TOWNSHIP OF UPPER 2100 TUCKAHOE ROAD PETERSBURG, NJ 08270 CAPE MAY COUNTY MINUTES FOR NOVEMBER 28, 2011

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 Absent
Kristine Gabor Present
John "Jay" Newman
Richard Palombo Present

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

<u>APPROVAL OF MINUTES</u>- The November 14, 2011 Regular Meeting and Closed Session Minutes will be approved at the 12-5-2011 meeting.

REPORT OF GOVERNING BODY MEMBERS

Frank Conrad, reported that the Christmas Parade will be on Saturday December 3, 2011 starting at 10:00 am. The Parade will be starting at the Train Station in Tuckahoe and will end at L's restaurant in Corbin City, where the Greater Tuckahoe Area Merchant's Association will hold their Christmas in the Country event.

Kristine Gabor, reported that she attended a League of Municipalities seminar for Elected Officials liability on November 16. She then reported that the Sports & Recreation Advisory Board will have a vacancy for 2012. She requested that the vacancy be advertised.

Mayor Palombo, reported that the December committee meetings will be on December 5, 2011 and December 19, 2011 at 7:30 pm., and the 2012 Reorganization meeting will be on January 6, 2012 at 6:30 pm. He next reminded and urged everyone to get a flu shot. He then acknowledged the Noon Rotary Club, Mr. William Eisle, and the Uptown Singers for their contribution during the tree lighting ceremony. He commented how beautiful the Township Hall was decorated and thanked our Buildings and Ground employee James Schuler.

OTHER REPORTS

Wanda Gaglione, Municipal Clerk, reported that Robert Spiegel, the Emergency Management Director, submitted paper work regarding a sub grant application for the New Jersey Office of Emergency Management Agency Assistance that needs to be signed immediately. Motion was made by Frank Conrad, second by Kristine Gabor to authorize the Mayor and Chief Financial Officer to sign the needed documents with a resolution to follow at a future meeting. During roll call vote all three committee members present voted in the affirmative.

Daniel Young, Municipal Attorney, reported he had a few items for executive session. Grubb v. Upper Township litigation matter, contract negotiation for Shared Service agreement with Cape May County for plowing services, contract negotiation with Lana Shapiro for possible exchange of lands, and contract negotiation matter for a health benefits consultant services.

Paul Dietrich, Municipal Engineer, submitted a draft proposal of the Public Works 2012 Resident Information. He requested the Committee's review and that an approving resolution be placed on the next agenda. He then reported on discussions for the Township to purchase laptop computers for the Committee's use to further the Township's effort to go paperless, as well as insuring a secure way for the Committee to conduct Township business. He is requesting a budget of approximately \$600 for each. There was a discussion of the required features needed for the computers. Mayor Palombo requested that the computers be ready to use for the January 2012 Reorganization meeting. Mr. Dietrich then reported on the Township's affordable housing trust fund. Pursuant to State law, the trust fund monies must be spent within four years of the date of collection. This coming July 2012 marks the 4 year anniversary for the Township. There was discussion on how to begin and proceed with the administration of the Township's Fair Share and Housing Plan, which consists of a rehabilitation program, a rental assistance program, or a mortgage assistance program. He finally requested authority to solicit bids for materials and supplies for improvements to the Amanda's Field baseball complex. Motion was made by Richard Palombo, second by Kristine Gabor to approve the request. During roll call vote all three Committee members present voted in the affirmative. A resolution will be placed on a future agenda.

Later in the meeting Mayor Palombo requested an update on leaf collection throughout the Township. Mr. Dietrich reported that the Public Works Department had a small delay last week because of equipment failure, however they will be continuing with the collection throughout the month.

PRESENTATION

RESOLUTIONS

1. Authorizing the execution of NJDEP TWA-1 application Statements of Consent form regarding 805 S. Commonwealth Avenue, Strathmere Block 823, Lot 1.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION NO. 233-2011

RE: AUTHORIZING EXECUTION OF NJDEP TWA-1 APPLICATION
STATEMENTS OF CONSENT FORM REGARDING 805 S.COMMONWEALTH AVENUE,
STRATHMERE BLOCK 823, LOT 1

WHEREAS, Sallee Raffa has or is about to make application to the New Jersey Department of Environmental Protection (hereinafter "DEP") for Treatment Works Approval for a proposed three bedroom single family dwelling, and has requested that the Township complete a portion of DEP Form No. WQM-003, which merely consents to the submission of the application to the DEP and certifies that the project, as proposed, conforms with the requirements of all municipal Ordinances and does not otherwise impose any obligation or liability on the Township; and

WHEREAS, Sallee Raffa must apply to the New Jersey Department of Environmental Protection for Treatment Works Approval for the installation of a pressure dosing septic system, not in conformance with N.J.A.C.7:9A, for a three bedroom single family dwelling to be constructed on 805 S. Commonwealth Avenue, Strathmere, Block 823, Lot 1 of the municipal tax map of Upper Township, New Jersey; and

WHEREAS, the Township Engineer has informed the Township Committee as to the general nature of the project and has indicated that the Township has no ordinance prohibiting the proposed project; and

WHEREAS, the matter has been considered by the Township Committee and it has been determined that the consent by the Governing Body should be granted to this application to permit the application process to go forward; and

WHEREAS, the Township Committee wishes to authorize the Township officials to execute said documentation;

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 is hereby authorized to execute on behalf of the Township of Upper a Statements of Consent, Section A-1, in the form attached hereto as Exhibit "A" and said consent shall be completed by inserting therein this Resolution number and the date of its adoption.

- 3. This Statements of Consent is submitted in conjunction with the application of Sallee Raffa for treatment works approval for the property at Block 823, Lot 1 on the municipal tax map.
 - 4. A certified copy of this Resolution shall be provided to the applicant.

Resolution No.233-2011
Offered by: Conrad Seconded by: Palombo
Adopted: November 28, 2011
Roll Call Vote:

NAME YES NO ABSTAINED ABSENT
Conrad X
Corson X
Gabor X
Newman X
Palombo X

2. Appointing members to the Upper Township Security Committee.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION NO. 234-2011

RE: APPOINTING MEMBERS TO THE UPPER TOWNSHIP SECURITY COMMITTEE

WHEREAS, the Township Committee of the Township of Upper has determined that it is necessary to create a temporary Security Committee to address security issues in the Township; and

WHEREAS, a need exists to appoint suitable persons to this committee.

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.
- The Township of Upper hereby creates a temporary Security Committee, tasked with surveying the security of all Township facilities and reporting their findings to the Township Committee.
- The following persons be and are hereby appointed to the Security Committee of the Township of Upper.

John (Jay) Newman Curtis Corson Jay Potter Fran Donlan Dennis O'Brien Paul Dietrich

- 4. The forgoing appointees shall constitute the sole members of the Security Committee, subject to the provision of Paragraph 4 hereof.
- 5. The Township Committee expressly reserves the right to supplement this Resolution at any time it deems it appropriate to change the membership of the Security Committee or change the policies, programs and personnel with respect to any security activity of the Township.

Resolution No. 234-2011

Offered by: Gabor Seconded by: Conrad

Adopted: November 28, 2011

Roll Call Vote:

Ron Can v	otc.			
NAME	YES	NO	ABSTAINED	ABSENT
Conrad	X			
Corson				X
Gabor	X			
Newman				X
Palombo	X			

3. Tax Refund.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION Resolution No. 235-2011 REFUND

WHEREAS, certain corrections have been

Recommended by the Upper Township Tax Collector in order to refund monies,

NOW, THEREFORE BE IT RESOLVED, by the

Township Committee of the Township of Upper, Cape May County, that corrections to the Tax records are hereby authorized and the Tax Collector is hereby directed to correct said records

or take such action as indicated on the attached sheet.

Resolution No.235-2011 Offered by: Conrad Seconded by: Gabor Adopted: November 28, 2011 Roll Call Vote: NAME YES NO ABSTAINED **ABSENT** CONRAD __X__ CORSON GABOR NEWMAN PALOMBO

REFUND 2011

BLOCK/LOT AMOUNT NAME

453/247.13 \$1,368.72 FRED & TRACEY PLENN

4 LUKE CT

SEAVILLE, NJ 08230

4TH QTR PAID BY HOMEOWNER & MTG COMPANY.

4. Authorizing the Township of Upper to enter into an extension to the amendment to the Host Community Benefit Agreement dated November 14, 2005 with the Cape May County Municipal Utilities Authority.

TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N
RESOLUTION NO. 236-2011

RE: AUTHORIZING THE TOWNSHIP OF UPPER TO ENTER INTO AN EXTENSION TO THE AMENDMENT TO THE HOST COMMUNITY BENEFIT AGREEMENT DATED NOVEMBER 14, 2005 WITH THE CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY.

WHEREAS, the Cape May County Municipal Utilities
Authority ("CMCMUA") operates a solid waste complex located on the
border of the Borough of Woodbine and the Township of Upper, in Cape
May County, New Jersey; and

WHEREAS, said solid waste complex has been sited as said location pursuant to the Solid Waste Management Plan of Cape May County adopted by the Board of Chosen Freeholders and approved by the New Jersey Department of Environmental Protection; and

WHEREAS, Upper Township is a host community for CMCMUA's solid waste complex; and

WHEREAS, New Jersey Statutes (N.J.S.A. 13:1E-28) provide that a municipality within which an approved solid waste facility is located shall be entitled to an annual economic benefit in consideration of the amount of solid waste accepted for transfer or disposal at said facility; and

WHEREAS, Upper Township and CMCMUA have previously entered into various Agreements dated January 21, 1993, May 16, 1997 and, November 14, 2005 regarding an annual host community benefit to be paid by the CMCMUA to Upper Township, for serving as a host community for CMCMUA's solid waste complex; and

WHEREAS, the amount of an annual host community benefit paid by the CMCMUA to Upper Township has significantly increased since the initial Agreement was first executed in 1993; and

WHEREAS, the tipping fee imposed by the CMCMUA's landfill for municipal solid waste generated in Upper Township has decreased since 1994; and

WHEREAS, the CMCMUA desires to continue to provide affordable long-term solid waste disposal and recycling services for all municipalities and businesses located within Cape May County; and

WHEREAS, the CMCMUA desires to stabilize its tipping fee over the next few years; and

WHEREAS, the Township of Upper desires to maintain its current economic host community benefit; and

WHEREAS, the CMCMUA desires to continue to provide the current economic host community benefit to the Township of Upper,

which serves as a host community for the CMCMUA's landfilling and recycling operations; and

WHEREAS, the Township of Upper recognizes the importance of the solid waste management services provided by the CMCMUA to all municipalities within Cape May County, and, therefore, supports maintaining and/or expanding the solid waste disposal and recycling services provided by the CMCMUA at the CMCMUA's solid waste complex.

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:

- The allegations of the preamble are incorporated herein by this reference.
- 2. The Township of Upper should enter into an Agreement with the CMCMUA under the terms and provisions set forth in the attached Exhibit A hereto. Said Agreement extends the term of the Host Community Benefit Agreement from the current expiration date of December 31, 2011 to December 31, 2012, which may be extended by up to five (5) additional years upon mutual consent of the parties.
- 3. The Mayor and the Township Clerk are hereby authorized, directed and empowered to execute said Agreement attached hereto as Exhibit A concerning the host community benefits. The Township Clerk is further authorized, directed and empowered to seal such Agreement with the seal of the Township of Upper.

Resolution No.236-2011

Offered by: Conrad Seconded by: Palombo

Adopted: November 28, 2011

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Conrad	X			
Corson	·			x
Gabor	X			
Newman				x

X

5. Appointment of Green Door Advisors, LLC as Economic Feasibility Consultant to the Township of Upper with regard to Township Town Centers.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION NO. 237-2011

RE: APPOINTMENT OF GREEN DOOR ADVISORS, LLC AS ECONOMIC FEASIBILITY CONSULTANT TO THE TOWNSHIP OF UPPER WITH REGARD TO TOWNSHIP TOWN CENTERS

WHEREAS, the Township of Upper requires an economic feasibility consultant to review the economic feasibility of development patterns and controls proposed for Upper Township for the town centers in the Marmora and Seaville sections of the Township; 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 Green Door Advisors, LLC as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-2.05; and

WHEREAS, the Township has received a \$15,000 grant from the Municipal Land
Use Center to help fund this contract; and

WHEREAS, Green Door Advisors, LLC will complete and submit a Business Entity Disclosure Certification which certifies that Green Door Advisors, 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 Green Door Advisors, 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.

- Green Door Advisors, LLC with offices at 231 Van Buren Street NW, Suite 3,
 Washington DC, 20012 is hereby appointed Economic Feasibility Consultant for the Township of
 Upper for the purposes specified in Resolution 209-2011.
- 3. The term of this contract is for a period not to exceed the length of time necessary for completion of the aforesaid project, 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 Green Door Advisors, LLC has professional knowledge which 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

- 5. 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 Green Door Advisors, LLC for economic feasibility consultant 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.
- 6. 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.
- 7. The contractor has registered with the State of New Jersey pursuant to c.57, Laws of 2004 and will provide proof of that registration to the Township of Upper.
- 8. The Mayor and the Township Clerk are hereby authorized and directed to execute, on behalf of the Township of Upper, a Professional Contract with Green Door Advisors, LLC 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.

237-20	11		
Offered by: Conrad			Seconded by: Palombo
mber 28	, 2011		
<u>YES</u>	<u>NO</u>	ABSTAINED	ABSENT
X			
			<u>X</u>
X			
			<u>X</u>
<u>X</u>			
	nrad mber 28 <u>YES</u> X	Mber 28, 2011 <u>YES</u> NO X	rad mber 28, 2011 <u>YES NO ABSTAINED X </u>

ORDINANCES

6. Public Hearing and Final Adoption of Ordinance No. 026-2011, RE: AN ORDINANCE REPEALING ORDINANCE NO. 014-2011 AND AUTHORIZING THE SALE OF LAND KNOWN AS PART OF LOTS 5 THROUGH 9 AND LOTS 12 THROUGH 14 IN BLOCK 355 TOGETHER WITH THE SALE OF AN EASEMENT IN PART OF LOT 19 BLOCK 310 TO THE STATE OF NEW JERSEY, DEPARTMENT OF TRANSPORTATION.

During the public comment section of the hearing there were no speakers from the audience. Motion was made by Kristine Gabor, second by Frank Conrad to adopt Ordinance No. 026-2011. During roll call three Committee members voted in the affirmative.

TOWNSHIP OF UPPER CAPE MAY COUNTY ORDINANCE NO. 026-2011

RE: AN ORDINANCE REPEALING ORDINANCE NO. 014-2011 AND AUTHORIZING THE SALE OF LAND KNOWN AS PART OF LOTS 5 THROUGH 9 AND LOTS 12 THROUGH 14 IN BLOCK 355 TOGETHER WITH THE SALE OF AN EASEMENT IN PART OF LOT 19 BLOCK 310 TO THE STATE OF NEW JERSEY, DEPARTMENT OF TRANSPORTATION

WHEREAS, the Township of Upper is the owner, in fee, of certain parcels of vacant ground located within the Township of Upper, County of Cape May, and State of New Jersey, set forth on the municipal tax map as Block 355, Lots 5 through 9 and Lots 12 through 14 and Block 310, Lot 19; and

WHEREAS, the Township of Upper previously adopted Ordinance No. 014-2011 regarding the sale of said lands to the New Jersey Department of Transportation and it has subsequently been determined that said Ordinance should be repealed and replaced with the within Ordinance; and

WHEREAS, pursuant to N.J.S.A. 40A:12-20 a municipality may sell any real property on behalf of any other political subdivision upon such terms and conditions as the governing body of the municipality may by ordinance adopt; and

WHEREAS, the Township Committee of the Township of Upper has determined that the real property identified in the legal description attached hereto as Schedule A, commonly known as part of Lots 5 through 9 and Lots 12 through 14 in Block 355 and an easement in part of Lot 19 in Block 310 on the municipal tax map, is not needed for a public purpose by Upper Township and it is in the best interest of the Township, in order to facilitate the New Jersey State Route 50 Tuckahoe River Bridge project, to convey said real property and easement to the State of New Jersey, Department of Transportation; and

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: Ordinance No. 014-2011 of the Township of Upper is hereby repealed.

SECTION 2: The Township of Upper is hereby authorized to convey for One Dollar (\$1.00) consideration to the State of New Jersey, Department of Transportation, hereinafter referred to as The State, the real property and easement set forth in Schedule A attached hereto, commonly known as part of Lots 5 through 9 and Lots 12 through 14 in Block 355 and also known as an easement in part of Lot 19 in Block 310. The subject

property is also identified by The State as Route 50 Tuckahoe River Bridge Project, Section 2, Parcels 29A and E29B.

SECTION 3: The Township of Upper is aware that it is entitled to an appraisal and consultation. The Township of Upper waives this right with respect to the conveyance of the real property set forth in this Ordinance.

SECTION 4: The proper municipal officers, the Mayor, Richard Palombo, and the Municipal Clerk, Wanda Gaglione, are hereby authorized to execute an Agreement of Sale between Upper Township and the New Jersey Department of Transportation. Said Mayor and said Municipal Clerk are further authorized to execute the deed and any other documents The State may require to effectuate the conveyance of the subject real property.

SECTION 5: All references to Lots and Blocks described herein are to the Lots and Blocks as shown on the Current Official Tax Map of the Township of Upper.

SECTION 6: 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 24TH OF OCTOBER, 2011 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 28th DAY OF NOVEMBER, 2011 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

7. Introduction and First Reading of Ordinance No. 027-2011, RE: AN ORDINANCE ESTABLISHING SALARIES FOR THE TOWNSHIP OF UPPER FOR THE CALENDAR YEAR 2012. Motion was made by Frank Conrad, second by Kristine Gabor to introduce Ordinance No. 027-2011 with public hearing and final adoption set for December 19, 2011. During roll call vote three Committee members voted in the affirmative.

TOWNSHIP OF UPPER CAPE MAY COUNTY ORDINANCE

ORDINANCE NO. 027-2011 AN ORDINANCE ESTABLISHING SALARIES FOR THE TOWNSHIP

OF UPPER FOR THE CALENDAR YEAR 2012

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: TITLE: This Ordinance shall be known as the Salary Ordinance of 2012.

SECTION 2: SALARIES: Salaries for the various officials and employees of the Township of Upper for the calendar year 2012 shall be as follows:

<u>POSITION</u> <u>MINIMUM</u> <u>MAXIMUM - 2012</u>

(P/T denotes "Part-Time Position")

A. _ADMINISTRATIVE/REVENUE AND FINANCE:

AADMINISTRATIVE/REVENUE AND FI	INANCE:	
Mayor	3,750.00	\$ 5,000.00
Township Committeeman	7,000.00	11,250.00
Township Tax Assessor	7,500.00	78,000.00
Deputy Tax Assessor	No Min.	550.00
Assessing Clerk (P/T)	6,500.00	20.00 Hr.
Township Tax Collector	15,000.00	82,000.00
Deputy Tax Collector	No Min.	550.00
Tax Clerk (P/T)	12.00 Hr.	20.00 Hr.
Township Clerk	15,000.00	78,000.00
Deputy Township Clerk (P/T)	525.00	550.00
Sr. Clerk-Typist	15,000.00	62,000.00
Clerk Typist	15,000.00	52,000.00
Clerk-Typist (P/T)	5.75 Hr.	18.00 Hr.
Clerk-Typist (MAC)	No Min.	4,950.00
Township Engineer	50,000.00	95,000.00
Chief Financial Officer	42,000.00	67,000.00
Purchasing Agent	35.00 Hr.	45.00 Hr.
Purchasing Agent/QPA	2,000.00	5,000.00
Assistant Finance Officer	No Min.	550.00
Registrar of Vital Statistics (P/T)	No Min.	1,850.00
Deputy Reg. Vital Statistics (P/T)	No Min.	550.00
Alt. Deputy Reg. Vital Statistics (P/T)	No. Min.	550.00

Public Information Officer	No Min.	10,000.00
Data Information Coordinator/COOP	No Min.	3,500.00
Claims Coordinator	No Min.	3,500.00
Mun. Improvement Official (P/T)	No Min.	1,850.00
Tax Search Officer (P/T)	No Min.	1,850.00
Director of Public Asst. (P/T)	500.00	1,000.00
Personnel Officer (P/T)	No Min.	3,000.00
Asst. Personnel Officer (P/T)	No Min.	550.00
Computer Director	No Min.	\$1,500.00
Safety Coordinator	No Min.	3,500.00
Ass't Safety Coordinator	No. Min.	1,500.00
Municipal Housing Liaison	No Min.	2,500.00

B. MUNICIPAL COURT:

Municipal Judge (P/T)	15,000.00	44,500.00
Municipal Court Administrator	15,000.00	78,000.00
Deputy Mun. Court Administrator	15,000.00	68,000.00
Municipal Prosecutor (P/T)	No Min.	42,500.00
Court Attendant (P/T)	No Min.	\$200.00 per session
Municipal Public Defender (P/T)	No Min.	19,100.00

C. CODE ENFORCEMENT/ZONING ENFORCEMENT:

Construction Official	15,000.00	85,000.00
Building Subcode Official (P/T)	2,500.00	6,769.00
Electrical Subcode Official (P/T)	9,500.00	27,820.00
Electrical Inspector (P/T)	9,500.00	27,820.00
FireSub-CodeOff. (P/T)	2,500.00	4,900.00
Zoning Officer (P/T)	2,500.00	7,500.00
Deputy Zoning Officer	No Min.	550.00
Housing Officer/Code Enforce. (P/T)	2,500.00	7,500.00
Fire Prevention Official (P/T)	1,000.00	2,279.00
Plumbing Sub-Code Off. (P/T)	No Min.	8,900.00
Plumbing Inspector (P/T)	No Min.	6,524.00
Fire Protection Subcode Official (P/T)	No Min.	2,279.00
Clerk Typist	12,000.00	56,000.00

D. PUBLIC SAFETY/EMERGENCY MANAGEMENT:

Mun. Dir. Emerg. Management (P/T)	No Min.	11,000.00
Coord. 911 Emerg. Response, RTK	No Min.	1,000.00
Deputy Right to Know	No Min.	1,500.00
Deputy Dir. Emerg. Mgt. (P/T)	No Min.	2,845.00
Asst. Emerg. Mgt. (P/T)	No Min.	900.00
Lifeguard, 1st yr. Seasonal		10.25 Hr.
Lifeguard, 2nd yr. Seasonal		10.75 Hr.
Lifeguard, 3rd yr. to 4th yr.		11.45 Hr.
Lifeguard, 5th yr. and higher		11.75 Hr.
Hr. Lifeguard E.M.T.		\$4.00 Per Day
Captain Lifeguard Seasonal		20.75 Hr.
Lieutenant Lifeguard Seasonal		15.75 Hr.
Senior Lifeguard		13.25 Hr.
Emergency Medical Tech. –3 or more years	12,500.00	47,893.00
Emergency Medical Technician-2nd year	12,500.00	43,100.00
Emergency Medical Technician-1st year	12, 500.00	41,600.00
Emergency Medical Technician (P/T)	No Min.	13.00 Hr. 1st Yr
Medical Technician (P/T)	No Min	13.50 Hr. 2nd Yr
School Crossing Guard (P/T)		12.50 Hr.
Chief Emergency Medical Technician	80,000.00	
Deputy Chief Emergency Medical Technician	75,000.00	
Sr. Emergency Medical Technician	70,000.00	
Supervising Emergency Medical Technician	72,000.00	
Supervising Emergency Medical Technician (1	Add'l \$1.00/Hr.	

E. <u>PUBLIC WORKS/SPORTS AND RECREATIONAL PROGRAMS:</u>

Superintendent of Public Works	5,000.00	10,000.00
Road Supervisor	12,500.00	88,000.00
Assistant Road Supervisor	12,500.00	82,000.00
Supervisor Equipment Operator	12,500.00	70,000.00
Supervisor Maintenance Repairer	12,500.00	70,000.00
Supervising Carpenter	20,000.00	70,000.00
Sr. Carpenter (0-9 yrs.)	20,000.00	49,928.00
Sr. Carpenter (10 or more yrs.)	20,000.00	51,367.00
Carpenter (0-9 yrs.)	12,500.00	48,489.00
Carpenter (10 or more yrs.)	12,500.00	49,928.00
Carpenter's Helper	12,500.00	48,489.00
Senior Mechanic (0-9 yrs.)	12,500.00	51,880.00
Senior Mechanic (10 or more yrs.)	12,500.00	53,321.00
Mechanic (0-9 yrs.)	12,500.00	49,446.00
Mechanic (10 or more yrs.)	12,500.00	50,885.00
Mechanics Helper (0-9 yrs.)	12,500.00	47,362.00
Mechanics Helper (10 or more yrs.)	12,500.00	48,801.00

Equipment Operator (0-9yrs.)	12,500.00	48,489.00
Equipment Operator (10 or more yrs.)	12,500.00	49,928.00
Truck Driver (0-9 yrs.)	12,500.00	47,280.00
Truck Driver (10 or more yrs.)	12,500.00	48,721.00
Laborer 1 st year	12,500.00	36,378.00
Laborer 2 nd year	12,500.00	38,418.00
Laborer 3 rd year	12,500.00	40,458.00
Laborer 4 th year	12,500.00	42,499.00
Laborer 5 th year	12,500.00	44,450.00
Laborer (6-9 yrs.)	12,500.00	46,099.00
Laborer (10 or more yrs.)	12,500.00	47,537.00
Laborer (P/T)	5.00 Hr.	10.50 Hr.
Sr. Sanitation Inspector	12,500.00	49,928.00
Sanitation Inspector (0-9 yrs.)	12,500.00	48,489.00
Sanitation Inspector (10 or more yrs.)	12,500.00	49,928.00
Recycling Laborer	10,400.00	42,463.00
Recycling Coordinator (P/T)	No Min.	5,698.00
Assistant Recycling Coordinator (P/T)	No Min.	2,849.00
Groundskeeper (0-9 yrs.)	12,500.00	48,489.00
Groundskeeper (10 or more yrs.)	12,500.00	49,928.00
Building Maintenance Worker	22,000.00	33,339.00
Recreational Program Coordinator	15,500.00	70,000.00
Supervisor Rec. Maint.	12,500.00	70,000.00
Sr. Recreation Maint. Worker (0-9 yrs.)	11,500.00	48,489.00
Sr. Rec. Maint. Worker (10 or more yrs.)	11,500.00	49,928.00
Maintenance Repairer (0-9 yrs.)	10,500.00	48,489.00
Maintenance Repairer (10 or more yrs.)	10,500.00	49,928.00
Recreation Maint. Worker (0-9 yrs.)	10,500.00	47,280.00
Recreation Maint. Worker (10 or more yr	· · · · · · · · · · · · · · · · · · ·	48,721.00
Recreation Attendant/Laborer	9,500.00	46,099.00
Recreation Aide (P/T)	5.00/Hour	10.50/Hour
Beach Sweeper (Seasonal)	5.00/Hour	10.50/Hour
Playground Safety Inspector	500.00	1,000.00
Beach Inspector	No Min.	4,000.00
Boat Ramp Attendant	No Min.	11.50 Hr.
Skate Park Attendant	No Min.	11.50 Hr.
Recreation Advisory Bd. Secretary (P/T)	No Min.	2,200.00
Clerk Typist (Recreation)	12,500.00	45,000.00
Sr. Clerk Typist (Recreation)	12,500.00	54,000.00
* * *		,

F. BOARD OF HEALTH/ZONING BOARD/PLANNING BOARD:

Secretary Planning Board (P/T)	42,0000
Per Meeting	100.00
Secretary Zoning Board of Adjustment (P/T)	42,0000
Per Meeting	100.00
Attorney for the Board - Maximum Salary (Not to exceed)	22,000.00
Secretary Board of Health (P/T)	550.00

G. MILEAGE: The standard rate per mile in accordance with I.R.S. regulations.

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 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: <u>LONGEVITY</u>: In addition to the compensation and benefits otherwise payable, certain employees shall be paid an additional sum based on longevity. Any payment based on longevity shall be in accordance with the following schedule:

YEARS OF SERVICE	AMOUNT OF INCREASE BASED ON LONGEVITY
After 5 years	2%
After 10 years	4%
After 15 years	6%
After 20 years	8%
After 25 years	10%

RESTRICTIONS SECTION **3A:** ON LONGEVITY Notwithstanding the provisions of Section 3 hereof, a longevity payment or longevity bonus to any single official, officer or employee of the Township of Upper shall not exceed the sum of Three Thousand (\$3,000.00) Dollars. If, as of January 1, 1997, any such official, officer or employee of the Township of Upper was entitled to a longevity payment in excess of Three Thousand (\$3,000.00) Dollars, then such individual shall be entitled to receive the amount to which he or she would have been entitled as of January 1, 1997 and each such official, officer or employee shall thereafter, in all subsequent years, receive a longevity payment or bonus in the amount paid as of January 1, 1997. In no event shall the amount of longevity payments exceed the sum of Three Thousand (\$3,000.00) Dollars, except for those individuals who are entitled to receive in excess of Three Thousand (\$3,000.00) Dollars as of January 1, 1997 and all such individuals shall

in 1997 and all succeeding years be restricted to a payment which does not exceed that which was payable on January 1, 1997.

SECTION 3B: LONGEVITY PAY ABOLISHED FOR CERTAIN EMPLOYEES: Any official, officer or employee who was employed by the Township of Upper on or after January 1, 1996 shall not be entitled to any longevity payment. Longevity pay is abolished for any and all officials, officers and employees hired on or subsequent to that date.

SECTION 4: RESOLUTION AS TO SALARIES: The salaries set forth in this Ordinance are the Maximum salaries to be paid for the various positions during 2012 and for such period or periods as this Ordinance shall remain in effect. Such maximum salaries shall be paid for each of the positions indicated unless the Township Committee, by Resolution shall fix a lesser salary, in which event such lesser amount shall be paid.

SECTION 5: EFFECTIVE DATE OF PAYMENT: All salaries authorized by this Ordinance shall be paid commencing as follows:

- (A) As of January 1, 2012 for all officials, officers and employees of the Township who were employed or appointed as of December 31, 2011. For those officials, officers and employees appointed at the Reorganization Meeting of the Township Committee, such persons shall be deemed appointed and employed by the Township as of January 1, 2012. This provision shall not apply to members of a Collective Bargaining Unit.
- (B) The payment of any salary increment and longevity payment for members of a Collective Bargaining Unit shall be made in accordance with the provisions of the Collective Bargaining Agreement currently in effect, any other provisions herein to the contrary notwithstanding.
- (C) Upon the effective date of appointment for all officers and employees appointed subsequent to January 1, 2012.
- (D) Any salary increases provided for in this Ordinance shall not apply to any official, officer or employee of the Township who has resigned or otherwise terminated his or her employment with the Township of Upper prior to the effective date of this Ordinance.

SECTION 6: REPEALER: All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 7: 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 8: EFFECTIVE DATE: This Ordinance shall take effect immediately upon passage and publication as required by law.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING ON NOVEMBER 28, 2011AND WILL BE TAKEN UP FOR SECOND READING AND FINAL ADOPTION AT A MEETING OF THE UPPER TOWNSHIP COMMITTEE TO BE HELD ON DECEMBER 19, 2011 AT 7:30 P.M.

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

CORRESPONDENCE

NEW BUSINESS

8. Country Shore Women's Club request to hold Chinese Basket Raffle RA #392 and Basket Bingo BA #393 on February 3, 2012 at Seaville Volunteer Fire Company. Motion was made by Frank Conrad, second by Kristine Gabor to approve the request. During roll call vote all three Committee members present voted in the affirmative.

UNFINISHED BUSINESS:

DISCUSSION

9. Possible appointment of Zoning Board member. Motion was made by Kristine Gabor second by Richard Palombo to appoint Alistar Lihou as Alternate #4 to the Upper Township Zoning Board of Adjustment. Mayor Palombo requested the Clerk to reach out to the other applicants to let them know they will continue to be up for consideration as future vacancies occur.

PAYMENT OF BILLS:

10. "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 Kristine Gabor, second by Frank Conrad. During roll call vote all three Committee members present voted in the affirmative.

Bills submitted for payment: \$ 69,197.11 Payroll: \$ 158,391.00

REPORT OF MUNICIPAL DEPARTMENTS:

11. MUA Report

Reports are available from the Clerk's Office.

PUBLIC COMMENT

Ted Bamford, Strathmere, spoke about an issue he had brought up a month ago regarding a change in the tax map affecting his property. He is requesting information on how to discover how this happened. Mr. Dietrich informed Mr. Bamford that there are no records of the tax map change, a change to the tax map does not come before the Committee for approval, and the change happened many years ago under a previous engineer and tax assessor. Mr. Young stated that the only way to accurately determine when and how the transfer was made is through a title search and a survey. Mr. Young also clarified that a tax map change can not change title to property. Mayor Palombo suggested that we reach out to the State Legislators and see if they can assist in this matter.

Russel Morano, 5 Red Oak Drive, offered his congratulations to Kristine Gabor on becoming a Freeholder elect. He also spoke to Frank Conrad on how helpful he has been as the Township's liaison with the School Board. He then spoke regarding the upcoming School Bond Referendum. He is hoping more people will attend the school board meetings and get involved.

CLOSED SESSION

12. Resolution to conduct a closed meeting pursuant to N.J.S.A. 10:4-12, from which the public shall be excluded, for possible discussions on items of litigation, contract negotiations, and/or personnel matters. Kristine Gabor read the following resolution into the record.

MOTION GOING INTO CLOSED SESSION November 28, 2011

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 negotiations Shared Services Agreement with Cape May County, plowing services
- 3. Contract negotiations Lana Shapiro-possible exchange of lands
- 4. Contract negotiations health benefits consultant proposal

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 contract negotiations such matters will be made public when negotiations have ceased and there is no longer a reason for confidentiality.
- C. With respect to litigation matters such discussions will be made public when litigation is complete and the applicable appeal period has expired.

Moved by: Kristine Gabor

Motion seconded: Frank Conrad

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	ABSTAINED	ABSENT
Conrad	X		- <u></u> -	
Corson				X
Gabor	X			
Newman				X
Palombo	X		- <u></u> -	

Vote of Township Committee to adopt resolution.

RECONVENE PUBLIC PORTION OF MEETING

ADJOURNMENT

There was no further business for this evening and the meeting was adjourned at 9:00 P.M. The December meetings are scheduled for December 5th and 19th, at 7:30 P.M.

Minutes prepared by

Wanda Gaglione, RMC Municipal Clerk

BILL LIST

56618 11/28/11 A0004 A+ COMMERCIAL OFFICE CLEANERS 840.00 2696 56619 11/28/11 A0018 ACTION SUPPLY INC. 15.82 2696 56620 11/28/11 A0021 ADAMS, GEORGE E. JR. 562.28 2696 56621 11/28/11 A0035 AIRLINE HYDRAULIC CORP. 430.00 2696 56622 11/28/11 A0091 ATLANTIC CITY ELECTRIC 5,472.00 2696 56623 11/28/11 A0147 ANDREW PRON,LLC 1,875.00 2696 56624 11/28/11 A0167 HESS CORPORATION 1,269.59 2696 56625 11/28/11 B0035 BELMONT & CRYSTAL SPRINGS 60.05 2696 56626 11/28/11 B0076 BOND, LAURENCE E. 1,882.63 2696 Direct Deposit 56627 11/28/11 B0133 BROWN, BOB 550.00 2696 56628 11/28/11 B0160 BONNER, ROSEMARY 150.00 2696 56629 11/28/11 B0184 BUSHONG, BRIAN 188.96 2696 56630 11/28/11 B0200 BELLEPLAIN SUPPLY COMPANY INC 320.00 2696 56631 11/28/11 C0052 CAPE MAY COUNTY TREASURER 11,758.00 12/05/11 VOID 2696 56632 11/28/11 C0068 COMCAST 225.12 2696 56633 11/28/11 C0071 CAPEHART & SCATCHARD, P.A. 459.00 2696 56634 11/28/11 C0131 CINTAS FIRST AID & SAFETY 92.04 2696 56635 11/28/11 C0143 CODY'S POWER EQUIPMENT 5.07 2696 56636 11/28/11 C0171 COLONIAL ELECTRIC SUPPLY CO. 78.99 2696 56637 11/28/11 C0223 CASA PAYROLL SERVICE 233.05 2696 56638 11/28/11 C0230 CATAMARAN MEDIA COMPANY 54.00 2696 56639 11/28/11 D0003 DATA RESOURCE SOLUTIONS 760.00 2696 56640 11/28/11 D0016 DALEYS PIT 200.00 2696 56641 11/28/11 D0040 DELTA DENTAL OF N.J. INC. 7,077.68 2696 56642 11/28/11 E0012 EHRLICH PEST CONTROL INC 77.89 2696 56643 11/28/11 E0034 ESRI, INC. 1,600.00 2696 56644 11/28/11 G0028 GENTILINI FORD 293.30 2696 56645 11/28/11 G0079 GLOBAL CONNECT 2.942.50 2696 56646 11/28/11 H0018 HAROLD RUBIN/L & H SUPPLY 459.40 2696 56647 11/28/11 H0073 HOME DEPOT CRC/GECF 140.94 2696

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56648 11/28/11 H0142 HUB, THE 640.00 2696
56649 11/28/11 I0002 IAAO 350.00 2696
56650 11/28/11 I0013 IMPACT TECHNOLOGY SOLUTION LLC 1.140.00 2696
56651 11/28/11 I0021 INTERSTATE BATTERIES 137.80 2696
56652 11/28/11 J0014 JC MILLER'S 159.30 2696
56653 11/28/11 L0087 LINE SYSTEMS INC 1,335.65 2696
56654 11/28/11 M0103 MODERN GAS COMPANY, INC. 900.51 2696
56655 11/28/11 M0164 MURPHY FENCE COMPANY. INC. 755.99 2696
56656 11/28/11 M0180 MED-TECH RESOURCE, INC. 145.55 2696
56657 11/28/11 M0188 MCCARTHY TIRE SERVICE OF PHILA 1,060.12 2696
56658 11/28/11 M0206 McCARDELL, JOHN 221.34 2696
56659 11/28/11 M0217 MUNICIPAL EMERGENCY SERVICES 379.00 2696
56660 11/28/11 M0222 MUNICIPAL CAPITAL CORPORATION 392.00 2696
56661 11/28/11 N0043 NAPA AUTO PARTS OF S.JERSEY 615.07 2696
56662 11/28/11 N0052 NATL YOUTH SPORTS COACHED ASSN 200.00 2696
56663 11/28/11 N0094 NEW JERSEY PLANNING OFFICIALS 360.00 2696
56664 11/28/11 O0038 OSBORN, JAMES 48.25 2696
56665 11/28/11 O0042 ORCHARDS HYDRAULIC SERVICE INC 300.00 2696
56666 11/28/11 P0007 PALOMBO, RICHARD A. 150.00 2696
56667 11/28/11 P0032 PEDRONI FUEL CO. 2,515.62 2696
56668 11/28/11 P0064 PITNEY BOWES 210.00 2696
56669 11/28/11 P0096 PREVITI.MICHELE M. 387.59 2696
56670 11/28/11 P0121 PENGUIN COMMUNICATION LLC 9,348.48 2696
56671 11/28/11 R0030 RIGGINS, INC. 4,787.42 2696
56672 11/28/11 R0045 RAINEAR, SCOT 275.00 2696
56673 11/28/11 S0031 SCHULER SECURITY, INC. 2,400.00 2696
56674 11/28/11 S0075 SHARP, RHONDA L. 69.95 2696
56675 11/28/11 S0126 SPIEGEL, BARBARA 48.50 2696
56676 11/28/11 S0134 SO. JERSEY GAS COMPANY 356.82 2696
56677 11/28/11 S0153 STERICYCLE, INC. 267.36 2696
56678 11/28/11 S0196 STEWART BUSINESS SYSTEMS LLC 654.62 2696
56679 11/28/11 S0209 STAPLES ADVANTAGE 611.35 2696
56680 11/28/11 T0022 TERMINIX 51.00 2696
56681 11/28/11 T0032 THE PRESS & SUNDAY PRESS 127.68 2696
56682 11/28/11 T0044 THOMSON, KERRY AGENCY 1,429.00 2696
56683 11/28/11 T0097 TRICO EOUIPMENT INC. 406.78 2696
56684 11/28/11 U0003 U.S. MUNICIPAL SUPPLY, INC. 940.17 2696
56685 11/28/11 U0025 UNITED STATES POSTAL SERVICE 2,000.00 2696
56686 11/28/11 U0026 UNIVERSAL SUPPLY CO.INC. 1,713.60 2696
56687 11/28/11 U0030 UPPER TOWNSHIP LACROSSE 26.25 2696
56688 11/28/11 U0033 UPPER TOWNSHIP HOCKEY ASSOC. 26.25 2696
56689 11/28/11 V0005 VAN EMBDEN, NATHAN, ATTORNEY 1,625.00 2696
56690 11/28/11 V0024 VAL-U AUTO PARTS L.L.C. 1,054.78 2696
56691 11/28/11 W0037 WALLACE REFRIGERATION 210.00 2696
56692 11/28/11 Z0010 ZELINSKI, ALLISON 48.00 2696
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Total \$69,197.11