

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR DECEMBER 5, 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	Present
Kristine Gabor	Present
John “Jay” Newman	Present
Richard Palombo	Present

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

APPROVAL OF MINUTES - November 14, 2011 Regular Meeting and Closed Session

Minutes-Motion was made by Curtis Corson, second by Kristine Gabor to approve the Minutes as written. During roll call vote four Committee members present voted in the affirmative. Frank Conrad abstained.

November 28, 2011 Regular Meeting and Closed Session Minutes- Motion was made by Kristine Gabor, second by Frank Conrad to approve the Minutes as written. During roll call three Committee members voted in the affirmative. Jay Newman and Curtis Corson abstained.

REPORT OF GOVERNING BODY MEMBERS

Frank Conrad, discussed paving projects going on throughout the Township, he reported on the Route 50 project that will run from Route 9 up to the Route 50 Bridge in Tuckahoe. He also reported on a project at Hope Corson Road in Seaville.

Kristine Gabor, reported that she has been working with Barbara Spiegel on a utility recovery program. They met recently with a representative from the program to review all of the Township’s utility bills to see if there were any hidden costs or fees that may entitle the Township to a refund. The company has determined that there are no utility bills that are eligible for a refund although they are currently reviewing the Township’s diesel fuel bills. She also reported that the Cape May County Animal Shelter would be holding an open house that includes a tour of the facility and activities such as pet photos with Santa. The event will be held on December 11th from 12:00 to 3:00 p.m. Mrs. Gabor also reported that this would be her last

Committee meeting as Committeewoman although she will remain active on Township Committee until she makes her formal resignation on January 5, 2012 and at which time she will be sworn in as a Cape May County Freeholder. The Mayor and Committee congratulated and thanked her for her work on this Committee.

Jay Newman, reported that the Fire and EMS personnel are a little busier than usual. He briefly updated the Committee on the newly formed Security Committee; that they would be meeting in the next few weeks and start looking at any security issues at Township properties.

Richard Palombo, Mayor, reported on the procedure to fill the vacancy that will be created with the resignation of Committeewoman Gabor. The appointment would be to serve out the one-year remaining unexpired term of Ms. Gabor. The process, which takes 30 days from the date of the vacancy to completion, will begin upon the receipt of Mrs. Gabor's resignation on January 5th. At that time the County Committee of the party of the person who is resigning will have 15 days to choose three names to submit to the Township Committee. The Township Committee will then have 15 days to make a determination as to who will serve out Ms. Gabor's unexpired term on the Township Committee. The Mayor advised that those who are interested should submit their resume and a letter of intent to the Republican Party leader, David Beyel or if they wish to the Township Clerk who will forward to the party leader. The Mayor also encouraged everyone to get his or her Flu shot.

OTHER REPORTS

Wanda Gaglione, Municipal Clerk, reported that the Township is collecting toys for the Marine Corps Reserve Toys for Tots program and that Township employees are also collecting toys for a needy Upper Township family. She also reported that she had one personnel item for closed session.

Paul Dietrich, Township Engineer, reported on discussions with Comcast and that because of their switch to digital beginning December 22, 2011 they would be adding Strathmere's feed to Channel 2, which will allow the entire Township to view UTTV on Channel 2. Mr. Dietrich next reported that he would be attending a meeting at the County OEM office next week with FEMA, they are doing a flood plain study and will be updating the flood plain maps for the entire county. Mr. Dietrich also gave an update on leaf collection and that the township is a bit behind schedule due to breakdowns with some of the trucks; two trucks are already scheduled to be replaced and now major repairs are needed to one of the Township's newer trucks; a 2003 model. Although we have sufficient trucks to collect trash and recycling this truck is needed to keep up with the leaf collection. He reported that he obtained a price quote from the manufacturer of the truck body to replace the box and hopper on the 2003 model at a cost of \$28,000. Mr. Palombo then asked for an update on the Strathmere Beach replenishment project. Mr. Dietrich gave a brief update on the project. He reported that the dredge was expected to be in place over the weekend.

Barbara Spiegel, Chief Financial Officer, reported that she had one item for executive session a personnel matter.

PRESENTATION Upper Township School Board, proposed school renovations. Board of Education Superintendent Vincent Palmieri, Administrator Laurie Ryan and Architect Robert Garrett were all present along with School Board member and chairman of the Buildings and Grounds Committee, Stephen Martinelli. Mr. Martinelli is also the liaison person between the

BOE and the Township Committee. Mr. Martinelli began by stating that a referendum would be held on January 24, 2012 and that there would be two questions on the ballot. The first is for \$7.5 million dollars for additions onto the Primary School. He stated that this figure is \$2 million less than the previous referendum that was defeated this past spring. In addition new electrical, plumbing and HVAC are planned throughout the older section of the Primary building as well as the entire Middle School. He spoke about a 2-school system because the Elementary School would be too costly to refurbish. A 2-school system would eliminate 25,000 square feet of space resulting with utilities and maintenance being less costly. The second question on the referendum is for \$2 million dollars. Mr. Martinelli discussed state grant money that is available for a short time and may be gone if the referendum is not successful. The School Board has scheduled another presentation in the Middle School gym on January 9, 2012.

RESOLUTIONS

- 1. In recognition and appreciation of Upper Township Committeewoman Kristine Gabor for her dedicated public service to the Township of Upper and congratulating her on being elected to the Cape May County Board of Chosen Freeholders.**

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N
RESOLUTION NO. 239-2011
RE: IN RECOGNITION AND APPRECIATION OF
UPPER TOWNSHIP COMMITTEEWOMAN KRISTINE GABOR
FOR HER DEDICATED PUBLIC SERVICE TO THE TOWNSHIP OF UPPER
AND CONGRATULATING HER ON ELECTION
TO THE CAPE MAY COUNTY BOARD OF CHOSEN FREEHOLDERS**

WHEREAS, effective January 2012, Committeewoman Kristine Gabor will vacate her seat on the Upper Township Committee where she has served from January 2010 to present, culminating her exemplary career as Township Committeewoman; and

WHEREAS, during her public service to the Township she served as the Township's Director of Sports and Recreation, of Animal Control, and was Co-Director of Personnel; and

WHEREAS, on November 8, 2011 Kristine was elected to the Cape May County Board of Chosen Freeholders; and

WHEREAS, it is most appropriate that Kristine's tenure of public service, commitment, and leadership to the Township are publicly

recognized and that this Township Committee extends its sincere appreciation to Kristine.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey, that Kristine Gabor be publicly congratulated on her election to the Cape May County Board of Chosen Freeholders and that we all extend our deepest thanks to her for her years of dedicated public service as Township Committeewoman and acknowledge her continued dedication and desire to serve the residents of the County of Cape May.

BE IT FURTHER RESOLVED, that this Committee extends to our colleague and friend, Kristine Gabor, our very best wishes for continued happiness, good health, and success in her career as County Freeholder.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 5th day of December, 2011.

Resolution No. 239-2011

Offered by: Conrad

Seconded by: Newman

Adopted: December 5, 2011

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>

2. Budget transfers.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 240-2011
RE: BUDGET TRANSFERS**

WHEREAS, budgetary transfers between line items can be made after November 1st;
and

WHEREAS, it is necessary to make transfers between certain line items of the
Municipal Budget of the Township of Upper.

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

1. The following transfers between line items in the Municipal Budget of the
Township of Upper shall be made immediately:

<u>TO</u>	<u>FROM</u>
ASSESSMENT OF TAXES S/W \$2,500.00	ENGINEER COST O/E \$2,500.00
COMP. ACCUMULATED ABSENCES \$20,000.00	SMART GROWTH EXPENSES \$5,000.00
	ROAD REPAIRS & MAINT. S/W \$5,000.00
	RECYCLING S/W \$5,000.00
	GARBAGE & TRASH S/W \$5,000.00

Resolution No. 240-2011

Offered By: Conrad

Seconded By: Newman

Adopted: December 5, 2011

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	_____	_____	_____

3. **Authorizing cancellation of account balances in the Grant Fund.**

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 241-2011
RE: AUTHORIZING CANCELLATION OF ACCOUNT BALANCES
IN THE GRANT FUND**

WHEREAS, the Chief Financial Officer is authorized to cancel account balances in the Grant Fund for programs that have been completed and the remaining balances can not be utilized or the grant is not forthcoming; and

WHEREAS, these funds represent grant appropriations and receivables on the ledgers of the Township of Upper which show balances of projects that have either been completed and funds are no longer needed or the project was unable to be completed and no additional funding requests can be made.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Upper, Cape May County, that the Chief Financial Officer is hereby authorized to cancel the following grant account balances:

	Appropriated Reserves	Receivables
DEP Site Remediation- Construct Water Service	\$ 40,981.50	\$ 43,144.50
NJ Redevelopment Grant- Site Remediation	250.00	500.00
Alcohol Education and Rehabilitation	1,595.08	
Municipal Stormwater	17,445.02	2,552.00
State & Local Hazards Emergency Playground Safety Program	2,405.72	
Local Share	3,070.60	
Hazardous Discharge Site Remediation	156,320.50	142,980.00
NJ Transportation Trust Fund- Perry Road	4,829.86	
Perry Road-2001	35,000.00	7,441.28
DCA Smart Future Planning	6,424.50	
Gypsy Moth Aerial Suppression Program	29,477.36	8,379.79
DCA Smart Growth	4,205.00	
NJDOT Bike Path Phase II	250,000.00	250,000.00

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately.

Resolution No. 241-2011

Offered by: Conrad

Seconded by: Newman

Adopted: December 5, 2011

ROLL CALL VOTE:

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

4. **Setting the date and time of the 2012 Reorganization Meeting of the Township of Upper.**

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 242-2011
RE: SETTING THE DATE AND TIME
OF THE 2012 REORGANIZATION MEETING
OF THE TOWNSHIP OF UPPER**

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 annual Reorganization Meeting of the Township Committee shall be held on Friday, January 6, 2012, commencing at 6:30 P.M. at the Upper Township Municipal Building, County Route 631, Petersburg, New Jersey.
2. Notification of this meeting shall be given in accordance with the requirements of the Open Public Meetings Act of the State of New Jersey.

Resolution No. 242-2011

Offered by: Palombo

Seconded by: Newman

Adopted: December 5, 2011

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. **Authorizing the Mayor, Chief Financial Officer and Emergency Management Coordinator to sign and submit the New Jersey Office of Emergency Management Agency Assistance Subgrant application for fiscal year 2012.**

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

RESOLUTION NO. 243-2011

**RE: AUTHORIZING THE MAYOR, CHIEF FINANCIAL OFFICER AND
EMERGENCY MANAGEMENT COORDINATOR TO SIGN AND SUBMIT THE NEW
JERSEY OFFICE OF EMERGENCY MANAGEMENT AGENCY ASSISTANCE
SUBGRANT APPLICATION FOR FISCAL YEAR 2012**

WHEREAS, the Township of Upper wishes to take advantage of the New Jersey Office of Emergency Management Agency Assistance Grant Program which will provide assistance to the Township in supplementing the salary of the Township's Emergency Management Coordinator; and

WHEREAS, the Township Committee fully supports and endorses the actions of the Township Emergency Management Coordinator in his filing of the grant application and Municipal Work-Plan;

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, Chief Financial Officer, and Emergency Management Coordinator of the Township of Upper are hereby authorized, directed, and empowered to sign and submit the FY 12 Emergency Management Agency Assistance Subgrant application, copies of which are attached hereto as Exhibit "A".

3. All Township officials, officers and employees are empowered to take such action as may be necessary or advisable in order to carry out the intent and purpose of this Resolution.

Resolution No. 243-2011

Offered by: Corson

Seconded by: Conrad

Adopted: December 5, 2011

Roll Call Vote:

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

6. **Appointment of Alistar Lihou as alternate #4 to the Upper Township Zoning Board of Adjustment.**

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 244-2011
RE: APPOINTMENT OF ALISTAIR LIHOU AS ALTERNATE #4
TO THE UPPER TOWNSHIP
ZONING BOARD OF ADJUSTMENT**

WHEREAS, N.J.S.A. 40:55D-69 provides that members of the Zoning Board of Adjustment shall be appointed by the Governing Body of the municipality; and

WHEREAS, due to a recent resignation of a member on the Zoning Board of Adjustment of the Township of Upper it is necessary to make the appointment of a new member to the Board; and

WHEREAS, in addition the Township Committee deems it appropriate to advance the remaining members as hereinafter provided such that the new member appointed shall be to the position of Alternate #4.

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

1. Lynn Petrozza is hereby appointed to serve as a regular member in the unexpired term of Peter Schuler, which term commences November 28, 2011 and expires on December 31, 2012.
2. Joseph Healy is hereby appointed to the unexpired two (2) year term of Lynn Petrozza as Alternate #1, commencing November 28, 2011 and expiring December 31, 2012.
3. Hobart Young is hereby appointed to the unexpired two (2) year term of Joseph Healy as Alternate #2, commencing November 28, 2011 and expiring December 31, 2012.
4. Edward Barr is hereby appointed to the unexpired two (2) year term of Hobart Young as Alternate #3, which term shall commence on November 28, 2011 and expire on December 31, 2011.
5. Alistair Lihou is hereby appointed to the Upper Township Zoning Board of Adjustment as Alternate #4, which term shall commence on November 28, 2011 and expire on December 31, 2011.

This Resolution ratifies, confirms and approves action taken by the Township Committee, by motion, at the meeting of November 28, 2011.

Resolution No. 244-2011

Offered by: Gabor

Seconded by: Conrad

Adopted: December 5, 2011

Roll Call Vote:

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

7. **Accepting the 2012 Solid Waste Collection Rules and Regulations Resident Information Packet pursuant to Chapter 24 of the Revised General Ordinances of Upper Township.**

**TOWNSHIP OF UPPER
 CAPE MAY COUNTY
 R E S O L U T I O N
 RESOLUTION NO. 245-2011
 ACCEPTING THE 2012 SOLID WASTE COLLECTION
 RULES AND REGULATIONS
 RESIDENT INFORMATION PACKET PURSUANT TO CHAPTER 24 OF
 THE REVISED GENERAL ORDINANCES OF UPPER TOWNSHIP**

WHEREAS, the Township of Upper has adopted rules and regulations with regards to collection and disposal of solid waste and recyclables pursuant to Chapter 24 of the Revised General Ordinances; and

WHEREAS, the aforesaid rules and regulations are assembled into a summary entitled “Residents Information-2012” to be distributed to Township residents and attached hereto as Exhibit “A”;

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 has determined that the summary attached as Exhibit “A” is in accordance with Chapter 24 of the Revised General Ordinances of Upper Township and is hereby accepted.

Resolution No. 245-2011
 Offered by: Conrad
 Adopted: December 5, 2011
 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>

Exhibit "A"

* **Upper Township Public Works
Residents Information - 2012**

Trash and Recycling Collection Holiday Schedule 2012

Monday	January 2nd	New Years Day
Monday	January 16th	Martin Luther King Day
Monday	February 20th	Presidents Day
Friday	April 6th	Good Friday
Monday	May 28th	Memorial Day *
Wednesday	July 4th	Independence Day
Monday	September 3rd	Labor Day *
Monday	October 8th	Columbus Day
Monday	November 12th	Veteran's Day
Thursday	November 22nd	Thanksgiving Day
Friday	November 23rd	Thanksgiving Holiday
Tuesday	December 25th	Christmas Day

Trash and Recycling Holiday Collection Requirements

If your TRASH AND RECYCLING COLLECTION DAY falls on one of the HOLIDAYS in the schedule above the following will occur. Your household TRASH will be collected on our NEXT WORKING DAY and you will be required to hold your RECYCLING MATERIALS until your next REGULAR COLLECTION DAY.

* Regular collection of Trash and Recycling WILL be collected on Memorial Day, and Labor Day

Trash and Recycling Collection Requirements

Household Trash

Your household trash must be in a sealed watertight container [trash can with lid] placed to the curb prior to 6:00 a.m. the morning of your collection day, but not prior to 5:00 p.m. the day before your collection day. Trash containers must be in good condition and have a minimum capacity of 20 gallons and a maximum capacity of 45 gallons. The containers must have removable lids, external handles, and must weigh 50 pounds or less when full. Trash containers that do not conform to the requirements listed above will be tagged with orange condemned notices, a letter will be hand delivered by the Sanitation Inspector with an explanation of the violation, and what is required to correct the violation.

Recycling Materials

Your Recycling Materials must be placed to the curb by 6:00 a.m. the morning of your collection day but not prior to 5:00 p.m. the day before your collection day. Your recycling containers must comply with the same requirements as your trash containers. Recycling containers must be in good condition, have removable lids, external handles, have a minimum capacity of 20 gallons and a maximum capacity of 45 gallons, and must not weigh over 50 pounds when full.

Recycling Materials must be handled in the following manner.

Commingled Recycling Materials

Your CLEAR, BROWN and GREEN glass bottles and jars, ALUMINUM cans, STEEL [TIN] cans, including empty aerosol cans*, and PLASTIC bottles and jugs** must be placed in a recycling container for collection. We only want empty, clean household products containers.

*Empty Aerosol Cans from household products only! NO PAINT CANS of any type.

**Empty Plastic Household Containers must have a #1 through #7 RECYCLING SYMBOL on them.

Mixed Paper Recycling Materials

Your NEWSPAPERS [with inserts], MAGAZINES, CORRUGATED CARDBOARD*, OFFICE PAPER, JUNK MAIL, and KRAFT [brown] PAPER BAGS must be placed in a recycling container, a brown paper bag or a corrugated cardboard box for collection. Shredded paper may be placed in clear plastic bags for identification and collection. Styrofoam and plastic wrap must be removed from cardboard boxes prior to collection.

*CORRUGATED CARDBOARD IS BROWN IN COLOR AND HAS A LAYER OF CORRUGATION BETWEEN THE OUTSIDE AND INSIDE LAYERS. THIS IS THE ONLY TYPE OF CARDBOARD WE COLLECT TO BE RECYCLED.

We DO NOT RECYCLE the following paper products: pizza boxes, white or gray chipboard boxes [cereal boxes, clothing boxes, tissue boxes, shiny beer boxes, shiny soda boxes etc], paper towels, cardboard tubes, paper plates, plastic coated boxes, tissue paper or gift wrapping paper of any kind.

CLEAR PLASTIC BAGS MAY BE USED FOR SHREDDED PAPER BUT ARE PROHIBITED AS A CONTAINER FOR ANY OTHER RECYCLING MATERIALS.

Mixed Rigid Plastics

We now collect mixed rigid plastics to be recycled. The plastics are collected late during the day of bulk collections or on the day following the scheduled bulk trash collections. All plastic buckets, laundry baskets, crates, trashcans, lawn and patio furniture, toys, playhouses, coolers, shelving, flowerpots, car bumpers and plastic parts, bed liners, and five-gallon water bottles.

Electronics

We now collect electronic devices to be recycled. The electronics are collected late during the day of bulk collections or on the day following the scheduled bulk trash collections. All TV's, computer monitors and computer accessories, VCR's, fax machines, telephones and phone systems, electric typewriters and word processors, CD players, and cell phones are now designated recycling materials.

Used Motor Oil and Used Anti-Freeze

USED MOTOR OIL and USED ANTI FREEZE must be placed in a one [1] gallon plastic container with a screw on lid [water jug, milk jug, anti freeze jug, detergent jug etc]. Place your one-gallon plastic containers of used motor oil and anti-freeze, with a screw on lid, next to your commingled recycling materials for collection.

WE WILL NOT COLLECT USED MOTOR OIL OR USED ANTIFREEZE UNLESS IT IS HANDLED IN THE MANNER DESCRIBED ABOVE.

PLEASE REMEMBER that the way you place your TRASH and RECYCLING MATERIALS out for collection has a direct effect on your NEIGHBORHOOD. Loose trash and recycling materials can be blown all over the place. If you do not use cans with lids for your trash it can be spread all over by animals. PLEASE follow the guidelines in this document and help keep our Municipality clean.

Residential Paper Shredding

Paper shredding is for residential use only and is available on Bulk Trash days at the Public Works Yard in Tuckahoe from 9:00am to 2:00pm. Paper should be removed from binders and envelopes. The amount to be shredded shall be limited to one “banker” box or two paper bags. No paper will be accepted from businesses.

Bulk Waste Schedule 2012

January 9 th	July 2 nd
February 6 th	August 6 th
March 5 th	September 10 th
April 2 nd	October 15 th
May 7 th	November 5 th
June 4 th	December 3 rd

Bulk Waste Collection Requirements

Your HOUSEHOLD BULKY WASTE, carpets, furniture, appliances and other large household items are collected on the days indicated by the schedule above. You MUST CALL 628-2011 to arrange for pickup prior to the collection date. Please make every effort to call prior to the weekend before the collection because of the limited space on our answering machine.

BULK WASTE ITEMS MUST BE TO THE CURB BY 6:00 A.M. THE DAY OF COLLECTION. All DOORS must be removed from refrigerators and freezers.

NO BUILDING MATERIALS OR CONSTRUCTION DEBRIS WILL BE COLLECTED, ALSO NO WOODEN FENCING, NO RAILROAD TIES, AND NO PALLETS NO LANDSCAPING TIMBERS AND NO SCRAP WOOD WILL BE COLLECTED. NO GAS TANKS, FUEL TANKS, OR PROPANE TANKS WILL BE COLLECTED. NO PAINTS OR ANY OTHER TYPES HAZARDOUS MATERIALS WILL BE COLLECTED. The disposal of the materials we do not collect is the responsibility of the resident, homeowner or contractor.

Compostable Materials Collection Requirements

Your GRASS CLIPPINGS, LEAVES AND OTHER YARD DEBRIS must be placed in PAPER COMPOST BAGS OR REUSABLE CONTAINERS. The COMPOST CONTAINERS must comply with the same requirements as the Trash and Recycling containers. The compost containers must have removable lids, external handles, have a minimum capacity of 20 gallons and a maximum capacity of 45 gallons, and not weigh over 50 pounds when full. The PAPER COMPOST BAGS must only be filled to a capacity that will allow a single collection crewmember to lift and load the bags.

Brush Collection Schedule – One week per on the months as stated below.

January	23 thru 27	July	No Collection
February	No Collection	August	27 thru 31
March	26 thru 30	September	24 thru 28
April	23 thru 27	October	22 thru 26
May	21 thru 25	November	No Collection
June	25 thru 29	December	No Collection

Brush, resulting from Residential tree trimmings and prunings, must be placed to the curb in a neat pile with the larger ends facing the street to be collected. Residential trimmings and prunings will be collected one week of each month following the schedule above. Residential trimming and pruning must be to the curb prior to the beginning of the collection week. Christmas trees will be collected during the month of January. Brush shall be placed 10’ from the curb or edge of pavement during loose leaf collection and will not be collected during November and December.

NO YARD DEBRIS WILL BE COLLECTED IN PLASTIC BAGS

NO DEBRIS RESULTING FROM TREE REMOVAL OR LOT CLEARING WILL BE COLLECTED

Yard debris and loose leaves should not be placed in or along drainage swales or basins. Doing so will cause the them to malfunction and could cause flooding.

Loose Leaf Collection Requirements

Loose leaf will be collected from APRIL 1ST to APRIL 29TH and NOVEMBER 15TH to DECEMBER 31ST. Leaves must be placed to the shoulder of your street or road in long rows, not large piles, for collection.

LOOSE LEAVES PILES ARE PROHIBITED NEAR STORM DRAIN INLETS.

You must keep the leaf piles a minimum of 10 feet from any storm drain inlet. We only collect piles of loose leaves that are free of sticks and other debris. If your piles contain sticks and other debris they will not be collected until the debris is removed. Brush shall be placed 10’ from the curb or edge of pavement during loose leaf collection and will not be collected during November and December.

Tree Trimming Program Requirements

Township of Upper's ordinance #11-1983 requires Township Residents to maintain any plant life within ten [10] feet of any street or roadway and within twenty-five [25] feet of the intersection of any two [2] streets or roadways. Any plant life [trees, shrubs, bushes, hedges etc.] bordering any streets, roadways or sidewalks must be trimmed to allow safe passage of vehicles and pedestrians. Intersections must be trimmed to allow clear sight of all traffic signs [stop signs] and approaching vehicles. A Township Official will notify anyone in violation of the ordinance and they will be given ten [10] days to correct the problem. If the violation is not corrected the Township will authorize the work to be completed and the property owner will be billed accordingly.

Hazardous Materials Collection Requirements

The Cape May County Municipal Authority sponsors two [2] FREE HAZARDOUS MATERIALS COLLECTIONS during the year for all residents of Cape May County. They accept THINNERS, STAINS, SOLVENTS, GASOLINE, MIXED GASOLINE, HERBICIDES, PESTICIDES, and many other HAZARDOUS MATERIALS. They can be reached at 609-465-9026 for more information concerning this service and for registration information.

IT IS UNLAWFUL TO DISPOSE OF HAZARDOUS MATERIALS IN OUR TRASH TRUCKS AND IN OUR STORM DRAINS. Violators will be PROSECUTED to the fullest extent of the LAW

Used Clothing Recycling Requirements

Your clean, folded and bagged USED CLOTHING, USED SHOES and HANDBAGS [in good condition] can be delivered to the Upper Township Road Department at 1691 Mount Pleasant Road, Tuckahoe from 7:00 a.m. to 2:30 p.m. five [5] days per week. The items are to be placed in the USED CLOTHING SHED to the left of the main entrance gate. The used materials are picked up by the Goodwill Southern New Jersey to be reused.

Trash and Recycling Collection Areas

MONDAYS – All of Strathmere and Whale Beach.
Harbor Road, east side of the Parkway, trash collection and recycling collection.

TUESDAYS – North side of Church Road and north to the Township line, the Great Egg Harbor Bay.

WEDNESDAYS – Petersburg, Tuckahoe, Marshallville, Head of the River, Steelmantown and Martintown.

THURSDAYS – Hope Corson Road south to the Township line including the Foxborough development.

FRIDAYS – South side of Church Road south to Hope Corson Road excluding the Foxborough development.

Enforcement of Trash and Recycling Collection Programs.

The Township's **Sanitation Inspector** has the responsibility of enforcing all the requirements of the Township's Trash and Recycling collection programs. His job is to ensure that all Residents and Commercial Business adhere to the requirements of the Townships Solid Waste and Recycling Ordinances #4-1995 and #13-2005.

If the inspector notices or is notified of a problem with trash or recycling at a residence or business, he will tag the material that is in violation and hand deliver a notice of the violation to the offending party. The hand delivered material will specify what the violation is and how it must be corrected.

The Superintendent of Public Works can be reached at 609-628-2011 ext. 244. The Supervisors of the Road Department are available by phone at 609-628-2011 to answer all questions pertaining to the services offered by this Department. The goal of this Department is to offer fair and equal treatment to all that we serve. Messages can be left on our answering machine at anytime. The winter office hours are 6:30 a.m. to 3:30 p.m. [from Labor Day until Memorial Day] and the summer office hours are 5:30 a.m. until 2:30 p.m.[from Memorial Day until Labor Day]

Paul E. Dietrich, Sr.	LeRoy L. Shone	Christopher J. Thomas
Superintendent Public Works	Supervisor of Roads	Assistant Supervisor of Roads

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- 8. Authorizing the Township Engineer to solicit bids for materials and supplies at the Amanda's Field Baseball Complex.**

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

RESOLUTION NO. 246-2011
RE: AUTHORIZING THE TOWNSHIP ENGINEER TO SOLICIT BIDS
FOR MATERIALS AND SUPPLIES
AT THE AMANDA'S FIELD BASEBALL COMPLEX

WHEREAS, the Township Committee of the Township of Upper has determined a need to provide improvements at Amanda's Field Baseball Complex; and

WHEREAS, pursuant to the provisions of the Local Public Contracts Law, the Township of Upper intends to solicit bids as herein indicated;

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 Engineer is hereby authorized and directed to prepare specifications and solicit bids for the following project:

FOR MATERIALS AND SUPPLIES

AT THE AMANDA'S FIELD BASEBALL COMPLEX.

Sealed bids shall be received by the Township of Upper in accordance with the directives contained in the Notice of Bidders.

Resolution No. 246-2011
 Offered by: Gabor Seconded by: Conrad
 Adopted: December 5, 2011

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 participation in the South Jersey Power Cooperative for electric service.**

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 247-2011
RE: RESOLUTION AUTHORIZING PARTICIPATION IN THE SOUTH JERSEY
POWER COOPERATIVE FOR ELECTRIC SERVICE**

WHEREAS, the County of Camden on behalf of the South Jersey Power Cooperative (“SJPC”) publicly advertised bids for the purpose of procuring electric energy services; and

WHEREAS, Cape May County is currently a member of the SJPC with Camden County as Lead Agency for the purchase of electric generation supply services for Cape May County and its Cooperative members; and

WHEREAS, the Township of Upper has been a member and wishes to continue its participation with the Cape May County Cooperative; and

WHEREAS, Camden County awarded an 18-month contract to Hess Corporation of One Hess Plaza, Woodbury, NJ 07095, to provide electric generation supply services at the rate of \$0.08695 per kilowatt-hour – this being the lowest of five bids received; and

WHEREAS, the Township of Upper, as a participant of the SJPC, wishes to obtain electric services from Hess Corporation.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Upper, Cape May County, that the Township hereby authorizes participation in the Cape May County Cooperative and the SJPC with Camden County as the Lead Agency; and

BE IT FURTHER RESOLVED that the Township of Upper hereby acknowledges the following:

1. The Lead Agency of the SJPC will enter into a contract with the winning supplier on behalf of the entire SJPC including Cape May County and its Cooperative members.
2. The Township of Upper will not sign a contract directly with the winning bidder, but will adhere to the terms and conditions of the master contract.
3. The contract for electric generation supply services under the SJPC will begin December 10, 2011 and continue to June 10, 2013; and

BE IT FURTHER RESOLVED that the Township of Upper shall ensure that sufficient funds shall be appropriated for the balance of 2011 and, contingent upon the availability, shall appropriate sufficient funds for the remainder of the contract upon the adoption of the 2012 and 2013 budgets; and

BE IT FURTHER RESOLVED that no participating contracting unit in the Energy Cooperative shall be responsible for any items ordered or for performance by any other participating contracting unit. Each participating contracting unit shall be liable only for its own performance and for items ordered and received by it and none assumes any additional responsibility of liability.

Resolution No. 247-2011

Offered by: Newman

Seconded by: Conrad

Adopted: December 5, 2011

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. Chapter 159 Resolution for the insertion of a special item of revenue into the 2011 Budget that was not determined at the time of the adoption of the budget—Upper Township Marmora Village Center and “Main Street” market assessment in the amount of \$15,000.00.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 248-2011**

**RE: CHAPTER 159 RESOLUTION FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE INTO THE 2011 BUDGET THAT WAS NOT DETERMINED AT THE TIME OF THE ADOPTION OF THE BUDGET—UPPER TOWNSHIP MARMORA VILLAGE CENTER AND “MAIN STREET” MARKET ASSESSMENT
IN THE AMOUNT OF \$15,000.00**

WHEREAS, N.J.S. 40A-87 PROVIDES THAT THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES MAY APPROVE THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY WHEN SUCH ITEM SHALL HAVE BEEN MADE AVAILABLE BY LAW AND THE AMOUNT THEREOF WAS NOT DETERMINED AT THE TIME OF THE ADOPTION OF THE BUDGET; AND

WHEREAS, SAID DIRECTOR MAY ALSO APPROVE THE INSERTION OF AN ITEM OF APPROPRIATION FOR AN EQUAL AMOUNT; AND

WHEREAS, THE TOWNSHIP OF UPPER WILL RECEIVE AN AMOUNT OF \$15,000.00 FROM THE UPPER TOWNSHIP MARMORA VILLAGE CENTER AND “MAIN STREET” MARKET ASSESSMENT AND WISHES TO AMEND ITS 2011 BUDGET TO INCLUDE THIS AMOUNT AS A REVENUE.

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HEREBY REQUESTS THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES APPROVE THE INSERTION OF AN ADDITIONAL ITEM OF REVENUE IN THE BUDGET OF THE YEAR 2011 IN THE SUM OF \$15,000.00, WHICH IS NOW AVAILABLE AS A REVENUE FROM:

REVENUE: STATE & FEDERAL REVENUE OFFSET WITH APPROPRIATIONS:

UPPER TOWNSHIP MARMORA VILLAGE CENTER
AND “MAIN STREET” MARKET ASSESSMENT, AND

BE IT FURTHER RESOLVED THAT A LIKE SUM OF \$15,000.00 BE AND THE SAME IS HEREBY APPROPRIATED UNDER THE CAPTION OF:

APPROPRIATION: STATE AND FEDERAL PROGRAMS OFFSET BY REVENUE:

UPPER TOWNSHIP MARMORA VILLAGE CENTER
AND “MAIN STREET” MARKET ASSESSMENT

BE IT FURTHER RESOLVED, THAT THE TOWNSHIP CLERK FORWARD TWO COPIES OF THIS RESOLUTION TO THE DIRECTOR OF LOCAL GOVERNMENT SERVICES.

Resolution No. 248-2011

Offered by: Conrad

Seconded by: Palombo

Adopted: December 5, 2011

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>

ORDINANCES

CORRESPONDENCE

NEW BUSINESS

UNFINISHED BUSINESS:

DISCUSSION

PAYMENT OF BILLS:

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

Bills submitted for payment: \$1,878,547.39

Payroll: \$164,974.67

REPORT OF MUNICIPAL DEPARTMENTS:

12. Construction Code

13. Clerk’s Office

14. Tax Assessor

Reports are available from the Clerk’s Office.

PUBLIC COMMENT

CLOSED SESSION

- 15. **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.** Mr. Newman made the motion and read the following resolution into the record.

TOWNSHIP OF UPPER

RESOLUTION NO. 249-2011
MOTION GOING INTO CLOSED SESSION
December 5, 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. Personnel
2. Potential Litigation – USA Phone

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

Motion: Jay Newman
Motion seconded: Frank Conrad

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

Motion was made by Jay Newman, second by Frank Conrad to close the executive portion of the meeting and go back into open session. During roll call vote all five Committee members voted in the affirmative.

RECONVENE PUBLIC PORTION OF MEETING

Motion was made by Jay Newman, second by Frank Conrad to grant permission for the CFO and the Clerk to give back time to the Zoning Officer, who is out of time due to a medical event. During roll call vote all five Committee members voted in the affirmative.

Motion was made by Jay Newman, second by Frank Conrad to authorize the CFO to obtain the Township's claims experience from the State of New Jersey at a cost of \$2000. During roll call vote all five Committee members voted in the affirmative.

Motion was made by Jay Newman, second by Curtis Corson to authorize the Township Engineer to purchase the T-1 phone lines for the telephone system. During roll call vote all five Committee members voted in the affirmative.

ADJOURNMENT

There was no further business for this evening the meeting was adjourned at 9:55 P.M., motion by Frank Conrad, second by Jay Newman with all voting in the affirmative. Next meeting scheduled for December 19, 2011 at 7:30 P.M. The 2012 Reorganization meeting is scheduled for Friday, January 6, 2012 at 6:30 PM.

Minutes prepared by

Wanda Gaglione, RMC
Municipal Clerk

Bill List

56694	12/05/11	U0028	UPPER TOWNSHIP BD.OF EDUCATION	1,827,334.00	2698
56695	12/05/11	A0006	ADVANCE TREADS INC	223.00	2700
56696	12/05/11	A0075	ADAMS, JOSHUA	110.95	2700
56697	12/05/11	A0143	BARLOW BUICK GMC	38.11	2700
56698	12/05/11	B0028	BEST WESTERN PREMIER	199.78	2700
56699	12/05/11	B0093	BARRY,CORRADO,GRASSI & GIBSON	350.00	2700
56700	12/05/11	B0152	BUCHANAN, KAREN A.	87.28	2700
56701	12/05/11	B0182	BRIGGS LAW OFFICE, P.C.	2,322.62	2700
56702	12/05/11	C0002	C.M.C. CHAMBER OF COMMERCE,INC	575.00	2700
56703	12/05/11	C0052	CAPE MAY COUNTY TREASURER	12,178.85	2700
56704	12/05/11	C0068	COMCAST	305.33	2700
56705	12/05/11	C0091	CHISHOLM, JOHN R.	85.00	2700
56706	12/05/11	C0171	COLONIAL ELECTRIC SUPPLY CO.	22.15	2700
56707	12/05/11	C0221	CRAGER, GARY	150.00	2700
56708	12/05/11	C0223	CASA PAYROLL SERVICE	233.15	2700
56709	12/05/11	C0230	CATAMARAN MEDIA COMPANY	54.00	2700
56710	12/05/11	D0080	DOWNAM, HARRY J. JR.	426.94	2700
56711	12/05/11	F0054	FORT DEARBORN LIFE INSURANCE	477.30	2700
56712	12/05/11	F0074	FUTURE ACT CLUB	300.00	2700
56713	12/05/11	G0014	GARDEN STATE HWY PRODUCTS INC.	160.00	2700
56714	12/05/11	G0015	GALL'S, AN ARAMARK COMPANY	61.48	2700
56715	12/05/11	H0018	HAROLD RUBIN/L & H SUPPLY	179.88	2700
56716	12/05/11	K0030	KNIGHTS OF COLUMBUS	300.00	2700
56717	12/05/11	K0073	K-LOG INC.	2,228.60	2700
56718	12/05/11	M0059	MCDANIELS, WILLIAM J. III	67.96	2700
56719	12/05/11	M0103	MODERN GAS COMPANY, INC.	119.75	2700
56720	12/05/11	M0188	MCCARTHY TIRE SERVICE OF PHILA	290.00	2700
56721	12/05/11	M0218	MARY BRIDGET ENTERPRISES	995.96	2700
56722	12/05/11	N0100	N.J. LEAGUE OF MUNICIPALITIES	18.00	2700
56723	12/05/11	N0124	NORKIS, MARYELLEN	164.55	2700
56724	12/05/11	O0014	OCEANPORT LLC	4,960.06	2700
56725	12/05/11	P0008	PALMER, NANCY	117.39	2700
56726	12/05/11	P0056	TURF EQUIPMENT AND SUPPLY CO	627.13	2700
56727	12/05/11	P0084	PROGRESSIVE BUSINESS PUBLICATI	306.72	2700
56728	12/05/11	R0030	RIGGINS, INC.	4,110.03	2700
56729	12/05/11	S0001	SAM'S CLUB	102.17	2700
56730	12/05/11	S0034	SCHULER, DANIEL	600.00	2700
56731	12/05/11	S0121	SMUZ, THERESE A	57.19	2700
56732	12/05/11	S0126	SPIEGEL, BARBARA	77.15	2700
56733	12/05/11	S0209	STAPLES ADVANTAGE	111.10	2700
56734	12/05/11	T0032	THE PRESS & SUNDAY PRESS	71.25	2700
56735	12/05/11	U0029	UPPER TOWNSHIP BD.OF EDUCATION	612.93	2700
56736	12/05/11	V0001	VCI EMERGENCY VEHICLE	2,404.28	2700
56737	12/05/11	V0013	VERIZON WIRELESS	629.66	2700
56738	12/05/11	W0030	WEST PUBLISHING CO.	356.94	2700
56739	12/05/11	Y0008	YOUNG, DANIEL J. ESQUIRE PC	10,718.75	2700
56740	12/05/11	Y0023	YOUNG, DANIEL J. ATTORNEY	2,625.00	2700

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Total Of All Funds: \$1,878,547.39