

**TOWNSHIP OF UPPER  
2100 TUCKAHOE ROAD  
PETERSBURG, NJ 08270  
CAPE MAY COUNTY  
MINUTES FOR MAY 14, 2012**

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

**CALL TO ORDER**

**SUNSHINE ANNOUNCEMENT**

**SALUTE TO THE FLAG**

**ROLL CALL**

Edward Barr	Present
Curtis Corson	Present
Antonio Inserra	Present
John “Jay” Newman	Present
Richard Palombo	Present

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

**APPROVAL OF MINUTES -      **April 30, 2012 Regular Meeting and  
Closed Session Minutes****

Motion was made by Jay Newman, second by Anthony Inserra to approve the Minutes as written. During roll call vote four Committee members voted in the affirmative. Mayor Palombo abstained.

**REPORT OF GOVERNING BODY MEMBERS**

**Edward Barr, Committeeman**, gave a brief update regarding sports and recreation; Spring Sports are well underway and we are making good progress with the construction of the Baseball fields at Amanda’s Field.

**Anthony Inserra, Committeeman**, discussed ADA compliance and the accessibility of Township recreation fields. He also requested that the asphalt step on the pier at the Beesley’s Point boat ramp be repaired.

**Curtis Corson, Deputy Mayor**, reported that the 2011 Audit is complete and the findings distributed to Township Committee for their review.

**Jay Newman, Committeeman**, reported on the fundraising event held last Saturday for 10-year-old Olivia Eggie. He thanked the community for their participation and overwhelming support of

the event. He next reported on the Tuckahoe Merchants' Tour-De-Tuckahoe Scholarship event, which was a huge success as well.

**Richard Palombo, Mayor**, reported on upcoming meetings that are scheduled for later this week. One meeting that is scheduled for Wednesday is a meeting with Rockland Capital to discuss a natural gas conversion at the BL England Station. The second meeting is on Thursday, is a Stakeholders meeting with regards to the economic analysis of the Marmora Town Center. He also thanked engineer Paul Dietrich for facilitating the recent installation of signs on Corson Tavern Road.

### **OTHER REPORTS**

**Wanda Gaglione, Municipal Clerk**, requested permission for Deputy Court Administrator, Nancy Palmer, to attend a Court Administrators Conference in Cape May on June 5, 6 and 7, 2012. Motion made by Jay Newman, second by Ed Barr to approve the request. During roll call vote all five Committee members voted in the affirmative.

**Daniel Young, Municipal Attorney**, reported that he had three items for closed session; Contract negotiations-labor attorney, Contract negotiations – Borough of Woodbine and Township of Dennis Shared Services Agreement for Radar Equipped Vehicle and a Personnel matter.

**Paul Dietrich, Municipal Engineer**, made a recommendation to appoint Christopher Chanaux as a part time seasonal public works employee, pending successful pre-employment testing. The Clerk was directed to place a resolution on the next agenda to hire the part time seasonal worker. He next recommended the installation of a streetlight on Crestview Drive to improve safety. Motion was made by Jay Newman, second by Anthony Inserra to approve the request. During roll call vote all five Committee members voted in the affirmative. Lastly he reported that the NJDOT would be completing the shoulder work on Route 50 later this week and that a small drainage improvement project at the intersection of Route 50 and Sunset Road would be completed within the next few weeks.

### **PROCLAMATION**

1. **Honoring Morgan McLees on her selection as New Jersey's Preteen National Teenager 2012.**

**PROCLAMATION  
TOWNSHIP OF UPPER  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY  
HONORING MORGAN MCLEES ON HER SELECTION AS NEW  
JERSEY'S PRETEEN NATIONAL TEENAGER 2012**

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**WHEREAS,** Morgan McLees of Palermo has been crowned New Jersey's Preteen National Teenager 2012 at the state pageant held in Ocean City, NJ; and

**WHEREAS,** Morgan has achieved this distinguished honor because of her exemplary academic achievement, leadership, school and community involvement, communication skills, and individuality; and

**WHEREAS,** Morgan is a 6<sup>th</sup> grade honors student at Upper Township Middle School, participating in the Gifted and Talented Program and the Advanced Math Program. Morgan is also a member of the Student Council, the Young Writers Association, S.O.A.R, Gold Band, and the Drama Club; and

**WHEREAS,** in addition to her busy academic schedule, Morgan is a leader in several community charitable organizations. She is the founder of "Morgan's Smile Factory", whose proceeds benefit a support group for parents of children with Autism, as well as a Leader for the Cape May County Team "Our Children Making Change", which raises money for six charities chosen by the children. She has also participated in the "1 Million Pillowcase Challenge" which supports foster children and patients with cancer; and

**WHEREAS,** through her hard work and dedication Morgan has gracefully accepted the responsibility of being a role model to her peers, and it is appropriate that she be publicly recognized for her many accomplishments and services to the community.

**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 Morgan McLees on her selection as New Jersey's Preteen National Teenager 2012 and extends to her our congratulations and best wishes for her future endeavors.

Proclaimed this 14<sup>th</sup> day of May, 2012  
Richard Palombo, Mayor

## **RESOLUTIONS**

### **2. Appointing Brian Bushong as Truck Driver to the Upper Township Public Works Department.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
R E S O L U T I O N  
RESOLUTION NO.107-2012  
RE: APPOINTING BRIAN BUSHONG AS TRUCK DRIVER TO  
THE UPPER TOWNSHIP PUBLIC WORKS DEPARTMENT**

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**WHEREAS**, a need exists to appoint qualified personnel to various positions within the Upper Township Public Works Department to insure optimal operation; and

**WHEREAS**, this Resolution is intended to ratify the action heretofore taken; 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. Brian Bushong is hereby appointed to a Truck Driver position effective May 4, 2012 at an annual salary of \$47,280.00 in accordance with the Salary Ordinance.

4. This Resolution ratifies, confirms and approves action taken by the Township Committee, by motion, at the meeting of April 30, 2012.

Resolution No.107-2012

Offered by: Newman

Seconded by: Inserra

Adopted: May 14, 2012

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Barr	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>
Corson	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>

Inserra	<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>

**3. Appointing Robert Pelli, Matthew Edwards, and James Heilman as part-time seasonal employees to the Upper Township Public Works Department.**

**TOWNSHIP OF UPPER  
 CAPE MAY COUNTY  
 R E S O L U T I O N  
 RESOLUTION NO.108-2012  
 RE: APPOINTING ROBERT PELLI, MATTHEW EDWARDS, AND JAMES HEILMAN AS  
 PART-TIME SEASONAL EMPLOYEES  
 TO THE UPPER TOWNSHIP PUBLIC WORKS DEPARTMENT**

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**WHEREAS**, a need exists to appoint qualified personnel as part-time seasonal employees to the Upper Township Public Works Department to insure optimal operation; and

**WHEREAS**, a recommendation has been made to the Township Committee and duly considered at the meeting of April 30, 2012; and

**WHEREAS**, this Resolution is intended to ratify the action heretofore taken; 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. Robert Pelli, Matthew Edwards, and James Heilman are hereby appointed in part-time seasonal positions pending successful pre-employment testing at an hourly rate of \$10.50 in accordance with the Salary Ordinance.

3. This Resolution ratifies, confirms and approves action taken by the Township Committee, by motion, at the meeting of April 30, 2012.

Resolution No. 108- 2012

Offered by: Newman

Seconded by: Inserra

Adopted: May 14, 2012

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Barr	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>
Corson	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>
Inserra	<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. **Appointing Kathryn Slaughter as an interim Boat Ramp Attendant on an as needed basis.**

**TOWNSHIP OF UPPER**

**CAPE MAY COUNTY**

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

**RESOLUTION NO. 109-2012**

**RE: APPOINTING KATHRYN SLAUGHTER AS AN INTERIM BOAT RAMP ATTENDANT  
ON AN AS NEEDED BASIS**

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**WHEREAS**, there is a need by the Township of Upper to appoint an interim Boat Ramp Attendant on an as needed basis for the 2012 season.

**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. Kathryn Slaughter is hereby appointed as an interim boat ramp attendant on an as needed basis, at a salary of \$11.50 per hour in accordance with the Salary Ordinance.
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. 109-2012

Offered by: Palombo

Seconded by: Barr

Adopted: May 14, 2012

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Barr	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Corson	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Inserra	<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. Appointing the 2012 Season Beach Patrol personnel.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
R E S O L U T I O N  
RESOLUTION NO.110-2012  
RE: APPOINTING THE 2012 SEASON BEACH PATROL PERSONNEL**

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**WHEREAS**, the individuals hereinafter named have been determined to possess the requisite skills, training and are otherwise eligible for appointment to the position of lifeguard; 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 following individuals are appointed as lifeguards in the Township of Upper at a salary as stated below in accordance with the Salary Ordinance:

**LIEUTENANTS**

<b>WILLIAM STULL</b>	<b>\$15.75 per hour</b>
<b>JOSEPH LAROSA III</b>	<b>\$15.75 per hour</b>
<b>MIKE MANNING</b>	<b>\$15.75 per hour</b>
<b>JOSEPH O'NEIL</b>	<b>\$15.75 per hour</b>

**SENIOR GUARDS**

<b>SPENSER POPESON</b>	<b>\$13.25 per hour</b>
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**RETURNING GUARDS**

ADAM HADLEY	\$10.75 per hour
BETHANY DESMOND	\$10.75 per hour
ALICIA PALOMBO	\$10.75 per hour
DAN PALOMBO	\$11.45 per hour
NICK ROASH	\$11.45 per hour
WILLIAM DOONER	\$11.45 per hour
BLAKE BOFFA	\$11.45 per hour
CARA THOMAS	\$11.45 per hour
ALEX FORSMAN	\$11.75 per hour
GREGORY VAN GILDER	\$11.75 per hour
PAT CURRAN	\$11.75 per hour
RICHARD KELLY	\$11.75 per hour
RODNEY TICE	\$11.75 per hour
JAMES DUGAN	\$11.75 per hour
JON O'NEIL	\$11.75 per hour
WAYNE P. MAC MURRAY	\$11.75 per hour

3. This Resolution shall be effective immediately and is further intended to ratify, confirm and approve any formal action taken by the Township Committee.

Resolution No. 110- 2012

Offered by: Newman

Seconded by: Barr

Adopted: May 14, 2012

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Barr	X			
Corson	X			
Inserra	X			
Newman	X			
Palombo			X	

## 6. Tax Refund

### **TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION Resolution No.111-2012 TAX REFUND**

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WHEREAS, certain corrections have been recommended by the Upper Township Tax Collector in order to refund monies,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Upper, Cape May County, that corrections to the Tax records are hereby authorized and the Tax Collector is hereby directed to correct said records or take such action as indicated on the attached sheet.



Resolution No. 111-2012

Offered by: Corson      Seconded by: Barr

Adopted: May 14, 2012

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
BARR	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
CORSON	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
INSERRA	<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>

**REFUND 2011**

BLOCK/LOT	AMOUNT	NAME
825/2	\$6,390.18	ANNE BONNER 1029 TYLER DR NEWTOWN SQUARE, PA 19073
862/3	\$10,480.00	ALBERT L & SUZANNE D LORD 1805 RIVERWATCH CT ANNAPOLIS, MD 21401

**2011 STATE TAX COURT APPEAL.**

**7. Approving the application of the Upper Township Rescue Squad for Highway Coin Drops.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
R E S O L U T I O N  
RESOLUTION NO. 112-2012  
RE: APPROVING THE APPLICATION OF THE UPPER TOWNSHIP RESCUE SQUAD  
FOR HIGHWAY COIN DROPS**

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**WHEREAS**, the Upper Township Rescue Squad, a non-profit corporation providing emergency medical and rescue services, has made application to the Township Committee to hold coin drop solicitations in Upper Township; and

**WHEREAS,** the Township Committee has approved the requests; and

**WHEREAS,** the requests require approval from the County of Cape May;

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

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

2. The application of the Upper Township Rescue Squad to hold a coin drop within Upper Township on County Route 623 (Roosevelt Boulevard) and Vernon Avenue is hereby approved for the following dates:

Saturday, June 23, 2012 from 8:00 a.m. to 4:00 p.m.;

AND

Saturday, July 21, 2012 from 8:00 a.m. to 4:00 p.m.

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

4. A certified copy of this Resolution shall be provided to the Board of Chosen Freeholders of the County of Cape May.

Resolution No. 112-2012

Offered by: Newman  
Adopted: May 14, 2012  
Roll Call Vote:

Seconded by: Inserra

NAME	YES	NO	ABSTAINED	ABSENT
Barr	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Corson	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Inserra	<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>

**8. A Resolution supporting the realignment of mail delivery Postal ZIP Code Boundary 08223.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
R E S O L U T I O N  
RESOLUTION NO. 113 -2012  
RE: A RESOLUTION SUPPORTING THE REALIGNMENT OF  
MAIL DELIVERY POSTAL ZIP CODE BOUNDARY 08223**

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**WHEREAS**, the Township of Upper's incorporated township limits are included in different ZIP Code boundaries including post office zip codes as follows: 08223 Marmora; 08230 Ocean View; 08270 Woodbine; 08250 Tuckahoe; and 08248 Strathmere; and

**WHEREAS**, the Township has received numerous complaints from residents concerning the delay and inconvenience of some mail service, as well as the adverse effects in dealing with those unfamiliar with the geographic area; and

**WHEREAS**, the widespread use of ZIP Codes for non-postal purposes has exacerbated problems for those citizens whose mailing addresses do not match their actual town of residence; and

**WHEREAS**, the aforementioned problems include misdirected sales tax revenues, voter and school registration confusion, negative effects on property values, and misdirection of emergency service vehicles; and

**WHEREAS**, the communities of Greenfield, Marshallville, Petersburg, Steelmantown, Palermo, and Seaville are also robbed of their community identity by the need to use mailing addresses from the neighboring towns of Woodbine and Ocean View, both of which are located in different municipalities; and

**WHEREAS**, the Township of Upper seeks to realign the boundaries of the mail delivery 08223 ZIP Code to include all of Upper Township, and thereby eliminating the use of the 08230 and 08270 ZIP Codes for mail delivery; and

**WHEREAS**, Tuckahoe 08250, and Strathmere 08248, being non-delivery Post Office Zip Codes, will remain unchanged.

**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 of the Township of Upper hereby formally requests the United States Postal Service to consider the realignment of the Marmora 08223 ZIP Code to include all communities in Upper Township for mail delivery.
3. All Township officials and officers are hereby authorized and empowered to take such action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 113-2012

Offered by: Inserra

Seconded by: Barr

Adopted: May 14, 2012

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Barr	<u>X</u>	___	___	___
Corson	<u>X</u>	___	___	___
Inserra	<u>X</u>	___	___	___
Newman	<u>X</u>	___	___	___
Palombo	<u>X</u>	___	___	___

**9. A Resolution supporting full reinstatement and permanent Open Space PILOT funding.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
R E S O L U T I O N  
RESOLUTION NO. 114-2012  
RE: A RESOLUTION SUPPORTING FULL REINSTATEMENT  
AND PERMANENT OPEN SPACE PILOT FUNDING**

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**WHEREAS**, the preservation of Open Space benefits all New Jersey citizens; and

**WHEREAS**, it does, however, impose costs on the citizens of the host municipality; denying them the economic, budgetary and property tax rate benefits of a developed ratable; and

**WHEREAS**, in recognition of these facts, the State of New Jersey has pledged to provide host municipalities with Payments In Lieu Of Taxes (PILOTs); and

**WHEREAS**, these PILOTs serve two crucial public policy purposes; first, providing property tax relief, and second, promoting environmental protection; and

**WHEREAS**, in recognition of those dual benefits, and of the lost opportunity costs imposed on the host municipalities a long line of Governors, Legislatures and Commissioners of Environmental Protection have seen the fairness of consistently making the promised Payments In Lieu of Taxes; and

**WHEREAS**, the policy has been ratified by the citizens of New Jersey, who have, consistently, approved ballot questions that would provide funding to meet Open Space PILOT needs; and

**WHEREAS**, the municipalities that host preserved Open Spaces tend to be less populous, and more extensive, than the average New Jersey municipality; yet they, too, will need to serve their citizens within the constraints of the 2% levy cap; and

**WHEREAS**, in recent budgetary years, State policy makers have made immediate cuts in PILOT funding; and

**WHEREAS**, these cuts have had devastating budgetary impacts on the residents of host municipalities; and

**WHEREAS**, the Township Committee of the Township of Upper believe that these cuts have unfairly damaged host municipalities and urge State policy makers to correct this unfairness and fully reinstate and permanently fund Open Space PILOT funding.

**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 of the Township of Upper does, hereby, call on all State policy makers to reaffirm their commitment to property tax relief, environmental protection and fiscal fairness by reversing the decision to cut Open Space PILOT funding and support the full reinstatement and permanent funding of PILOT Open Space Funding.

3. A copy of this Resolution shall be forwarded to Governor Christie, Lieutenant Governor Guadagno, Environmental Protection Commissioner Bob Martin, Community Affairs Commissioner Richard E. Constable III, State Senator Jeff VanDrew, Representatives Nelson T. Albano and Matthew W. Milam, and to the New Jersey League of Municipalities.

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

Resolution No. 114-2012

Offered by: Newman

Seconded by: Corson

Adopted: May 14, 2012

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Barr	<u>X</u>	___	___	
Corson	<u>X</u>	___	___	
Inserra	<u>X</u>	___	___	
Newman	<u>X</u>	___	___	
Palombo	<u>X</u>	___	___	

**10. Annual Stormwater report and certification. Accepting the annual Stormwater report and certification, and authorizing the Township Engineer to electronically sign and submit it to the NJDEP pursuant to stormwater rules.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
R E S O L U T I O N  
RESOLUTION NO.115-2012  
ANNUAL STORMWATER REPORT AND CERTIFICATION  
ACCEPTING THE ANNUAL STORMWATER REPORT AND CERTIFICATION, AND AUTHORIZING  
THE TOWNSHIP ENGINEER TO ELECTRONICALLY SIGN AND SUBMIT IT TO THE NJDEP  
PURSUANT TO STORMWATER RULES**

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WHEREAS, the State of New Jersey on January 5, 2004  
adopted stormwater rules which impact municipalities; and

WHEREAS, under the aforesaid stormwater rules municipalities are required to apply for permits and provide reports and certifications to the NJDEP; and

WHEREAS, the Township Committee of the Township of Upper has determined that the Township should make the appropriate applications for permits and prepare appropriate reports pursuant to the stormwater rules; and

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

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

2. The Township Committee hereby accepts the Stormwater Annual Report.

3. The Township Engineer is hereby authorized to execute said Report and Certification electronically pursuant to the stormwater rules of the State of New Jersey, which Report and Certification are attached hereto as Exhibit A.

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

Resolution No.115-2012  
Offered by: Newman

Seconded by: Inserra

Adopted: May 14, 2012

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Barr	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>
Corson	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>
Inserra	<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>

**11. Designating certain Strathmere beach areas in the Township of Upper as a Surfing Beach and a Catamaran/Sailboat Beach for the 2012 summer season.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
R E S O L U T I O N  
RESOLUTION NO. 116-2012  
RE: DESIGNATING CERTAIN STRATHMERE BEACH AREAS IN  
THE TOWNSHIP OF UPPER  
AS A SURFING BEACH AND A CATAMARAN/SAILBOAT BEACH  
FOR THE 2012 SUMMER SEASON**

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**WHEREAS**, in accordance with Chapter IX entitled *Recreational Facilities*, of the Revised General Ordinances it is necessary to designate certain beach areas along the Strathmere shore in the Township of Upper strictly for the use of surfboards, sailboats, catamarans and other similar devices, for the 2012 summer season. **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. It has been determined by the Township Committee that for the 2012 summer season:
  - **Surfing Beach: Between Vincent Avenue and Sherman Avenue**
  - **Catamaran/ Sailboat Beach: Between Prescott Avenue and Nelson Avenue**
3. A map designating these areas has been provided by the Township Engineer and shall be attached hereto as Exhibit A.
4. In accordance with the Revised General Ordinances of the Township of Upper, use of the designated beaches for surfboards, sailboats, catamarans, etc. are permitted only between the hours of 6:00 AM and 9:00 PM. Swimming on the beach areas designated above is prohibited except in front of lifeguard stand. Owners of permitted catamarans as defined in the ordinance are required to obtain a license from the Township Clerk's Office.
5. During imminent storm all watercraft shall be removed from the designated beach areas.

Resolution No. 116-2012



Offered by: Newman  
Adopted: May 14, 2012  
Roll Call Vote:

Seconded by: Barr

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Barr	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>
Corson	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>
Inserra	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>
Newman	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>
Palombo	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>

**12. Authorizing a Shared Services Agreement with the City of Linwood for use of facilities, equipment and supplies for truck and equipment washing.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
R E S O L U T I O N  
RESOLUTION NO. 117 -2012  
RE: AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE  
CITY OF LINWOOD FOR USE OF FACILITIES, EQUIPMENT AND SUPPLIES FOR  
TRUCK AND EQUIPMENT WASHING**

---

**WHEREAS**, the City of Linwood has indicated a desire to enter into a Shared Services Agreement with the Township of Upper use of facilities, equipment and supplies for truck and equipment washing; and

**WHEREAS**, collectively, the Shared Services Agreement being authorized will significantly reduce the cost of providing this service; and

**WHEREAS**, the Township of Upper has deemed it to be in the Township's interest to provide the service to the City of Linwood for a fee pursuant to the Shared Services Agreement; and

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

1. SHARED SERVICES AGREEMENT. Pursuant to the provisions of the Uniformed Shared Services Act, (N.J.S.A. 40A:65-1, et seq.) the Township of Upper is hereby

authorized and empowered to enter into a Shared Services Agreement with the City of Linwood use of facilities, equipment and supplies for truck and equipment washing.

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

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

4. COMPLIANCE WITH STATUTORY REQUIREMENTS. The Shared Services Agreement between the City of Linwood and the Township of Upper shall meet and satisfy the requirements of N.J.S.A. 40A:65-1, et seq., as same may be amended and supplemented.

5. CONTRACT TERM. The term of this Agreement is for the period of one year from date of full execution.

6. SEVERABILITY. If any section, subsection, paragraph, sentence or other part of this Resolution is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Resolution, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Resolution directly involved in the

controversy in which said judgment shall have been rendered and all other provisions of this Resolution shall remain in full force and effect.

7. REPEALER. All Resolutions or parts of Resolutions inconsistent herewith are hereby repealed to the extent of such inconsistency only.

8. EFFECTIVE DATE: This Resolution shall take effect immediately upon final adoption and publication in the manner provided by law.

Resolution No. 117-2012

Offered by: Inserra

Seconded by: Palombo

Adopted: May 14, 2012

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Barr	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Corson	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Newman	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Inserra	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Palombo	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>

### **13. Endorsing Wastewater Facilities and Service Areas Map.**

#### **TOWNSHIP OF UPPER CAPE MAY COUNTY R E S O L U T I O N RESOLUTION NO. 118 -2012**

#### **RE: ENDORSING WASTEWATER FACILITIES AND SERVICE AREAS MAP**

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**WHEREAS**, pursuant to state regulations, municipal water quality management plans must be in compliance with its regional wastewater management planning agency which, in the case of Upper Township, requires that same be in compliance with the Cape May County Wastewater Management Plan; and

**WHEREAS**, on January 17, 2012, the New Jersey State Legislature adopted an Act (P.L.2011, c.203) requiring that, within 180 days, each wastewater management planning agency prepare and submit an existing and future sewer service area map to the New Jersey Department of Environmental Protection as a foundational document of the county's future wastewater management plan; and

**WHEREAS**, in conjunction with the Cape May County Planning Department and Maser Consulting, P.A., the Township of Upper has developed its Future Wastewater Facilities and Service Areas Map prepared by Paul E. Dietrich, Sr., Professional Engineer, dated April 2012 (attached hereto); and

**WHEREAS**, the duly advertised public meeting of the Upper Township Planning Board occurring on April 19, 2012, the Upper Township Planning Board discussed the Future Wastewater Facilities and Service Areas Map, accepted public comment, and deemed same satisfactory to the Board pursuant to NJSA 40:55D-28, a municipality's planning board is required to adopt and amend its Master Plan to guide the use of lands within the municipality in a manner which protects the public health and safety and promotes the general welfare

**WHEREAS**, at a meeting of the Township Committee occurring on April 30, 2012 that the Upper Township Committee did discuss the Future Wastewater Facilities and Service Areas Map and the Upper Township Planning Board's Special Resolution.

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township Committee does hereby endorse the attached Future Wastewater Facilities and Service Areas Map for purposes of delineating potential future wastewater facilities and service areas within the Township of Upper for purposes of submission of same to the Cape May County Planning Department and New Jersey Department of Environmental Protection;
3. A copy of this Resolution with the attached Wastewater Facilities and Service Areas Map be forwarded to the Cape May County Planning Department for their review and consideration.

Resolution No. 118-2012

Offered by: Newman

Seconded by: Barr

Adopted: May 14, 2012

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Barr	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>
Corson	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>
Inserra	<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>

**14. Appointment of J.P. Bainbridge & Associate, Inc. and J. Paul Bainbridge as an Appraiser for the Township of Upper.**

TOWNSHIP OF UPPER

CAPE MAY COUNTY

R E S O L U T I O N

RESOLUTION NO. 119-2012

RE: APPOINTMENT OF J. P. BAINBRIDGE & ASSOCIATES, INC. AND  
J. PAUL BAINBRIDGE AS AN APPRAISER FOR THE TOWNSHIP OF UPPER

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WHEREAS, the Township requires an appraiser to provide services to obtain the fair market value of lots and beach easements in the Township with respect to the acquisition of said easements or said lots as required or appropriate to complete ongoing condemnation actions; and

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

WHEREAS, J.P. Bainbridge & Associates, Inc. and J. Paul Bainbridge have completed and submitted a Business Entity Disclosure Certification which certifies that J.P. Bainbridge & Associates, Inc. and J. Paul Bainbridge have not made any reportable contributions to a political or candidate committee in the Township that would bar the award of this contract and that the contract will prohibit J.P. Bainbridge & Associates, Inc. and J. Paul Bainbridge from making any reportable contributions through the term of the contract; and

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

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

2. J.P. Bainbridge & Associates, Inc. and J. Paul Bainbridge with offices at 6 Woodland Road, Cape May Court House, New Jersey is hereby appointed appraiser for the Township of Upper to provide services relating to the appraisal of lots and beach easements on lots in the Township as may be necessary in connection with anticipated beach replenishment projects in the Township and ongoing condemnation actions.

3. The contract shall have a term of one (1) year from date of full execution.

4. This Contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the New Jersey Local Public Contract Law because J.P. Bainbridge & Associates, Inc. and J. Paul Bainbridge have professional knowledge as to appraisal issues which knowledge is particularly valuable to the Township Committee and this service is acquired as a non-fair and open contract pursuant to N.J.S.A. 19:44A-2.05.

## NOTICE OF CONTRACT AWARD

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

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

7. The contractor has registered with the State of New Jersey pursuant to c.57, Laws of 2004 and has provided proof of that registration to the Township of Upper.

8. The Mayor and the Township Clerk are hereby authorized and directed to execute, on behalf of the Township of Upper, a Professional Contract with J.P. Bainbridge & Associates, Inc. and J. Paul Bainbridge in accordance with the terms and provisions of the Local

Public Contracts Law, subject to and in accordance with the limitations imposed herein. Upon execution of all parties thereto said contract shall become effective.

9. A copy of this Resolution shall be published in the official newspaper of the Township of Upper within ten (10) days from the date of adoption.

10. This Resolution shall be effective as of adoption.

Resolution No. 119-2012

Offered by: Newman

Seconded by: Corson

Adopted: May 14, 2012

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Barr	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>
Corson	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>
Inserra	<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**

**15. Public Hearing and Final Adoption of Ordinance No. 004-2012 Re: AN  
ORDINANCE AUTHORIZING THE EXCHANGE OF CERTAIN PARCELS  
OWNED BY THE TOWNSHIP OF UPPER FOR A ROADWAY EASEMENT  
SUBJECT TO CERTAIN TERMS AND CONDITIONS.**

During the public comment section of the public hearing there were no speakers. Motion by Jay Newman, second by Curtis Corson to adopt Ordinance No. 004-2012. During roll call vote all five Committee members voted in the affirmative.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
O R D I N A N C E  
ORDINANCE NO. 004-2012**



**RE: AN ORDINANCE AUTHORIZING THE EXCHANGE OF CERTAIN PARCELS  
OWNED BY THE TOWNSHIP OF UPPER FOR A ROADWAY EASEMENT SUBJECT  
TO CERTAIN TERMS AND CONDITIONS**

---

**WHEREAS**, the Township of Upper is the owner, in fee, of certain parcels of vacant ground located within the Township of Upper, County of Cape May, and State of New Jersey; and

**WHEREAS**, the Township has received an offer from Lana Shapiro to exchange certain lands for a roadway easement; and

**WHEREAS**, after discussion and deliberation, the Township Committee is of the opinion that the exchange will be in the best interest of the Township in that it will rectify title issues with respect to the existing paved portions of Ocean Avenue as well as allow a private party to aggregate existing Township lands that are currently not being utilized; and

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

**SECTION 1:** Subject to the provisions herein set forth, the Township of Upper is authorized to exchange certain lands owned by it with a roadway easement over lands owned by Lana Shapiro more particularly described as follows:

- (A) The Township lands to be conveyed to Lana Shapiro are as follows: Block 624, Lots 3 and 43.
- (B) Lana Shapiro shall convey to the Township a roadway easement over Block 624, Lots 43, 44, 45 and 46 as more particularly described in the legal description attached hereto as Exhibit A.

**SECTION 2:** In addition to the conveyance of the aforesaid lots by the Township to Lana Shapiro the Township shall pay cash consideration in the amount of \$1,691.00. This

additional consideration is based on the fair market value of Lot 3 and Lot 43, Block 624 of \$1,050 per lot and the fair market value of the roadway easement area (1,516.5 sq. ft.) of \$3,791.00 in accordance with appraisals prepared by Louis A. Bonato for such properties. Pursuant to N.J.S.A. 40A:12-16 said full and fair value is consistent with that determined by the Tax Assessor of Upper pursuant to N.J.S.A. 54:4-23.

**SECTION 3:** The exchange of lands authorized in Sections 1 and 2 hereof is expressly conditioned and contingent upon the following:

- (A) The parties shall execute an agreement detailing the specifics of the entire transaction. Said agreement shall contain the terms and provisions of this Ordinance and such other terms and conditions as the Township deems appropriate to effectuate the purposes of this Ordinance.
- (B) Title reports shall be prepared by a title abstracting company and title underwriter acceptable to the Township and Lana Shapiro. The title reports must, at a minimum, provide evidence that the properties to be exchanged are owned, in fee simple, by the parties who shall be conveying same, and that title is marketable and insurable at regular rates and there are no liens, encumbrances or conditions, reservations or restrictions of record which would interfere with the intended use of the properties by the Grantee.
- (C) The agreement between the parties shall expressly provide that the exchange of lands and all contingencies and conditions contained in said agreement are inter-dependent and one shall not occur without the other. To that end, the parties agree that the exchange shall occur simultaneously.

(D) Any property to be conveyed herein shall be conveyed by Bargain and Sale Deed and Deed of Easement. Each party shall bear the cost of the preparation of the deed conveying the property to the other. Each party shall be solely responsible for the cost of title searches and title insurance covering the parcels or interests received by such party as a result of the exchange of lands.

(E) With respect to the property being conveyed by the Township, the conveyance is under and subject to any riparian claim which may affect said property. In addition, the Township makes no representation as to the ability of the property to obtain a building permit or any other governmental approval. Lana Shapiro is required to comply with all applicable zoning, building and health ordinances, codes and regulations. The property to be transferred by the Township may be situated in a flood hazard zone. The Township of Upper makes no warranties or representations, expressed or implied, as to the property being transferred, the condition or marketability of title or any other matter. The Township of Upper makes no warranties or representations, expressed or implied, as to whether or not the property being transferred contains wetlands anywhere on the property. The Township of Upper makes no warranties or representations as to any matter of an environmental nature, or otherwise, which may prevent or limit building or construction or use of the property.

(F) The agreement between the parties for the exchange of interests herein shall contain a provision whereby the Township of Upper may inspect the roadway easement area for any and all physical conditions or environmental concerns.

If for any reason the Township of Upper deems the property not to be suitable for its intended purposes, the Township of Upper may cancel the agreement with no further liability between the parties.

**SECTION 4:** This Ordinance shall take effect immediately upon final adoption and publication as required by law.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 16TH DAY OF APRIL, 2012 AND WILL BE TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER TO BE HELD ON THE 14th DAY OF MAY, 2012 AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY.

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

WANDA GAGLIONE, TOWNSHIP CLERK  
TOWNSHIP OF UPPER

#### **CORRESPONDENCE**

#### **NEW BUSINESS**

16. **Request to purchase Township owned property at Block 501, Lot 21, Elmwood Avenue, Marmora.** Motion made by Jay Newman, second by Curtis Corson to approve the request. During roll call vote all five Committee members voted in the affirmative.
17. **Parish of Maximilian Kolbe request to hold 50/50 Raffle on August 12, 2012 at Church of the Resurrection, Marmora.** Motion was made by Jay Newman, second by Anthony Inserra to approve the request. During roll call vote all five Committee members voted in the affirmative.
18. **Greater Tuckahoe Area Merchants Association request to use the Tuckahoe Beach on August 5, 2012 for the Annual Canoe and Kayak Race.** Motion was made by Curtis Corson, second by Jay Newman to approve the request. During roll call vote all five Committee members voted in the affirmative.

#### **UNFINISHED BUSINESS:**

#### **DISCUSSION**

#### **PAYMENT OF BILLS:**

19. **“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 seconded by Curtis Corson. During roll call vote all five Committee members voted in the affirmative.

Payroll: \$164,924.21

#### **REPORT OF MUNICIPAL DEPARTMENTS:**

- 20. **Construction Code**
- 21. **Clerk’s Office**
- 22. **Tax Assessor**
- 23. **Tax Collector**
- 24. **Finance Office**
- 25. **Department of Public Works**
- 26. **Municipal Court**
- 27. **Zoning Officer Report**

Reports are available in the Clerk’s Office.

#### **PUBLIC COMMENT**

**Kyle Conrad, 4 Berwyn Drive**, thanked Chief Potter, members of the Upper Township Rescue Squad, Chief Chatten and members of the Tuckahoe Fire department for their quick response to an ATV accident he was recently involved in. He also thanked the Committee for their care and concern. His father, Frank Conrad also spoke and thanked the Rescue Squad. He stated that he feels that if not for the Rescue Squad’s care that his son might not have been here tonight.

**Karen Gallagher, 20 Cedar Lane Seaville**, discussed that she was recently involved in a motor vehicle incident on Route 50 in Seaville when a tree fell on her car. In an effort to assist her, the Township Committee directed Paul Dietrich to contact the NJDOT for information on the owner of the property and to determine responsibility for trees hanging over the road in that area.

**George Dress, member, Tuckahoe Merchants Association** thanked the Committee for their continued support and for the use of Amanda’s Field for the Tour de Tuckahoe event. He next requested use of Amanda’s field for a car show. Committeeman Barr directed him to submit a facility use application to Deputy Clerk, Barbara Young. She will check the availability Amanda’s field and advise him of the requirements for use of the field.

**Hobie Young, President, Storm Football Association**, asked if the scheduling conflict had been resolved for Amanda’s Field for May 20<sup>th</sup> for the Storm Football Association and Upper Township Lacrosse. Hobie Young originally requested use of the fields for June 20<sup>th</sup> in error and when it was discovered he requested the wrong date another event had already been scheduled for May 20<sup>th</sup>. Mr. Dietrich is rearranging the field use to accommodate both events and will confirm the schedule tomorrow. Mr. Young thanked Township employees and the Committee for their help with scheduling the upcoming event.

**Russell Morano, 5 Red Oak Drive, Palermo**, complimented engineer Dietrich and Township Clerk, Wanda Gaglione for facilitating the placement of the Bill list on the Township website prior to the Committee meeting.

### **CLOSED SESSION**

- 28. Resolution to conduct a closed meeting pursuant to N.J.S.A. 10:4-12, from which the public shall be excluded. The following items may be discussed in closed session:** The following resolution was read into the record by Jay Newman.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION NO. 120-2012  
MOTION GOING INTO CLOSED SESSION  
May 14, 2012**

---

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 negotiations – labor attorney
2. Contract negotiations – Borough of Woodbine and Township of Dennis Shared Services Agreement for Radar Equipped Vehicle
3. Personnel matters

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

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

Moved by Jay Newman

Motion seconded by Curtis Corson

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

### **RECONVENE PUBLIC PORTION OF MEETING**

## **ADJOURNMENT**

There was no further business for this evening and the meeting was adjourned at 9:00 P.M. The next meeting is scheduled for **Tuesday** May 29<sup>th</sup> at 7:30 P.M.

Minutes prepared by

Wanda Gaglione, RMC  
Municipal Clerk

### **Bill List**

57519	05/14/12	A0004	A+ COMMERCIAL OFFICE CLEANERS	250.00	2728
57520	05/14/12	A0006	ADVANCE TREADS INC	237.00	2728
57521	05/14/12	A0018	ACTION SUPPLY INC.	238.80	2728
57522	05/14/12	A0021	ADAMS, GEORGE E. JR.	149.98	2728
57523	05/14/12	A0025	ADVANTAGE RENTAL ACE HARDWARE	570.97	2728
57524	05/14/12	A0070	ALBERTSONS/ACME	0.00	2728
57525	05/14/12	A0091	ATLANTIC CITY ELECTRIC	14,072.98	2728
57526	05/14/12	A0122	ANSELL,ZARO,GRIMM & AARON	1,050.00	2728
57527	05/14/12	A0125	AVALON WEED & INSECT CONTROL	1,994.00	2728
57528	05/14/12	A0137	ADVANTAGE EQUIPMENT SERVICE	97.50	2728
57529	05/14/12	A0166	Association of NJ Recyclers	65.00	2728
57530	05/14/12	B0035	BELMONT & CRYSTAL SPRINGS	237.52	2728
57531	05/14/12	B0093	BARRY,CORRADO,GRASSI, P.C.	6,597.50	2728
57532	05/14/12	B0178	BUGANSKI,PETER R.	76.96	2728
57533	05/14/12	B0206	BEACHCARTS, USA	934.40	2728
57534	05/14/12	C0008	CMC COURT ADMINISTRATORS ASSOC	200.00	2728
57535	05/14/12	C0019	CITY OF OCEAN CITY	53,555.00	2728
57536	05/14/12	C0061	CAPRIONI FAMILY SEPTIC	620.00	2728
57537	05/14/12	C0068	COMCAST	224.39	2728
57538	05/14/12	C0071	CAPEHART & SCATCHARD, P.A.	68.00	2728
57539	05/14/12	C0146	COLLINS IRON WORKS, INC.	259.46	2728
57540	05/14/12	C0223	CASA PAYROLL SERVICE	228.35	2728
57541	05/14/12	C0230	CATAMARAN MEDIA COMPANY	108.00	2728
57542	05/14/12	C0242	CORE MECHANICAL, INC.	984.89	2728
57543	05/14/12	C0246	CRAFT OIL CORPORATION	2,775.94	2728
57544	05/14/12	E0052	EDWARDS, MATTHEW	26.00	2728
57545	05/14/12	F0013	FARM RITE INC.	209.98	2728
57546	05/14/12	F0048	FOGG, LESLIE INC.	203.78	2728
57547	05/14/12	G0002	GAGLIONE, WANDA	211.89	2728
57548	05/14/12	G0016	GARDNER HARDWARE INC.	18.22	2728
57549	05/14/12	G0057	GLOBALSTAR USA LLC	84.98	2728
57550	05/14/12	G0096	GRUND, GEORGE	98.46	2728
57551	05/14/12	H0002	H.A. DEHART & SON CORP.	3,628.27	2728
57552	05/14/12	H0018	HAROLD RUBIN/L & H SUPPLY	303.58	2728
57553	05/14/12	H0083	HUBER LOCKSMITHS, INC.	40.00	2728
57554	05/14/12	H0131	HPI PROCESSES, INC	1,191.63	2728
57555	05/14/12	H0143	HEYER, GRUEL & ASSOC., PA	2,250.00	2728
57556	05/14/12	J0014	JC MILLER'S	945.17	2728
57557	05/14/12	K0074	KERWOOD, WILLIAM G	1,125.00	2728
57558	05/14/12	L0031	LORCO PETROLEUM SERVICES	232.10	2728
57559	05/14/12	L0072	LLOYD, JOEL	51.96	2728
57560	05/14/12	M0007	MCAA OF NJ	90.00	2728
57561	05/14/12	M0055	MAY, JUDITH	150.00	2728
57562	05/14/12	M0059	MCDANIELS, WILLIAM J. III	234.33	2728
57563	05/14/12	M0080	McMANIMON & SCOTLAND,L.L.C.	1,151.54	2728
57564	05/14/12	M0188	MCCARTHY TIRE SERVICE OF PHILA	1,723.48	2728
57565	05/14/12	M0222	MUNICIPAL CAPITAL CORPORATION	392.00	2728
57566	05/14/12	N0004	NJ-AMERICAN WATER CO.	86.33	2728
57567	05/14/12	N0043	NAPA AUTO PARTS OF S.JERSEY	170.11	2728
57568	05/14/12	N0046	NJ EMERGENCY PREPAREDNESS ASSO	150.00	2728
57569	05/14/12	N0052	NATL YOUTH SPORTS COACHED ASSN	1,720.00	2728
57570	05/14/12	N0070	MARSH & MCLENNAN AGENCY, LLC	1,333.34	2728

57571 05/14/12 N0112 NJ MUNICIPAL COURT LAW REVIEW 20.00 2728  
 57572 05/14/12 O0038 OSBORN, JAMES 77.98 2728  
 57573 05/14/12 O0042 ORCHARDS HYDRAULIC SERVICE INC 1,660.54 2728  
 57574 05/14/12 P0032 PEDRONI FUEL CO. 2,813.06 2728  
 57575 05/14/12 P0073 POGUE INC. 133.00 2728  
 57576 05/14/12 P0117 PYROTECNICO 3,000.00 2728  
 57577 05/14/12 P0121 PENGUIN COMMUNICATION LLC 42.24 2728  
 57578 05/14/12 Q0008 QUILL CORPORATION 794.70 2728  
 57579 05/14/12 R0030 RIGGINS, INC. 7,752.92 2728  
 57580 05/14/12 R0092 RUTGERS, THE STATE UNIVERSITY 528.00 2728  
 57581 05/14/12 S0051 SEAL MASTER PRODUCTS & SERVICE 350.00 2728  
 57582 05/14/12 S0056 SEASHORE ASPHALT CORPORATION 189.20 2728  
 57583 05/14/12 S0108 SOUTHERN NEW JERSEY NIGP 30.00 2728  
 57584 05/14/12 S0112 SOUTH JERSEY COURT ADM. ASSOC. 90.00 2728  
 57585 05/14/12 S0139 SO. JERSEY WATER COND. INC. 340.50 2728  
 57586 05/14/12 S0161 SPICA STEEL, INC./J.D.L.GARAGE 110.00 2728  
 57587 05/14/12 S0196 STEWART BUSINESS SYSTEMS LLC 105.75 2728  
 57588 05/14/12 S0209 STAPLES ADVANTAGE 1,739.11 2728  
 57589 05/14/12 S0239 SHORE VET. ANIMAL CONTROL LLC 552.50 2728  
 57590 05/14/12 S0253 SAMPLE MEDIA, INC. 132.30 2728  
 57591 05/14/12 T0022 TERMINIX 53.00 2728  
 57592 05/14/12 T0032 THE PRESS & SUNDAY PRESS 101.43 2728  
 57593 05/14/12 T0067 TOWNSHIP OF UPPER PETTY CASH 13.25 2728  
 57594 05/14/12 T0074 TRANSAXLE LLC 1,090.81 2728  
 57595 05/14/12 T0085 TREASURER, STATE OF NEW JERSEY 331.00 2728  
 57596 05/14/12 T0097 TRICO EQUIPMENT INC. 392.86 2728  
 57597 05/14/12 T0131 TROUT, ROSEMARY 82.38 2728  
 57598 05/14/12 U0003 U.S. MUNICIPAL SUPPLY, INC. 985.12 2728  
 57599 05/14/12 U0013 U.T. WRESTLING ASSOC. 26.25 2728  
 57600 05/14/12 U0030 UPPER TOWNSHIP LACROSSE 78.50 2728  
 57601 05/14/12 V0013 VERIZON WIRELESS 660.92 2728  
 57602 05/14/12 V0022 VERIZON 190.40 2728  
 57603 05/14/12 V0024 VAL-U AUTO PARTS L.L.C. 336.82 2728  
 57604 05/14/12 V0027 VANORDER, ROGER 189.53 2728  
 57605 05/14/12 W0050 WIRELESS ELECTRONICS, INC. 150.00 2728  
 57606 05/14/12 Y0008 YOUNG, DANIEL J. ESQUIRE PC 15,143.20 2728  
 57607 05/14/12 Y0023 YOUNG, DANIEL J. ATTORNEY 2,625.00 2728  
 Total Paid: \$146,331.06

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