

**TOWNSHIP OF UPPER  
2100 TUCKAHOE ROAD  
PETERSBURG, NJ 08270  
CAPE MAY COUNTY  
MINUTES FOR NOVEMBER 26, 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	Absent
Antonio Inserra	Absent
John “Jay” Newman	Present
Richard Palombo	Present

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

**APPROVAL OF MINUTES** - **November 13, 2012 Regular Meeting and Closed Session Minutes** –The Clerk was directed to place the 11/13/2012 Minutes on the December 3, 2012 agenda for approval due to a lack of a quorum for this vote.

**REPORT OF GOVERNING BODY MEMBERS**

**Edward Barr, Committeeman**, thanked everyone for their prayers for his family. He stated that his daughter is doing well and that he and his family have a lot to be thankful for. He next thanked the Clerk for her help and guidance and wished her the best of luck with her future endeavors since this is her last meeting before retiring on November 29, 2012. He next reported that the Community Center recently had a small fire which resulted in a minimal amount of damage but thankfully no injuries.

**Jay Newman, Committeeman**, thanked the Clerk for her service to the Township. He next reported on a request he received from a resident to hold bingo at the Community Center. He inquired into the status of the Township’s application for a Commercial Rentor’s License. Mr. Young stated that it was necessary for the Legalized Games of Chance Control Commission to review our proposed resolution and give their approval. The process should move quickly once the approval from the State is obtained.

**Richard Palombo, Mayor**, congratulated employee Rosemary Trout on her completion of Principles of Public Purchasing III. He thanked Shuler Security for their donation of the Christmas tree for the Tree Lighting ceremony held this evening. He reported on a meeting he had with County officials and staff regarding the renovations to the Senior Center and that the County is fully committed to the completion of the project. He next reported on a request

he received for a resolution in support of the Good Samaritan Emergency Response Act. This is a proposed bill which offers protection to people who seek or obtain medical assistance during a drug-related overdose from prosecution for simple drug possession. Mayor Palombo requested the Municipal Attorney to gather more information on the bill. Mayor Palombo then acknowledged all of the hard work and help the Clerk has given to him and the Township over the years.

## **OTHER REPORTS**

**Wanda Gaglione, Municipal Clerk**, stated that it was a pleasure to serve as the Township Clerk for the last 10 years. She thanked the Township Committee, the Chief Financial Officer, the Municipal Attorney and the Township Engineer for their friendship throughout the years and that it was an honor to work with such fine people.

**Daniel Young, Municipal Attorney**, reported that there are two items for closed session; one personnel item and one contract negotiation item. He next thanked the Clerk for all she has done for the Township.

**Paul Dietrich, Township Engineer**, also thanked the Clerk for all the work she has done over the years. He next reported that the cleanup in Strathmere has been going very well and there has been a decline in the amount of debris being put out for collection. He requested that Friday November 30 be designated as the last day for pickup of storm debris items in Strathmere and that from now on any debris will be picked up on either the regularly scheduled bulk pickup day or by request. He next reported that FEMA has instituted a new policy in which the Township will be reimbursed for the costs of storm cleanup labor for a period of 30 days. There was a discussion on hiring additional part time help or offering overtime to employees to complete the brush and leaf pickup that has been delayed due to the storm cleanup. It was stated that new part time hires is not a feasible option because of the length of time it takes for pre-employment testing. The remaining budgeted overtime amount will be reviewed and the Engineer will report back at the next meeting. Mr. Dietrich next reported that he has received a report from Dr. Farrell regarding the sand loss in Strathmere from the hurricane. There was a net loss of 127,000 cubic yards of sand, the majority of that located in the Whale Beach section. He next reported that he has received a letter from the NJ Economic Development Authority stating that they will approve a grant for the next phase of the Sam's Gulf Station site remediation and that a fee is required to process the grant application. A resolution authorizing the grant submittal will be on the next agenda. Mr. Dietrich next reported that FEMA will reimburse 75% of the restoration costs for the following items: the storm damaged dock in Beesley's Point; the turtle fencing on Roosevelt Boulevard; and the backstop netting at Caldwell Park. A funding mechanism will need to be put in place to begin the restoration. There was discussion on whether to bond for the funding necessary for the repairs or use the money in the Capital Improvement Fund. It was discussed that FEMA does take some time to issue the reimbursement and it was suggested to request a recommended course of action from the Municipal Auditor. Mr. Dietrich next reported that the Marmora Town Center Transportation study has issued a preliminary report, however some of the requested elements have not been included. He hopes to have a completed report for the next meeting.

**Barbara Spiegel, Chief Financial Officer**, publicly thanked the Clerk for her service over the years.

## **RESOLUTIONS**

1. **Honoring Wanda Gaglione, Municipal Clerk of the Township of Upper, on her retirement.**

TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
R E S O L U T I O N

RESOLUTION NO. 214-2012  
HONORING WANDA GAGLIONE, MUNICIPAL CLERK OF THE  
TOWNSHIP OF UPPER, ON HER RETIREMENT

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**WHEREAS**, Wanda Gaglione, Municipal Clerk of the Township of Upper, will soon be retiring after more than thirty years of exemplary public service to this community, during which she has served in many capacities including Municipal Clerk, Personnel Officer, Tax Search Official, Registrar of Vital Statistics and Planning and Zoning Board Secretary; and

**WHEREAS**, throughout her years of public service, Wanda has faithfully and diligently executed her duties with dignity, grace, compassion, and humor; and

**WHEREAS**, through her dedication to the defining principles of the Office of Municipal Clerk, Wanda has positively impacted the lives of the residents of this Township, and has served as an inspiration to her fellow employees; and

**WHEREAS**, it is most appropriate that Wanda's tenure of public employment, and her years of faithful and dedicated service to this Township be publicly recognized; 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. That Wanda Gaglione be publicly congratulated on the occasion of her retirement as Municipal Clerk of the Township of Upper.
2. That she be publicly thanked for her many years of dedicated public service to our community.
3. That this Committee, on behalf of all the citizens of the Township of Upper extend to our Municipal Clerk, our fellow employee, and our friend, Wanda Gaglione our very best of wishes on her retirement and her future.

**GIVEN UNDER OUR HANDS** and the seal of the Township of Upper this

26<sup>th</sup> day of November, 2012.

Resolution No. 214-2012

Offered by: Newman                      Seconded by: Barr

Adopted: November 26, 2012

Roll Call Vote:

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

**2. Appointing Barbara Spiegel as the Upper Township Personnel Officer.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION  
RESOLUTION NO. 215-2012  
RE: APPOINTING BARBARA SPIEGEL  
AS THE UPPER TOWNSHIP PERSONNEL OFFICER**

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**WHEREAS**, Wanda Gaglione has submitted a resignation from the position of Personnel Officer due to retirement, said resignation to become effective December 1, 2012; and

**WHEREAS**, said resignation creates a vacancy in the title of Personnel Officer; and

**WHEREAS**, the Township Committee duly considered this matter at its regular meeting held on November 13, 2012 and made an appointment for Barbara Spiegel to fill the vacancy which is hereby ratified and confirmed through this resolution;

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

1. The allegations of the preamble are incorporated herein by this reference.
2. Barbara Spiegel is hereby appointed as Personnel Officer of the

Township of Upper effective December 1, 2012, with an annual stipend of \$3,000.00.

Resolution No. 215-2012

Offered by: Newman                      Seconded by: Barr

Adopted: November 26, 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>          </u>	<u>          </u>	<u>          </u>	<u>X</u>
Inserra	<u>          </u>	<u>          </u>	<u>          </u>	<u>X</u>
Newman	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>
Palombo	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>

**3. Appointing Barbara Young as Municipal Clerk of the Township of Upper for a three (3) year term commencing December 1, 2012.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION  
RESOLUTION NO. 216-2012  
RE: APPOINTING BARBARA YOUNG AS MUNICIPAL CLERK  
OF THE TOWNSHIP OF UPPER FOR A THREE (3) YEAR  
TERM COMMENCING DECEMBER 1, 2012.**

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**WHEREAS**, Wanda Gaglione has submitted a resignation from the position of Municipal Clerk and various other positions due to retirement, said resignation to become effective December 1, 2012; and

**WHEREAS**, said resignation creates a vacancy in the office of Municipal Clerk and in various other positions which were filled by the Municipal Clerk; and

**WHEREAS**, the Township Committee has duly considered the matter and has determined that Barbara Young, the current Deputy Municipal Clerk, possesses all of the requisite qualifications for appointment to said position as required by law; and

**WHEREAS**, the Township Committee is of the further opinion that Barbara Young is a competent, fit and suitable person for appointment to the hereinafter designated positions;

**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. Barbara Young is hereby appointed Municipal Clerk of the Township of Upper for a three (3) year term, effective December 1, 2012 and expiring November 30, 2015, subject to and conditioned upon the Township and Barbara Young agreeing upon an annual salary of \$55,000.00.

3. In addition to Municipal Clerk, Barbara Young is hereby appointed to the following positions:

- 1) Registrar of Vital Statistics for a term co-terminus with that of Municipal Clerk with an annual stipend of \$1,850.00;
- 2) Official to Certify Municipal Improvement Searches and General Licensing Official to fill the unexpired one (1) year term of Wanda Gaglione with an annual stipend of \$1,850.00;
- 3) Data Information Coordinator, effective December 1, 2012 with an annual stipend of \$3,500.00.

4. This Resolution ratifies and confirms formal action taken by the Township Committee, by motion, at the regularly scheduled meeting held on November 13, 2012.

Resolution No. 216-2012

Offered by: Newman      Seconded by: Barr

Adopted: November 26, 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>      </u>	<u>      </u>	<u>      </u>	<u>  X  </u>
Inserra	<u>      </u>	<u>      </u>	<u>      </u>	<u>  X  </u>
Newman	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Palombo	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

4. **Accepting the bid and authorizing the execution of a contract with Asphalt Paving Corporation of Malaga, New Jersey 08328 for the Seaville Plantation Subdivision in the amount of \$79,381.25.**

**TOWNSHIP OF UPPER**

**CAPE MAY COUNTY**

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

**RESOLUTION NO. 217-2012**

**RE: ACCEPTING THE BID AND AUTHORIZING THE EXECUTION OF A CONTRACT WITH ASPHALT PAVING CORPORATION**

**OF MALAGA, NJ 08328 FOR THE SEAVILLE PLANTATION SUBDIVISION  
IN THE AMOUNT OF \$79,381.25**

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**WHEREAS**, the Township of Upper solicited bids for the Seaville Plantation Subdivision which bids were received on November 8, 2012; and

**WHEREAS**, the aforesaid bids were thereafter reviewed by the Township Engineer; and

**WHEREAS**, the Township Engineer, Paul Dietrich reported said results at the regular meeting of the Township Committee held on November 13, 2012, and gave a recommendation to the Township Committee with respect to the award of said bids; and

**WHEREAS**, the Chief Financial Officer of the Township of Upper has certified the availability of funds attached hereto as "Exhibit A" in a sufficient amount to award a contract in the amount of \$79,381.25.00; and

**WHEREAS**, the Township intends to take formal action awarding the bid to the lowest responsible bidder as hereinafter provided;

**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 hereby accepts the bid submitted by Asphalt Paving Corporation, 378 Elmwood Avenue, Malaga, New Jersey 08328, for the Seaville Plantation Subdivision in the amount of \$79,381.25 subject to the following:

(A) The Bidder shall comply with all Bid Documents, including the Notice to Bidders, all of which are hereby incorporated herein by this reference.

(B) The Contract to be entered into must comply in all respects with applicable federal, state and local laws and regulations.

(C) The Bidder 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.

3. The Mayor and Township Clerk are further authorized to execute a Contract with the successful bidder and/or the Chief Financial Officer is hereby authorized, directed and empowered to issue a Purchase Order to the successful bidder in the amount authorized in this Resolution.

Resolution No. 217-2012

Offered by: Newman      Seconded by: Barr

Adopted: November 26, 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>          </u>	<u>          </u>	<u>          </u>	<u>X</u>
Inserra	<u>          </u>	<u>          </u>	<u>          </u>	<u>X</u>
Newman	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>
Palombo	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>

**5. Authorizing a five (5) year extension to the Host Community Benefit Agreement between the Township of Upper and the Cape May County Municipal Utilities Authority.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
R E S O L U T I O N  
RESOLUTION NO. 218-2012**

**RE: AUTHORIZING A FIVE (5) YEAR EXTENSION TO THE HOST COMMUNITY BENEFIT AGREEMENT BETWEEN THE TOWNSHIP OF UPPER AND THE CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY.**

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WHEREAS, the Cape May County Municipal Utilities Authority ("CMCMUA") operates a solid waste complex located on the border of the Borough of Woodbine and the Township of Upper, in Cape May County, New Jersey; and

WHEREAS, said solid waste complex has been sited as said location pursuant to the Solid Waste Management Plan of Cape May County adopted by the Board of Chosen Freeholders and approved by the New Jersey Department of Environmental Protection; and

WHEREAS, the Township of Upper is a host community for CMCMUA's solid waste complex; and

WHEREAS, New Jersey Statutes (N.J.S.A. 13:1E-28) provide that a municipality within which an approved solid waste facility is located shall be entitled to an annual economic benefit in consideration of the amount of solid waste accepted for transfer or disposal at said facility; and

WHEREAS, the Township of Upper and CMCMUA entered into a Host Community Benefit Agreement (Agreement) on December 20, 2011; and

WHEREAS, said Agreement provided, among other provisions, that a minimum annual economic benefit be paid to the Township of Upper, based upon a minimum annual volume of solid waste of 143,885 tons, regardless of the actual amount of solid waste received for disposal at the landfill; and

WHEREAS, the minimum tonnage provision of the Agreement will guarantee an annual revenue to the Township of \$400,000; and

WHEREAS, the volume of municipal solid waste disposed in the landfill has decreased in recent prior years and appears to be holding steady in the year 2012; and

WHEREAS, the term of the Agreement was established at twelve (12) months ending December 31, 2012; and

WHEREAS, the Agreement specifically allows the term of the Agreement to be extended up to five (5) additional years; and

WHEREAS, the Township of Upper is desirous of assuring a revenue stream derived from a Host Community Benefit of at least \$400,000 per year for budgetary purposes; and

WHEREAS, the Authority has agreed to extend the term of the Agreement for an additional five (5) years.

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

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

2. The Mayor and Township Clerk are hereby authorized to sign an Amendment to the Host Community Benefit Agreement extending the term of said Agreement for five years, expiring on December 31, 2017.

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

Resolution No. 218-2012

Offered by: Newman

Seconded by: Barr

Adopted: November 26, 2012

Roll Call Vote:

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

6. Accepting the Upper Township Municipal Public Access Plan and authorizing the Township Engineer to submit the plan to the New Jersey Department of Environmental Protection.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 219-2012**

**RE: ACCEPTING THE UPPER TOWNSHIP MUNICIPAL PUBLIC ACCESS PLAN  
AND AUTHORIZING THE TOWNSHIP ENGINEER TO SUBMIT THE PLAN TO  
THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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WHEREAS, the Township of Upper, in accordance with the Coastal Permit Program (N.J.A.C. 7:7) and Coastal Zone Management Rules (N.J.A.C. 7:7E), has developed

a Municipal Public Access Plan to enhance public access to tidal waterways and their shorelines within the Township of Upper, and

**WHEREAS**, the Township Committee of the Township of Upper deems it appropriate to accept and adopt the Municipal Public Access Plan and authorize the Township Engineer to submit the Plan to the New Jersey Department of Environmental Protection (NJDEP); and

**WHEREAS**, the Township Committee shall refer the Municipal Public Access Plan to the Upper Township Planning Board for incorporation into the Master Plan as part of their next master plan re-examination after the New Jersey Department of Environmental Protection (NJDEP) has reviewed and approved the plan.

**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 Municipal Public Access Plan, attached hereto, is hereby accepted and adopted.
3. The Township Engineer is hereby authorized, directed and empowered to submit the Plan to the NJDEP.
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. 219-2012

Offered by: Newman                      Seconded by: Barr

Adopted: November 26, 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>                    </u>	<u>                    </u>	<u>                    </u>	<u>X</u>
Inserra	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>X</u>
Newman	<u>X</u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
Palombo	<u>X</u>	<u>                    </u>	<u>                    </u>	<u>                    </u>

**7. Refund EMS Ambulance billing overpayment to National Accounts Dedicated Service.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION  
RESOLUTION NO. 220-2012  
RE: REFUND EMS AMBULANCE BILLING OVERPAYMENT  
TO NATIONAL ACCOUNTS DEDICATED SERVICE**

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**WHEREAS**, an overpayment has occurred in the account of an EMS ambulance billing patient, where the monies sent to the Township of Upper by CareFirst were in excess as evidenced by the attached copy of a letter attached hereto as Exhibit A.

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

<u><b>AMOUNT</b></u> \$187.05	<u><b>NAME</b></u> National Accounts Dedicated Service P.O. Box 14114 Lexington, KY 40512-4114
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Resolution No. 220-2012  
Offered by: Newman                      Seconded by: Barr  
Adopted: November 26, 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>	_____	_____	_____

**8. In support of roadway improvements on State Highway Route US 9.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION  
RESOLUTION NO. 221-2012  
RE: IN SUPPORT OF ROADWAY IMPROVEMENTS ON  
STATE HIGHWAY ROUTE US 9**

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**WHEREAS**, the Township Committee of the Township of Upper is concerned about the safety of State Highway Route US9 near MP 22.55 SB; and

**WHEREAS**, there have been a number of traffic accidents where vehicles have left the roadway and have damaged private property; and

**WHEREAS**, the combination of roadway geometry elements of a horizontal curve which is not superelevated may be contributing to the cause of the vehicle accidents in this area; and

**WHEREAS**, in order to insure the safety of residents and the general public, the Township Committee of the Township of Upper strongly supports safety improvements to the roadway in the vicinity of MP 22.55 SB on State Highway Route US9;

**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 strongly expresses that safety improvements should be made to this section of roadway in the vicinity of MP 22.55 SB on State Highway Route US9 should be made.
3. The Township Committee hereby requests State officials to take the appropriate action forthwith in order to implement the safety improvements at the location named above.
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.
5. A copy of this Resolution shall be forwarded to the appropriate New Jersey state officials.

Adopted: November 26, 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>      </u>	<u>      </u>	<u>      </u>	<u>X</u>
Inserra	<u>      </u>	<u>      </u>	<u>      </u>	<u>X</u>
Newman	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>
Palombo	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>

**9. Tax Refund.**

TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
R E S O L U T I O N  
Resolution No. 222-2012  
TAX REFUND

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

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

Resolution No. 222-2012

Offered by: Newman

Seconded by: Barr

Adopted: November 26, 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>      </u>	<u>      </u>	<u>      </u>	<u>X</u>
Inserra	<u>      </u>	<u>      </u>	<u>      </u>	<u>X</u>
Newman	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>
Palombo	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>

REFUND 2012

**BLOCK/LOT**

**AMOUNT**

**NAME**

600/62/C0180

\$298.68

RALPH CLAYTON  
4019 OCEAN HEIGHTS AVE  
EGG HARBOR TWP, NJ 08234

Ralph Clayton paid 4<sup>th</sup> quarter subsequent taxes for tax sale certificate #11-00021 which he holds for the above block and lot. However, the homeowner also paid the 4<sup>th</sup> quarter taxes which were within the grace period in which priority must be given to the homeowner.

## **ORDINANCES**

10. **Public Hearing and Final Adoption of Ordinance No. 012-2012 RE: AN ORDINANCE AMENDING ORDINANCE NO. 010-2012 AND MODIFYING THE STANDARDS FOR THE AWARDED OF PROFESSIONAL OR EXTRAORDINARY SERVICES CONTRACTS PURSUANT TO THE STATE OF NEW JERSEY'S "PAY TO PLAY" LEGISLATION.** 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. 012-2012. During roll call vote all three Committee members present voted in the affirmative.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
O R D I N A N C E  
ORDINANCE NO. 012-2012  
RE: AN ORDINANCE AMENDING ORDINANCE NO. 010-2012 AND MODIFYING  
THE STANDARDS FOR THE AWARDED 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;

**WHEREAS**, the Township of Upper previously adopted Ordinance No. 010-2012 which established standards for the award of Professional or Extraordinary Services contracts and now desires to amend said ordinance and standards; 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 amended as follows:

**2-9.8 PROFESSIONAL OR EXTRAORDINARY SERVICES CONTRACTS.**

(1) Unchanged.

(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 within one calendar year immediately preceding the date of the contract or agreement.

(b) Unchanged.

(c) 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.

- (d) 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.
- (e) Deleted.
- (3) Unchanged.
- (4) Unchanged.
- (5) Unchanged.
- (6) Unchanged.
- (7) Unchanged.
- (8) Unchanged.
- (9) Unchanged.

**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 22<sup>nd</sup> DAY OF OCTOBER, 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 26<sup>th</sup> DAY OF NOVEMBER, 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

11. **Introduction of Ordinance No. 014-212 RE: AN ORDINANCE AMENDING REVISED GENERAL ORDINANCE CHAPTER XVIII (FLOOD DAMAGE CONTROL) OF THE CODE OF UPPER TOWNSHIP.** Motion by Jay Newman second by Richard Palombo to introduce Ordinance No. 014-2012 with public hearing and final adoption scheduled for December 17, 2012 at 7:30 P.M. During roll call vote all three Committee members present voted in the affirmative.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
O R D I N A N C E  
ORDINANCE NO. 014-2012  
RE: AN ORDINANCE AMENDING REVISED GENERAL ORDINANCE  
CHAPTER XVIII (FLOOD DAMAGE CONTROL) OF THE CODE OF UPPER  
TOWNSHIP**

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**WHEREAS**, the Township Planning Board prepared and adopted a Conservation Plan Element Update and Master Plan Reexamination Report on February 17, 2011 in accordance with N.J.S.A.40:55D-89; and

**WHEREAS**, the Township Committee desires to amend the Flood Damage Control Ordinance to provide additional flood protection to those properties located in the Special Flood Hazard Zone; and

**WHEREAS**, the Township wishes apply to FEMA to lower the Community Rating System (CRS) class rating which will lower flood insurance premiums; and

**WHEREAS**, the Township Committee referred this ordinance amendment to the Upper Township Planning Board; and

**WHEREAS**, the Township Planning Board reviewed and discussed the proposed ordinance amendment and adopted a resolution approving this proposed ordinance amendment finding said amendment is consistent with the Upper Township Master Plan Reexamination, as amended at their November 15, 2012 meeting; and

**WHEREAS**, the ordinance revisions and amendment herein are part of those recommended in connection with the periodic general reexamination of the Upper Township Master Plan as evidenced by the Master Plan Reexamination Report and Land Use Plan Amendment of January 2011, as amended; and

**WHEREAS**, the Township Committee finds that the ordinance revisions herein are substantially consistent with the Land Use Plan Element and Master Plan Reexamination to date;

**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 18 of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, shall be amended and supplemented as hereinafter provided:

Add the following to **Section 18-2 Definitions**:

*Substantial Damage* means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 40 percent of the market value of the structure before the damage occurred. “Substantial Damage” also means flood-related damages sustained by a structure on two or more separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value (accumulative losses) of the structure before the damages occurred.

Replace the following **Section 18-2 Definitions** as follows:

*Base Flood Elevation* shall mean the elevation as shown on the approved FIRM for the special Flood Hazard Area of the property as determined by the administer of this chapter and shall be measured to the lowest horizontal structural member in all Flood Hazard Areas.

*Substantial Improvement* means any reconstruction, rehabilitation, addition, or other improvement of a structure during a 10 year period the cost of which exceeds 40 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed or “repetitive loss”. The term does not, however, include either:

(a) Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code

enforcement officer and which are the minimum necessary to assure safe living conditions; or

(b) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

Add the following **Section 18-4.4:**

**18-4.4 Variance Procedure**

a. *Appeal Board.*

1. The Zoning Board as established by N.J.S.A. 40:55D-1 et seq. (the Municipal Land Use Law) shall hear and decide appeals and requests for variances from the requirements of this chapter, as this ordinance relates to the nature and extend of the uses of land and of buildings and structures thereon pursuant to N.J.S.A. 40:55D-6.
2. The Zoning Board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Construction Official in the enforcement or administration of this chapter.
3. In passing upon such applications, the Zoning Board shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:
  - (a) The danger that materials may be swept onto other lands to the injury of others;
  - (b) The danger to life and property due to flooding or erosion damage;
  - (c) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - (d) The importance of the services provided by the proposed facility to the community;
  - (e) The necessity to the facility of a waterfront location, where applicable;
  - (f) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
  - (g) The compatibility of the proposed use with existing and anticipated development;
  - (h) The relationship of the proposed use to the comprehensive plan and flood plain management program of that area;
  - (i) The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - (j) The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
  - (k) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities, such as sewer, gas, electrical and water systems and bridges.
4. Upon consideration of the factors of subsection 18-4.4a,3. and the purposes of this chapter, the Appeal Board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter.
5. The Construction Official shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Insurance Administration upon request.

b. *Conditions for Variances.*

1. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half (1/2) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items in paragraphs (a)—(k) of subsection 18-4.4a 3., have been fully considered.
2. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this paragraph.
3. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
4. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
5. Variances shall only be issued upon:
  - (a) A showing of good and sufficient cause;
  - (b) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
  - (c) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in subsection 18-4.4a 3., or conflict with existing local laws or ordinances.
6. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
7. Notwithstanding any provision contained within to the contrary, no variance shall be given unless the applicant/appellant can establish a factual basis therefor pursuant to N.J.S.A. 40:55D-70 as interpreted by applicable judicial decision

Replace the following **Section 18-5.1c3** as follows:

3. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding. Engineering drawings shall be submitted to show compliance of this section prior to issuance of a building permit. Drawings shall show protection from scour, flood proofing of tank access which is located below base flood elevation and protection of electrical components located above base flood elevation; and

Add the following **Section 18-5.1d5.:**

5. All subdivision proposals shall construct a sign no smaller than 12"x12" with the following wording "Entering Flood Hazard Area" at a location as directed by the Township Engineer.

Replace the following **Section 18-5.2a** as follows:

- a. *Residential Construction.* New construction and substantial improvement of any residential structure shall have the lowest floor, including basement and utilities (electrical, heating, ventilation, plumbing, duct work and air conditioning equipment), elevated to one (1') foot or more above the base flood elevation.

Replace the following **Section 18-5.2b** as follows:

- b. *Non-residential Construction.* New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall have the lowest floor, including basement and utilities (electrical, heating, ventilation, plumbing, duct work and air conditioning equipment), elevated to one (1') foot or more above the base flood elevation; or together with attendant utility and sanitary facilities, shall:
  - 1. Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
  - 2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
  - 3. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in subsection 18-4.3, paragraph c, 2.

Add the following **Section 18-5.3b4(e)**:

- (e) All construction below the elevation as detailed in subsection b.1 shall be anchored and constructed of flood-resistant materials in accordance to NFIP requirements.

Add the following **Section 18-5.3c**:

- c. *Enclosure conversion.* No enclosure constructed in accordance with subsection b4 shall be converted to habitable living space and shall not be utilized for any use other than access, utility and storage. The owner shall file a deed restriction for this area agreeing to this subsection and shall be to the benefit of the Township of Upper.

**SECTION 2: EFFECTIVE DATE:** This ordinance shall take effect immediately upon adoption and publication as required by law.

**SECTION 3: REPEALER:** All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

**SECTION 4: 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 5: CODIFICATION:** This Ordinance shall be codified as indicated in Chapter 18 of the Upper Township Code.

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 26<sup>TH</sup> DAY OF NOVEMBER, 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 17<sup>TH</sup> DAY OF DECEMBER, 2012 AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY.  
BY ORDER OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER.

WANDA GAGLIONE, TOWNSHIP CLERK  
TOWNSHIP OF UPPER

### **CORRESPONDENCE**

### **NEW BUSINESS**

12. **Ocean City Crew Boosters, Inc. requests to hold Raffle #406 at Yesterday's Restaurant on various dates in March, April and May 2013.** Motion by Jay Newman, second by Edward Barr to approve the request. During roll call vote all three Committee members present voted in the affirmative.

### **UNFINISHED BUSINESS:**

### **DISCUSSION**

### **PAYMENT OF BILLS:**

13. **"I hereby move that all claims submitted for payment at this meeting be approved and then incorporated in full in the minutes of this meeting."** Motion by Jay Newman, second by Edward Barr. During roll call vote all three Committee members present voted in the affirmative.

Bills approved for payment: \$89,109.14  
Payroll: \$171,940.30.

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

14. **Municipal Court**
15. **Zoning**

Reports are available in the Clerk's Office.

### **PUBLIC COMMENT**

**Lynn Fayter, Strathmere**, requested an explanation of the introduced Ordinance No. 014-2012. Mr. Dietrich gave a brief summary of the provisions in the proposed Ordinance.

**Ted Kingston, Strathmere**, stated that he is concerned with the unintended consequences of Ordinance No. 014-2012 if adopted.

### **CLOSED SESSION**

16. **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.** The resolution was read into the record by Jay Newman.

TOWNSHIP OF UPPER  
RESOLUTION NO. 223-2012  
MOTION GOING INTO CLOSED SESSION  
November 26, 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. Personnel
2. Contract negotiations – Collective Bargaining Agreement

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

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

Moved by: Jay Newman

Motion seconded by: Edward Barr

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

**RECONVENE PUBLIC PORTION OF MEETING**

**ADJOURNMENT**

**There being no further business this evening the meeting was adjourned at 9:15 P.M.  
Next meeting scheduled for December 3, 2012 at 7:30 P.M.**

**Minutes prepared by**

**Wanda Gaglione, RMC  
Municipal Clerk**

**BILL LIST**

58606 11/26/12 A0018 ACTION SUPPLY INC. 579.66 2755  
58607 11/26/12 A0074 ATLANTICARE PHYSICIAN GROUP, PA 313.00 2755  
58608 11/26/12 A0081 ARMSTRONG, RALON I. 65.93 2755  
58609 11/26/12 A0091 ATLANTIC CITY ELECTRIC 1,373.22 2755

58610 11/26/12 A0118 AMERICAN SHORE & BEACH 500.00 2755  
58611 11/26/12 A0167 HESS CORPORATION 1,234.69 2755  
58612 11/26/12 B0035 BELMONT & CRYSTAL SPRINGS 96.17 2755  
58613 11/26/12 B0093 BARRY,CORRADO,GRASSI, P.C. 2,730.00 2755  
58614 11/26/12 B0152 BUCHANAN, KAREN A. 77.99 2755  
58615 11/26/12 B0184 BUSHONG, BRIAN 182.50 2755  
58616 11/26/12 B0196 BRT TECHNOLOGIES LLC 1,405.75 2755  
58617 11/26/12 C0048 CAPE MAY COUNTY MUA 27,339.48 2755  
58618 11/26/12 C0068 COMCAST 239.32 2755  
58619 11/26/12 C0143 CODY'S POWER EQUIPMENT 102.95 2755  
58620 11/26/12 C0156 COMPUTER HOUSE OF SOUTH JERSEY 750.00 2755  
58621 11/26/12 C0171 COLONIAL ELECTRIC SUPPLY CO. 56.50 2755  
58622 11/26/12 C0186 CUB SCOUT PACK #55 300.00 2755  
58623 11/26/12 C0194 CUMMINS POWER SYSTEMS,INC. 2,490.01 2755  
58624 11/26/12 C0201 CRUZAN'S TRUCK SERVICE INC. 1,171.32 2755  
58625 11/26/12 C0223 CASA PAYROLL SERVICE 231.45 2755  
58626 11/26/12 C0230 CATAMARAN MEDIA COMPANY 162.00 2755  
58627 11/26/12 C0247 CMRS-FP 6,000.00 2755  
58628 11/26/12 D0040 DELTA DENTAL OF N.J. INC. 6,977.10 2755  
58629 11/26/12 E0058 EXTRACTOR 2,265.00 2755  
58630 11/26/12 F0013 FARM RITE INC. 500.06 2755  
58631 11/26/12 F0050 FOREMOST PROMOTIONS 644.50 2755  
58632 11/26/12 F0074 FUTURE ACT CLUB 300.00 2755  
58633 11/26/12 G0030 GENERAL SPRING SERVICE 1,095.00 2755  
58634 11/26/12 G0079 GLOBAL CONNECT 2,942.50 2755  
58635 11/26/12 G0092 GRUND, BARBARA J. 227.39 2755  
58636 11/26/12 I0021 INTERSTATE BATTERIES 175.90 2755  
58637 11/26/12 K0028 KIRK'S PIZZA, INC. 358.00 2755  
58638 11/26/12 L0038 LAYTON, WILLIAM 150.00 2755  
58639 11/26/12 L0080 LOWES, INC. 126.87 2755  
58640 11/26/12 L0087 LINE SYSTEMS INC 2,715.98 2755  
58641 11/26/12 M0080 MCMANIMON, SCOTLAND& BAUMANN 2,349.75 2755  
58642 11/26/12 M0103 MODERN GAS COMPANY, INC. 889.10 2755  
58643 11/26/12 M0188 MCCARTHY TIRE SERVICE OF PHILA 3,000.49 2755  
58644 11/26/12 N0043 NAPA AUTO PARTS OF S.JERSEY 0.00 11/26/12 VOID 0  
58645 11/26/12 N0043 NAPA AUTO PARTS OF S.JERSEY 0.00 11/26/12 VOID 0  
58646 11/26/12 N0043 NAPA AUTO PARTS OF S.JERSEY 1,259.32 2755  
58647 11/26/12 N0079 NIGP - SOUTH JERSEY 120.00 2755  
58648 11/26/12 O0038 OSBORN, JAMES 146.65 2755  
58649 11/26/12 O0042 ORCHARDS HYDRAULIC SERVICE INC 100.08 2755  
58650 11/26/12 P0032 PEDRONI FUEL CO. 486.21 2755  
58651 11/26/12 P0075 POSITIVE PROMOTIONS INC 643.17 2755  
58652 11/26/12 P0096 PREVITI,MICHELE M. 113.39 2755  
58653 11/26/12 P0124 PRO CLUB 300.00 2755  
58654 11/26/12 P0137 PARDO'S TRUCK SERV PARTS WHSE 779.24 2755  
58655 11/26/12 P0138 PINELAND CONSTRUCTION, LLC 350.00 2755  
58656 11/26/12 R0030 RIGGINS, INC. 3,359.38 2755  
58657 11/26/12 S-0257 South Jersey Energy Service Pl 78.72 2755  
58658 11/26/12 S0121 SMUZ, THERESE A 48.14 2755  
58659 11/26/12 S0134 SO. JERSEY GAS COMPANY 1,036.88 2755  
58660 11/26/12 S0153 STERICYCLE, INC. 318.84 2755  
58661 11/26/12 S0161 SPICA STEEL, INC./J.D.L.GARAGE 353.00 2755  
58662 11/26/12 S0196 STEWART BUSINESS SYSTEMS LLC 662.86 2755  
58663 11/26/12 S0209 STAPLES ADVANTAGE 57.38 2755  
58664 11/26/12 S0254 SHOPRITE 67.47 2755  
58665 11/26/12 S0256 SEAVILLE UNITED METHODIST CHUR 300.00 2755  
58666 11/26/12 S0266 SUMMIT MOTOR PRODUCTS 132.76 2755  
58667 11/26/12 T0022 TERMINIX 53.00 2755  
58668 11/26/12 T0067 TOWNSHIP OF UPPER PETTY CASH 12.00 2755  
58669 11/26/12 T0074 TRANSAXLE LLC 846.12 2755  
58670 11/26/12 T0102 TROOP #79 300.00 2755  
58671 11/26/12 U0029 UPPER TOWNSHIP BD.OF EDUCATION 2,602.07 2755  
58672 11/26/12 U0055 U.T. CHALLENGER PROGRAM 1,498.50 2755  
58673 11/26/12 V0005 VAN EMBDEN, NATHAN, ATTORNEY 225.00 2755  
58674 11/26/12 V0024 VAL-U AUTO PARTS L.L.C. 739.38 2755

Checks: 67289,109.14 0.00

Direct Deposit: 000.00 0.00

**Total \$89,109.14**