

**TOWNSHIP OF UPPER  
2100 TUCKAHOE ROAD  
PETERSBURG, NJ 08270  
CAPE MAY COUNTY  
MINUTES FOR SEPTEMBER 10, 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	Absent

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

**APPROVAL OF MINUTES - August 27, 2012 Regular Meeting and Closed Session Minutes**

Motion was made by Jay Newman, seconded by Antonio Inserra with all four Committee members present voting in the affirmative.

**REPORT OF GOVERNING BODY MEMBERS**

**Ed Barr, Committeeman**, reported that on September 25<sup>th</sup> from 10:00 AM to 12:00 PM the Township will host the Cape May County Flu Clinic for seniors at the Upper Township Community Center.

**Anthony Inserra, Committeeman**, discussed vandalism of fields at Amanda’s Field and at the Middle School and that security videos are being reviewed in an effort to identify those involved with the property damage. He also discussed early renewal of the Township’s Dental Insurance.

**Jay Newman, Committeeman**, commented that Fire and Rescue were fairly quiet this week. He reported on one incident with a happy ending in that a jet skier launching out of Beesley’s Point was reported missing over the Labor Day weekend. Fortunately for everyone the gentleman was found safe and sound; and luckily he was found just prior to launching coordinated search and rescue efforts with UT Fire, EMS, NJ State Police Marine Unit, and the Coast Guard.

## **OTHER REPORTS**

**Wanda Gaglione, Municipal Clerk** requested that another resolution be added to the agenda as entitled "A RESOLUTION AUTHORIZING THE TOWNSHIP OF UPPER TO ENTER INTO A RENEWAL OF A COOPERATIVE PRICING SYSTEM AGREEMENT WITH THE COUNTY OF CAPE MAY FOR A FIVE YEAR TERM COMMENCING SEPTEMBER 1, 2012 THROUGH AUGUST 31, 2017". It is a companion resolution to item number 4 on the agenda with regards to the Cape May County Cooperative purchasing of rock salt. The Committee approved the request.

She requested that 15 employees be signed up for the NJ League of Municipalities Conference in November. Motion was made by Curtis Corson, second by Antonio Inserra to approve the request. During roll call vote all four Committee members present voted in the affirmative.

There was discussion with regards to the Commercial Hall Bingo License for the Community Center that would allow charitable organizations to hold bingo games at the facility. The Clerk reported that the State of New Jersey may grant the license. It would be the first in the state for a municipal facility. The cost of the license would be \$1000 per year and \$20 per occasion and that these costs could be passed on to the event holders with an amendment to the present ordinance. The Committee commented that this is a way to assist our charitable organizations in the Township and they directed the Clerk to continue to pursue getting the Commercial Hall Bingo License for the Community Center. A motion was made by Antonio Inserra to continue to work on acquiring the license. Motion was seconded by Jay Newman with all four Committee members present voting in the affirmative. It was discussed that if the Minutes of this meeting were not acceptable to the Games of Chance officials, that a resolution would be placed on the next agenda.

**Daniel Young, Municipal Attorney**, reported that there are litigation matters a personnel and contract negotiation matter for closed session.

**Paul Dietrich, Municipal Engineer**, reported that Perry Road will be closed for the next two days for the replacement of the Railroad Crossing.

He also reported on the Sam's Gulf Station environmental monitoring project. The grant applications for the remedial investigation phase are coming in. Although the grant will be for approximately \$52,000 there are two fees that cannot be included in the grant program that are required to be paid directly to the NJDEP. The first is an annual review fee. The DEP will be assessing a \$2,300 administrative fee which is their fee for overseeing the permit application process. The second fee is to register the tanks since they have never been previously registered with the State. They will be registered prior to excavation and their removal and the cost could be up to \$1,600. Motion by Curtis Corson, second by Anthony Inserra to authorize the Township Engineer to apply for the grant. During roll call vote all four Committee members present voted in the affirmative.

Mr. Dietrich also gave a report on item #2 on the agenda regarding the National Flood Insurance Community rating system and the recertification program. He reported that the Township's Flood Insurance rating has been raised to a Class 7 which provides up to a 50% discount on flood insurance costs to residents. He explained that to maintain or raise that rating we would need to

implement additional zoning requirements and programs. Each activity has a point value and activities could include homes being built with more engineering, applying V-zone standards to Coastal "A" Zone Areas, and structure elevations. Also having a Floodplains manager on staff would increase the Township's points toward a higher ranking. Motion was made by Jay Newman, seconded by Ed Barr to authorize Paul Dietrich to attend the certification class for Floodplain Manager and sit for the test scheduled in October. Motion by Jay Newman seconded by Edward Barr for the Township to form a Floodplain Information and Planning Committee to maintain and possibly improve Upper Township's rating. During roll call vote all four Committee members present voted in the affirmative.

## **PRESENTATIONS**

## **RESOLUTIONS**

- 1. In observance of September 11 as "Always Remember Day", to honor the innocent victims of September 11, 2001 and those who continue to fight for the freedom of this great nation.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 188-2012**

**RE: IN OBSERVANCE OF SEPTEMBER 11 AS "ALWAYS REMEMBER DAY", TO HONOR  
THE INNOCENT VICTIMS OF SEPTEMBER 11, 2001  
AND THOSE WHO CONTINUE TO FIGHT  
FOR THE FREEDOM OF THIS GREAT NATION**

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**WHEREAS, on September 11, 2001, terrorists hijacked four civilian aircraft, crashing two into the World Trade Center in New York City, a third into the Pentagon outside of Washington, D.C., and a fourth into the countryside of Pennsylvania; and**

**WHEREAS, thousands of innocent people were killed and injured as a result of these reprehensible attacks;**

**NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey, that we do hereby observe September 11 as "Always Remember Day" to honor the innocent victims of September 11, 2001 and those who continue to fight for the freedom of this great Nation; and**

**BE IT FURTHER RESOLVED, that all persons within this municipality are urged to honor these victims and members of our Armed Forces by appropriate displays of our flag and of red, white and blue ribbons.**

**GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 10<sup>th</sup> day of September 2012.**

**Resolution No. 188-2012**

**Offered by: Newman**

**Seconded by: Corson**

**Adopted: September 10, 2012**

**Roll Call Vote:**

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

**2 . National Flood Insurance Program Community Rating System annual recertification and annual progress report**

**TOWNSHIP OF UPPER**

**CAPE MAY COUNTY**

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

**RESOLUTION NO. 189-2012**

**NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY RATING SYSTEM ANNUAL RECERTIFICATION AND ANNUAL PROGRESS REPORT**

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WHEREAS, FEMA approved Upper Township on October 20, 2011 as a Class 7 Community in the National Flood Insurance Program (NFIP) Community Rating System (CRS); and

WHEREAS, under the aforesaid program, communities are required to provide an annual progress report and recertification that they are continuing to comply with the CRS program activities; and

WHEREAS, the Township Committee of the Township of Upper has determined that it is in the best interest of the Township's residents to continue participating in the CRS program, which saves residents over \$80,000 annually; 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 Annual Progress Report and Recertification.

3. The Mayor is hereby authorized to execute said Report and recertification pursuant to the CRS program rules and submit said report to FEMA.

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. 189-2012

Offered by: Newman

Seconded by: Barr

Adopted: September 10, 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>          </u>	<u>          </u>	<u>          </u>	<u>  X  </u>

**3. Appointing an Official to bid at the Tax Sale scheduled for October 23, 2012.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION  
RESOLUTION NO. 190-2012  
RE: APPOINTING AN OFFICIAL TO BID AT THE  
TAX SALE SCHEDULED FOR OCTOBER 23, 2012**

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**WHEREAS**, a Tax Sale is scheduled to be conducted by the Tax Collector of the Township of Upper on October 23, 2012 at 10:00 A.M.; and

**WHEREAS**, the Township Committee has duly considered the matter and has determined to take the action hereinafter designated.

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

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

2. The Chief Financial Officer, Barbara A. Spiegel, and or the Deputy Municipal Clerk, Barbara L. Young are hereby designated and appointed as the officials who may bid at said Tax Sale on behalf of the Township of Upper on the scheduled date, as well as on any other date to which the Tax Sale may be adjourned.

3. The Chief Financial Officer, Barbara A. Spiegel and or the Deputy Municipal Clerk, Barbara L. Young are

hereby authorized to expend on behalf of the Township, up to \$1,000.00 in order to purchase Tax Liens.

Resolution No. 190-2012

Offered by: Newman

Seconded by: Corson

Adopted: September 10, 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>      </u>	<u>      </u>	<u>      </u>	<u>  X  </u>

**3a. A resolution authorizing the Township of Upper to enter into a renewal of a Cooperative Pricing System Agreement with the County of Cape May for a five year term commencing September 1, 2012 through August 31, 2017.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION  
RESOLUTION NO. 191-2012**

**RE: A RESOLUTION AUTHORIZING THE TOWNSHIP OF UPPER TO ENTER INTO A RENEWAL OF A COOPERATIVE PRICING SYSTEM AGREEMENT WITH THE COUNTY OF CAPE MAY FOR A FIVE YEAR TERM COMMENCING SEPTEMBER 1, 2012 THROUGH AUGUST 31, 2017**

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**WHEREAS**, Ordinance No. 20-1987, enacted pursuant to the provisions of N.J.S.A. 40A:11-11 (5), has heretofore been adopted by the Township of Upper and remains in full force and effect; and

**WHEREAS**, the aforesaid Ordinance authorized the Township of Upper to enter into a Cooperative Pricing Agreement with the County of Cape May wherein the County of Cape May was to be the lead agency for the conduct of certain functions relating to the purchase of work, materials and supplies; and

**WHEREAS**, the Township of Upper has participated in this program since 1987 and it is in the public interest to authorize a renewal of such Agreement with the County of Cape

May for an additional term of five (5) years commencing September 1, 2012 through August 31, 2017.

**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. Pursuant to the authority conferred by Ordinance No. 20-1987, the Township of Upper is hereby authorized to renew its Cooperative Pricing Agreement with the County of Cape May for an additional five (5) year term commencing September 1, 2012 through August 31, 2017.
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. 191- 2012

Offered by: Newman

Seconded by: Corson

Adopted: September 10, 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>

4. **Authorizing participation in the Cape May County Cooperative Pricing Program for award of County Contract No. 12-00000171 (Primary) and 12-00000172 (Secondary), furnishing and delivering of rock salt.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 192-2012**

**RE: AUTHORIZING PARTICIPATION IN THE CAPE MAY COUNTY COOPERATIVE PRICING PROGRAM FOR AWARD OF COUNTY CONTRACT NO. 12-00000171 (PRIMARY) AND 12-00000172 (SECONDARY), FURNISHING AND DELIVERING OF ROCK SALT**

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**WHEREAS**, the Township of Upper is a participating agency under the Cape May County Cooperative Pricing Program; and

**WHEREAS**, the County of Cape May County has acted on behalf of the Township of Upper as a lead agency for Cape May County Cooperative Contract No. 12-00000171(Primary) and 12-00000172 (Secondary); Furnishing and Delivering of Rock Salt; and

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

**WHEREAS**, the needs of the Township of Upper were bid by the county and received on June 13, 2012 and a contract and recommendation by the lead agency for Cape May County Cooperative Contract No. 12-00000171 (Primary) and 12-00000172 (Secondary); Furnishing and Delivering of Rock Salt for a primary and secondary vendor award to Oceanport, LLC, P.O. Box 608, Claymont, DE 19703 (Primary) and International Salt Company, LLC, ISCO Corporate Center, 655 Northern Boulevard, Clarks Summit, PA 18411 (Secondary) for a term effective September 9, 2012 to June 30, 2013 with an option for a one (1) year extension; and

**WHEREAS**, the Township Engineer has reviewed the above described bid and the contract awarded by Cape May County and recommend participation by the Township; and

**WHEREAS**, it is recommended that the Township Committee of the Township of Upper approve the purchase of rock salt from the Cape May County Cooperative Pricing Program Contract No. 12-00000171 (Primary) and 12-00000172 (Secondary); Furnishing and Delivering of Rock Salt from the Cape May County Cooperative; primary vendor Oceanport Industries, LLC and secondary vendor International Salt Company, LLC for use in Township snow removal operations.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Upper, Cape May County, that the Township hereby authorizes participation in the Cape May County Cooperative Pricing Program for award of County Contract No. 12-00000171 (Primary) and 12-00000172 (Secondary); Furnishing and Delivering of rock salt for Township snow removal operations as follows:

**Oceanport Industries, LLC – Primary Vendor**  
**P.O. Box 608**  
**Claymont, DE 19703**  
**Cape May County Co-Op price per ton - \$66.01**

**International Salt Company, LLC – Secondary Vendor**  
**ISCO Corporate Center, 655 Northern Blvd.**  
**Clarks Summit, PA 18411**  
**Cape May County Co-Op price per ton - \$71.43**

Resolution No. 192-2012

Offered by: Newman

Seconded by: Barr

Adopted: September 10, 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

5. **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.** Mr. Inserra asked Mr. Young to rule on whether the Township Committee voting on this matter would constitute a conflict. Mr. Young will research the matter and the resolution was tabled to the next meeting.
  
6. **Adopting revisions to the Upper Township Supervisor’s Personnel Policies and Procedures Manual and Employee Handbook.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 193-2012**  
**RE: ADOPTING REVISIONS TO THE UPPER TOWNSHIP SUPERVISOR'S**  
**PERSONNEL POLICIES AND PROCEDURES MANUAL**  
**AND EMPLOYEE HANDBOOK**

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**WHEREAS**, the Township Committee of the Township of Upper has determined there is a need to adopt revisions to the Township's Personnel Policies, Supervisor's Personnel Policies and Procedures Manual and Employee Handbook pursuant to the Department of Community Affairs Best Practices Inventory; and

**WHEREAS**, the Township Committee of the Township of Upper has reviewed and approved the revisions to the Supervisor's Personnel Policies and Procedures Manual and Employee Handbook, attached hereto as Exhibit A; and

**WHEREAS**, the Township Committee has determined that the revisions should be adopted to amend the existing Township Supervisor's Personnel Policies and Procedures Manual and the Employee Handbook pursuant to the Department of Community Affairs Best Practices Inventory; 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 revision to the Supervisor's Personnel Policies and Procedures Manual and Employee Handbook pursuant to the Department of Community Affairs Best Practices Inventory is hereby adopted and approved and modifies the existing personnel policies, procedures, manuals and handbooks of the Township.
3. The Supervisor's Personnel Policies and Procedures Manual shall apply to all Township officials, appointees, employees, volunteers and independent contractors. In the event

there is a conflict between these rules and any collective bargaining agreement, personal services contract or federal or state law, the terms and conditions of that contract or law shall prevail. In all other cases these policies and procedures shall prevail.

4. The manual is intended to provide guidelines covering public service by Township employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Township Committee.

5. To the maximum extent permitted by law, employment practices for the Township shall operate under the legal doctrine known as “employment at will”.

6. 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. 193- 2012

Offered by: Corson

Seconded by: Inserra

Adopted: September 10, 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>

## **ORDINANCES**

7. **Public hearing and final adoption of Ordinance No. 008-2012, RE: AN ORDINANCE AMENDING ORDINANCE NO. 004-2012 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 Edward Barr to adopt Ordinance No. 008-2012. During roll call vote all four Committee members present voted in the affirmative.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY**

**ORDINANCE**  
**ORDINANCE NO. 008-2012**  
**RE: AN ORDINANCE AMENDING ORDINANCE NO. 004-2012 AUTHORIZING THE**  
**EXCHANGE OF CERTAIN PARCELS OWNED BY THE TOWNSHIP OF UPPER FOR**  
**A ROADWAY EASEMENT SUBJECT TO CERTAIN TERMS AND CONDITIONS**

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**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 previously adopted Ordinance No. 004-2012 wherein the Township agreed to exchange such vacant ground with an interest in land then owned by Lana Shapiro in order to provide for a roadway easement; and

**WHEREAS**, subsequent to the adoption of said Ordinance No. 004-2012 and prior to the consummation of such exchange, Lana Shapiro transferred her real property to Priscilla Moore; and

**WHEREAS**, Priscilla Moore now wishes to complete the exchange originally contemplated by and authorized pursuant to Ordinance No. 004-2012; and

**WHEREAS**, the Township Committee desires to complete the exchange with the new owner of said lands; 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:** Ordinance No. 004-2012 is amended and replaced in its entirety with this Ordinance.

**SECTION 2:** 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 Priscilla Moore more particularly described as follows:

- (A) The Township lands to be conveyed to Priscilla Moore are as follows: Block 624, Lots 3 and 43.
- (B) Priscilla Moore 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 3:** In addition to the conveyance of the aforesaid lots by the Township to Priscilla Moore 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 4:** The exchange of lands authorized in Sections 2 and 3 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 Priscilla Moore. 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. Priscilla Moore 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 situate 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 5:** 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 13<sup>th</sup> DAY 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 10<sup>th</sup> 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.

WANDA GAGLIONE, TOWNSHIP CLERK  
TOWNSHIP OF UPPER

8. **Introduction and First reading of 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.** Mr. Inserra commented on

possibly making the ordinance more restrictive than State laws. Due to the importance in this ordinance being adopted by the end of September it was decided to introduce it tonight as presented hold the public hearing and adoption, and then amend the ordinance at a later time. Motion by Jay Newman second by Curtis Corson to introduce Ordinance No. 010-2012 with public hearing and final adoption scheduled for September 24, 2012 at 7:30 P.M. During roll call vote four Committee members present voted in the affirmative.

**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**

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**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 infeasibly 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 10<sup>th</sup> 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 24<sup>th</sup> 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.

WANDA GAGLIONE, TOWNSHIP CLERK  
TOWNSHIP OF UPPER

## **CORRESPONDENCE**

### **NEW BUSINESS**

- 9. South Shore Stitchers--request to hold an On-Premise Quilt Raffle RA#403 on November 11, 2013 at the Tuckahoe Methodist Church.**

Motion was made by Jay Newman, seconded by Curtis Corson to approve the raffle. During roll call vote all four Committee members present 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."**

Motion made by Jay Newman, second by Antonio Inserra with all four Committee members present voting in the affirmative.

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

- 11. Clerk's Office**
- 12. Construction Code**
- 13. EMS Report**
- 14. Tax Assessor**
- 15. Tax Collector**
- 16. Finance Office**
- 17. Animal Control**
- 18. Zoning Office**
- 19. Municipal Court**
- 20. Certification of Determination and Award for bond anticipation note sale for Strathmere and Whale Beach Replenishment Projects.**

Reports are available from the Clerk's Office.

### **PUBLIC COMMENT**

**Ted Kingston, Willard Avenue, Strathmere**, asked how the Community Rating System would affect Insurance premium discounts. He also asked if the NJDEP approves the Township Planning Board Future wastewater service area map and would sewers be allowed in Strathmere. Mr. Dietrich responded that in the event the NJDEP does approve the map it would allow the Township to explore the possibility of sewers in Strathmere.

**Ronald McCole**, discussed item number 5 on the agenda he asked what the fee would be for Blaney & Donohue to complete the foreclosures. The Chief Financial officer responded that the amount would be \$5,200 to complete the foreclosures.

### **CLOSED SESSION**

**21. Resolution to conduct a closed meeting pursuant to N.J.S.A. 10:4-12, from which the public shall be excluded for possible discussions on items of litigation, contract negotiations, and/or personnel matters. The following items may be discussed in closed session.**

- **Litigation – Township of Upper v. Yank.**
- **Litigation – Township of Upper v. Sansone.**
- **Contract Negotiation - Shared Services Agreement with the County of Cape May that establishes a surplus reciprocal agreement with Cape May County cooperative members.**
- **Personnel**

**TOWNSHIP OF UPPER  
RESOLUTION NO. 194-2012  
MOTION GOING INTO CLOSED SESSION  
September 10, 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. Litigation – Township of Upper v. Sansone
2. Litigation – Township of Upper v. Yank
3. Personnel
4. Contract negotiation – Shared Services with County of Cape May for surplus equipment

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

- A. It is anticipated that the matters discussed in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.
- B. With respect to employment and personnel matters such discussions will be made public if and when formal action is taken or when the individuals involved consent that it can be made public.
- C. With respect to litigation matters such discussions will be made public when litigation is complete and the applicable appeal period has expired.

D. With respect to contract negotiation matters such discussion will be made public when negotiations have terminated and contract issues have been resolved.

Moved by: Jay Newman  
Motion seconded: Edward Barr

During roll call vote all four 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 8:55 P.M. Next regular meeting scheduled for September 24, 2012 at 7:30 P.M. Special Public Hearing held by the NJ Turnpike Authority for the replacement of the Southbound Great Egg Harbor Bay and Drag Channel Bridges project, to be held on September 20, 2012 from 3:00 PM to 6:00 PM at the Upper Township Municipal Building.

Minutes prepared by

Wanda Gaglione, RMC  
Municipal Clerk

### **Bill List**

58178 09/10/12 A0020 ACU-THERM SUPPLY CO.,INC. 268.30 2747  
58179 09/10/12 A0023 ADAMS, JOHN 134.93 2747  
58180 09/10/12 A0024 ADVANCE DOOR & SUPPLY CO.,LLC 595.00 2747  
58181 09/10/12 A0025 ADVANTAGE RENTAL ACE HARDWARE 1,786.65 2747  
58182 09/10/12 A0035 AIRLINE HYDRAULIC CORP. 16.10 2747  
58183 09/10/12 A0075 ADAMS, JOSHUA 139.98 2747  
58184 09/10/12 A0091 ATLANTIC CITY ELECTRIC 13,207.68 2747  
58185 09/10/12 B0184 BUSHONG, BRIAN 150.00 2747  
58186 09/10/12 C0068 COMCAST 224.39 2747  
58187 09/10/12 C0071 CAPEHART & SCATCHARD, P.A. 17.00 2747  
58188 09/10/12 C0077 CHERRY VALLEY TRACTOR SALES 510.34 2747  
58189 09/10/12 C0143 CODY'S POWER EQUIPMENT 5.22 2747  
58190 09/10/12 C0223 CASA PAYROLL SERVICE 291.25 2747  
58191 09/10/12 D0016 DALEYS PIT 200.00 2747  
58192 09/10/12 D0096 DELL MARKETING L.P. 1,684.35 2747  
58193 09/10/12 D0142 DORE, KATRINA 26.00 2747  
58194 09/10/12 E0012 EHRLICH PEST CONTROL INC 80.57 2747  
58195 09/10/12 F0013 FARM RITE INC. 1,647.43 2747  
58196 09/10/12 F0054 FORT DEARBORN LIFE INSURANCE 466.35 2747  
58197 09/10/12 F0083 FOGLIO, CHARLES 64.00 2747  
58198 09/10/12 G0014 GARDEN STATE HWY PRODUCTS INC. 885.50 2747  
58199 09/10/12 G0037 GFOA OF NEW JERSEY 325.00 2747  
58200 09/10/12 G0057 GLOBALSTAR USA LLC 84.48 2747  
58201 09/10/12 H0018 HAROLD RUBIN/L & H SUPPLY 797.30 2747  
58202 09/10/12 K0047 KLINE, EDWARD T. 172.49 2747  
58203 09/10/12 L0007 LC EQUIPMENT, INC. 55.00 2747  
58204 09/10/12 L0043 LEE RAIN, INC. 1,390.42 2747  
58205 09/10/12 M0019 MAXIMUM MARINE 5,700.00 2747  
58206 09/10/12 M0142 MASON, NICHOLAS 279.98 2747

58207 09/10/12 M0164 MURPHY FENCE COMPANY. INC. 2,605.14 2747  
58208 09/10/12 M0188 MCCARTHY TIRE SERVICE OF PHILA 461.07 2747  
58209 09/10/12 M0209 MAYBERRY, JOHN D 99.99 2747  
58210 09/10/12 M0222 MUNICIPAL CAPITAL CORPORATION 392.00 2747  
58211 09/10/12 M0230 MCANJ 25.00 2747  
58212 09/10/12 N0004 NJ-AMERICAN WATER CO. 263.34 2747  
58213 09/10/12 N0052 NATL YOUTH SPORTS COACHED ASSN 240.00 2747  
58214 09/10/12 N0100 N.J. LEAGUE OF MUNICIPALITIES 55.00 2747  
58215 09/10/12 P0032 PEDRONI FUEL CO. 2,502.32 2747  
58216 09/10/12 P0050 PARSIO, ANTHONY 105.38 2747  
58217 09/10/12 P0073 POGUE INC. 133.00 2747  
58218 09/10/12 P0096 PREVITI, MICHELE M. 294.50 2747  
58219 09/10/12 P0134 PHIL DESIERE ELEC MOTOR SERV 844.81 2747  
58220 09/10/12 R0030 RIGGINS, INC. 6,531.32 2747  
58221 09/10/12 S0020 AM SAN 394.26 2747  
58222 09/10/12 S0031 SCHULER SECURITY, INC. 395.00 2747  
58223 09/10/12 S0034 SCHULER, DANIEL 130.07 2747  
58224 09/10/12 S0139 SO. JERSEY WATER COND. INC. 185.00 2747  
58225 09/10/12 S0196 STEWART BUSINESS SYSTEMS LLC 474.12 2747  
58226 09/10/12 S0209 STAPLES ADVANTAGE 243.49 2747  
58227 09/10/12 S0239 SHORE VET. ANIMAL CONTROL LLC 2,250.00 2747  
58228 09/10/12 T0032 THE PRESS & SUNDAY PRESS 360.81 2747  
58229 09/10/12 T0044 THOMSON, KERRY AGENCY 20,307.05 2747  
58230 09/10/12 T0048 TILL PAINT CO/D. FITZGERALD 1,850.00 2747  
58231 09/10/12 T0067 TOWNSHIP OF UPPER PETTY CASH 1.50 2747  
58232 09/10/12 U0010 UPPER TOWNSHIP CHEERLEADING 26.25 2747  
58233 09/10/12 V0013 VERIZON WIRELESS 644.93 2747  
58234 09/10/12 V0022 VERIZON 187.76 2747  
58235 09/10/12 V0024 VAL-U AUTO PARTS L.L.C. 226.68 2747  
58236 09/10/12 V0025 V.E. RALPH & SON, INC. 100.00 2747  
58237 09/10/12 V0038 VAN GILDER, GREGORY 26.00 2747  
58238 09/10/12 V0039 VEACH, KAREN 26.00 2747  
58239 09/10/12 W0030 WEST PUBLISHING CO. 374.79 2747  
58240 09/10/12 Y0008 YOUNG, DANIEL J. ESQUIRE PC 13,762.95 2747  
58241 09/10/12 Y0014 YEARSLEY SERVICE LTD. 41.75 2747  
58242 09/10/12 Y0023 YOUNG, DANIEL J. ATTORNEY 2,625.00 2747  
Total: \$90,391.99