

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR OCTOBER 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	Absent

Also present were Municipal Clerk Wanda Gaglione, Finance Officer Barbara Spiegel, Municipal Attorney Daniel Young and Municipal Engineer Paul Dietrich.

**APPROVAL OF MINUTES - September 27, 2010 Regular Meeting and
Closed Session Minutes**

Motion was made by Jay Newman, seconded by Frank Conrad to approve the Regular Meeting Minutes and Closed Session Minutes as submitted. During roll call vote, all four Committee members present- voted in the affirmative.

REPORT OF GOVERNING BODY MEMBERS

Curtis Corson, Deputy Mayor presided over the meeting tonight and requested that the Clerk put the Noise Ordinance on the next agenda for introduction.

Frank Conrad: Congratulated Barbara Spiegel on the successful completion of the “Principals in Public Purchasing” course.

Kristine Gabor: Reported that the Fall Free Rabies Clinic is scheduled for Saturday October 23, 2010 from 1:00 to 3:00 p.m. She also discussed a request from the Girls Scouts for use of the Community Center for a roller skating event. She made a motion to grant the request provided they comply with all Township requirements. Frank Conrad seconded motion with all four Committee members present voting in the affirmative. Ms. Gabor also reported on a request from a representative of Mary Kay Cosmetics to hold an event at the Community Center. Motion to deny the Mary Kay request and all other for profit vendors. During roll call vote all four Committee members voted in the affirmative. She also reported that the Upper Township Soccer Association has requested use of the soccer fields at Amanda’s Field, Middle School, the Tuckahoe and Tyler Davis fields for the Endless Summer Soccer Tournament on August 20th and 21st 2011.

Jay Newman: reported on fire that broke out last Tuesday night in Petersburg. All fire companies and the Rescue Squad worked well together. The Township fire companies were able to contain the fire to one side

of the building. Although the Rescue Squad transported one resident to the hospital, no injuries were reported for the fire companies or rescue personnel.

Mr. Newman also reported on correspondence from Comcast Cable Television Company regarding the renewal of Municipal consent for the franchise agreement. Mr. Young reported that the franchise agreement is for the Strathmere section of the Township. The reason it is not for the entire municipality is that historically two separate companies served the Township, one for the Mainland which expires in 2013 and one for Strathmere which expires in 2011; although now they are both covered by Comcast. The BPU will be sending the Township a letter with an outline of the requirements.

OTHER REPORTS

Wanda Gaglione, Municipal Clerk: reminded everyone that Trick or Treat is on October 31, 2010 from 5:00 to 8:00 PM and that the Toys for Tots will start their annual toy drive around November 1st with the Township Hall again being designated as a drop off spot for new unwrapped toys. Mr. Corson asked if she had any further information on the request that the Township be a drop off location for donations for the family that recently lost their home due to fire. Mr. Corson suggested that if the plans are confirmed the bin can be placed at the Community Center. She also reported she has one item for closed session regarding a personnel matter.

Daniel Young, Municipal Attorney: reported that he has several items for closed session: Litigation Grubb v. Upper Township, a matter of Contract negotiations, Potential Shared Services Agreement with the County of Cape May and Personnel matters.

Paul Dietrich, Municipal Engineer: reported he had one item for closed session that being the Paynter litigation matter. He requested authorization to replace the bulkhead on Whittier Avenue in Strathmere with plans for the construction to begin in the spring of 2011. Motion to authorize the Engineer to solicit bids for the new bulkhead by Curtis Corson, seconded by Jay Newman. During roll call vote, all four Committee members present voted in the affirmative. Mr. Dietrich also discussed that snow fence along Commonwealth Avenue had been removed. He also reported that November 2nd thru the 17th the CMC Department of Corrections and the Clean Shores program will be putting up new snow fence in Strathmere.

Mr. Corson then stated that conflict attorney, Norman Briggs was in attendance tonight to represent the Township on three conflict items, one of which was a closed session item, the Paynter Litigation matter. The three conflict items would be taken first to allow Mr. Briggs to leave after his matters were complete.

Mr. Young stepped down and Mr. Briggs took the attorney's place at the table. The closed session matter was considered first. At 7:35 PM the Committee moved to go into closed session, the closed session resolution was read into the record by Mr. Newman and can be found following this paragraph. Mr. Corson then stated that rather than clearing the courtroom, the Committee, Mr. Briggs, the Clerk, and the Engineer would move to the conference room to discuss this matter, and they left the room. Mr. Young and Ms. Spiegel remained behind and did not leave the courtroom.

MOTION GOING INTO CLOSED SESSION **October 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:

MATTER:

1. Litigation – Paynter matter

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 litigation matter such discussions will be made public when litigation is complete and the applicable appeal period has expired.

Moved by Jay Newman.

Motion seconded by Frank Conrad.

During roll call vote all four Committee members voted in the affirmative.

At 7:40 PM the Committee returned to the courtroom. Motion to return to open session was made by Jay Newman, seconded by Frank Conrad with four Committee members present voting in the affirmative. Mr. Briggs remained as conflict attorney for the Township in the next two matters (items 10 and 11), which were taken out of order to allow Mr. Briggs to complete his matters and then leave the meeting.

10. Request by R. Scott Halliday Jr. for a street vacation of Ocean Avenue, between Chestnut St. and Stagecoach Rd. Due to conflict Municipal Attorney Daniel Young did not participate in this matter and did not sit at the dais. Norman Briggs Esq. represented the Township in this matter. Mr. Dietrich reported that Ocean Avenue is currently an unimproved street. He reported that the street is not needed for public use. It was discussed that a portion of Atlantic Ave is already vacated. Mr. Briggs noted that Block 636 Lots 25-33 was previously purchased by Scott Halliday and has been consolidated with Block 636 Lot 24. Mr. Briggs mentioned that a fire hydrant was located on the site. Mr. Dietrich reported that the street vacation would not affect the fire hydrant. Motion to vacate Ocean Avenue from Stagecoach Road to Chestnut as requested, made by Jay Newman, seconded by Frank Conrad with the four Committee members present voting in the affirmative. An ordinance would be placed on a future agenda.

11. Echo Farms RV Resort, request to purchase Township property at Block 558 Lot 45. Mr. Briggs represented the Township in this matter as well. Also, due to conflict Curtis Corson did not participate and left the dais. Mr. Newman presided over the meeting for this matter. Mr. Dietrich gave a brief report on prior use and ownership of the property. He further reported that the Township recently ordered a survey of the property to verify the property line. Mr. Dietrich reported that Echo Farms was notified that the survey revealed that two campsites, a portion of access road, and a couple of sheds are situated on Township property and that is what prompted the request. Mr. Briggs confirmed that due to the fact there are three adjacent property owners, sale of the parcel would require a public auction. The parcel is 44,000 sq. ft., 40 ft. by 200ft. Motion to grant the request to sell Township owned property Block 558, Lot 45 by public auction, made by Jay Newman, seconded by Frank Conrad. During roll call vote, three Committee members present voted in the affirmative. Mr. Corson did not participate and did not vote.

At the conclusion of the conflict items Mr. Corson returned to his seat at the dais and presided over the remaining portion of the meeting. Mr. Briggs had completed the conflict items of business and left the meeting. Mr. Young returned to the Municipal Attorney seat and represented the Township for the remaining portion of the meeting.

RESOLUTIONS

- 1. Honoring Nicholas Annarelli on attaining the designation of “Eagle Scout”.**

**CAPE MAY COUNTY
R E S O L U T I O N
RESOLUTION NO. 209-2010
RE: HONORING NICHOLAS ANNARELLI ON ATTAINING THE
DESIGNATION OF "EAGLE SCOUT"**

WHEREAS, Nicholas Annarelli, has recently achieved the designation of Eagle Scout in the Boy Scouts of America; and

WHEREAS, the Township of Upper wishes to acknowledge this outstanding accomplishment; 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:

RESOLVED THAT the Township Committee extends its sincere congratulations to Nicholas on the occasion of his receiving the designation of Eagle Scout and commends him for this outstanding accomplishment and the completion of his Eagle Scout project consisting of the replacement of a steep and badly deteriorated handicap ramp at the Marmora VFW Hall with a newly constructed ramp made of non-slip composite materials. Nicholas also installed vinyl material on the VFW entryway platform, replaced several electrical fixtures which were in poor condition, and replaced the foundation to the rear cement steps; and

FURTHER RESOLVED that the Township Committee extends its congratulations and best wishes to Nicholas's parents, family and friends on this happy occasion; and it is

FURTHER RESOLVED that the Township Committee also extends its congratulations and appreciation to the Scout Masters and others who give so freely and generously of their time for the benefit of our youth.

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

- 2. Authorizing the Mayor and Clerk to sign a Contract for Employee Benefits Consultant Services-Contract with NIA Group Associates, a Marsh & McLennan Agency, LLC Company.**

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 210 -2010**

**RE: AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO SIGN A CONTRACT FOR
EMPLOYEE BENEFITS CONSULTANT SERVICES**

WHEREAS, the Township has decided to acquire the services of the firm of NIA Group a Marsh & McLennan Agency, LLC as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-2.05; and

WHEREAS, NIA Group, a Marsh & McLennan Agency, LLC has submitted a proposal to the Township to provide employee benefits consultant services; and

WHEREAS, the Township wishes to accept said proposal and to authorize the execution of a contract with NIA Group, a Marsh & McLennan Agency, LLC; and

WHEREAS, the proposed contract has been reviewed and approved by the Municipal Attorney and will be on record in the office of the Township Clerk and available for public inspection; and

WHEREAS, NIA Group, a Marsh & McLennan Agency, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that NIA Group, a Marsh & McLennan Agency, LLC 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 NIA Group, a Marsh & McLennan Agency, LLC 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. The Mayor and Township Clerk are hereby authorized, directed and empowered to execute a contract with NIA Group, a Marsh & McLennan Agency, LLC to provide employee benefits consultant services.
3. NIA Group, a Marsh & McLennan Agency, 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.
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. 210-2010

Offered by: Newman

Seconded by: Conrad

Adopted: October 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> </u>	<u> </u>	<u> </u>	<u> X </u>

3. **Authorizing the Chief Financial Officer to withdraw funds in the amount of \$6,000 from the account entitled Recycling Trust Account for the purchase of recycling cans and corrals.**

TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N
RESOLUTION NO. 211-2010

**RE: AUTHORIZING THE CHIEF FINANCIAL OFFICER TO WITHDRAW FUNDS IN THE
AMOUNT OF \$6,000.00 FROM THE ACCOUNT ENTITLED RECYCLING TRUST ACCOUNT
FOR THE PURCHASE OF RECYCLING CANS AND CORRALS**

WHEREAS, it is necessary for the Township of Upper to purchase additional recycling containers to be placed in recreational areas; and

WHEREAS, it is necessary for the Township of Upper to construct corrals to place the recycling containers in; and

WHEREAS, the appropriation for the purchase will be from the Recycling Trust Account; 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 Chief Financial Officer of the Township of Upper is hereby authorized, directed and empowered to withdraw funds in the

amount of \$6,000.00 from the account entitled Recycling Trust Fund for certain materials, supplies and equipment.

Resolution No. 211-2010

Offered by: Conrad

Seconded by: Newman

Adopted: October 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> </u>	<u> </u>	<u> </u>	<u>X</u>

ORDINANCES

4. **Second Reading and Final Adoption of Ordinance No. 011-2010,**
RE: AUTHORIZING THE USE OF UP TO \$23,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR ACQUISITION OF A PHONE SYSTEM FOR THE TOWNSHIP OF UPPER. During the public portion of the hearing, there were no speakers from the public. Motion was made by Jay Newman, seconded by Kristine Gabor to adopt Ordinance No. 011-2010. During roll call vote all four Committee members voted in the affirmative.

TOWNSHIP OF UPPER CAPE MAY COUNTY O R D I N A N C E

ORDINANCE NO. 011-2010

RE: AUTHORIZING THE USE OF UP TO \$23,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR ACQUISITION OF AN PHONE SYSTEM FOR THE TOWNSHIP OF UPPER

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. The improvement described in Section 2 of this Ordinance is hereby authorized to be undertaken by the Township of Upper, New Jersey as a general improvement. For the improvement or purpose described in Section 2, there is hereby appropriated the sum of up to \$23,000.00 from the Capital Improvement Fund.

SECTION 2.

(a) The improvement hereby authorized is for the acquisition of a new phone system at the Municipal Building, Community Center, Rescue Squad Building and Public Works Building, including all related costs and expenditures incidental thereto.

(b) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefore.

SECTION 3. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 2 of this Ordinance is not a current expense. It is an improvement or purpose that the Township of Upper may lawfully undertake as a general improvement and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose is within the limitations of the Local Bond Law.

SECTION 4. Any grant monies received for the purpose described in Section 2 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this Ordinance. The amount of obligation authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

SECTION 5: REPEALER: All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

SECTION 6: 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 7: 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 27th OF SEPTEMBER, 2010 AND WILL BE TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER TO BE HELD ON THE 12th DAY OF October, 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

RESOLUTION

5. Amending Resolution No. 171-2010 to authorize the Mayor and Township Clerk to purchase telephone equipment from U ½ 2 Inc., doing business as USAPhone.com.

TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N
RESOLUTION NO. 212-2010

RE: AMENDING RESOLUTION NO. 171-2010 TO AUTHORIZE THE MAYOR AND TOWNSHIP CLERK TO PURCHASE TELEPHONE EQUIPMENT FROM U ½ 2 INC., DOING BUSINESS AS USA PHONE.COM

WHEREAS, the Township previously authorized a contract with USA Phone.com for the lease of telephone equipment pursuant to Resolution No. 171-2010 which was adopted July 26, 2010 and did thereafter determine not to enter into said lease and to amend said Resolution to authorize the purchase of the equipment as a cost saving measure; and

WHEREAS, U ½ 2 Inc., doing business as USA Phone.com, with offices at 1790 Route 70 East, Cherry Hill, NJ 08003 has submitted a proposal to the Township of Upper for the purchase of telephone equipment for the sum of \$23,627.23; and

WHEREAS, the proposal has been reviewed and approved by the Municipal Attorney and the Township's Computer Director; and

WHEREAS, U ½ 2 Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that U ½ 2 Inc. 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 U ½ 2 Inc. 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. The Mayor and Township Clerk are hereby authorized, directed and empowered to purchase from U ½ 2 Inc. telephone equipment for the Township of Upper.
3. U ½ 2 Inc. has registered with the State of New Jersey pursuant to c.57, Laws of 2004 and have provided proof of that registration to the Township of Upper.
4. This Resolution amends Resolution No. 171-2010 as set forth herein. The terms of Resolution No. 171-2010 remain in effect to the extent they are not inconsistent with this Resolution.
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.
6. Resolution No. 171-2010 adopted on July 26, 2010 is hereby amended for the reasons set forth herein.

Resolution No. 212- 2010

Offered by: Conrad

Seconded by: Gabor

Adopted: October 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> </u>	<u> </u>	<u> </u>	<u> X </u>

CORRESPONDENCE

NEW BUSINESS

6. **Upper Township Soccer Association--request to hold an On-Premise Quilt Raffle RA#372 and Cleaning Raffle RA#377, on May 6, 2011 at the Upper Township Community Center.**
7. **Ducks Unlimited NJ State Committee--request to hold On-Premise Merchandise Raffle RA#378 on November 13, 2010 at the Seaville Fire Hall.**
8. **South Shore Stitchers--request to hold an On-Premise Quilt Raffle RA#379 November 14, 2011 at the Tuckahoe Methodist Church.**
9. **Greater Tuckahoe Area Merchants Association--request to hold Off-Premise Merchandise Raffles RA #380 Samsung T.V. Raffle and RA #381 Bike & Kayak Raffle December 4, 2010 at the Station House, Tuckahoe.**

Motion was made by Jay Newman second by Frank Conrad to approve Games of Chance items 6 through 9. During roll call vote all four Committee members voted in the affirmative.

10. Request by R. Scott Halliday Jr. for a street vacation of Ocean Avenue, between Chestnut St. and Stagecoach Rd. This item discussed earlier in the meeting, see page 3.

UNFINISHED BUSINESS:

11. Echo Farms RV Resort, request to purchase Township property at Block 558 Lot 45. This item discussed earlier in the meeting, see page 3.

12. Construction Fees - recommendation to increase Construction Code fees. This item was tabled to the next agenda.

13. Request from National Railway Historical Society to purchase a Township owned building at Block 350 Lot 12, for use as a train museum. It was discussed that this title was incorrect and that the request was for an appraisal of the building. Mr. Dietrich is looking into the cost of obtaining a commercial appraisal and the matter will be placed back on an agenda when more information is available.

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 made by Jay Newman, second by Frank Conrad with all five Committee members voting in the affirmative.

Bills approved for payment: \$122,674.99

Payroll: \$168,508.46

REPORT OF MUNICIPAL DEPARTMENTS:

14. Clerk’s Office

15. Construction Code

16. Animal Control

17. Tax Assessor

18. Finance Office

19. Tax Office-Monthly Report; Affidavit of Advertisement of properties for the recent tax sale; and Certification of Mailing of 2010 Added Assessment and Omitted/Added Assessment Taxes for 2010 Final/2011 Preliminary tax bills.

Reports are available from the Clerk’s Office

PUBLIC COMMENT

Mr. Conrad further discussed the need to appoint a replacement for the position of the Clean Communities Coordinator due to Brenda Layton’s retirement. Employee Karen Buchanan has worked closely on the program with Brenda Layton and has indicated she would be willing to accept the appointment. She has indicated that coverage is taken care of for the Clean Communities event scheduled for October 23rd . It was discussed that two people are needed and the additional person should be from the Road Department such as the Sanitation Inspector. A resolution will be placed on the next agenda.

There were no speakers from the public.

CLOSED SESSION

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

RESOLUTION NO. 213-2010
RESOLUTION TO GO INTO CLOSED SESSION
October 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. Litigation – Grubb v. Upper Township
2. Contract negotiation – Shared services with County of Cape May for mechanical work on Cape May County large vehicles
3. Personnel matters

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.

All four Committee members present voted in the affirmative.

RECONVENE PUBLIC PORTION OF MEETING

Motion was made by Jay Newman second by Frank Conrad to close the executive session of the meeting and reopen the regular portion of the meeting. During roll call vote all four Committee members present voted in the affirmative.

Motion was made by Jay Newman, second by Curtis Corson to pay \$173.16 as interest on a pension loan for employee Judith May due to a clerical error. During roll call vote all four Committee members present voted in the affirmative.

With regards to the upcoming collective bargaining negotiations the Committee directed Mayor Richard Palombo and Deputy Mayor Curtis Corson to negotiate with union representatives.

ADJOURNMENT

There was no further business for this evening and the meeting was adjourned at 9:05 PM, motion by Curtis Corson, second by Frank Conrad with all four Committee members voting in the affirmative.

Next meeting is scheduled for October 25, 2010 at 7:30 P.M.

Minutes prepared by

Wanda Gaglione, RMC
Municipal Clerk

Bill List

52282 10/12/10 A0004 A+ COMMERCIAL OFFICE CLEANERS 250.00 2624
52283 10/12/10 A0025 ADVANTAGE RENTAL ACE HARDWARE 0.00 10/12/10 VOID 0
52284 10/12/10 A0025 ADVANTAGE RENTAL ACE HARDWARE 1,306.15 2624
52285 10/12/10 A0027 ACE PLUMBING SUPPLY,INC 428.38 2624
52286 10/12/10 A0035 AIRLINE HYDRAULIC CORP. 550.00 2624
52287 10/12/10 A0070 ALBERTSONS/ACME 47.52 2624
52288 10/12/10 A0086 AT&T MOBILITY 198.94 2624
52289 10/12/10 A0091 ATLANTIC CITY ELECTRIC 13,954.96 2624
52290 10/12/10 A0113 ARAWAK PAVING CO. INC. 48,059.25 2624
52291 10/12/10 A0117 AT&T 72.05 2624
52292 10/12/10 A0143 ASPLUNDH BUICK-GMC INC 157.86 2624
52293 10/12/10 B0076 BOND,LAURENCE E. 225.26 2624
52294 10/12/10 B0093 BARRY,CORRADO,GRASSI & GIBSON 1,715.00 2624
52295 10/12/10 C0068 COMCAST 169.40 2624
52296 10/12/10 C0071 CAPEHART & SCATCHARD, P.A. 1,342.80 2624
52297 10/12/10 C0078 CARTER, EDWARD, SR. 616.00 2624
52298 10/12/10 C0124 CMC MUNICIPAL CLERK'S ASSOC. 25.00 2624
52299 10/12/10 C0138 COASTAL MECHANICAL SYSTEMS INC 165.25 2624
52300 10/12/10 C0171 COLONIAL ELECTRIC SUPPLY CO. 62.87 2624
52301 10/12/10 D0045 DEPTCOR 225.00 2624
52302 10/12/10 F0048 FOGG, LESLIE INC. 454.08 2624
52303 10/12/10 F0054 FORT DEARBORN LIFE INSURANCE 539.33 2624
52304 10/12/10 G0006 GARBUTT,PATRICIA A. 76.05 2624
52305 10/12/10 G0021 GARTLAND, JOSEPH, INC. 153.04 2624
52306 10/12/10 G0028 GENTILINI FORD 268.28 2624
52307 10/12/10 G0094 GRUBB, JON 97.00 2624
52308 10/12/10 G0126 GREGER, RICH 220.00 2624
52309 10/12/10 G0133 GARCIA, VERONICA 18.00 2624
52310 10/12/10 H0018 HAROLD RUBIN/L & H SUPPLY 684.29 2624
52311 10/12/10 H0141 HOLIDAY INN EXPRESS HOTEL 205.20 2624
52312 10/12/10 J0053 J & M EMBROIDERY SCREEN PRNTG 339.25 2624
52313 10/12/10 K0007 KACZMARSKI, RICHARD 62.99 2624
52314 10/12/10 K0030 KNIGHTS OF COLUMBUS 300.00 2624
52315 10/12/10 L0031 LORCO PETROLEUM SERVICES 39.50 2624
52316 10/12/10 L0043 LEE RAIN,INC. 293.50 2624
52317 10/12/10 L0080 LOWES, INC. 237.55 2624
52318 10/12/10 M0103 MODERN GAS COMPANY, INC. 1,198.16 2624
52319 10/12/10 M0148 MYRON MANUFACTURING CORP. 336.46 2624
52320 10/12/10 M0180 MED-TECH RESOURCE,INC. 796.40 2624
52321 10/12/10 M0217 MUNICIPAL EMERGENCY SERVICES 1,776.00 2624
52322 10/12/10 M0222 MUNICIPAL CAPITAL CORPORATION 784.00 2624
52323 10/12/10 M0223 MR. GLASS 265.00 2624
52324 10/12/10 N0004 NJ-AMERICAN WATER CO. 231.46 2624
52325 10/12/10 N0043 NAPA AUTO PARTS OF S.JERSEY 170.65 2624
52326 10/12/10 N0052 NATL YOUTH SPORTS COACHED ASSN 300.00 2624
52327 10/12/10 N0088 N.J. CONFERENCE OF MAYORS 475.00 2624
52328 10/12/10 N0100 N.J. LEAGUE OF MUNICIPALITIES 20.00 2624
52329 10/12/10 N0130 NILFISK OF AMERICA, INC. 666.46 2624
52330 10/12/10 O0005 OFFICE BUSINESS SYSTEMS INC 775.00 2624
52331 10/12/10 P0008 PALMER, NANCY 153.00 2624
52332 10/12/10 P0032 PEDRONI FUEL CO. 176.00 2624
52333 10/12/10 P0034 PEIFER, SUSAN R. 137.98 2624
52334 10/12/10 P0056 TURF EQUIPMENT AND SUPPLY CO 443.46 2624
52335 10/12/10 P0075 POSITIVE PROMOTIONS INC 1,085.67 2624
52336 10/12/10 R0030 RIGGINS, INC. 6,411.85 2624
52337 10/12/10 S0121 SMUZ, THERESE A 166.17 2624
52338 10/12/10 S0139 SO. JERSEY WATER COND. INC. 192.45 2624
52339 10/12/10 S0163 SAUL, STEVE 240.00 2624
52340 10/12/10 S0209 STAPLES ADVANTAGE 1,359.66 2624
52341 10/12/10 S0239 SHORE VET. ANIMAL CONTROL 2,150.00 2624
52342 10/12/10 T0018 TEKK COMM COMMUNICATIONS 2,284.00 2624
52343 10/12/10 T0032 THE PRESS & SUNDAY PRESS 206.34 2624
52344 10/12/10 T0036 THIS AND THAT 200.00 2624

52345 10/12/10 T0048 TILL PAINT CO/D. FITZGERALD 2,250.00 2624
52346 10/12/10 T0067 TOWNSHIP OF UPPER PETTY CASH 26.87 2624
52347 10/12/10 T0074 TRANSAXLE LLC 738.84 2624
52348 10/12/10 T0098 TULL,LYNN 225.00 2624
52349 10/12/10 T0115 TURF & FARM SUPPLIES, INC. 1,400.00 2624
52350 10/12/10 U0030 UPPER TOWNSHIP LACROSSE 1,140.00 2624
52351 10/12/10 U0038 UPPER TOWNSHIP RESCUE SQUAD 299.76 2624
52352 10/12/10 U0047 U.S. MUNICIPAL SUPPLY, INC. 986.80 2624
52353 10/12/10 V0013 VERIZON WIRELESS 323.58 2624
52354 10/12/10 V0024 VAL-U AUTO PARTS L.L.C. 87.91 2624
52355 10/12/10 V0025 V.E. RALPH & SON,INC. 3,477.27 2624
52356 10/12/10 V0026 VITAL COMPUTER RESOURCES, INC. 2,014.32 2624
52357 10/12/10 Y0008 YOUNG, DANIEL J. ESQUIRE PC 10,283.15 2624
52358 10/12/10 Y0012 YOUNG,ROBERT 36.76 2624
52359 10/12/10 Y0023 YOUNG, DANIEL J. ATTORNEY 2,625.00 2624
52360 10/12/10 Z0003 ZEP INC. 198.81 2624

Total \$122,674.99