

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR SEPTEMBER 24, 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 - **September 10, 2012 Regular Meeting and**

Closed Session Minutes-Motion was made by Jay

Newman, seconded by Edward Barr with four Committee members voting in the affirmative. Richard Palombo abstained.

REPORT OF GOVERNING BODY MEMBERS

Anthony Inserra, Committeeman, reported that a group of seniors who regularly attend various programs at the Upper Township Senior Center have requested that while the center is closed for renovations the weekly programs be held at the Township’s Community Center to alleviate the long bus rides to the Ocean City Senior Center for those that use buses and fair free transportation. Mr. Inserra will speak with the County to see if bus service can be improved. He next made a recommendation to promote John Hope to the title of Mechanic in the department of public works. Motion by Anthony Inserra, seconded by Richard Palombo to appoint John Hope as Mechanic in the department of public works subject to any regulatory or legal requirements. During roll call vote five Committee members present voted in the affirmative. He next recommended the purchase of a new trash truck due to the poor condition of the trucks that are currently being used. He recommended the purchase of the same type of truck the Township is currently using. The Committee discussed the matter with regard to concerns with safety, pros and cons of automated trucks and the fact that the County will be converting to single stream recycling in 2013. The Committee directed the Clerk to place the matter on a future agenda for further discussion. Mr. Inserra next discussed an issue with properties in the Township that are unkempt due to foreclosure. The Township Attorney explained that the Municipal Clerk generally receives a notice from the bank when a property goes into foreclosure. The Clerk then forwards the notice to the Zoning officer

who contacts the bank in charge if the property is not maintained or grass cutting is required. Lastly Mr. Inserra made a recommendation to combine the Planning and Zoning Boards in an effort to save Township funds. Mayor Palombo responded that there are several factors he would need to look at before a decision could be made, such as how many applications are received by each board and whether or not the individuals serving on these boards would be willing to attend additional meetings that may be required each month if the boards are combined.

Jay Newman, Committeeman, gave a brief report on the public hearing that was held on September 20th at the Municipal building for the replacement of the Garden State Parkway Bridges. He reported that one of the Township's concerns was with emergency access and making sure residents have access to their property during the construction. The Turnpike Authority was made aware of those concerns and also with the concerns of the condition of the staging areas in the Township. Mr. Newman reported that the plans that were presented at the hearing show the staging area on the Somers Point side of the bridge. Also, according to the plans, traffic flow should not be interrupted. The plans for the project, which include the construction of a multi-use path that will connect Upper Township with Somers Point, are scheduled for construction to begin March 2013 with completion in 2016.

Richard Palombo, Mayor, congratulated employee Rosemary Trout of the finance office for successful completion of Principals of Public Purchasing II. He next thanked everyone that submitted an application to serve on the Upper Township Firearm Subcommittee. The Subcommittee will provide recommendations for the use of firearms within the Township. Motion by Mayor Palombo, seconded by Anthony Inserra to appoint Edward Barr, Lt. Fran Donlan, Thomas Boyle, Robert DiNicolantonio, Fred Schaefer, Robert Young and David Mason, Jr. to the Upper Township Firearm Sub-Committee. During roll call vote all five Committee members voted in the affirmative.

OTHER REPORTS

Daniel Young, Municipal Attorney, reported that there is one contract negotiation matter for closed session.

Barbara Young, Deputy Municipal Clerk, reported on the Township's Legalized Games of Chance application for a Commercial Rentor's license for the Upper Township Community Center which would allow organizations registered with the Legalized Games of Chance Commission to use the Community Center for Bingo. The Commission is reviewing our application and has requested that we adopt a resolution specifically outlining our desire to hold a Commercial Rentor's License and our agreement to pay the required State fee for the license which is \$1000 per year. The resolution should also state whether or not the \$1,000 fee would be passed along to the organizations using the hall to hold Bingo games. It was agreed that in accordance with the Township's facility use Ordinance which allows charitable organizations based in the Township use of Township facilities at no charge, the Township would not charge a fee for use of the Community Center for Bingo. Motion by Jay Newman, second by Ed Barr to place a resolution on the next agenda to allow charitable organizations based in Upper Township use of the Community Center to hold Bingo at no additional fees other than the required \$20 State bingo License fee and \$10 Township bingo license fee for each occasion on which any game or games of bingo are to be conducted under the license. The \$1,000 State fee for the Commercial Bingo License will be paid annually by the Township. During roll call vote all five Committee members voted in the affirmative.

Paul Dietrich, Municipal Engineer, Mr. Dietrich reported that approximately a year ago the developer of the Seaville Plantation Subdivision was found in default and the project was never completed. Since then, residents on Clayton Drive in the development have requested that the Township move forward with its completion. Mr. Corson stepped down and did not participate in this discussion. Following the discussion Mr. Corson returned to the meeting. Motion by Jay Newman, seconded by Ed Barr to authorize the Township Engineer to prepare bid specifications and solicit bids for the Seaville Plantation Development. During roll call vote four Committee members voted in the affirmative. Mr. Corson abstained. A resolution will be placed on the next agenda. Mr. Dietrich next reported that he has received complaints from residents regarding bulk trash left at the curb for long periods of time and that notices will be issued for bulk trash that is placed out early and summonses will be issued if it is not removed in a timely matter.

Barbara Spiegel, Chief Financial Officer, reported on a question that was asked at the last meeting on whether or not it was acceptable for the township to request proposals for Dental Insurance even though the current contract is not due to expire until June of 2013. She reported that it is allowable. She further reported that the township has seen no increase in premiums over the last three years with the current provider. Mayor Palombo requested further review to ensure the network remains the same.

RESOLUTIONS

1. Amending Resolution No. 179-2008 and appointing Michael J. Donohue, Esquire and the Law Offices of Blaney & Donohue as Special Legal Counsel to complete certain In Rem foreclosure matters.

TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N
RESOLUTION NO. 195 - 2012

RE: AMENDING RESOLUTION NO. 179-2008 AND APPOINTING MICHAEL J.
DONOHUE, ESQUIRE AND THE LAW OFFICES OF
BLANEY & DONOHUE AS SPECIAL LEGAL COUNSEL TO
COMPLETE CERTAIN IN REM FORECLOSURE MATTERS

WHEREAS, the Township of Upper previously appointed, under the provisions of Resolution 179-2008, Michael J. Donohue, Esquire and the law firm of Gruccio, Pepper, DeSanto & Ruth, P.A. as Special Legal Counsel to complete certain in rem foreclosure matters which were then pending and identified as In Rem Foreclosure Groups 132, 134, 136, 137, 138, and 139; and

WHEREAS, Michael J. Donohue, Esquire is no longer associated with the firm of Gruccio, Pepper, DeSanto & Ruth, P.A., and effective January 1, 2012 is a member of the

Law Offices of Blaney & Donohue, with offices at 3200 Pacific Avenue, Wildwood, New Jersey; and

WHEREAS, Michael J. Donohue has submitted a proposal, attached hereto as Exhibit A, for the completion of tax liens under the same terms and conditions as originally established at the time of his original appointment; and

WHEREAS, it is in the best interest of the Township to continue this professional relationship with Michael J. Donohue, Esquire and the Law Offices of Blaney & Donohue, P.A.; and

WHEREAS, Michael J. Donohue, Esquire and the Law Offices of Blaney & Donohue, P.A. have completed and submitted a Business Entity Disclosure Certification which certifies that Michael J. Donohue, Esquire and the Law Offices of Blaney & Donohue, P.A. 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 Michael J. Donohue, Esquire and the Law Offices of Blaney & Donohue, P.A. from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee in 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 terms and provisions of Resolution No. 179-2008 are hereby amended to remove the law firm of Gruccio, Pepper, DeSanto & Ruth, P.A. as the law firm of record, to be replaced with the Law Offices of Blaney & Donohue, P.A.

3. Michael J. Donohue, Esquire and the Law Offices of Blaney & Donohue, P.A. with offices at 3200 Pacific Avenue, Wildwood, New Jersey 08260 are hereby appointed as Special Legal Counsel for the Township of Upper for the completion of in rem foreclosure matters.

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

5. 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 Michael J. Donohue, Esquire and the Law Offices of Blaney & Donohue, P.A. have professional knowledge as to in rem foreclosure matters 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

6. 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 Michael J. Donohue, Esquire and the Law Offices of Blaney & Donohue, P.A. as Special Legal Counsel for in rem foreclosure matters. 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.

7. 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.

8. 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.

9. The Mayor and the Township Clerk are hereby authorized and directed to execute, on behalf of the Township of Upper, a Professional Contract with Michael J. Donohue, Esquire and the Law Offices of Blaney & Donohue, P.A. 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.

10. 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 and shall be filed with the Tax Collector of the Township of Upper.

Resolution No. 195-2012

Offered By: Newman

Seconded by: Corson

Adopted: September 24, 2012

ROLL CALL: 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> </u>	<u> </u>	<u>X</u>	<u> </u>
Newman	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Palombo	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

2. Authorizing a Shared Services Agreement with the County of Cape May for use of Equipment.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 196-2012

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

WHEREAS, the County of Cape May has been the recipient of various grants from the Office of Homeland Security and Federal Emergency Management Agency for the purchase of various vehicles, equipment, materials and control devices, hereinafter referred to as "Equipment"; and

WHEREAS, this Equipment was purchased with the intent to be shared with various municipalities in the County; and

WHEREAS, from time to time the Township of Upper has a need to use some of the Equipment for a short duration when the County is not in need of the use of the Equipment; and

WHEREAS, the Township Committee has determined that it is in the best interest of the Township to authorize said Agreement with the County of Cape May as hereinafter provided.

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 and Consolidation 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 use of Equipment.

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 shall be attached to this Resolution.

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 from November 1, 2012 to November 1, 2013. 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. 196 -2012

Offered by: Corson

Seconded by: Newman

Adopted: September 24, 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>	_____	_____	_____

3. Authorizing a Shared Services Agreement with the County of Cape May establishing a Surplus Reciprocal Agreement with Cape May County Cooperative members.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY**

R E S O L U T I O N

RESOLUTION NO. 197-2012

RE: AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE COUNTY OF CAPE MAY ESTABLISHING A SURPLUS RECIPROCAL AGREEMENT WITH CAPE MAY COUNTY COOPERATIVE MEMBERS

WHEREAS, it is the intent of the County of Cape May to establish a Surplus Reciprocal Agreement with Cape May County Cooperative members; and

WHEREAS, this agreement will allow all participating Cooperative members first access to goods deemed surplus; and

WHEREAS, the Township Committee has determined that it is in the best interest of the Township to authorize said Agreement with the County of Cape May as hereinafter provided.

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 and Consolidation 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 the surplus reciprocal agreement with participating Cape May County Cooperative members.

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 shall be attached to this Resolution.

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 of five (5) years 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. 197 -2012

Offered by: Corson

Seconded by: Newman

Adopted: September 24, 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 X _____
Palombo X _____

4. Authorizing the Mayor to sign the recertification of the Emergency Operating Plan for the Township of Upper.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 198-2012

**RE: AUTHORIZING THE MAYOR TO SIGN THE RECERTIFICATION OF THE
EMERGENCY OPERATING PLAN FOR THE TOWNSHIP OF UPPER**

WHEREAS, in 2008 the Township of Upper Emergency Operating Plan was submitted to the Cape May County Office of Emergency Management and the State of New Jersey Office of Emergency Management; and

WHEREAS, the Emergency Operating Plan is about to expire and it is necessary to again adopt the existing Emergency Operating Plan; 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 existing Emergency Operating Plan for the Township of Upper is hereby adopted and the Mayor, the Emergency Management Coordinator and other Township officers are authorized to execute such documents as are necessary in this regard.
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. 198-2012

Offered by: Newman Seconded by: Palombo

Adopted: September 24, 2012

Roll Call Vote:

NAME YES NO ABSTAINED ABSENT

Barr	<u> X </u>	_____	_____	_____
Corson	<u> X </u>	_____	_____	_____
Inserra	<u> X </u>	_____	_____	_____
Newman	<u> X </u>	_____	_____	_____
Palombo	<u> X </u>	_____	_____	_____

5. Canceling Taxes on Duplicate Assessment.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
Resolution No.199-2012**

Canceling Taxes on Duplicate Assessment

WHEREAS, certain corrections have been recommended by the Upper Township Tax Collector in order to correct tax records,

WHEREAS, certain properties were found to have a duplicate assessment,

WHEREAS, Block 335 Lot 35 is a portion of Block 348 Lot 79.02 which was included in foreclosure group 126 finalized on July 14, 2000.

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. 199-2012

Offered by: Corson

Seconded by: Newman

Adopted: September 24, 2012

Roll Call Vote:

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

Block 335 Lot 35 (George Wright)

2011 Taxes - \$18.57

2012 Taxes - \$36.01

Total **\$54.58**

Duplicate Assessment

ORDINANCES

6. **Public Hearing and Final Adoption of Ordinance No. 009-2012 RE: AN ORDINANCE PROVIDING FOR THE REFUND OF LOCAL PROPERTY TAXES FOR THE DWELLING HOUSE OF A QUALIFIED TOTALLY DISABLED VETERAN.** During the public hearing Steven Altimari of 703 Route 50, Upper Township spoke in favor of the Ordinance. Motion by Curtis Corson, second by Jay Newman to adopt Ordinance No. 009-2012. 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. 009-2012

RE: AN ORDINANCE PROVIDING FOR THE REFUND OF LOCAL PROPERTY TAXES FOR THE DWELLING HOUSE OF A QUALIFIED TOTALLY DISABLED VETERAN

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: Chapter XXVII of the Revised General Ordinances of the Township of Upper also known as the Code of Upper Township is hereby adopted as follows:

27-1 PURPOSE.

The intent of this Chapter is to set forth the policy of Upper Township with respect to the refund of real property taxes for the dwelling house of a qualified totally disabled veteran or his or her surviving spouse or domestic partner. N.J.S.A. 54:4-3:30 requires a tax assessor to provide an exemption from real property taxation upon the filing with the tax assessor of a claim under oath certifying that the claimant has met the statutory requirements for

such exemption. N.J.S.A. 54:4-3.32 allows a municipality, in its discretion, to return taxes collected on property which would have been exempt had a proper claim in writing been made prior to the time the actual claim in writing was made. Upper Township recognizes the public benefit in providing a tax exemption to a disabled veteran, or his or her surviving spouse or domestic partner; however, the Township also understands that retroactive refunds have a significantly adverse financial impact on the Township and its taxpayers. The purpose of this Chapter is to set a policy of the Township of Upper that a refund of real property taxes to a qualified totally disabled veteran, or to his or her surviving spouse or domestic partner, shall be limited solely to those taxes due in the current calendar year the claim for exemption is made to the tax assessor.

27.2 REFUND OF TAXES.

For a veteran, or his or her surviving spouse or domestic partner, entitled to exemption under N.J.S.A. 54:4-3.30, the Township Committee shall, by appropriate resolution after a formal written request, refund taxes previously paid only for the calendar year in which the claim of the veteran, or his or her surviving spouse or domestic partner, was submitted to the Township tax assessor. Any further refund of taxes shall not be permitted, regardless of the date of the disability of the veteran as determined by the United States Department of Veterans Affairs. The formal written request for the refund of the current calendar year taxes must be submitted within six (6) months of the date the tax assessor approves the claim. Requests submitted beyond said six (6) month period shall not be entitled to a refund pursuant to N.J.S.A. 54:4-3.32.

SECTION 2: REPEALER: All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

SECTION 3: SEVERABILITY: If any section, paragraph, subdivision, subsection, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, subsection, clause or provision declared invalid and the remainder of this Ordinance shall remain in full force and effect and shall be enforceable.

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

SECTION 5: CODIFICATION: This Ordinance shall be codified in the Upper Township Code at the sections referenced to above.

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 27th OF AUGUST, 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 24th DAY OF SEPTEMBER, 2012 AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY.

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

BARBARA L. YOUNG, DEPUTY TOWNSHIP CLERK

TOWNSHIP OF UPPER

- 7. Public Hearing and Final Adoption of Ordinance No. 010-2012 RE: AN ORDINANCE ESTABLISHING A POLICY FOR THE AWARDED OF PROFESSIONAL OR EXTRAORDINARY SERVICES CONTRACTS PURSUANT TO THE STATE OF NEW JERSEY'S "PAY TO PLAY" LEGISLATION.** The Township will receive credit on the State's Best Practices worksheet by adopting a "Pay to Play" Ordinance. During the public hearing there

were no speakers. Motion by Curtis Corson, second by Jay Newman to adopt Ordinance No. 010-2012. During roll call vote all five Committee members voted in the affirmative.

Following the adoption of Ordinance No. 10-2012 a discussion ensued regarding the Pay to Play Ordinance and contribution amounts. The matter will be placed on the next agenda for further discussion.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
O R D I N A N C E**

ORDINANCE NO. 010-2012

**RE: AN ORDINANCE ESTABLISHING A POLICY FOR THE AWARDING OF
PROFESSIONAL OR EXTRAORDINARY SERVICES CONTRACTS PURSUANT
TO THE STATE OF NEW JERSEY'S "PAY TO PLAY" LEGISLATION**

WHEREAS, large political contributions from those seeking or performing contracts with a municipality raise reasonable concerns on the part of taxpayers and residents as to their trust in government and its business practices; and,

WHEREAS, pursuant to N.J.S.A. 40:48-2, a municipality is authorized to adopt such ordinances, regulations, rules and by-laws as necessary and proper for good government, as well as the public health, safety and welfare; and,

WHEREAS, pursuant to P.L.2005, c.271 (codified at N.J.S.A. 40A:11-51) a municipality is authorized to adopt by ordinance, measures limiting the awarding of public contracts to business entities that have made political contributions, and limiting the contributions that the recipient of such a contract can make during the term of a contract; and,

WHEREAS, in the interest of good government, the people and the Township Committee of the Township of Upper desire to establish a policy that will avoid the perception of improper influence in public contracting and local elections;

WHEREAS, it shall be the policy of the Township of Upper to create such a regulation which states that a Business Entity which makes political contributions to municipal candidates and municipal parties in excess of certain thresholds shall be limited in its ability to receive public contracts from the Township of Upper; and,

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

SECTION 1: Chapter II, Section 9.8 of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, is hereby adopted as follows:

2-9.8 PROFESSIONAL OR EXTRAORDINARY SERVICES CONTRACTS.

(1) Definitions

As used in this ordinance:

- (a) “Campaign Committee” means (i) every candidate for Township of Upper elective municipal office; (ii) every candidate committee established by or for the benefit of a candidate for Township of Upper elective municipal office; (iii) every joint candidate committee established in whole or in part by or for the benefit of a candidate for Township of Upper elective municipal office; (iv) every political party committee of the Township of Upper; and (v) every political committee, continuing political committee, or other form of association or organization that regularly engages in the support of candidates for the Township of Upper municipal elective offices or Township of Upper municipal political parties or political party committees. The terms in the foregoing paragraph have the meaning prescribed in N.J.A.C. 19:25-1.7.
- (b) “Contribution” has the meaning prescribed in N.J.A.C. 19:25-1.7. By way of illustration, and not limitation, this definition includes pledges, loans, and in-kind contributions.
- (c) A “contract for professional or extraordinary services” means all contracts for “professional services” and “extraordinary unspecifiable services” as such term is used in N.J.S.A. 40A:11-5.
- (d) For purposes of this Ordinance, a “Business Entity” whose contributions are regulated by this ordinance means: (i) an individual including the individual’s spouse, and any child/children; (ii) a firm; corporation; professional corporation; partnership; limited liability company; organization; association; and any other manner and kind of business entity; (iii) any person who owns 10% or more of the equity or ownership or income interests in a person or entity as defined in subparagraphs (i) and (ii) above and their spouses and child/children;

(iv) all partners or officers of such an entity, in the aggregate, and their spouses and child/children; (v) any person, subcontractor, subsidiary, corporation, firm, partnership, limited liability company, organization or association who has received or indefeasibly acquired the right to receive, from a person described in subparagraph (i) above, more than \$100,000.00 in compensation or income of any kind (including, by way of illustration, and not limitation: wages, salaries, sums paid to independent contractors, benefits, dividends, profit-sharing, pension contributions, deferred contributions, stock, stock options or gifts), in any twelve (12) month period prior to the award of, or during the term of, a contract subject to this ordinance; and (vi) all persons who are an “affiliate” of a Business Entity as defined in subparagraphs (i), (ii) and (v) above, as such term is used in 11 U.S.C. 101(2).

(2) Prohibition on Awarding Public Contracts to Certain Contributors

- (a) To the extent that it is not inconsistent with state or federal law, the Township of Upper and any of its departments, instrumentalities or purchasing agents shall not enter into any agreement or otherwise contract to procure "professional services" as such term is defined at N.J.S.A. 40A:11-2(6) and used at N.J.S.A. 40A:11-5(1)(a)(i) and/or banking, insurance or other consulting service (hereinafter "Professional Services"), nor "extraordinary unspecified services" as such term is defined at N.J.S.A. 40A:11-2(7) and used at N.J.S.A. 40A:11-5(1)(a)(ii) and/or media, public relations, lobbying, parking garage management or other consulting and/or management service (hereinafter "Extraordinary Unspecified Services") from any Business Entity if such Business Entity has solicited or made any Contribution to (i) a candidate, candidate committee or joint candidates committee of any candidate for elective municipal office in Township of Upper or a holder of public office having ultimate responsibility for the award of a contract, or (ii) to any Township of Upper political committee or political party committee, in excess of the thresholds specified in subparagraph (c) below within one calendar year immediately preceding the date of the contract or agreement.

- (b) No Business Entity who submits a proposal for, enters into negotiations for, or agrees to any contract or agreement with the Township of Upper or any of its departments or instrumentalities, for the rendition of Professional Services or Extraordinary Unspecified Services shall knowingly solicit or make any Contribution, to (i) a candidate, candidate committee or joint candidates committee of any candidate for elective municipal office in Township of Upper, or a holder of public office having ultimate responsibility for the award of a contract, or (ii) to any Township of Upper political committee or political party committee between the time of first communication between that Business Entity and the municipality regarding a specific agreement for Professional Services or Extraordinary Unspecified Services, and the later of the termination of negotiations or rejection of any proposal, or the completion of the performance or specified time period of that contract or agreement.
- (c) The monetary thresholds of this Ordinance are a maximum of \$300 per calendar year each for any purpose to any candidate or candidate committee for mayor or governing body, or \$500 per calendar year to any joint candidates committee for mayor or governing body, or \$300 per calendar year to a political committee or political party committee of the Township of Upper. However, for each Business Entity party to a contract for Professional or Extraordinary Unspecified Services as defined in subparagraph (1)(a), or engaged in negotiations for a contract defined in subparagraph (1)(a), when such Business Entity's Contribution is aggregated with all "persons" defined in subparagraph (1)(d) of "Definitions" above, by virtue of their affiliation to that Business Entity party, a maximum of \$2,500 to all Township of Upper candidates, candidate committees, joint candidate committees, and holders of public office having ultimate responsibility for the award of a contract, all Township of Upper political committees and political party committees as described herein combined, without violating subparagraph (a) of this paragraph.
- (d) For purposes of this Ordinance, the office that is considered to have ultimate responsibility for the award of the contract shall be (i) the

Township Committee, if the contract requires approval or appropriation from the Governing body, or (ii) the Mayor, if the contract requires approval of the Mayor, or if a public officer who is responsible for the award of a contract is appointed by the Mayor.

- (e) Rules regarding subcontractors. No person may be awarded a subcontract to perform under a contract subject to this Ordinance, if the subcontractor would be disqualified by subparagraph (a) from receiving the contract at the time that the subcontract is awarded. Nor may any person who would be disqualified by subparagraph (a) from receiving the contract perform substantially all of obligations described in a contract for professional or extraordinary services that is subject to this ordinance.

(3) Contributions Made Prior to the Effective Date

No Contribution or solicitation of contributions made prior to the effective date of this Ordinance shall be deemed to give rise to a violation of this Ordinance.

(4) Contract Renewal

No contract subject to this ordinance may be renewed, extended, or materially modified unless the resulting renewal, extension, or modification would be allowable under the provisions of this ordinance if it were an initial contract.

(5) Contribution Statement by Business Entity

- (a) Prior to awarding any contract or agreement to procure Professional Services" or Extraordinary Unspecified Services" from any Business Entity, the Township of Upper or its purchasing agents and departments, as the case may be, shall receive a sworn statement from said Business Entity which is the intended recipient of said contract that he/she/it has not made a Contribution in violation of paragraph (2) of this Ordinance. The Township of Upper, its purchasing agents and departments shall be responsible for informing the Township Committee that the aforementioned sworn statement has been received and that the Business Entity is not in violation of this ordinance, prior to awarding the contract or agreement.

- (b) A Business Entity shall have a continuing duty to report to the Township of Upper any Contributions that constitute a violation of this act that are made during the negotiation, proposal process or the duration of a contract. The Township of Upper, its purchasing agents and departments shall be responsible for informing the governing body within ten (10) business days after receipt of said report from the Business Entity, or at the next Township Committee meeting following receipt of said report from the Business Entity, or whichever comes first.
- (c) The certification required under this paragraph shall be made prior to entry into the contract or agreement with the Township of Upper, or prior to the provision of services or goods, as the case may be, and shall be in addition to any other certifications that may be required by any other provision of law.

(6) Return of Excess Contributions

A Business Entity that is a party to a contract for Professional Services or Extraordinary Unspecified Services may cure a violation of paragraph (2) of this Ordinance, if, within 30 days after the date on which the applicable ELEC report is published, said Business Entity notifies the municipality in writing and seeks and receives reimbursement of the Contribution from the recipient of such Contribution.

(7) Exemptions

The contribution limitations prior to entering into a contract in paragraph (2)(a) do not apply to contracts which (i) are awarded to the lowest responsible bidder after public advertising for bids and bidding therefor within the meaning of N.J.S.A. 40A:11-4, or (ii) are awarded in the case of emergency under N.J.S.A. 40A:11-6. There is no exemption for contracts awarded pursuant to a "Fair and Open Process" under N.J.S.A. 19:44A-20 et seq.

(8) Penalty

- (a) It shall be a material breach of the terms of a Township of Upper agreement or contract for Professional Services or Extraordinary

Unspecified Services when a Business Entity that is a party to such agreement or contract has: (i) made or solicited a Contribution in violation of this Ordinance; (ii) knowingly concealed or misrepresented a Contribution given or received; (iii) made or solicited Contributions through intermediaries for the purpose of concealing or misrepresenting the source of the Contribution; (iv) made or solicited any Contribution on the condition or with the agreement that it will be re-contributed to a candidate, candidate committee or joint candidates committee of any candidate for elective municipal office in Township of Upper, or a holder of public office having ultimate responsibility for the award of a contract, or any Township of Upper political committee or political party committee; (v) engaged or employed a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any Contribution, which if made or solicited by the professional Business Entity itself, would subject that entity to the restrictions of this Ordinance; (vi) funded contributions made by third parties, including consultants, attorneys, family members, and employees; (vii) engaged in any exchange of Contributions to circumvent the intent of this Ordinance; or (viii) directly or indirectly, through or by any other person or means, done any act which if done directly would subject that entity to the restrictions of this Ordinance.

- (b) Furthermore, any Business Entity that violates paragraph (8)(a)(i-viii) shall be disqualified from eligibility for future Township of Upper contracts for a period of four (4) calendar years from the date of the violation.
- (c) Any person who knowingly, purposely, or recklessly violates any provision of this ordinance, or who conspires with another person to violate any provision of this ordinance, or who, with the purpose of promoting or facilitating a violation of this ordinance, solicits another person to commit it, or aids or agrees, or attempts to aid another person in planning or committing it, shall be subject to punishment including fines and/or imprisonment as fixed by law for violations of the ordinances of the Township of Upper.

(9) Citizens Private Right of Action

In addition to any rights that were heretofore available, or which may hereafter be available, to citizens, taxpayers, or associations, to challenge violations of this ordinance, every person aggrieved by a violation of the ordinance, or any taxpayer or resident of the Township of Upper has the right, consistent with the Rules of Court, to file charges in a court of competent jurisdiction, and/or to pursue a civil action for a violation of this ordinance in a court of competent jurisdiction, and to seek and obtain declaratory, injunctive, or other legal or equitable relief, including but not limited to, attorneys fees and costs, arising from or related to a violation of this ordinance.

SECTION 2: SEVERABILITY: If any provision of this Ordinance, or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this Ordinance to the extent it can be given effect, or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby, and to this extent the provisions of this Ordinance are severable.

SECTION 3: REPEALER: All ordinances or parts of ordinances which are inconsistent with any provisions of this Ordinance are hereby repealed as to the extent of such inconsistencies.

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

SECTION 5: CODIFICATION: This Ordinance shall be codified in the Upper Township Code at the section referenced to above.

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 10th DAY OF SEPTEMBER, 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 24th DAY OF SEPTEMBER, 2012 AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEWJERSEY.

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

BARBARA L. YOUNG, DEPUTY TWP. CLERK
TOWNSHIP OF UPPER

CORRESPONDENCE

NEW BUSINESS

- 8. Ducks Unlimited NJ State Committee request to hold a raffle on November 17, 2012.** Motion by Curtis Corson, seconded by Jay Newman, to approve the request. During roll call vote all five Committee members voted in the affirmative.
- 9. Ocean City-Upper Township Noon Rotary Club request to hold a raffle on May 26, 2013.** Motion by Jay Newman, seconded by Curtis Corson, to approve the request. During roll call vote all five Committee members voted in the affirmative.
- 10. Report from Tax Assessor--impact of property tax appeals.** The Township Attorney explained the report; The Assessor is recommending either a re-assessment or re-valuation be completed. The loss from our ratable base from appeals is having an extreme impact on the Township. There is also a strong possibility we will be ordered by the County to complete either a reassessment or a revaluation. In addition due to an influx of informal appeals the Assessor is asking for overtime to complete the work after hours. Motion by Jay Newman, second by Anthony Inserra to authorize overtime for the Assessor to complete the informal appeals. During roll call vote all five members voted in the affirmative.

UNFINISHED BUSINESS:

DISCUSSION

- 11. New Jersey Best Practices Worksheet CY2012/SFY2013.** The CFO reported that the Township has 92% rating for the State's best practices worksheet and meets the requirement to keep our final State Aid payment at 100%.

PAYMENT OF BILLS:

- 12. "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 made by Jay Newman, second by Richard Palombo with all five Committee members voting in the affirmative.

Payroll: \$ 166,602.68
Bills approved for payment: \$ 217,829.19

REPORT OF MUNICIPAL DEPARTMENTS:

13. Department of Public Works.

Reports are available from the Clerk's Office.

PUBLIC COMMENT

Ted Kingston, Willard Avenue Strathmere, spoke in favor of a property re-valuation for the Township.

Stewart Segin, New Jersey Avenue Tuckahoe, resident and Upper Township public works employee expressed his opposition to the purchase of larger trash trucks.

George Grund, Ocean Avenue Marmora, resident and Upper Township public works employee spoke in opposition to the purchase of automated trash trucks.

Hobie Young, 208 Route 50 Seaville, expressed concerns with delaying the purchase of new trash trucks and the safety of Township employees riding on the trucks.

Russell Morano, 5 Red Oak Drive Marmora, questions about the Pet Smart Charities listed on the bill list. The CFO explained that this is to pay back the unused portion of a \$15,000 Pet Smart grant the Township received for spaying and neutering of cats. Mr. Morano also discussed bonding for road repair.

Al Lihou, Klains Lane Palermo, spoke in favor of merging the Planning and Zoning Boards to save funds. He asked the Committee to do an examination to determine whether or not there would be a savings by combining the boards. Mayor Palombo responded that the matter would be addressed with the budget talks and a complete analysis would need to be done before a decision is made.

Natalie Neiss, 759 Route 50 Petersburg, expressed her opposition to combining the Planning and Zoning Boards. Ms. Neiss stated that she feels the time and attention needed for each application would not be given and it would be unfair to the applicants. She next asked if the Committee follows Roberts Rules of Order. The Township Attorney explained that at the beginning of each year the Committee adopts their own rules and follows the Open Public Meetings Act, in the event a procedure is not covered by those rules or the law, Roberts Rules may apply. Lastly Ms. Neiss presented the Committee with a complaint letter regarding tall grass at 691 Route 50. The Township Attorney reported that the Zoning Officer received a copy of the complaint earlier today and a notice of violation was issued and mailed to the property owner along with a letter to Ms. Neiss in response to her complaint.

CLOSED SESSION

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

TOWNSHIP OF UPPER
RESOLUTION NO. 200-2012
MOTION GOING INTO CLOSED SESSION
September 24, 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 – banking proposals

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.

Moved by Richard Palombo

Motion seconded by Jay Newman

During roll vote all five Committee members 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 10:15 P.M.
The next meeting is scheduled for Tuesday October 9, 2012 at 7:30 P.M.

Minutes prepared by

Barbara L. Young, RMC
Deputy Municipal Clerk

Bill List

58243	09/24/12	A0018	ACTION SUPPLY INC.	2,404.49	2748
58244	09/24/12	A0021	ADAMS, GEORGE E. JR.	234.93	2748
58245	09/24/12	A0074	ATLANTICARE PHYSICIAN GROUP, PA	313.00	2748
58246	09/24/12	A0081	ARMSTRONG, RALON I.	378.15	2748
58247	09/24/12	A0091	ATLANTIC CITY ELECTRIC	2,284.70	2748
58248	09/24/12	A0134	ANSELL ZARO GRIMM & AARON, PC	140.00	2748
58249	09/24/12	A0143	BARLOW BUICK GMC	75.37	2748
58250	09/24/12	A0167	HESS CORPORATION	2,389.39	2748
58251	09/24/12	A0170	ASFPM	210.00	2748
58252	09/24/12	B0035	BELMONT & CRYSTAL SPRINGS	113.53	2748
58253	09/24/12	B0184	BUSHONG, BRIAN	268.00	2748
58254	09/24/12	C0048	CAPE MAY COUNTY MUA	35,098.15	2748
58255	09/24/12	C0060	CAPRIONI'S PORTABLE TOILETS	1,744.00	2748

58256	09/24/12	C0068	COMCAST	239.32	2748
58257	09/24/12	C0071	CAPEHART & SCATCHARD, P.A.	335.00	2748
58258	09/24/12	C0171	COLONIAL ELECTRIC SUPPLY CO.	100.89	2748
58259	09/24/12	C0201	CRUZAN'S TRUCK SERVICE INC.	977.02	2748
58260	09/24/12	C0223	CASA PAYROLL SERVICE	287.95	2748
58261	09/24/12	C0247	CMRS-FP	2,000.00	2748
58262	09/24/12	D0016	DALEYS PIT	320.00	2748
58263	09/24/12	D0040	DELTA DENTAL OF N.J. INC.	7,096.51	2748
58264	09/24/12	E0002	EPIC SPORTS, INC	36.09	2748
58265	09/24/12	E0038	EMSAR NEW JERSEY	198.00	2748
58266	09/24/12	G0006	GARBUTT,PATRICIA A.	150.00	2748
58267	09/24/12	G0016	GARDNER HARDWARE INC.	105.78	2748
58268	09/24/12	G0028	GENTILINI FORD	48.20	2748
58269	09/24/12	H0062	HOPE, JOHN J.	65.00	2748
58270	09/24/12	H0083	HUBER LOCKSMITHS, INC.	30.00	2748
58271	09/24/12	H0095	HORIZON BCBSNJ	120,208.63	2748
58272	09/24/12	J0039	JOHNSON & TOWER INC.	112.00	2748
58273	09/24/12	J0063	JOHNSON WILSHIRE, INC	268.50	2748
58274	09/24/12	K0007	KACZMARSKI, RICHARD	65.34	2748
58275	09/24/12	L0007	LC EQUIPMENT, INC.	37.50	2748
58276	09/24/12	L0080	LOWES, INC.	111.91	2748
58277	09/24/12	L0087	LINE SYSTEMS INC	5,398.88	2748
58278	09/24/12	L0100	LCB SERVICES	99.00	2748
58279	09/24/12	M0059	MCDANIELS, WILLIAM J. III	80.08	2748
58280	09/24/12	M0180	MED-TECH RESOURCE,INC.	61.56	2748
58281	09/24/12	M0188	MCCARTHY TIRE SERVICE OF PHILA	112.55	2748
58282	09/24/12	N0043	NAPA AUTO PARTS OF S.JERSEY	0.00	09/24/12 VOID 0
58283	09/24/12	N0043	NAPA AUTO PARTS OF S.JERSEY	770.80	2748
58284	09/24/12	N0052	NATL YOUTH SPORTS COACHED ASSN	40.00	2748
58285	09/24/12	N0131	DEFINED CONTRIB RETIRE PROGRAM	9.85	2748
58286	09/24/12	O0038	OSBORN, JAMES	174.02	2748
58287	09/24/12	P0032	PEDRONI FUEL CO.	3,099.84	2748
58288	09/24/12	P0089	PREMIER SCHOOL AGENDAS,INC.	2,338.00	2748
58289	09/24/12	P0121	PENGUIN COMMUNICATION LLC	121.92	2748
58290	09/24/12	P0135	PetSmart Charities	12,152.50	2748
58291	09/24/12	R0030	RIGGINS, INC.	8,000.70	2748
58292	09/24/12	R0075	RENTAL COUNTRY	125.00	2748
58293	09/24/12	R0076	REGISTRARS' ASSOCIATION N.J.	147.00	2748
58294	09/24/12	S0042	SALEM CO. CLERK, TREAS, AND	70.00	2748
58295	09/24/12	S0056	SEASHORE ASPHALT CORPORATION	2,620.24	2748
58296	09/24/12	S0121	SMUZ, THERESE A	53.02	2748
58297	09/24/12	S0126	SPIEGEL, BARBARA	99.39	2748
58298	09/24/12	S0134	SO. JERSEY GAS COMPANY	139.66	2748
58299	09/24/12	S0196	STEWART BUSINESS SYSTEMS LLC	117.45	2748
58300	09/24/12	S0209	STAPLES ADVANTAGE	167.94	2748
58301	09/24/12	S0254	SHOPRITE	70.48	2748
58302	09/24/12	T0004	TCTA & TREASURERS ASSN ATL CO	50.00	2748
58303	09/24/12	T0067	TOWNSHIP OF UPPER PETTY CASH	3.50	2748
58304	09/24/12	T0074	TRANSAXLE LLC	288.66	2748
58305	09/24/12	U0003	U.S. MUNICIPAL SUPPLY, INC.	29.52	2748
58306	09/24/12	V0004	VAN DUYNE BROTHERS	2,500.00	2748
58307	09/24/12	V0005	VAN EMBDEN, NATHAN, ATTORNEY	37.50	2748
58308	09/24/12	V0018	VILLAGE PHARMACY, INC.	228.40	2748
58309	09/24/12	W0020	WEINSTEIN SUPPLY	1.42	2748
58310	09/24/12	W0038	WILLIAMS, JEREMIAH J.	39.95	2748
58311	09/24/12	Y0012	YOUNG,ROBERT	133.01	2748

Total: 217,829.19