

**TOWNSHIP OF UPPER  
2100 TUCKAHOE ROAD  
PETERSBURG, NJ 08270  
CAPE MAY COUNTY  
MINUTES FOR DECEMBER 19, 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	Absent
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** - **December 5, 2011 Regular Meeting and Closed Session Minutes** Motion was made by Jay Newman, second by Frank Conrad to approve the Minutes as written. During roll call all four Committee members present voted in the affirmative.

**REPORT OF GOVERNING BODY MEMBERS**

**Frank Conrad**, reported that this would be his last meeting as a Township Committeeman. He recognized his wife Elizabeth and his children, Ashley and Kyle, as the reason he entered into public service. He briefly spoke on his time as Township Committeeman and the improvements to the Township that he has worked on and brought to fruition. He then thanked his fellow Committeemen, as well as Daniel Young, Wanda Gaglione, Barbara Spiegel and Paul Dietrich. Lastly he wished everyone a Merry Christmas and a Happy New Year.

**Curtis Corson**, briefly spoke on a recent letter to the editor in the Upper Township Sentinel regarding the budget process.

**Jay Newman**, briefly spoke on the Township’s open budget process. He next reported that the rescue squad has been extremely busy during December. He asked that everyone keep the members of the rescue squad and fire companies in their thoughts and prayers during the

Christmas season and throughout the coming year. He also wished everyone a Merry Christmas and Happy New Year.

Later in the meeting Jay Newman spoke on a complaint he had received regarding door-to-door solicitation. He questioned whether the Township had an Ordinance in place restricting commercial solicitation. Mr. Young advised that the Township does have such an Ordinance in place and any complaints can be directed to the NJ State Police.

**Richard Palombo**, spoke on the many wonderful religious communities in Upper Township and the services they provide to the Township as well as their mission work throughout the world. He wished everyone a happy and healthy New Year and a great holiday season. He next congratulated Patricia Smyth for successfully completing her Tax Collector Certification exam. He then reported that he has received an official resignation letter from Kristine Gabor effective January 5, 2012. He also reported on a Mayor's meeting he attended in which he spoke with a representative from Triad Associates regarding federal funding and grant money available to develop solar fields. He believes that this is worth investigating for the Township's benefit. Mayor Palombo further discussed that it might be a good idea to consider utilizing the vacant land at the old Butter Road landfill. Lastly Mayor Palombo invited Committeeman Conrad's family to the dais for the presentation of a resolution, which he read into the record recognizing and thanking Committeeman Conrad for his time on Township Committee.

## **OTHER REPORTS**

**Wanda Gaglione, Municipal Clerk**, thanked everyone for the donations of toys and clothing that were collected for a needy Upper Township family as well as the toys collected for the Marine Corps Reserve Toys for Tots program.

**Daniel Young, Municipal Attorney**, discussed Ordinance No. 022-2011, authorizing an exchange of lands with Roberta Townsend. Mr. Young reported that past practice has been to obtain title insurance for the lots. The estimate for the title insurance is \$500. Motion was made by Curtis Corson, second by Frank Conrad to obtain the title insurance. During roll call vote all four Committee members present voted in the affirmative. Mr. Young next reported on a letter he received from an Attorney for Cape May Seashore lines, regarding a proposed locomotive storage facility at the Tuckahoe Rail Station. Mr. Young reported that local Ordinances are not applicable when it pertains to the site plan permitting process. Federal law pre-empts the laws pertaining to structures of this type, which permit interstate rail carriers to construct their facilities without permits. However we can inspect for fire, health, plumbing and safety standards. Mr. Young also reported that he had several items for executive session as being four contract negotiation matters; alcohol and drug testing services, employee assistance service for alcohol and drug abuse, maintenance of township internet website, and health benefits; Litigation matter Upper Township v. Yank, and several personnel matters. Mr. Young closed by wishing everyone a Merry Christmas and Happy New Year.

**Paul Dietrich, Township Engineer**, gave a brief update on the progress of the Strathmere beach fill project. He next reported on the public works leaf collection. Good progress has

been made despite several equipment malfunctions. The first pass throughout the Township is just about complete, with the second pass to commence soon.

**Barbara Spiegel, Finance Officer**, reported that she had a few items for closed session as previously mentioned by Mr. Young. She then wished everyone a Merry Christmas and Happy New Year.

**PROCLAMATION**

- 1. Honoring Amy Phillips, Doug Shallcross, Danielle Walawender and Noah Spear for their winning entries in the “Name the Streets Contest” at the Amanda’s Field Recreation Complex.**

**Proclamation  
TOWNSHIP OF UPPER  
COUNTY OF CAPE MAY, NEW JERSEY**

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**WHEREAS**, students from the Upper Township Elementary School participated in the Upper Township “Name the Streets Contest” and won first place for their submissions of street names to be used in the Amanda’s Field Recreation Complex in Petersburg; and

**WHEREAS**, the winning street names were chosen by the Upper Township Committee from over 160 entries submitted for this contest by Upper Township Elementary School students; and

**WHEREAS**, it is appropriate that on behalf of the citizens of Upper Township we publicly recognize and honor the first place participants listed as follows:

<b>Amy Phillips</b>	<b>Team Spirit Drive</b>
<b>Doug Shallcross</b>	<b>Victory Lane</b>
<b>Danielle Walawender</b>	<b>Victory Lane</b>
<b>Noah Spear</b>	<b>Victory Lane</b>

**NOW, THEREFORE, BE IT PROCLAIMED**, by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey, to honor and extend to Amy Phillips, Doug Shallcross, Danielle Walawender and Noah Spear our sincere

appreciation for their contributions to this community through their winning entries in the “Name the Streets Contest” and convey our best wishes for their future endeavors.

Proclaimed this 19th day of December, 2011  
RICHARD PALOMBO, Mayor

**RESOLUTIONS**

- 2. In recognition and appreciation of Upper Township Committeeman Frank Conrad for his dedicated public service to the Township of Upper.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION  
RESOLUTION NO. 250-2011  
RE: IN RECOGNITION AND APPRECIATION OF  
UPPER TOWNSHIP COMMITTEEMAN FRANK CONRAD  
FOR HIS DEDICATED PUBLIC SERVICE TO THE TOWNSHIP OF UPPER**

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**WHEREAS**, effective January 1, 2012, Committeeman Frank Conrad will depart his seat on the Upper Township Committee where he has served with integrity, good faith, and dedication from January 2006 to the present; and

**WHEREAS**, during his public service to the Township he has served as the Township’s Director of the Municipal Courts, Public Buildings and Grounds, Animal Control, Recreation Department, and Revenue and Finance, as well as serving as the Township’s liaison to the Upper Township School Board; and

**WHEREAS**, it is most appropriate that Frank’s tenure of public service, commitment, and leadership to the Township are publicly recognized and that this Township Committee extends its sincere appreciation to Frank.

**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 we extend our deepest thanks to Frank Conrad for his years of dedicated public service as Township Committeeman and acknowledge his continued dedication and desire to serve the residents of Upper Township as a local business owner and advocate of numerous charitable groups and youth sports teams.

**BE IT FURTHER RESOLVED**, that this Committee extends to our colleague and friend, Frank Conrad, our very best wishes for continued happiness, good health, and success in all of his future endeavors.

**GIVEN UNDER OUR HANDS** and the seal of the Township of Upper this 19th day of December, 2011.

Resolution No. 250-2011

Offered by:

Seconded by:

Adopted: December 19, 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>      </u>	<u>      </u>	<u>      </u>	<u>  x  </u>
Newman	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Palombo	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>

**3. Refund EMS Ambulance billing overpayment to Cigna Healthcare Proclaim/Accent Cost Containment Solutions.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION  
RESOLUTION NO. 251-2011  
RE: REFUND EMS AMBULANCE BILLING OVERPAYMENT  
TO CIGNA HEALTHCARE PROCLAIM/  
ACCENT COST CONTAINMENT SOLUTIONS**

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**WHEREAS**, an overpayment has occurred in the account of Timothy J.

Errickson, an EMS ambulance billing patient, where the monies sent to the Township of Upper by Cigna Healthcare Proclaim were in excess as evidenced by the attached copy of a letter attached hereto as Exhibit A.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Upper, Cape May County, that a refund is hereby authorized and the Chief Financial Officer is hereby directed to refund monies as indicated below:

<u>AMOUNT</u>	<u>NAME</u>
\$241.45	ACCENT P.O. Box 952366 St. Louis, MO 63195-2366

Resolution No. 251-2011

Offered by: Newman

Seconded by: Conrad

Adopted: December 19, 2011

Roll Call Vote:

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

- 4. Authorizing the Chief Financial Officer to withdraw funds in the amount of \$5,000.00 from the account entitled Recreation Trust Fund-Developers for recreational improvements.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY**

**R E S O L U T I O N**

**RESOLUTION NO. 252-2011**

**RE: AUTHORIZING THE CHIEF FINANCIAL OFFICER TO WITHDRAW FUNDS IN THE AMOUNT OF \$5,000.00 FROM THE ACCOUNT ENTITLED RECREATION TRUST FUND-DEVELOPERS FOR RECREATIONAL IMPROVEMENTS**

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**WHEREAS**, Township Resolution No. 226-2011 authorized spending of up to \$60,000.00 for construction of baseball fields; and

**WHEREAS**, the Township will need to solicit bids for most of the work authorized in Township Resolution No. 246-2011 and the funds previously authorized will be need to be re-authorized at a later date; and

**WHEREAS**, the Township of Upper at this time wishes to proceed with the miscellaneous concrete upgrades which were included in the authorization pursuant to Resolution No. 226-2011 and which the township auditor has confirmed may be obtained by the solicitation of quotes;

**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 \$5,000.00, from the account entitled Recreation Trust Fund-Developers for miscellaneous concrete upgrades at Amanda's Field Recreation Complex.

Resolution No. 252-2011

Offered by: Conrad                      Seconded by: Newman

Adopted: December 19, 2011

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>      </u>	<u>      </u>	<u>      </u>	<u>  X  </u>
Newman	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Palombo	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

**5. Budget Transfer.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION  
RESOLUTION NO. 253-2011  
RE: BUDGET TRANSFERS**

**WHEREAS**, budgetary transfers between line items can be made after November 1<sup>st</sup>;  
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>
STREET LIGHTING COSTS \$9,000.00	GARBAGE & TRASH S/W \$9,000.00

Resolution No. 253-2011  
Offered By: Conrad  
Adopted: December 19, 2011

Seconded By: Newman

**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>      </u>	<u>      </u>	<u>      </u>	<u>  X  </u>
Newman	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Palombo	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>



6. **Authorizing the Township of Upper to enter into an agreement with the Atlantic County Municipal Joint Insurance Fund for the 2012 Retrospective Program and authorizing the signature of Mayor and Township Clerk.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
STATE OF NEW JERSEY  
RESOLUTION**

**RESOLUTION NO. 254 -2011**

**RE: AUTHORIZING THE TOWNSHIP OF UPPER TO ENTER INTO AN AGREEMENT WITH THE ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND FOR THE 2012 RETROSPECTIVE PROGRAM AND AUTHORIZING THE SIGNATURE OF THE MAYOR AND TOWNSHIP CLERK.**

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**WHEREAS**, the Township of Upper is a member of the Atlantic County Municipal Joint Insurance Fund (hereinafter the “FUND”); and

**WHEREAS**, the FUND offers the opportunity for member municipalities to control their future assessments by offering a policy endorsement to enter into a Retrospective Program; and

**WHEREAS**, the Township of Upper wishes to accept the policy endorsement and enter into an agreement for the 2012 fund year Retrospective Program, a copy of which is attached hereto as Exhibit “A”; and

**NOW THEREFORE** be it resolved as follows:

1. The allegations of the preamble are incorporated herein by this reference.
2. The Mayor and Township Clerk are hereby authorized to execute the “Contract for 2012 Retrospective Program” annexed hereto as Exhibit “A” and made a part hereof.
3. All Township officials and officers are hereby authorized and directed to take all action necessary in order to carry out the intent and purpose of this Resolution.

Resolution No. 254-2011

Offered by: Corson  
Adopted: December 19, 2011  
Roll Call Vote:

Seconded by: Newman

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

**7. Authorizing Township Engineer to submit the Air Quality General Permit No. 5 for the emergency generator at the Municipal Building.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 255-2011**

**RE: AUTHORIZING THE MAYOR & ENGINEER TO SIGN AND SUBMIT AN AIR QUALITY GENERAL PERMIT No. 5 APPLICATION TO THE NJDEP FOR EMERGENCY GENERATOR AT THE MUNICIPAL BUILDING PURSUANT TO NJDEP RULES**

**WHEREAS**, the Township of Upper wishes to make application to the New Jersey Department of Environmental Protection (NJDEP) for a Air Quality General Permit No. 5 for the emergency generator at the Upper Township Municipal Building, in the Township of Upper; and

**WHEREAS**, the NJDEP has notified the Township that the generator is regulated because of its fuel firing rate being over 1 MMBTU's; and

**WHEREAS**, the Township Engineer shall submit the Permit online and the \$410 application fee for the general permit.

**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 Engineer of the Township of Upper is hereby authorized, directed and empowered to electronically sign the NJDEP Air Quality General Permit.

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. 255-2011

Offered by: Conrad                      Seconded by: Corson

Adopted: December 19, 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>      </u>	<u>      </u>	<u>      </u>	<u>  X  </u>
Newman	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Palombo	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

**8. Confirming the Sale of Block 622, Lots 18, 19 and 20 to Roberta Townsend.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION  
RESOLUTION NO. 256 -2011  
RE: CONFIRMING SALE OF CERTAIN LAND  
TO WIT: BLOCK 622, LOTS 18, 19 and 20  
TO ROBERTA V. TOWNSEND**

**WHEREAS**, the Township of Upper has authorized the sale of Township owned real property commonly known as Block 622, Lots 18, 19 and 20 to contiguous owner thereto, Roberta V. Townsend pursuant to Ordinance No. 021-2011; and

**WHEREAS**, Roberta V. Townsend has executed an agreement pursuant to Ordinance No. 021-2011 for the purchase of said real property from the Township of Upper; and

**WHEREAS**, the Township Committee of the Township of Upper is satisfied that all conditions precedent were complied with and that said sale has been conducted in accordance with the requirements of the Ordinance aforesaid; and

**WHEREAS**, the Township Committee believes that it is in the public interest to confirm the sale of such parcels.

**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 sale of Block 622, Lots 18, 19 and 20 to Roberta V. Townsend at a sale price of \$6,000.00 is hereby confirmed under and subject to the terms, conditions and provisions of Ordinance No. 021-2011 and further subject to and conditioned upon the purchasers' compliance with said Ordinance.

3. The Mayor and Township Clerk are hereby authorized, directed and empowered to execute and deliver, on behalf of the Township of Upper, to the aforesaid purchaser, a Quitclaim Deed conveying the Township's right, title and interest in the above described property and the Township Clerk is further authorized, directed and empowered to seal the Deed with the official seal of the Township of Upper.

Resolution No. 256-2011  
Offered by: Corson  
Adopted: December 19, 2011

Seconded by: Conrad

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>          </u>	<u>          </u>	<u>          </u>	<u>  X  </u>
Newman	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Palombo	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>

**9. Authorizing the disposal of personal property with no market value.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION  
RESOLUTION NO. 257-2011  
RE: AUTHORIZING THE DISPOSAL OF PERSONAL PROPERTY  
WITH NO MARKET VALUE**

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WHEREAS, N.J.S.A. 40A:11-36 authorizes a municipality to sell or dispose of certain personal property or equipment which is not needed for public use; and

WHEREAS, the Township of Upper determined that the property and equipment set forth on the attached Exhibit A hereto was not needed for public use, has no market value, and authorized its disposal; and

WHEREAS, the Township Committee of the Township of Upper hereby determines that the property and equipment set forth on Exhibit A hereto has no market value and should be disposed of; 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 property and equipment aforementioned on Exhibit A hereto are hereby determined to be useless for any public purpose and are also determined to be of no market value such that the Township Committee directs its disposal.

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

Resolution No. 257-2011

Offered by: Corson

Seconded by: Conrad

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>      </u>	<u>      </u>	<u>      </u>	<u>  X  </u>
Newman	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Palombo	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

**Exhibit "A"**

6 upholstered benches (purchased in 1996)

1 Photo ID maker-Laminex Polaroid Micro 400, Serial No. 403-8830877

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**10. Authorizing the disposal of blank banking checks which are no longer of use to the Township of Upper.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 258-2011**

**RE: AUTHORIZING THE DISPOSAL OF BLANK BANKING CHECKS WHICH ARE NO LONGER OF USE TO THE TOWNSHIP OF UPPER**

**WHEREAS**, the Municipal Auditor has recommended that the Township of Upper dispose of certain blank banking checks from a depository we no longer bank with; and

**WHEREAS**, the Township Committee of the Township of Upper hereby determines that the blank checks listed on Exhibit A hereto are no longer needed for public use and should be disposed of accordingly to insure security; 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 blank banking checks aforementioned are hereby determined to be useless for any public purpose and the Township Committee authorizes their disposal by shredding.

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

Resolution No. 258-2011

Offered by: Conrad

Seconded by: Newman

Adopted: December 19, 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>          </u>	<u>          </u>	<u>          </u>	<u>X</u>
Newman	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>
Palombo	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>

**Exhibit "A"**

Account Name – Check Numbers to be destroyed

Payroll 63428-63429

Operating 53333-57499

Reserve Capital Projects 155-352

Upper Township EMS 092-250, 366-754

Accumulated Sick Leave 122-200

Affordable Housing 1012-1150

Developer's Escrow Master 201-352

Developer's Escrow II 262-352

Dog 394-602

Fire Safety 136-352

MAC 402-650

PB/ZB Escrow 916-1200

Recreation Developer's Fund 210-352

Recycling 142-352

SUCI 148-352

**11. Authorizing a contract amendment between Dr. Stewart C. Farrell/Coastal Research Center of the Richard Stockton College of New Jersey and Township of Upper for monitoring services in connection with the restoration of the Strathmere shoreline under the current beach replenishment project.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 259-2011**  
**RE: AUTHORIZING A CONTRACT AMENDMENT BETWEEN DR. STEWART C. FARRELL/COASTAL RESEARCH CENTER OF THE RICHARD STOCKTON COLLEGE OF NEW JERSEY AND TOWNSHIP OF UPPER FOR MONITORING SERVICES IN CONNECTION WITH THE RESTORATION OF THE STRATHMERE SHORELINE UNDER THE CURRENT BEACH REPLENISHMENT PROJECT**

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**WHEREAS**, the Township of Upper and Dr. Stewart C. Farrell on behalf of the Coastal Research Center of the Richard Stockton College of New Jersey (hereinafter “Farrell”) entered into a contract on February 14, 2011 for shoreline monitoring services pursuant to Resolution No. 44-2011; and

**WHEREAS**, the Township of Upper and Farrell desire to modify said contract to provide for monitoring services with the current beach replenishment project; and

**WHEREAS**, the Township Committee has determined there is a need to amend said contract with Farrell with the understanding that 75% of the cost of the additional services will be reimbursed by FEMA; and

**WHEREAS**, the Township Committee has determined that it is in the best interest of the Township to authorize said amendment to the contract with Farrell as hereinafter provided; and

**WHEREAS**, the Municipal Attorney has determined that the services provided by the proposed amendment to the existing contract of professional services and that the award of the amended contract may be made without competitive bid; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds to permit the Township to enter into the proposed amendment to the professional services contract as aforesaid; and

**WHEREAS**, the Township has decided to acquire the services of Farrell pursuant to the provisions of N.J.S.A. 19:44A-2.05;



**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 professional services contract between the Township of Upper and Farrell is hereby amended to include the additional services as set forth in the correspondence of October 12, 2011 from Farrell to the Township so as to provide monitoring services as the current beach restoration project continues.
3. A copy of the proposed contract amendment detailing the nature and the extent of the work to be done, together with a summary of the amendment are attached to this Resolution as Exhibit "A".
4. The Mayor and the Township Clerk are hereby authorized, directed and empowered to enter into said amendment to the professional services contract with Farrell aforesaid.
5. The Township Clerk shall cause a Notice of Award of this amendment to the professional services contract to be published in the official newspaper of the Township as required by N.J.S.A. 40A:11-5.
6. This amendment to the contract is for professional services contract and has been awarded without competitive bidding.
7. A certified copy of this Resolution shall be provided to Farrell.
8. All Township officials and officers are hereby authorized and directed to take all action necessary to carry out the intent and purpose of this Resolution.
9. This Resolution shall take effect immediately and shall memorialize the decisions of the Township Committee at its meeting on November 14, 2011.

Resolution No. 259-2011

Offered by: Corson

Seconded by: Newman

Adopted: December 19, 2011

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>      </u>	<u>      </u>	<u>      </u>	<u>  X  </u>
Newman	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Palombo	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

**ORDINANCES**

12. **Public Hearing and Final Adoption of Ordinance No. 027-2011, RE: AN ORDINANCE ESTABLISHING SALARIES FOR THE TOWNSHIP OF UPPER FOR THE CALENDAR YEAR 2012.** Curtis Corson stated that this Ordinance reflects a zero increase from the previous year. During the public comment section of the hearing there were no speakers from the public. Motion was made by Frank Conrad, second by Jay Newman to adopt Ordinance No. 027-2011. During roll call vote all four Committee members present 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>
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(P/T denotes "Part-Time Position")

A. ADMINISTRATIVE/REVENUE AND FINANCE:

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 (P/T)		Add'l \$1.00/Hr.

**E. PUBLIC WORKS/SPORTS AND RECREATIONAL PROGRAMS:**

Superintendent of Public Works	5,000.00	10,000.00
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<b>Road Supervisor</b>	<b>12,500.00</b>	<b>88,000.00</b>
<b>Assistant Road Supervisor</b>	<b>12,500.00</b>	<b>82,000.00</b>
<b>Supervisor Equipment Operator</b>	<b>12,500.00</b>	<b>70,000.00</b>
<b>Supervisor Maintenance Repairer</b>	<b>12,500.00</b>	<b>70,000.00</b>
<b>Supervising Carpenter</b>	<b>20,000.00</b>	<b>70,000.00</b>
<b>Sr. Carpenter (0-9 yrs.)</b>	<b>20,000.00</b>	<b>49,928.00</b>
<b>Sr. Carpenter (10 or more yrs.)</b>	<b>20,000.00</b>	<b>51,367.00</b>
<b>Carpenter (0-9 yrs. )</b>	<b>12,500.00</b>	<b>48,489.00</b>
<b>Carpenter (10 or more yrs.)</b>	<b>12,500.00</b>	<b>49,928.00</b>
<b>Carpenter's Helper</b>	<b>12,500.00</b>	<b>48,489.00</b>
<b>Senior Mechanic (0-9 yrs.)</b>	<b>12,500.00</b>	<b>51,880.00</b>
<b>Senior Mechanic (10 or more yrs.)</b>	<b>12,500.00</b>	<b>53,321.00</b>
<b>Mechanic (0-9 yrs.)</b>	<b>12,500.00</b>	<b>49,446.00</b>
<b>Mechanic (10 or more yrs.)</b>	<b>12,500.00</b>	<b>50,885.00</b>
<b>Mechanics Helper (0-9 yrs.)</b>	<b>12,500.00</b>	<b>47,362.00</b>
<b>Mechanics Helper (10 or more yrs.)</b>	<b>12,500.00</b>	<b>48,801.00</b>
<b>Equipment Operator (0-9yrs.)</b>	<b>12,500.00</b>	<b>48,489.00</b>
<b>Equipment Operator (10 or more yrs.)</b>	<b>12,500.00</b>	<b>49,928.00</b>
<b>Truck Driver (0-9 yrs.)</b>	<b>12,500.00</b>	<b>47,280.00</b>
<b>Truck Driver (10 or more yrs.)</b>	<b>12,500.00</b>	<b>48,721.00</b>
<b>Laborer 1<sup>st</sup> year</b>	<b>12,500.00</b>	<b>36,378.00</b>
<b>Laborer 2<sup>nd</sup> year</b>	<b>12,500.00</b>	<b>38,418.00</b>
<b>Laborer 3<sup>rd</sup> year</b>	<b>12,500.00</b>	<b>40,458.00</b>
<b>Laborer 4<sup>th</sup> year</b>	<b>12,500.00</b>	<b>42,499.00</b>
<b>Laborer 5<sup>th</sup> year</b>	<b>12,500.00</b>	<b>44,450.00</b>
<b>Laborer (6-9 yrs.)</b>	<b>12,500.00</b>	<b>46,099.00</b>
<b>Laborer (10 or more yrs.)</b>	<b>12,500.00</b>	<b>47,537.00</b>
<b>Laborer (P/T)</b>	<b>5.00 Hr.</b>	<b>10.50 Hr.</b>
<b>Sr. Sanitation Inspector</b>	<b>12,500.00</b>	<b>49,928.00</b>

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 yrs.)	10,500.00	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: LONGEVITY: 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:

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

**SECTION 3A: RESTRICTIONS ON LONGEVITY PAYMENTS:** 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, 2011 AND 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

13. **Ocean City Crew Boosters, Inc.---**request to hold **Off-Premise Raffle for various dates beginning March 16, 2012 through May 25, 2012.** Motion was made by Jay Newman, second by Curtis Corson to approve the request. During roll call vote all four Committee members present voted in the affirmative.
14. **Big Brothers Big Sisters organization--**request to place **charitable clothing bin at the Upper Township Community Center.** Motion was made by Richard Palombo, second by Curtis Corson to approve the request and sign the lease agreement. During roll call vote all four Committee members present voted in the affirmative.
15. **Price quotes Ocean Avenue Survey.** Five requests for proposals for survey services were sent out. Two quotes were received. The first from Steven Martinelli Land Surveying for \$2,000.00. The second from Gibson and Associates for \$3,800.00. The lower quote from Steven Martinelli Land Surveying is capable of performing the services we need. Motion was made by Curtis Corson, second by Jay Newman to accept the lowest bid from Steven Martinelli Land Surveying. During roll call vote all four Committee members present voted in the affirmative.
16. **Price quotes for laptops-paperless agenda.** The laptops will be for exclusive Township use and will save significant paper and postage costs. They will also be a more secure way to conduct Township business. Three price quotes were received, one from Dell, on a New Jersey State contract, for \$606.00 each, the second from Computer House for \$559.00 each, and the third from Global Computer for \$499.00 each. Motion was made by Jay Newman, second by Curtis Corson to accept the lowest bid from Global Computer, and purchase cases for approximately \$30.00 each. During roll call vote all four Committee members present voted in the affirmative.

### UNFINISHED BUSINESS:

### DISCUSSION

### PAYMENT OF BILLS:

**“I hereby move that all claims submitted for payment at this meeting be approved and then incorporated in full in the minutes of this meeting.”** Motion was made by Jay Newman, second by Frank Conrad. During roll call vote all four Committee members present voted in the affirmative.

Bills submitted for payment: \$ 196,339.42  
Payroll: \$ 157,777.59

**REPORT OF MUNICIPAL DEPARTMENTS:**

- 17. Animal Control
- 18. Tax Collector
- 19. Municipal Court
- 20. Finance Office
- 21. EMS Department
- 22. Clerks Office-Gov Deals Online Auction results
- 23. ACM JIF Annual Report 2011

Reports are available from the Clerk's Office. Curtis Corson spoke briefly on the Gov Deals Online Auction results. The Township received \$8,500.00 from the sale.

**PUBLIC COMMENT**

**CLOSED SESSION**

- 24. 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. **Jay Newman read the following resolution into the record.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION NO. 260-2011  
MOTION GOING INTO CLOSED SESSION  
December 19, 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. Contract negotiation – professional services contract for alcohol and drug testing services
- 2. Contract negotiation – professional services contract for employee assistance program for alcohol and drug abuse
- 3. Contract negotiation – professional services contract for maintenance of Township's internet website
- 4. Contract negotiation – health benefits
- 5. Litigation – Upper Township v. Yank

6. 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: Jay Newman  
Motion seconded: Frank Conrad

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

**RECONVENE PUBLIC PORTION OF MEETING**

**ADJOURNMENT**

There was no further business for this evening the meeting was adjourned at 8:35 P.M., motion by Frank Conrad, second by Jay Newman with all voting in the affirmative. Next meeting scheduled is the 2012 Reorganization meeting on Friday, January 6, 2012 at 6:30 P.M.; and the next meeting for regular business will be held on January 9, 2012 at 7:30 PM.

Minutes prepared by

Wanda Gaglione, RMC  
Municipal Clerk

**BILL LIST**  
56743 12/19/11 A0002 A.E.STONE,INC. 204.84 2703  
56744 12/19/11 A0004 A+ COMMERCIAL OFFICE CLEANERS 250.00 2703

56745 12/19/11 A0006 ADVANCE TREADS INC 1,361.20 2703  
56746 12/19/11 A0028 ADVANTAGE RENTAL CENTER INC. 728.38 2703  
56747 12/19/11 A0074 ATLANTICARE PHYSICIAN GROUP 713.00 2703  
56748 12/19/11 A0081 ARMSTRONG, RALON I. 101.47 2703  
56749 12/19/11 A0091 ATLANTIC CITY ELECTRIC 16,962.10 2703  
56750 12/19/11 A0122 ANSELL,ZARO,GRIMM & AARON 728.88 2703  
56751 12/19/11 A0143 BARLOW BUICK GMC 1,562.77 2703  
56752 12/19/11 A0168 ATLANTIC CRANKSHAFT 146.00 2703  
56753 12/19/11 B0013 BRADCO SUPPLY CORP. 70.56 2703  
56754 12/19/11 B0035 BELMONT & CRYSTAL SPRINGS 255.87 2703  
56755 12/19/11 B0076 BOND,LAURENCE E. 1,882.63 2703  
56756 12/19/11 B0202 BIGDOG WAREHOUSE INC 924.38 2703  
56757 12/19/11 C0031 CAPE ASSIST 200.00 2703  
56758 12/19/11 C0046 CAPE MAY COUNTY CLERK 8.00 2703  
56759 12/19/11 C0048 CAPE MAY COUNTY MUA 32,302.34 2703  
56760 12/19/11 C0060 CAPRIONI'S PORTABLE TOILETS 412.00 2703  
56761 12/19/11 C0078 CARTER, EDWARD, SR. 477.88 2703  
56762 12/19/11 C0131 CINTAS FIRST AID & SAFETY 23.46 2703  
56763 12/19/11 C0143 CODY'S POWER EQUIPMENT 35.52 2703  
56764 12/19/11 C0171 COLONIAL ELECTRIC SUPPLY CO. 49.41 2703  
56765 12/19/11 C0201 CRUZAN'S TRUCK SERVICE INC. 1,267.86 2703  
56766 12/19/11 C0223 CASA PAYROLL SERVICE 224.95 2703  
56767 12/19/11 C0240 CASCADE SUBSCRIPTION SERVICE 76.00 2703  
56768 12/19/11 D0016 DALEYS PIT 70.00 2703  
56769 12/19/11 D0026 DE AUGUSTINE, JOE 600.00 2703  
56770 12/19/11 D0135 DITROIA, DARYL 1,891.86 2703  
56771 12/19/11 F0042 FLANAGAN'S SOUTH AUTO TIRE CENT 45.00 2703  
56772 12/19/11 G0092 GRUND, BARBARA J. 55.03 2703  
56773 12/19/11 H0018 HAROLD RUBIN/L & H SUPPLY 149.40 2703  
56774 12/19/11 H0073 HOME DEPOT CRC/GECF 99.94 2703  
56775 12/19/11 J0040 JOHNSON & TOWERS, INC. 945.00 2703  
56776 12/19/11 J0053 J & M EMBROIDERY SCREEN PRNTG 720.00 2703  
56777 12/19/11 J0063 JOHNSON WILSHIRE, INC 479.12 2703  
56778 12/19/11 K0014 KEENAN,BRIAN 600.00 2703  
56779 12/19/11 L0031 LORCO PETROLEUM SERVICES 70.00 2703  
56780 12/19/11 L0087 LINE SYSTEMS INC 1,486.85 2703  
56781 12/19/11 M0081 MID-ATLANTIC WASTE SYSTEMS 1,816.00 2703  
56782 12/19/11 M0103 MODERN GAS COMPANY, INC. 62.55 2703  
56783 12/19/11 M0193 MAYNE, MICHAEL 105.53 2703  
56784 12/19/11 M0206 McCARDELL, JOHN 378.66 2703  
56785 12/19/11 M0228 MARMORA AUTO BODY 3,303.67 2703  
56786 12/19/11 N0004 NJ-AMERICAN WATER CO. 181.52 2703  
56787 12/19/11 N0043 NAPA AUTO PARTS OF S.JERSEY 448.19 2703  
56788 12/19/11 N0052 NATL YOUTH SPORTS COACHED ASSN 80.00 2703  
56789 12/19/11 N0068 NJ MOTOR VEHICLE COMMISSION 150.00 2703  
56790 12/19/11 N0100 N.J. LEAGUE OF MUNICIPALITIES 858.00 2703  
56791 12/19/11 O0002 O.C. FIRST NIGHT COMMITTEE 6,607.12 2703  
56792 12/19/11 O0004 O.C. SENTINEL LEDGER INC. 372.00 2703  
56793 12/19/11 O0006 SJSHORE MARKETING,LLC 188.37 2703  
56794 12/19/11 O0012 OCEAN CITY BD. OF EDUCATION 750.00 2703  
56795 12/19/11 O0042 ORCHARDS HYDRAULIC SERVICE INC 285.00 2703  
56796 12/19/11 P0008 PALMER, NANCY 30.53 2703  
56797 12/19/11 P0032 PEDRONI FUEL CO. 1,657.34 2703  
56798 12/19/11 P0036 PENNELLO,DAVID 220.23 2703  
56799 12/19/11 P0056 TURF EQUIPMENT AND SUPPLY CO 12.96 2703  
56800 12/19/11 P0064 PITNEY BOWES 210.00 2703  
56801 12/19/11 P0096 PREVITI,MICHELE M. 518.19 2703  
56802 12/19/11 P0126 PARSONS, MICHAEL 26.25 2703  
56803 12/19/11 R0030 RIGGINS, INC. 7,554.15 2703  
56804 12/19/11 R0044 RODIO TRACTOR SALES INC 1,145.00 2703  
56805 12/19/11 R0046 ROGERS USA, INC. 214.56 2703  
56806 12/19/11 S0072 SEGIN, STEWART S. 27.47 2703  
56807 12/19/11 S0092 SHONE, LEROY 105.92 2703  
56808 12/19/11 S0097 SMH CPR TRAINING CENTER 7.00 2703  
56809 12/19/11 S0113 SMITH,THOMAS G. 507.50 2703  
56810 12/19/11 S0121 SMUZ, THERESE A 15.10 2703  
56811 12/19/11 S0196 STEWART BUSINESS SYSTEMS LLC 117.45 2703  
56812 12/19/11 S0209 STAPLES ADVANTAGE 196.48 2703  
56813 12/19/11 S0239 SHORE VET. ANIMAL CONTROL LLC 2,780.54 2703  
56814 12/19/11 S0254 SHOP RITE 35.74 2703

56815 12/19/11 S240 STERLING HIGH SCHOOL DISTRICT 9,915.00 2703  
56816 12/19/11 T0032 THE PRESS & SUNDAY PRESS 55.64 2703  
56817 12/19/11 T0044 THOMSON, KERRY AGENCY 59,866.00 2703  
56818 12/19/11 T0046 TIFFIN ATHLETIC MATS, INC. 780.00 2703  
56819 12/19/11 T0066 TOWNSHIP OF UPPER 20,100.00 2703  
56820 12/19/11 T0067 TOWNSHIP OF UPPER PETTY CASH 0.70 2703  
56821 12/19/11 T0097 TRICO EQUIPMENT INC. 995.47 2703  
56822 12/19/11 T0131 TROUT, ROSEMARY 73.03 2703  
56823 12/19/11 U0011 UPPER TOWNSHIP BASEBALL 472.50 2703  
56824 12/19/11 U0025 UNITED STATES POSTAL SERVICE 2,000.00 2703  
56825 12/19/11 U0037 UPPER TOWNSHIP P.T.A. 1,163.39 2703  
56826 12/19/11 V0005 VAN EMBDEN, NATHAN, ATTORNEY 450.00 2703  
56827 12/19/11 V0022 VERIZON 184.51 2703  
56828 12/19/11 V0024 VAL-U AUTO PARTS L.L.C. 786.11 2703  
56829 12/19/11 W0038 WILLIAMS, JEREMIAH J. 267.40 2703  
56830 12/19/11 W0050 WIRELESS ELECTRONICS, INC. 78.95 2703

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Total Of All Funds: 196,339.42 0.00