

**TOWNSHIP OF UPPER  
2100 TUCKAHOE ROAD  
PETERSBURG, NJ 08270  
CAPE MAY COUNTY  
MINUTES FOR JULY 9, 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 Deputy Municipal Clerk Barbara Young, Finance Officer Barbara Spiegel, Municipal Attorney Daniel Young and Municipal Engineer Paul Dietrich.

**APPROVAL OF MINUTES - June 25, 2012 Regular Meeting and**

**Closed Session Minutes**-Motion by Anthony Inserra, second by Jay Newman to approve the Minutes as written. During roll call vote all five Committee members voted in the affirmative.

**REPORT OF GOVERNING BODY MEMBERS**

**Ed Barr, Committeeman**, reported on the Township’s 4th of July festivities; everyone enjoyed Strathmere’s Centennial Celebration and the Fireworks at Amanda’s Field.

**Jay Newman, Committeeman**, reported that he was pleased to present a resolution to the Strathmere Improvement Association on behalf of the Township honoring them for their Centennial Celebration. In addition, the Fireworks at Amanda’s Field went well and everyone observed the “No Parking” signs on Route 50 and parked inside the recreation complex, which made traffic control much safer and easier to manage. Mr. Newman next reported that he attended a meeting this morning with representatives of the New Jersey Turnpike Authority along with Deputy Mayor Corson and Paul Dietrich. They discussed the demolition and replacement of the existing southbound bridges carrying the Garden State Parkway over the Great Egg Harbor Bay. The demolition of the Beesley’s Point Bridge, currently owned by the Cape May County Bridge Commission, will also be included in this contract. The Turnpike Authority expects to begin construction in the Spring of 2013. He next reported on the storm that passed through the Township the weekend of June 30, 2012, although emergency personnel responded to a multitude of calls throughout the Township, our community fared well in comparison to neighboring communities.

**Richard Palombo, Mayor**, discussed that the Beach Patrol Captain has reported issues with boats pulling up to and onto the Catamaran Beach while bathers are present. The Catamaran/Sailboat beach in Strathmere is currently designated between Prescott and Nelson Avenue. Captain Handley requests that we amend the resolution to designate the Catamaran Beach as Nelson Avenue only. Motion made by Richard Palombo, and seconded by Jay Newman to amend Resolution No. 116-2012 designating Nelson Avenue as the Catamaran/Sailboat Beach in Strathmere. During roll call vote all five Committee members voted in the affirmative.

## **OTHER REPORTS**

**Barbara Young, Deputy Municipal Clerk**, reported that the Upper Township Municipal Alliance Committee is eligible to apply for the 2013 Municipal Alliance grant funds and have requested authorization to submit the application. Motion by Curtis Corson, second by Jay Newman to authorize a resolution for the Upper Township Municipal Alliance Committee to apply for 2013 Municipal Alliance grant funds. During roll call vote all five Committee members voted in the affirmative. A resolution will be placed on the July 23, 2012 agenda.

**Daniel Young, Municipal Attorney**, reported on a matter previously discussed by the Committee involving motorized vehicles and watercraft at the Tuckahoe Beach. The existing Ordinance allows the Committee to direct, by resolution, what type of watercraft is permitted at the beach. The Committee also discussed posting signs at the beach to enforce the rules. The Committee then directed Mr. Young to prepare a resolution for consideration at the July 23, 2012 meeting. Lastly, he reported that there are a number of items for closed session; contract negotiations and litigation matters.

**Paul Dietrich, Municipal Engineer**, reported that the ADA access chairs have been purchased for Caldwell Park and Amanda's Field. Mr. Dietrich next discussed solar energy projects and net metering. Senate Bill S1925 (A2966) is currently pending approval by the Governor. This bill will allow the Township to take advantage of aggregated net metering of the Township's electric consumption at our various locations and explore a solar project at our closed landfill. Motion by Richard Palombo, second by Curtis Corson to send a letter in support of the Senate Bill S1925 (A2966) and to request that the Governor sign the legislation. During roll call vote all five Committee members voted in the affirmative. He next discussed the remediation of the former Sam's Gas Station in Tuckahoe in that the original consultant has failed to provide the Township with a proposal for remediation as requested. Mr. Dietrich requested permission to obtain the services of Adams Rehmann & Heggan of Hammonton, (ARH). ARH has reviewed our previous reports and they are willing to update them to the current standards and apply to the NJDEP on behalf of the Township for additional grants to do the second phase of the remediation investigation. This would determine the extent of the contamination at the site as well as what steps need to be implemented for clean up and an estimate of the cost of the remediation. Motion by Curtis Corson, second by Jay Newman to appoint Adams Rehmann & Heggan of Hammonton, New Jersey to submit a grant request on behalf of the Township to the NJDEP for the remediation investigation of the former Sam's gas station in Tuckahoe and to complete the Remedial Investigation, provided the Township receives the grant funds. During roll call vote, all five members voted in the affirmative. Mr. Dietrich also reported on a request he received from local business owners in Strathmere for time limited parking in front of their business establishments. Mr. Young stated that there is a provision in the Township's Parking

Ordinance that would allow for this. The Committee directed Mr. Young to draft a proposed Ordinance for their review.

Lastly, Mr. Dietrich reported a problem with enforcement of non-recycling in construction dumpsters. Past practice has been to give multiple warnings before the final notice is issued. The problem comes in when the Contractor removes the dumpster after he receives the last notice without recycling, therefore the Township doesn't receive credit for the recycling. Mr. Dietrich requested permission to issue a ticket after one warning notice. The Committee agreed that in an effort to enforce recycling in Construction Dumpsters the procedure should be changed to issue a ticket after one warning notice.

**Barbara Spiegel, Chief Finance Officer**, announced that the Upper Township Community Blood Drive will be held on Wednesday, July 11, 2012 from 2:00 p.m. to 7:00 p.m. at the Upper Township Community Center. She then requested permission to hold a drawing for Upper Township employees that donate blood as has been done in past years. The employee whose name was picked would receive one day off with pay for their participation. Motion by Anthony Inserra, second Edward Barr to authorize the employee drawing for one day off with pay. During roll call vote all five Committee members voted in the affirmative.

## **PRESENTATIONS**

- 1. Congratulating Charley Cossaboone on winning the Mid-Atlantic Wrestling Association National Championship.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
R E S O L U T I O N  
RESOLUTION NO. 140-2012**

**RE: CONGRATULATING CHARLEY COSSABOONE ON WINNING THE  
MID-ATLANTIC WRESTLING ASSOCIATION NATIONAL CHAMPIONSHIP**

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**WHEREAS**, the Mid-Atlantic Wrestling Association (MAWA) National Championship started with 36 different qualifying matches throughout twelve different states with approximately 11,500 athletes competing; and

**WHEREAS**, seven year old Charley Cossaboone, competing in the 56 pound Bantam division, began his quest for the MAWA National Championship by winning his District qualifier at Washington Township High School; and

**WHEREAS**, after winning the qualifying round, Charley moved on to the MAWA Eastern Regionals Tournament, where he took 1<sup>st</sup> place in a 6-4 battle and advanced on to the Nationals; and

**WHEREAS**, at the National Tournament, held in Salisbury Md, Charley went on a mission, shutting out his first two opponents to advance to the semi-finals, where he then overcame his opponent in a grueling overtime match, and then clinched the national title in his final match with an 11-2 victory; and

**WHEREAS**, it is appropriate that on behalf of the citizens of Upper Township we congratulate Charley on his National Championship title and celebrate the dedication, hard work and perseverance he has exemplified while becoming an elite athlete on a national level; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee, on behalf of the citizens of the Township of Upper, to congratulate Charley Cossaboone on winning the Mid-Atlantic Wrestling Association National Championship.

**GIVEN UNDER OUR HANDS** and the seal of the Township of Upper this 25th day of June, 2012.

## **RESOLUTIONS**

### **2. Congratulating Katelyn Washart for being selected as the New Jersey 4-H Equestrian of the Year.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
R E S O L U T I O N  
RESOLUTION NO. 152-2012**

**RE: CONGRATULATING KATELYN WASHART FOR BEING SELECTED AS THE NEW JERSEY 4-H EQUESTRIAN OF THE YEAR**

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**WHEREAS**, the New Jersey 4-H Equestrian of the Year contest is an ambassador program that encourages 4-H members to become well-rounded individuals; and

**WHEREAS**, as a result of her leadership in community service, participation in educational equine events, and excellent public speaking skills, Katelyn Washart was selected as the New Jersey 4-H Equestrian of the Year for the 2011-2012 term; and

**WHEREAS**, during her term, Katelyn has served as the youth representative for all participants in the equestrian program with grace and dignity and it is appropriate that she be publicly recognized for her many accomplishments and services to the community; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee, on behalf of the citizens of the Township of Upper, to congratulate Katelyn Washart on her selection as New Jersey 4-H Equestrian of the Year and extend to her our best wishes for all her future endeavors.

**GIVEN UNDER OUR HANDS** and the seal of the Township of Upper this 9th day of July, 2012.

**3. Authorizing a five (5) year extension to the Lease and Services Agreement between the Township of Upper and Upper Township Rescue Squad for the premises located at 2028 Tuckahoe Road, Petersburg, New Jersey.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
R E S O L U T I O N  
RESOLUTION NO. 153-2012  
RE: AUTHORIZING A FIVE (5) YEAR EXTENSION TO THE LEASE AND  
SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF UPPER AND UPPER  
TOWNSHIP RESCUE SQUAD FOR THE PREMISES LOCATED AT 2028 TUCKAHOE  
ROAD, PETERSBURG, NEW JERSEY.**

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**WHEREAS**, the Township of Upper entered into a Lease and Services Agreement with the Upper Township Rescue Squad, a nonprofit corporation, on July 23, 2007 for the premises located

on 2028 Tuckahoe Road, Petersburg, New Jersey pursuant to Ordinance No. 14-2007; and

WHEREAS, both parties desire to extend the term of said lease for an additional five years as provided in the original Lease Agreement; 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 authorizes the Mayor and Township Clerk to sign an Amendment to the Lease and Services Agreement with the Upper Township Rescue Squad which extends the term of said lease for an additional five years, expiring on July 23, 2017.

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. 153-2012

Offered by: Newman

Seconded by: Barr

Adopted: July 9, 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. Authorizing a Shared Services Agreement with the City of Corbin City for Emergency Medical Services.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 154 -2012**  
**RE: AUTHORIZING A SHARED SERVICES AGREEMENT WITH**  
**THE CITY OF CORBIN CITY**  
**FOR EMERGENCY MEDICAL SERVICES**

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**WHEREAS**, the Uniform Shared Services Act, N.J.S.A. 40A:65-1, et seq., provides that any local governmental unit may enter into a contract with any other local governmental unit or units for the joint provision within their several jurisdictions of any service which any party to the agreement was empowered to render within its own jurisdiction; and

**WHEREAS**, the City of Corbin City has indicated a desire to enter into a Shared Services Agreement with the Township of Upper whereby the Township of Upper will provide EMS services to the City of Corbin City; and

**WHEREAS**, the Township Committee of the Township of Upper deems that a Shared Services Agreement with the City of Corbin City for the purposes expressed herein is in the mutual interest of all parties and also is in the public interest and will promote the public health, safety and welfare; 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 Uniform 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 Corbin City to provide emergency medical services.

2. SERVICES TO BE PROVIDED BY 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 Corbin City and the Township of Upper shall meet and satisfy the requirements of N.J.S.A. 40A:65-1, et seq., as may be amended and supplemented.

5. SEVERABILITY. If any action, subsection, paragraph, sentence or other part of this Resolution is adjudged to be 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.

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

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

Resolution No. 154 -2012

Offered by: Newman

Seconded by: Inserra

Adopted: July 9, 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>

**5. Authorizing a Shared Services Agreement with the City of Corbin City for shared Billing and Collection Services for Emergency Medical Services.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
R E S O L U T I O N  
RESOLUTION NO. 155-2012  
RE: AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE  
CITY OF CORBIN CITY FOR SHARED BILLING AND COLLECTION  
SERVICES FOR EMERGENCY MEDICAL SERVICES**

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**WHEREAS**, the Uniform Shared Services Act (N.J.S.A. 40A:65-1, et seq.) provides that any local governmental unit may enter into a contract with any other local governmental unit or units for the joint provision within their several jurisdictions of any service which any party to the agreement was empowered to render within its own jurisdiction; and

**WHEREAS**, the City of Corbin City has indicated a desire to enter into a Shared Services Agreement with the Township of Upper for shared billing and collection services for Emergency Medical Services; and

**WHEREAS**, the Township Committee of the Township of Upper has deemed it would be in the best interest of the residents of the Township to enter into a Shared Services Agreement with the City of Corbin City for shared billing and collection services for Emergency Medical Services; 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 Uniform 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 Corbin City to provide shared billing and collection services for Emergency Medical Services.

2. SERVICES TO BE PROVIDED BY 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. MEDICAL SERVICES BILLING AND COLLECTION CONTRACT. This Shared Services Agreement is contingent upon and subject to the terms of the current professional services contract in effect between the Township of Upper and its EMS billing vendor.

4. 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.

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

6. SEVERABILITY. If any action, subsection, paragraph, sentence or other part of this Resolution is adjudged to be 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. 155-2012

Offered by: Newman

Seconded by: Inserra

Adopted: July 9, 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>	___	___	___

**6. Authorizing a Shared Services Agreement with the County of Cape May for Heavy Equipment Fleet Maintenance.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
R E S O L U T I O N  
RESOLUTION NO. 156-2012**

**RE: AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE  
COUNTY OF CAPE MAY FOR HEAVY EQUIPMENT FLEET MAINTENANCE**

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**WHEREAS**, the Township of Upper and the County of Cape May entered into a Shared Services Agreement on February 14, 2011 for heavy equipment fleet maintenance pursuant to Resolution No. 48-2011; and

**WHEREAS**, the Township of Upper and the County of Cape May desire to enter into a revised agreement for an additional term; and

**WHEREAS**, the Township Committee has determined that it is in the best interest of the Township to authorize said new Agreement with the County of Cape May as hereinafter provided; 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 County of Cape May pertaining to heavy equipment fleet maintenance.

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 County of Cape May 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 shall be for a period through March 24, 2013. The Agreement may then be extended on an annual basis for up to a total of six (6) years upon written notice and concurrence by both parties prior to March 24<sup>th</sup> of each year. Either party may cancel the agreement upon 60 days written notice.

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. 156-2012

Offered by: Corson

Seconded by: Palombo

Adopted: July 9, 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>

## **7. Tax Refund.**

TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
R E S O L U T I O N  
Resolution No. 157-2012  
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.157-2012

Offered by: Newman

Seconded by: Palombo

Adopted: July 9, 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**

**2011 STATE TAX COURT APPEAL.**

BLOCK/LOT	AMOUNT	NAME
31/86	\$2,869.14	KITTIE KING PO BOX 104 TUCKAHOE, NJ 08250
857/7	\$4,313.83	TERENCE FROMAN 26 WORMANSVILLE RD PIPERSVILLE, PA 18947

**ORDINANCES**

**CORRESPONDENCE**

**NEW BUSINESS**

8. **Alejandra Reagan, CityTri Racing, request to use Beesley's Point Boat Ramp Parking Lot for Tuckahoe Triathlon on August 12, 2012.** Mr. Barr discussed concerns with closure of the ramp for this event. Motion by Curtis Corson, second by Richard Palombo to place a resolution authorizing the event on the next agenda, provided the applicant meets the criteria established in the Facility Use Ordinance. During roll call vote all five Committee members present voted in the affirmative.
9. **Upper Township Soccer Association request to hold Raffle October 24, 2012.** Motion by Jay Newman, second by Ed Barr to approve the request. During roll call vote all five Committee members voted in the affirmative.

**UNFINISHED BUSINESS:**

**DISCUSSION**

**PAYMENT OF BILLS:**

10. **"I hereby move that all claims submitted for payment at this meeting be approved and then incorporated in full in the minutes of this meeting."**

Bills approved for payment: \$1,988,444.74

Payroll: \$ 190,607.57

## **REPORT OF MUNICIPAL DEPARTMENTS:**

- 11. Construction Code**
- 12. Clerk's Office**
- 13. Animal Control**
- 14. Department of Public Works**
- 15. Tax Assessor**
- 16. Tax Office**
- 17. Finance Office**
- 18. MUA Report**

Reports are available from the Clerk's Office.

## **PUBLIC COMMENT**

**Ronald McCole, 54 East Maple Shade Lane, Beesley's Point**, expressed his support of the Committee's authorization of a five (5) year extension to the Lease and Services Agreement with the Upper Township Rescue Squad for the Rescue Squad building located at 2028 Tuckahoe Road, Petersburg.

**Ralph and Deanna Holt, 50 Jill Avenue, Marmora**, Mayor Palombo and Committeeman Inserra stepped down from the dais and did not participate in this discussion. The Holts questioned the Committee regarding their request for a zone change of a portion of Tuckahoe Road from Residential to Commercial. Their original request was submitted to Township Committee at their February 13, 2012 meeting. Following that meeting the Committee requested that the Planning Board revisit the rezoning matter and provide them with a report on their findings. As of this meeting, the Township Committee had not received the Planning Board report. The Holts expressed to the Committee that they were very dissatisfied that after revisiting the matter the Planning Board did not approve their request for a zone change from Residential to Commercial. They then requested that the Committee overrule the Planning Board's decision. Mr. Young responded that as of this date, the Committee had no official information on the Planning Board's decision and that the Board's decision and report would have to be received before a hearing could be held and a vote taken. Mr. Young suggested the Holts submit a further request to change the zone to the Committee in writing after the Committee receives the Planning Board's resolution. All discussion on this matter was concluded.

At this point of the meeting Mayor Palombo and Committeeman Inserra then returned to the dais.

**Stephen Martinelli, 1923 Tuckahoe Road, Petersburg, Chairman, Building and Grounds, Upper Township Board of Education.** Discussed net metering and the possibility of collaborating with the Township on Solar projects.

## **CLOSED SESSION**

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

TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION NO. 158-2012  
MOTION GOING INTO CLOSED SESSION  
July 9, 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 Negotiation – Emergency Medical Billing.
2. Litigation – Township of Upper v. Yank.
3. Litigation – Township of Upper v. Sansone.
4. Litigation – Massey v. Construction Board of Appeals of Cape May County and Township of Upper.

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

- A. It is anticipated that the matters discussed in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.
- B. With respect to contract negotiations such matters will be made public when negotiations have ceased and there is no longer a reason for confidentiality.
- C. With respect to litigation matters such discussions will be made public when litigation is complete and the applicable appeal period has expired.

Moved by Jay Newman

Seconded by Curtis Corson

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

**RECONVENE PUBLIC PORTION OF MEETING**

**ADJOURNMENT**

**\*\*Please note—the order of the agenda may be changed at the discretion of the Township Committee.**

There being no further business this evening the meeting was adjourned at 9:45 P.M.  
Next meeting scheduled for July 23, 2012 at 7:30 P.M.

Minutes prepared by

Barbara L. Young, RMC  
Deputy Municipal Clerk



**Bill List**

57842	07/09/12	N0015	N.J. STATE DEPT. OF HEALTH	14.40	2734
57843	07/09/12	T0071	TOWNSHIP OF UPPER DOG ACCOUNT	79.10	2734
57844	07/09/12	T0081	TREAS. STATE OF N.J. D.C.A.	5,964.00	2734
57845	07/09/12	T0088	TREASURER, STATE OF NEW JERSEY	400.00	2734
57846	07/09/12	U0028	UPPER TOWNSHIP BD.OF EDUCATION	1,863,880.00	2734
57847	07/09/12	A0004	A+ COMMERCIAL OFFICE CLEANERS	250.00	2735
57848	07/09/12	A0091	ATLANTIC CITY ELECTRIC	13,323.07	2735
57849	07/09/12	A0109	ATLANTIC CO. M.C.A	35.00	2735
57850	07/09/12	A0167	HESS CORPORATION	1,600.47	2735
57851	07/09/12	B0207	BARLOW CHEVROLET, INC	54.07	2735
57852	07/09/12	C0068	COMCAST	224.39	2735
57853	07/09/12	C0071	CAPEHART & SCATCHARD, P.A.	2,150.00	2735
57854	07/09/12	C0143	CODY'S POWER EQUIPMENT	62.89	2735
57855	07/09/12	C0156	COMPUTER HOUSE OF SOUTH JERSEY	650.00	2735
57856	07/09/12	C0223	CASA PAYROLL SERVICE	306.65	2735
57857	07/09/12	D0003	DATA RESOURCE SOLUTIONS	540.00	2735
57858	07/09/12	D0140	DOONER, WILLIAM	26.00	2735
57859	07/09/12	F0040	FORSMAN, ALEXANDER E	26.00	2735
57860	07/09/12	F0053	FORD, SCOTT & ASSOCIATES	4,500.00	2735
57861	07/09/12	F0054	FORT DEARBORN LIFE INSURANCE	466.35	2735
57862	07/09/12	G0014	GARDEN STATE HWY PRODUCTS INC.	102.55	2735
57863	07/09/12	G0057	GLOBALSTAR USA LLC	84.98	2735
57864	07/09/12	G0137	G.NEIL	239.96	2735
57865	07/09/12	H0131	HPI PROCESSES, INC	16.48	2735
57866	07/09/12	H0135	HANSON AGGREGATES, INC.	928.68	2735
57867	07/09/12	H0147	HADLEY, ADAM	26.00	2735
57868	07/09/12	J0014	JC MILLER'S	115.75	2735
57869	07/09/12	L0072	LLOYD, JOEL	119.99	2735
57870	07/09/12	L0080	LOWES, INC.	166.77	2735
57871	07/09/12	M0076	MGL PRINTING SOLUTIONS	1,335.00	2735
57872	07/09/12	M0222	MUNICIPAL CAPITAL CORPORATION	392.00	2735
57873	07/09/12	N0004	NJ-AMERICAN WATER CO.	266.96	2735
57874	07/09/12	N0043	NAPA AUTO PARTS OF S.JERSEY	789.98	2735
57875	07/09/12	N0052	NATL YOUTH SPORTS COACHED ASSN	80.00	2735
57876	07/09/12	N0133	NEWMAN, MARK	26.00	2735
57877	07/09/12	P0056	TURF EQUIPMENT AND SUPPLY CO	44.45	2735
57878	07/09/12	P0073	POGUE INC.	133.00	2735
57879	07/09/12	P0109	NJ DIV OF PENSIONS & BENEFITS	38,521.79	2735
57880	07/09/12	R0030	RIGGINS, INC.	3,009.37	2735
57881	07/09/12	S0001	SAM'S CLUB	41.52	2735
57882	07/09/12	S0034	SCHULER, DANIEL	47.31	2735
57883	07/09/12	S0056	SEASHORE ASPHALT CORPORATION	269.34	2735
57884	07/09/12	S0064	SEAVILLE VOL. FIRE COMPANY	8,500.00	2735
57885	07/09/12	S0072	SEGIN, STEWART S.	76.65	2735
57886	07/09/12	S0073	SENIOR TRAVEL SERVICE,INC.	1,150.00	2735
57887	07/09/12	S0075	SHARP, RHONDA L.	150.00	2735
57888	07/09/12	S0085	SHOCKEY'S PURE WATER SYSTEMS	1,265.00	2735
57889	07/09/12	S0121	SMUZ, THERESE A	19.14	2735
57890	07/09/12	S0126	SPIEGEL, BARBARA	17.76	2735
57891	07/09/12	S0130	SOUTH JERSEY CHIEFS ASSOC.	150.00	2735
57892	07/09/12	S0209	STAPLES ADVANTAGE	86.58	2735
57893	07/09/12	S0254	SHOPRITE	21.78	2735
57894	07/09/12	T0032	THE PRESS & SUNDAY PRESS	216.03	2735
57895	07/09/12	T0067	TOWNSHIP OF UPPER PETTY CASH	3.00	2735
57896	07/09/12	T0129	TRUGREEN CHEMLAWN	8,432.00	2735
57897	07/09/12	U0024	UNIVERSAL COMPUTING SERV. INC.	714.90	2735
57898	07/09/12	V0005	VAN EMBDEN, NATHAN, ATTORNEY	510.00	2735
57899	07/09/12	V0013	VERIZON WIRELESS	621.59	2735
57900	07/09/12	V0024	VAL-U AUTO PARTS L.L.C.	66.05	2735
57901	07/09/12	W0020	WEINSTEIN SUPPLY	7.14	2735
57902	07/09/12	W0038	WILLIAMS, JEREMIAH J.	197.12	2735
57903	07/09/12	Y0008	YOUNG, DANIEL J. ESQUIRE PC	21,138.40	2735
57904	07/09/12	Y0023	YOUNG, DANIEL J. ATTORNEY	2,625.00	2735
57905	07/09/12	Z0001	ZOLL MEDICAL CORPORATION	1,166.33	2735

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