmental unit may enter into a contract with any other local governmental unit to provide or receive any service that each local unit is empowered to provide or receive within its own jurisdiction; and

WHEREAS, Corbin City has indicated a willingness to again enter into a Shared Services Agreement with the Township of Upper to permit the Township to provide all the usual and ordinary services of a Municipal Court for Corbin City; and

WHEREAS, Corbin City and Upper Township have agreed to enter into a Shared Services Agreement for a term of one year, commencing on May 6, 2010 and continuing through May 5, 2011; and

WHEREAS, the Township of Upper has deemed it would be in the best interest of the residents of the Township to enter into a Shared Services Agreement with the City of Corbin City for the sharing of Municipal Court operations with the Corbin City Municipal Court.

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

1. **SHARED SERVICES AGREEMENT.** Pursuant to the provisions of the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et. seq., the Township of Upper is hereby authorized and empowered to enter into a Shared Services Agreement with Corbin City pertaining to Upper Township providing Municipal Court Services to Corbin City.

2. **SERVICES TO BE PROVIDED BY CONTRACT.** The Shared Services Agreement authorized in paragraph 1 shall cover those services which are enumerated in said Agreement, a copy of which is attached hereto as Exhibit A.

3. **AUTHORIZATION TO MUNICIPAL OFFICIALS.** The appropriate Township officers and officials are hereby authorized to take any action necessary or advisable to carry out the intent and purpose of this Resolution. Specifically, the Mayor and Township Clerk are hereby authorized and directed to execute such Shared Services Agreement on behalf of the Township of Upper pursuant to the authority conferred by this Resolution. The Township Clerk is further authorized and directed to seal said Agreement with the seal of the Township of Upper.

4. **COMPLIANCE WITH STATUTORY REQUIREMENTS.** The Shared Services Agreement between the Township of Upper and the City of Corbin City shall meet and satisfy the requirements of N.J.S.A. 40A:65-7, as may be amended and supplemented.

5. **CONTRACT TERM.** This Resolution authorizes a Shared Services Agreement for a duration of one (1) year from May 6, 2010, unless sooner terminated or modified by either of the parties as provided in the Agreement.

6. **SEVERABILITY.** If any action, subsection, paragraph, sentence or other part of this Resolution is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Resolution, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Resolution directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Resolution shall remain in full force and effect.

7. **REPEALER.** All Resolutions or parts of Resolutions inconsistent herewith are hereby

repealed to the extent of such inconsistency only.

8. **EFFECTIVE DATE.** This Resolution shall take effect immediately upon final adoption and

publication in the manner provided by law.

Resolution No. 085-2010

Offered by: Newman, Seconded by: Conrad

Adopted: April 12, 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. Annual Fourth of July Fireworks Display.

Township Attorney Young explained that the Resolution is essentially the same as last year although it does ask them to provide clarifications and to execute a hold harmless agreement.

TOWNSHIP OF UPPER

CAPE MAY COUNTY

R E S O L U T I O N

RESOLUTION NO. 086-2010

RE: ANNUAL FOURTH OF JULY FIREWORKS DISPLAY

WHEREAS, for many years, the Township of Upper has provided a fireworks display

for the residents of Upper Township and others; and

WHEREAS, the Township wishes to continue to provide a display of fireworks in celebration of the 4th of July; and

WHEREAS, the Township solicited bids from several Firework Companies and has selected Pyrotecnico, a Pennsylvania corporation; and

WHEREAS, the State of New Jersey, Department of Community Affairs, requires that the Township provide a Resolution approving same; and

WHEREAS, the site for the fireworks display will be determined in conjunction with a State of New Jersey Fire Inspector; and

WHEREAS, FAA Clearance will be applied for; and

WHEREAS, a Certificate of Insurance will be provided by the Township's Insurance Carrier for the amount specified by the State Department of Community Affairs; and

WHEREAS, a plot/site plan for site display, showing the distances from the public and structures to the fireworks discharge area, will be provided by the Township Engineer; and

WHEREAS, the Chief Financial Officer has certified the availability of funds to permit said Contract to be entered into.

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 in full herein by this reference.

2. Upon meeting all requirements of the State of New Jersey, Department of Community Affairs as well as any and all recommendations or requirements of the Township's Risk Management Consultant and the Joint Insurance Fund, the Township Clerk is hereby directed and authorized to provide a certified copy of this Resolution, with all attachments, to the Department of Community Affairs for their review and issuance of a Fireworks Permit.

3. The contractor shall comply with all terms and provisions of the Municipal Excess Liability Joint Insurance Fund Bulletin MEL 10-08, dated January 30, 2010.

4. 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.

5. 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, including but not limited to the entering into and execution of an Agreement to Furnish Fireworks Exhibition with Pyrotecnico, New Castle, PA, for the sum of \$6,000.00.

Resolution No. 086 -2010

Offered by: Conrad

Seconded by: Gabor

Adopted: April 12, 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	_____	_____	_____

- 11. Authorizing the Greater Tuckahoe Area Merchants Association’s 1st Annual “Tour De Tuckahoe” Bike Ride to be held at Amanda’s Field in Petersburg, New Jersey on Sunday May 2, 2010.**

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 087- 2010
RE: AUTHORIZING THE GREATER TUCKAHOE AREA MERCHANTS
ASSOCIATION 1ST ANNUAL TOUR DE TUCKAHOE BIKE RIDE TO BE HELD AT
AMANDA’S FIELD IN PETERSBURG,
NEW JERSEY ON SUNDAY MAY 2, 2010**

WHEREAS, the Greater Tuckahoe Area Merchants Association, Inc., of P.O. Box 656 Tuckahoe, NJ 08250, has submitted a proposal to the Upper Township Committee requesting authority to hold an Bike rally in Petersburg, New Jersey on May 2, 2010 which will consist of four different courses to accommodate riders of all levels, the family ride which will circle Amanda’s Field 1.3 mile trail and for the advanced rider a 16 mile, 40 mile or 62 mile ride, starting and ending at Amanda Field, with Registration beginning at 7:30 a.m. bike ride commencing at 9:00 a.m. and ending at 3:00 p.m. as more particularly specified in their proposal, a copy of which is attached hereto as Exhibit A; and

WHEREAS, the bike tour will travel NJSH Route 50 and will utilize Township, County and State roads in Upper Township as described on maps attached hereto as Exhibit “B”; and

WHEREAS, the proposed event is sanctioned and insured by the Greater Tuckahoe Area Merchants Association, Inc. copy of insurance certificate attached as Exhibit “C”; and

WHEREAS, the parking area and registration site for the event is proposed on Amanda’s Field lots attached hereto as Exhibit “D”; and

WHEREAS, the event organizers have represented that approvals have been obtained from the New Jersey State Police, and any all other governmental agencies or entities having any jurisdiction or interest in the race or race course; 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 does hereby grant approval, to the extent that it has jurisdiction to do so, to the Greater Tuckahoe Area Merchants Association, Inc. for the Bike Ride event to be held on may 2, 2010 as specified in this Resolution and in the accompanying Exhibits subject to and conditioned upon the following:

- (A) The event described in this Resolution is carried out by the Greater Tuckahoe Area Merchants’ Association, Inc.. These sponsors have no connection, direct or indirect, with the Township of Upper or any of its officials or employees. These sponsors shall not, in any way, directly or indirectly, represent that the race is, in any way, associated with or affiliated with the Township of Upper and shall make clear that the event is carried out with all appropriate governmental and other approvals. Although the Township of Upper

has given permission, subject to the terms of this Resolution, to these event sponsors to conduct the proposed race, it must be made clear that the event is not and shall not be considered a Township of Upper sponsored or sanctioned event.

(B) Greater Tuckahoe Area Merchants' Association, Inc., has provided general comprehensive liability insurance in form and substance satisfactory to the Township of Upper's Risk Management Consultant. Said insurance includes a medical expense limit. A Certificate of Insurance has been provided to the Township Clerk, which the Risk Management Consultant of the Township of Upper has approved Certificate of Insurance. Said Certificate of Insurance names the Township of Upper, its officials, officers and employees, as an additional insured.

(C) Greater Tuckahoe Area Merchants' Association, Inc., the event sponsors, have obtained written approval from and comply with all conditions imposed by the following entities:

- (i) the Risk Management Consultant of the Township of Upper.
- (ii) the New Jersey State Police.
- (iii) the Upper Township Rescue Squad.
- (iv) Cape May County Board of Chosen Freeholders.

The event sponsors have provided written authorization from the above entities, including any conditions required of said entities, to the Township Clerk.

(D) Greater Tuckahoe Area Merchants' Association, Inc., has provided a Use of Facilities Agreement and an Indemnification and Hold Harmless Agreement in favor of the Township of Upper, its

officials, officers and employees in the form attached hereto as Exhibit "E". Setup for the event will take place at 6:00 a.m. the morning of the event.

- (E) The approval granted herein is subject to all conditions and stipulations as may be recommended or imposed by the Township's Risk Management Consultant or Insurance Representatives. The Township may revoke this approval if the Event Sponsors fail to comply with any said condition or recommendation or any other condition of this Resolution.

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. 087-2010

Offered by: Corson

Seconded by: Gabor

Adopted: April 12, 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>

12. Adopting Revised Upper Township Supervisor's Personnel Policies and Procedures Manual and Employee Handbook. Township Solicitor Daniel Young explained that the changes to the manual were made at the recommendation of Township Committee as well as pursuant to Municipal Joint Insurance (JIF) guidelines.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N
RESOLUTION NO. 088 -2010**

RE: ADOPTING REVISED UPPER TOWNSHIP SUPERVISOR'S PERSONNEL POLICIES AND PROCEDURES MANUAL AND EMPLOYEE HANDBOOK

WHEREAS, the Township of Upper maintains an Employer Practices Loss Control Program approved by the Municipal Excess Liability Insurance Fund which requires the Township to review and update the Township Supervisor's Personnel Policies and Procedures Manual and Employee Handbook; and

WHEREAS, the Township Committee of the Township of Upper has determined there is a need to adopt revised Personnel Policies, a revised Supervisor's Personnel Policies and Procedures Manual and a revised Employee Handbook; and

WHEREAS, the Township Committee of the Township of Upper has reviewed and approved the Supervisor's Personnel Policies and Procedures Manual and Employee Handbook attached hereto and has determined that same should be adopted to amend the existing Township Supervisor's Personnel Policies and Procedures Manual and the Employee Handbook; 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 Supervisor's Personnel Policies and Procedures Manual and Employee Handbook attached hereto are hereby adopted and approved and replace in their entirety existing personnel policies, procedures, manuals and handbooks of the Township.
3. The Supervisor's Personnel Policies and Procedures Manual shall apply to all Township officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personal services contract or federal or state law, the terms and conditions of that contract or law shall prevail. In all other cases these policies and procedures shall prevail.
4. The manual is intended to provide guidelines covering public service by Township employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Township Committee.

5. To the maximum extent permitted by law, employment practices for the Township shall operate under the legal doctrine known as “employment at will”.

6. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 088-2010

Offered by: Corson

Seconded by: Conrad

Adopted: April 12, 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>

13. Appointment of Thomas G. Smith, Esquire to act as Special Legal Counsel regarding matters in which the regular Township Solicitor may have a conflict of interest.

TOWNSHIP OF UPPER

CAPE MAY COUNTY

R E S O L U T I O N

RESOLUTION NO. 089-2010

RE: APPOINTMENT OF THOMAS G. SMITH, ESQUIRE TO ACT AS SPECIAL LEGAL COUNSEL REGARDING MATTERS IN WHICH THE REGULAR TOWNSHIP SOLICITOR MAY HAVE A CONFLICT OF INTEREST

WHEREAS, the Township requires legal counsel to provide legal services in the event a conflict of interest arises in regard to the services provided by the regular Township Solicitor; and

WHEREAS, a resolution is required authorizing the award of such contract for professional services; and

WHEREAS, the Township has decided to acquire the services of Thomas G. Smith, Esquire as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-2.05; and

WHEREAS, Thomas G. Smith, Esquire has completed and submitted a Business Entity Disclosure Certification which certifies that Thomas G. Smith, Esquire 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 Thomas G. Smith, Esquire from making any reportable contributions through the term of the contract; 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. Thomas G. Smith, Esquire with offices at 2106 New Road, Linwood, New Jersey is hereby appointed Special Legal Counsel to handle matters in which the regular Township Solicitor has a conflict of interest as well as other matters directed by the Township Committee.
3. This contract shall have a commencement date as of the date of full execution thereof and shall continue for the length of time necessary for completion of the aforesaid legal services, unless sooner terminated by the Township of Upper, at the option of the Township of Upper.

4. This Contract is awarded without competitive bidding as a professional service in accordance with N.J.S.A. 40A:11-5(1)(a) of the New Jersey Local Public Contract Law because Thomas G. Smith, Esquire has professional knowledge as to legal matters which knowledge is particularly valuable to the Township Committee and this service is acquired as a non-fair and open contract pursuant to N.J.S.A. 19:44A-2.05.

NOTICE OF CONTRACT AWARD

The Township Committee of the Township of Upper, State of New Jersey has awarded the contract without competitive bidding as a professional service pursuant to N.J.S.A. 40A:11-5(1)(a) to Thomas G. Smith, Esquire for legal services. This contract and the resolution authorizing same shall be available for public inspection in the office of the municipal clerk of the Township of Upper, State of New Jersey.

5. A certificate from the Chief Financial Officer of Upper Township showing the availability of adequate funds for this contract and showing the line item appropriation of the official budget to which this contract will be properly charged has been provided to the governing body and shall be attached to this Resolution and kept in the files of the municipal clerk.

6. 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.

7. The Mayor and the Township Clerk are hereby authorized and directed to execute, on behalf of the Township of Upper, a Professional Contract with Thomas G. Smith, Esquire in accordance with the terms and provisions of the Local Public Contracts Law, subject to and in accordance with the limitations imposed herein. Upon execution of all parties thereto said contract shall become effective.

8. 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.

9. This Resolution shall be effective as of adoption.

Resolution No. 089-2010

Offered by: Conrad

Seconded by: Newman

Adopted: April 12, 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>

13. Authorizing the award of a Professional Services Contract with Dr. Stewart C. Farrell/Coastal Research Center of the Richard Stockton College of New Jersey for Shoreline Monitoring and Consulting Services for Beach Related Issues.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 090 -2010**

RE: AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITH DR. STEWART C. FARRELL/COASTAL RESEARCH CENTER OF THE RICHARD STOCKTON COLLEGE OF NEW JERSEY FOR SHORELINE MONITORING AND CONSULTING SERVICES FOR BEACH RELATED ISSUES

WHEREAS, the Township of Upper has received a proposal from Dr. David L. Carr on behalf of the Coastal Research Center of the Richard Stockton College of New Jersey, which proposal is dated April 2, 2010

and outlines shoreline monitoring services to be performed on behalf of the Township during the calendar year 2010 and provides a rate schedule for the services to be provided; and

WHEREAS, the Township Committee has considered this matter and has determined that it is in the best interest of the Township to authorize a Professional Services Contract as hereinafter provided; and

WHEREAS, the Township Solicitor has determined that the services to be provided are professional services and that a contract may be awarded without competitive bid; and

WHEREAS, the Treasurer has certified the availability of funds to permit the Township to enter into a Professional Services Contract; and

WHEREAS, a Business Entity Disclosure Certification is not required since this contract is with an agency of the state government; and

WHEREAS, the Township has decided to acquire the services of Dr. Stewart C. Farrell of the Coastal Research Center of the Richard Stockton College of New Jersey as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-2.05; 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 proposal of Dr. David L. Carr on behalf of the Coastal Research Center of the Richard Stockton College of New Jersey (hereinafter collectively referred to as "Contractor"), dated April 2, 2010 is hereby accepted, subject to the provisions of this Resolution. A copy of said proposal is attached hereto as Exhibit "A".
3. The Mayor and Township Clerk are hereby authorized, directed and empowered to enter into a Professional Services Contract with the Contractor aforesaid for a one (1) year term commencing January 1, 2010. Said Agreement shall be prepared or approved by the Municipal Attorney for the Township of Upper. The Township Clerk is further authorized, directed and empowered to seal said Contract with the seal of the Township of Upper.
4. The Township Clerk shall cause a Notice of Award of this Contract to be published in the official newspaper of the Township as required by N.J.S.A. 40A:11-5.
5. This Contract is a Professional Services Contract and has been awarded without competitive bidding for the following reasons:

(A) The services required are highly specialized or technical in nature;

(B) The services require peculiar ability or skill, and demand a high degree of specialized knowledge or expertise;

(C) The services required are professional services and/or unspecified extraordinary services within the meaning of N.J.S.A. 40A:11-5(a);

(D) The individual who will provide these services has demonstrated his competence and particular expertise in the services required; and

(E) The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient.

6. A certified copy of this Resolution shall be provided to the Contractor.

7. This Resolution shall take effect immediately provided, however, that the Contract awarded herein shall be effective as of January 1, 2010.

Resolution No. 090-2010

Offered by: Corson

Seconded by: Newman

Adopted: April 12, 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>

15. Authorizing an agreement with Paymentech, LLC and JP Morgan Chase Bank, N.A. and authorizing the creation of a separate bank account in order to process and facilitate the online payments of property taxes.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N
RESOLUTION NO. 091-2010**

RE: AUTHORIZING AN AGREEMENT WITH PAYMENTECH, LLC AND JP MORGAN CHASE BANK, N.A. AND AUTHORIZING THE CREATION OF A SEPARATE BANK ACCOUNT IN ORDER TO PROCESS AND FACILITATE THE ONLINE PAYMENTS OF PROPERTY TAXES

WHEREAS, the Township of Upper previously authorized the acceptance of online payments for property taxes pursuant to a program established by Edmunds & Associates, Inc.; and

WHEREAS, in order to accept credit or debit card payments of such taxes the Township must enter into an agreement with Paymentech, LLC and JP Morgan Chase Bank, N.A., in that regard; and

WHEREAS, the Township has determined that a separate bank account be established with TD Bank, N.A. to be utilized solely for such online property tax payments; and

WHEREAS, the proposed agreement with Paymentech, LLC and JP Morgan Chase Bank, N.A. as well as the establishment of the separate bank account with TD Bank, N.A. has been reviewed and approved by the Municipal Attorney in consultation with the Municipal Auditor.

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 proposed agreement with Paymentech, LLC and JP Morgan Chase Bank, N.A., attached hereto as Exhibit A, is approved and the appropriate Township officers are directed to enter into and execute same.
3. The Township of Upper shall establish a separate bank account for the online payment of property taxes with TD Bank, N.A. and the appropriate officers of the Township are authorized to execute the new business account agreements and municipal corporate authorization resolutions attached hereto as Exhibit B.
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. 091 -2010

Offered by: Conrad

Seconded by: Gabor

Adopted: April 12, 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>

ORDINANCES

16. **Public Hearing and Final Adoption of Ordinance No. 002-2010, RE: AN ORDINANCE AMENDING CHAPTER 9-7 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF UPPER. (Re: Skate park operations). During the public portion of the hearing there were no speakers from the public. Motion was made by Kristine Gabor to adopt the ordinance, seconded by Curtis Corson. During roll call vote all five Committee members present voted in the affirmative.**

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
O R D I N A N C E
ORDINANCE NO. 002-2010
RE: ORDINANCE AMENDING CHAPTER 9-7 OF THE
REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF UPPER**

WHEREAS, the Township of Upper (“TOWNSHIP”) operates a skate park (“PARK”)

which is open for use by the residents of the TOWNSHIP and Cape May County, and

WHEREAS, the TOWNSHIP desires to amend certain ordinance provisions for the management, use and enjoyment of the PARK, so as to permit the PARK to be used for bicycles as well as skateboards and inline skates without an attendant present with the condition that simultaneous use of bicycles and skating activities shall not be permitted.

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

SECTION 1: Chapter 9-7 of the Revised General Ordinances of the Township of

Upper, also known as the Code of Upper Township, shall be amended and supplemented as hereinafter provided:

9-7.1 Recreation Committee to Promulgate Rules and Regulations. The

Recreation Committee of the Township of Upper is hereby empowered to promulgate and adopt rules and regulations governing the use and operation of the Skate Park (the "Park") owned and operated by the Township of Upper. Before taking effect, any rules and regulations proposed to be adopted by the Recreation Committee shall be submitted to the Township Committee for approval.

9-7.2 Posting of Rules and Regulations. The use restrictions set forth in this

Ordinance and any rules and regulations promulgated by the Recreation Committee and approved by the Township Committee shall be appropriately posted, either by sign or some other suitable device, so as to advise all persons desiring to utilize the Park of the nature of the rules and regulations.

Such signs shall be approved by the Township Solicitor and Township's insurance carrier.

9-7.3 Use of the Park. The Park shall not be supervised by Township personnel and a notice to this effect shall be prominently posted at the Park. No motorized vehicles are permitted in the Park. Except on the bicycle and jogging path, skateboarding and inline skating is prohibited on Township property surrounding the skateboard park. There shall be no simultaneous use of the Park by bicycles and skating activities. Signs will be posted at the Park indicating separate useage days for either bicycles and scooters or skateboards and inline skates. On any day that bicycles and scooters are permitted skateboards and inline skates are prohibited and vise versa. Any special event to take place at the Park shall be conducted by the Recreation Committee member representing the Park and shall be for non-profit use only. Any outside company, participant or promoter of the event must comply with all applicable Township requirements for the use of Township facilities or for

the use of the Park. The approval of the Township Supervisor of Recreation is required.

9-7.4 Safety. All users are required to wear shoes, helmets, kneepads, wrist guards and elbow pads. All equipment must be worn to the manufactures recommendations. All users must skate or ride safely, responsibly and act respectfully of each other.

9-7.4a No use of the Park shall be permitted when equipment is wet or icy.

9-7.4b The Township will determine from time to time the maximum capacity, which may utilize the Park.

9-7.4c No glass, radios or pets shall be permitted within the enclosed Park area.

9-7.4d Backpacks, bags, jackets and other articles of clothing and personal belongings must be placed in an appropriate area, outside the enclosed Park area, removed from the area where people skate, to avoid the possibility of injury.

9-7.4e The use of alcohol, drugs and tobacco are prohibited. Additionally profanity, abusive language and vandalism are prohibited.

9-7.5 Days and Hours of Operation. The Township Committee shall determine the hours of operation of the Park from time to time. It is a violation of this section to enter the Park at any time it is closed.

9-7.6 Supervision of Small Children. Children under twelve (12) years of age must be accompanied by a responsible adult at all times. 9-7.7 Violations of

Rules/Regulations. Any person who violates this section or the Park rules and regulations shall be immediately removed from the Park. In addition, any person convicted of violating the provisions of this section or the Park rules and regulations shall be guilty upon a first offense of a fine not to exceed One Hundred Dollars (\$100.00) and a second offense of a fine not to exceed Five Hundred Dollars (\$500.00).

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

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

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

SECTION 5: CODIFICATION: This Ordinance shall be codified in Chapter 9-7 of the Upper Township.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 22ND DAY OF MARCH, 2010 AND WAS TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP ON THE 12th DAY OF APRIL, 2010 AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY.

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

WANDA GAGLIONE, TOWNSHIP CLERK
TOWNSHIP OF UPPER

17. Resolution: Approval of Skate Park Rules and Regulations pursuant to Ordinance No.02-2010.

TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N
RESOLUTION NO. 092-2010
RE: APPROVAL OF SKATE PARK RULES AND REGULATIONS
PURSUANT TO ORDINANCE 02-2010

WHEREAS, the Township Committee of the Township of Upper recently adopted Ordinance No. 02-2010 which amends and supplements Chapter 9-7 of the Revised General Ordinances of the Township of Upper with respect to the use and operation of the Upper Township Skate Park; and

WHEREAS, the Township Committee of the Township of Upper desires to approve amended rules and regulations for the management, use and enjoyment of the Upper Township Skate Park; 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 hereby approves the revised Upper Township Skate Park rules and regulations as set forth and attached as Exhibit A hereto.
- 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. 092 -2010

Offered by: Gabor

Seconded by: Corson

Adopted: April 12, 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>

EXHIBIT A

UPPER TOWNSHIP SKATE PARK RULES AND REGULATIONS

1. Open - 7 a.m. to dusk. Notice shall be posted at the Park that it is not supervised.
 2. Closed in inclement weather or when ramps are wet.
 3. Children under twelve (12) must be accompanied by a responsible adult.
 4. Safety gear required when using Park: shoes, helmets, kneepads, wrist guards and elbow pads
 5. The Park shall be used for skateboards and inline skates exclusively on Tuesday, Thursdays and Saturdays. No bicycles or scooters are permitted on Tuesdays, Thursdays and Saturdays.
 6. The Park shall be used for bicycles and scooters exclusively on Mondays, Wednesdays, Fridays and Sundays. No skateboards or inline skates are permitted on Mondays, Wednesdays, Fridays and Sundays.
 7. No motorized vehicles are permitted at any time.
 8. No glass containers, radios or pets inside fenced area.
 9. No personal belongings inside fenced area.
 10. No alcohol, drugs or tobacco products.
 11. No profanity or abusive language.
 12. All park users must skate safely and act respectful of each other.
 13. Any person who violates the park rules and regulations shall be removed from the Park and shall be subject to fines.
- *****

18. Introduction and First Reading of Ordinance No. 004-2010, RE: AN ORDINANCE AMENDING ORDINANCE NO. 028-2009, KNOWN AS THE SALARY ORDINANCE FOR THE CALENDAR 2010. Motion was made by Curtis Corson, second by Jay Newman to introduce Ordinance 004-2010 with Public Hearing and Final Adoption set for May 10, 2010. During roll call vote all five Committee members voted in the affirmative.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
O R D I N A N C E
ORDINANCE NO. 004-2010**

**RE: AN ORDINANCE AMENDING ORDINANCE NO. 028-2009, KNOWN AS THE SALARY
ORDINANCE FOR THE CALENDAR 2010**

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

SECTION 1: Ordinance No.028-2009, known as the Salary Ordinance of 2010 is hereby amended as hereinafter provided:

SECTION 2: Salaries.

B. MUNICIPAL COURT:

<u>Position</u>	<u>Minimum</u>	<u>Maximum-2010</u>
Court Attendant (formerly Bailff)	No Min.	\$200.00/session
.		

E. PUBLIC WORKS/RECREATION:

<u>Position</u>	<u>Minimum</u>	<u>Maximum-2010</u>
Carpenter's Helper	\$12,500.00	\$47,961.00
.		

H. GIFT CARD AWARD OR BONUS: In addition to the salary set forth in this Ordinance, the Township Committee, by resolution, may award as a bonus to any employee a gift card or gift cards not to exceed a total amount of \$200.00 for the year. Said award shall be by resolution of the Township Committee setting forth the amount of the gift card bonus.

I. EDUCATIONAL CERTIFICATION PAY RAISE: In addition to the salary set forth in this Ordinance upon resolution of the Township Committee, the Township Committee may give an increase in salary of \$1,000.00 to any employee that has satisfied educational certification requirements for his or her position in accordance with current Township policy. The Township Committee shall by resolution fix the pay increase in this regard and certify that the employee has satisfied the educational certification requirement.

SECTION 3: SEVERABILITY: If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance, but shall be confined in its effects to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

SECTION 4: REPEALER: All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

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

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 12TH DAY OF APRIL, 2010 AND WILL BE TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP ON THE 10TH DAY OF MAY, 2010 AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY.

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

WANDA GAGLIONE, TOWNSHIP CLERK

TOWNSHIP OF UPPER

CORRESPONDENCE

- 18. New Jersey Department of Transportation Re: No Passing Zones along Route NJ 50, Mile Post 4.1 (Perry Road) and Mile Post 6.5 (Kendall Lane).** Motion by Frank Conrad, second by Jay Newman with all five Committee members voting in the affirmative to approve the request for a “No Passing” zone along Route NJ 50, between Mile Post 4.1 (Perry Road) and Mile Post 6.5 (Kendall Lane).

NEW BUSINESS

- 20. Ocean City Crew Boosters, Inc.---request to hold Off-Premise Raffle on June 25, 2010.** Motion to approve the request by Kristine Gabor, seconded by Richard Palombo. During Roll call vote 4 Committee members voted in the affirmative. Jay Newman abstained from voting.

- 21. Greater Tuckahoe Area Merchants' Association---request to hold On-Premise Raffle on May 2, 2010, RA#368.** Motion to approve the request by Jay Newman, seconded by Frank Conrad with all five Committee members voting in the affirmative.
- 22. New Jersey Ride Against Aids---request to hold bicycle ride through Upper Township the weekend of Sept. 24-26, 2010.** Motion to approve the request by Richard Palombo, seconded by Frank Conrad with all five Committee members voting in the affirmative.
- 23. Municipal Engineer---request acceptance of the 2009 Stormwater Report and authorization for the Mayor to electronically sign and submit the report.** Motion to accept the report and authorize the Mayor to electronically sign the report by Frank Conrad, second by Curtis Corson. During roll call vote all five Committee members present voted in the affirmative. A resolution will be placed on a future agenda.
- 24. Cape May County Department of Public Works—request to install storm drain pipe within Old Tuckahoe Road to improve drainage on CR 610.** It was discussed that any approval may require that an ordinance be adopted by the Township Committee. Motion to grant Municipal approval and to take the steps necessary to move forward with the project moved by Frank Conrad; second by Curtis Corson with five Committee members present voting in the affirmative.
- 25. S. Todd Scarborough---request consideration of amendment to Township Ordinances with respect to offsite sanitary sewer collection and disposal and the Shop Rite Shopping Center development in Marmora.** Motion to forward the request to the Planning Board for review by Curtis Corson seconded by Mayor Palombo. During roll call vote four Committee members voted in the affirmative. Frank Conrad abstained from voting.
- 26. Barry and Elaine Messner---request to relocate easement for property known as Phase II, Seaville Plantation Major Subdivision, in Block 453.** Curtis Corson stepped down from discussion and did not participate. Paul Dietrich reported that the interested party proposes to purchase the remaining one-acre lots of Seaville Plantation that what would have been part of Phase I of the development, as well as the larger parcel that would have made up Phase II. All lots in question could be additional single-family lots. The Messners propose to construct an “estate type” single family home on the larger lot, and shift the easement from its present location on the Phase I and Phase II maps to a location at the end of Clayton Drive along the Common property line of lots 53 and 54, both of which would be owned by the Messners. They also propose the easement be changed from 50’ to 25’. Mr. Dietrich further reported that the Phase II property has an access easement to Township property in the rear that was granted prior subdivision approvals, as well as was previously dedicated as Recreation Open Space. Mr. Dietrich discussed those additional issues with regard to drainage improvements that may still need to be addressed. Richard King, Esq. Attorney for the Messners spoke with regard to the matter as well as Rami Nassar, Engineer for the project. Daniel Young, Municipal Attorney discussed several issues with concern to the requirements of the original approval. Mr. King asked the Committee for direction and whether there were any major objections to the concept, which there was not. The Committee directed that Mr. King present the proposal before the Planning Board.

UNFINISHED BUSINESS:

Committeeman Curtis Corson then returned to the dais.

- 27. Rue & Fagan--request to vacate alley in Block 827 between Putnam and Randolph Avenues.**

Motion by Jay Newman, second by Frank Conrad to grant the request to vacate the alley in Block 827 between Putnam and Randolph Avenues and to notice contiguous property owners. During roll call vote four Committee members voted in favor. Mr. Corson opposed the motion.

28. **Construction Official---recommendation to increase Construction Code fees.** Motion to defer the recommendation to increase construction code fees for 6 months by Curtis Corson, second by Jay Newman. During roll call vote all five Committee members voted in the affirmative.

DISCUSSION

PAYMENT OF BILLS:

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

Payroll: \$172,138.18
Bills submitted for payment: \$293,096.76

REPORT OF MUNICIPAL DEPARTMENTS:

- 29. Construction Code.
- 30. Clerk’s Office.
- 31. Animal Control.
- 32. Tax Assessor.
- 33. Tax Office.
- 34. Municipal Court-Upper Township, Dennis Township, and Corbin City.
- 35. Finance Office.
- 36. MUA Report

Reports are available from the Clerk’s Office.

PUBLIC COMMENT

There were no speakers from the public during the Public Comment section of the meeting.

CLOSED SESSION

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

Jay Newman read the following motion and resolution into the record:

**Resolution 093-2010
MOTION GOING INTO CLOSED SESSION
April 12, 2010**

I hereby move that a resolution be incorporated into the minutes authorizing the Township Committee to enter into an executive session for the following matters pursuant to the Open Public Meetings Act:

MATTERS:

- (1) Potential litigation Richnan Group – claim settlement
- (2) Personnel Matters
- (3) Litigation – Citizens for Strathmere and Whale Beach.
- (4) Litigation – tax appeals

I also include in my motion the estimated time and the circumstances under which the discussion conducted in closed session can be disclosed to the public as follows:

- A. It is anticipated that the matters discussed in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.
- B. With respect to employment and personnel matters such discussions will be made public if and when formal action is taken or when the individuals involved consent that it can be made public.
- C. With respect to contract negotiations such matters will be made public when negotiations have ceased and there is no longer a reason for confidentiality.
- D. With respect to litigation matters such discussions will be made public when litigation is complete and the applicable appeal period has expired.

Motion seconded by Frank Conrad with all five Committee members voting in the affirmative.

RECONVENE PUBLIC PORTION OF MEETING

Motion by Jay Newman, second by Frank Conrad to accept Selective Insurance Companies’ offer with regards to the Richnan Group Claim settlement for the Bond but delete the requirement to return any excess funds; and authorize that bid specs be advertised for the required work. During roll call vote four Committee members voted in the affirmative. Mr. Corson abstained from voting.

Motion was made by Frank Conrad, seconded by Jay Newman to issue a check for the remaining personal and vacation time of deceased employee Carol Rosiak to her estate. During roll call vote all five Committee members present voted in the affirmative.

ADJOURNMENT

There was no further business for this evening and the meeting was adjourned at 9:00 P.M. Motion to adjourn the meeting made by Jay Newman, seconded by Frank Conrad, with all five Committee members voting in the affirmative.

The next regular meeting is scheduled for Monday May 10, 2010 at 7:30 P.M.

Minutes prepared by

Wanda Gaglione, RMC
Municipal Clerk

Bill List

51151 04/13/10 A0004 A+ COMMERCIAL OFFICE CLEANERS 3,750.00 2592
51152 04/13/10 A0006 ADVANCE TREADS INC 499.70 2592
51153 04/13/10 A0017 A.C.M. JIF C/O T. FREEDMAN 86,406.00 2592
51154 04/13/10 A0025 ADVANTAGE RENTAL ACE HARDWARE 165.21 2592
51155 04/13/10 A0079 APPARATUS REPAIR CO. 307.90 2592
51156 04/13/10 A0081 ARMSTRONG, RALON I. 34.00 2592
51157 04/13/10 A0086 AT&T MOBILITY 320.86 2592
51158 04/13/10 A0091 ATLANTIC CITY ELECTRIC 18,507.95 2592

51159 04/13/10 A0095 ATLANTIC CITY COURT REPORTING 35.00 2592
51160 04/13/10 A0117 AT&T 44.36 2592
51161 04/13/10 A0134 ANSELL ZARO GRIMM & AARON, PC 70.00 2592
51162 04/13/10 A0140 ALLRISK PROPERTY DAMAGE EXPERT 6,808.63 2592
51163 04/13/10 B0035 BELMONT & CRYSTAL SPRINGS 107.54 2592
51164 04/13/10 B0036 B.F. PRODUCTS,INC. 559.00 2592
51165 04/13/10 B0076 BOND,LAURENCE E. 324.99 2592
51166 04/13/10 B0092 BROKER, EUGENE JR. 135.00 2592
51167 04/13/10 B0093 BARRY,CORRADO,GRASSI & GIBSON 4,270.00 2592
51168 04/13/10 B0148 BLUE FLAME/PARACO GAS 770.59 2592
51169 04/13/10 B0160 BONNER, ROSEMARY 81.00 2592
51170 04/13/10 B0171 BORNHARDT, FRED 215.25 2592
51171 04/13/10 B0182 BRIGGS LAW OFFICE, P.C. 1,734.13 2592
51172 04/13/10 C0003 CCC HEAVY DUTY TRUCK PARTS CO. 1,507.98 2592
51173 04/13/10 C0008 CMC COURT ADMINISTRATORS ASSOC 200.00 2592
51174 04/13/10 C0030 CAMP, BARBARA 71.36 2592
51175 04/13/10 C0048 CAPE MAY COUNTY MUA 46,507.93 2592
51176 04/13/10 C0060 CAPRIONI'S PORTABLE TOILETS 2,060.00 2592
51177 04/13/10 C0061 CAPRIONI SEWERAGE SERVICE 340.00 2592
51178 04/13/10 C0068 COMCAST 558.54 2592
51179 04/13/10 C0071 CAPEHART & SCATCHARD, P.A. 1,481.00 2592
51180 04/13/10 C0109 CRAVER, DYLAN 135.00 2592
51181 04/13/10 C0138 COASTAL MECHANICAL SYSTEMS INC 401.79 2592
51182 04/13/10 C0171 COLONIAL ELECTRIC SUPPLY CO. 72.39 2592
51183 04/13/10 C0201 CRUZAN'S TRUCK SERVICE INC. 1,114.24 2592
51184 04/13/10 C0221 CRAGER, GARY 131.97 2592
51185 04/13/10 C0223 CASA PAYROLL SERVICE 453.50 2592
51186 04/13/10 D0040 DELTA DENTAL OF N.J. INC. 6,558.16 2592
51187 04/13/10 D0129 DINO'S DINER 76.61 2592
51188 04/13/10 E0012 EHRlich PEST CONTROL INC 71.00 2592
51189 04/13/10 E0017 EDMUNDS & ASSOCIATES,INC. 1,200.00 2592
51190 04/13/10 F0015 FRANKEL, AL 268.50 2592
51191 04/13/10 F0026 FUMO, ZACHARY 75.00 2592
51192 04/13/10 F0054 FORT DEARBORN LIFE INSURANCE 544.98 2592
51193 04/13/10 F0159 FORCE AMERICA INC 44.91 2592
51194 04/13/10 G0006 GARBUTT,PATRICIA A. 24.00 2592
51195 04/13/10 G0008 GALLO GMC TRUCK SALES INC. 674.74 2592
51196 04/13/10 G0016 GARDNER HARDWARE INC. 64.15 2592
51197 04/13/10 G0028 GENTILINI FORD 481.41 2592
51198 04/13/10 G0044 GILES & RANSOME, INC. 623.00 2592
51199 04/13/10 G0061 GLASS SURGEON 90.00 2592
51200 04/13/10 G0099 GELZUNAS, RONALD J 350.00 2592
51201 04/13/10 G0115 GREGER, RICH 144.00 2592
51202 04/13/10 G0131 GABOR, CHRIS 60.00 2592
51203 04/13/10 H0002 H.A. DEHART & SON CORP. 2,454.69 2592
51204 04/13/10 H0018 HAROLD RUBIN/L & H SUPPLY 982.50 2592
51205 04/13/10 H0062 HOPE, JOHN J. 266.51 2592
51206 04/13/10 J0005 JACKSON,THOMAS ENTERPRISES,INC 930.94 2592
51207 04/13/10 J0033 JANKOWSKI,MATTHEW 400.00 2592
51208 04/13/10 J0066 JOHNSON, CHARLES 26.25 2592
51209 04/13/10 K0007 KACZMarsKI, RICHARD 232.68 2592
51210 04/13/10 K0034 KOHLER, CLAUDE JR. 69.52 2592
51211 04/13/10 K0047 KLINE, EDWARD T. 59.55 2592
51212 04/13/10 L0075 LEXISNEXIS T/A MATTHEW BENDER 65.34 2592
51213 04/13/10 L0095 LEVIN, VINNIE 150.00 2592
51214 04/13/10 M0008 MCAA OF NJ. SPRING CONF 200.00 2592
51215 04/13/10 M0021 MASER CONSULTING, P.A. 8,362.50 2592
51216 04/13/10 M0059 MCDANIELS, WILLIAM J. III 312.00 2592
51217 04/13/10 M0103 MODERN GAS COMPANY, INC. 7,732.23 2592
51218 04/13/10 M0130 MUNICIPAL COURT ADMIN ASSOC. 90.00 2592
51219 04/13/10 M0180 MED-TECH RESOURCE,INC. 154.32 2592
51220 04/13/10 M0188 MCCARTHY TIRE SERVICE OF PHILA 1,019.51 2592
51221 04/13/10 M0193 MAYNE, MICHAEL 39.97 2592
51222 04/13/10 M0196 MUNYON, BILL 660.00 2592
51223 04/13/10 N0004 NJ-AMERICAN WATER CO. 31.91 2592
51224 04/13/10 N0024 N.J. DIVISION OF FIRE SAFETY 398.00 2592
51225 04/13/10 N0043 NAPA AUTO PARTS OF S.JERSEY 1,717.26 2592
51226 04/13/10 N0046 NJ EMERGENCY PREPAREDNESS ASSO 225.00 2592
51227 04/13/10 N0052 NATL YOUTH SPORTS COACHED ASSN 960.00 2592
51228 04/13/10 N0079 NIGP - SOUTH JERSEY 70.00 2592
51229 04/13/10 O0006 OCS PRINTING 223.00 2592
51230 04/13/10 O0014 OCEANPORT LLC 5,912.40 2592
51231 04/13/10 P0008 PALMER, NANCY 155.00 2592
51232 04/13/10 P0032 PEDRONI FUEL CO. 3,167.50 2592
51233 04/13/10 P0056 TURF EQUIPMENT AND SUPPLY CO 1,533.90 2592
51234 04/13/10 R0030 RIGGINS, INC. 12,818.09 2592
51235 04/13/10 R0073 RICOH AMERICAS CORPORATION 1,109.17 2592

51236 04/13/10 S0003 SAFERSTEIN, RICHARD,Ph.D. 650.00 2592
51237 04/13/10 S0015 SMYTH, PATRICIA 92.40 2592
51238 04/13/10 S0016 SAMPSON, MICHELLE 40.00 2592
51239 04/13/10 S0020 AM SAN 470.85 2592
51240 04/13/10 S0056 SEASHORE ASPHALT CORPORATION 1,447.40 2592
51241 04/13/10 S0072 SEGIN, STEWART S. 62.00 2592
51242 04/13/10 S0073 SENIOR TRAVEL SERVICE,INC. 2,865.00 2592
51243 04/13/10 S0112 SOUTH JERSEY COURT ADM. ASSOC. 80.00 2592
51244 04/13/10 S0121 SMUZ, THERESE A 101.00 2592
51245 04/13/10 S0126 SPIEGEL, BARBARA 22.50 2592
51246 04/13/10 S0134 SO. JERSEY GAS COMPANY 2,245.74 2592
51247 04/13/10 S0154 SOUTH JERSEY OVERHEAD DOOR 990.75 2592
51248 04/13/10 S0163 SAUL, STEVE 189.00 2592
51249 04/13/10 S0165 S.E.T. COMMUNICATIONS INC 218.47 2592
51250 04/13/10 S0196 STEWART BUSINESS SYSTEMS LLC 110.50 2592
51251 04/13/10 S0209 STAPLES ADVANTAGE 1,106.24 2592
51252 04/13/10 S0239 SHORE VET. ANIMAL CONTROL 2,100.00 2592
51253 04/13/10 S0241 SAFEGUARD BUSINESS SYSTEMS 34.40 2592
51254 04/13/10 T0018 TEKK COMM COMMUNICATIONS 42.14 2592
51255 04/13/10 T0022 TERMINIX 96.00 2592
51256 04/13/10 T0032 THE PRESS & SUNDAY PRESS 363.66 2592
51257 04/13/10 T0067 TOWNSHIP OF UPPER PETTY CASH 71.58 2592
51258 04/13/10 T0131 TROUT, ROSEMARY 46.00 2592
51259 04/13/10 U0011 UPPER TOWNSHIP BASEBALL 183.75 2592
51260 04/13/10 U0012 U.T. SOCCER ASSOCIATION 78.75 2592
51261 04/13/10 U0025 UNITED STATES POSTAL SERVICE 2,000.00 2592
51262 04/13/10 U0034 UPPER TWP.GIRLS SOFTBALL ASSOC 630.01 2592
51263 04/13/10 V0001 VCI EMERGENCY VEHICLE 1,675.87 2592
51264 04/13/10 V0005 VAN EMBDEN, NATHAN, ATTORNEY 2,332.50 2592
51265 04/13/10 V0013 VERIZON WIRELESS 297.52 2592
51266 04/13/10 V0022 VERIZON 901.23 2592
51267 04/13/10 V0024 VAL-U AUTO PARTS L.L.C. 508.04 2592
51268 04/13/10 V0025 V.E. RALPH & SON,INC. 130.40 2592
51269 04/13/10 W0038 WILLIAMS, JEREMIAH J. 38.00 2592
51270 04/13/10 W0082 WHARTON HARDWARE & SUPPLY CO 2,594.50 2592
51271 04/13/10 W0085 WOODY, LESTER 84.75 2592
51272 04/13/10 W0090 WOOLLEY, FRANK 150.00 2592
51273 04/13/10 Y0008 YOUNG, DANIEL J. ESQUIRE PC 21,357.80 2592
51274 04/13/10 Y0023 YOUNG, DANIEL J. ATTORNEY 2,625.00 2592
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Total Paid: \$293,096.76 0.00