

**TOWNSHIP OF UPPER  
2100 TUCKAHOE ROAD  
PETERSBURG, NJ 08270  
CAPE MAY COUNTY  
MINUTES FOR JANUARY 14, 2013**

**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 Barbara Young, Finance Officer Barbara Spiegel, Municipal Attorney Daniel Young and Municipal Engineer Paul Dietrich.

**APPROVAL OF MINUTES -      **December 17, 2012 Regular Meeting and  
Closed Session Minutes and  
January 4, 2013 Reorganization Meeting Minutes****

Motion was made by Jay Newman, seconded by Edward Barr to approve the December 17, 2012 and January 4, 2013 Minutes as written. During roll call vote all four Committee members present voted in the affirmative.

**REPORT OF GOVERNING BODY MEMBERS**

**Edward Barr, Committeeman**, reported on a Press Conference he recently attended given by Sea Isle Mayor Leonard Desiderio regarding tourism in South Jersey. He also reported that the Township will be holding a free Rabies Clinic on Saturday January 26 and February 23 at Shore Veterinarians Animal Clinic from 1-3 pm. Dog licenses will be available for purchase.

**Anthony Inserra, Committeeman**, reported on a few concerns he has received from residents regarding the new trash containers, and whether they would have a choice in the size. It was stated that residents will have the option to request a smaller size container. He next expressed concerns with traffic safety in the area along Route 50 north of the intersection of County Route 631 and Route 50 to Kendall Lane in Tuckahoe. Heavy traffic flow and congestion creates dangerous and unsafe conditions when vehicles are trying to pass along this stretch of roadway. In an effort to insure the safety of citizens it was recommended that the area should be designated as a no passing zone. The Township Engineer stated that the Township has made several requests for no passing zones on portions of Route 9 and Route 50, however the NJDOT has not yet addressed that portion of Route

50. It was decided to again send a request to the NJDOT for a no passing zone between the intersection of County Route 631 and Route 50 north to Kendall Lane in Tuckahoe. A resolution will be placed on the next agenda. Mr. Inserra next reported that the United States Postal Service has denied the Township's appeal for ZIP Code realignment. He suggested requesting the Banking and Insurance Commission and Insurance companies to stop using ZIP Codes to assess insurance rates. It was decided to alert Congressman LoBiondo of the USPS decision, and wait to see if the issue can progress further with his assistance.

**Jay Newman, Committeeman**, made a motion, seconded by Edward Barr, to appoint Perry Coker as a part time EMT. During roll call vote all four Committee members present voted in the affirmative. He next reported that with the assistance of Senator VanDrew the installation of a no passing zone along Route 9 in front of Osprey Point has been completed, as well as a traffic light at Hope Corson Road and Route 50 which is on schedule to be fully functioning by the end of this month.

**Curtis Corson, Deputy Mayor**, reported a Budget workshop meeting is scheduled for January 28, 2013 at 6:30 pm.

### **OTHER REPORTS**

**Barbara Young, Municipal Clerk**, reported that there is one item for closed session, a potential contract negotiation matter with Charles and Eleanor DeNight.

**Daniel Young, Municipal Attorney**, reported that there are a few additional items for closed session, a few contract negotiation items, and a personnel item. He next reported on an advisory notice sent by the New Jersey League of Municipalities regarding a proposed bill that is now pending which would require certain energy taxes be paid directly to Municipal governments, as well as restoring some of the monies that have been taken. A resolution in support of the bill will be on the next agenda.

**Paul Dietrich, Township Engineer**, reported on correspondence the Township has received from the South Jersey Gas Company. They are preparing applications to obtain approval from governmental agencies to construct a 24 inch Natural Gas Pipeline for supply to B.L. England Power Plant and are requesting the Township's signature on a Property Owner Authorization form giving SJG authorization to submit permit applications that pertain to Township owned property. The use of the property will be subject to a final agreement between the Township and SJG with mutually agreed upon terms. Motion by Curtis Corson, seconded by Jay Newman, to authorize the Mayor to sign a Property Owners Authorization form for proposed improvements to Township owned property in conjunction with the construction of a Natural gas pipeline for supply to B.L. England Power Plant. During roll call vote all four Committee members present voted in the affirmative. Mr. Dietrich next gave an update on the Cape May County single stream recycling project. The conversion is on schedule to take effect April 1, 2013; in preparation they are preparing educational materials as well as educational commercials. We will be receiving copies of the commercials to play on UTTV. In addition they will also be providing an expanded list of recycling materials that will be accepted. He next reported on a letter from the Cape May County Planning Department regarding the Water Quality Management Plan. The DEP has published the WQM map and is beginning its public comment period. They are asking that within the next sixty days the Township adopt a resolution stating that the Township concurs with the map. He next discussed bonding for several proposed capital bond projects including the purchase of new trash trucks. Appointing the firm of McManimon, Scotland and Baumann as Bond Counsel was discussed and approved. A resolution will be placed on the next agenda.

**Barbara Spiegel, Chief Financial Officer**, reported on a request from the Township Tax Assessor to attend a County Tax Administration course in February. Motion by Jay Newman, seconded by Curtis Corson, to approve the request. During roll call vote all four Committee members present voted in the affirmative.

## **RESOLUTIONS**

1. Authorizing a Professional Services Contract with Cape May County Council on Alcoholism and Drug Abuse, Inc. for an employee assistance program for Township employees.

### **TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION**

#### **RESOLUTION NO. 025-2013**

#### **RE: AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH CAPE MAY COUNTY COUNCIL ON ALCOHOLISM AND DRUG ABUSE, INC. FOR AN EMPLOYEE ASSISTANCE PROGRAM FOR TOWNSHIP EMPLOYEES**

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**WHEREAS**, the Township of Upper wishes to continue its Employee Assistance Program to provide assessment, evaluation intervention, referral and case management services for employees of the Township; and

**WHEREAS**, the Township of Upper has previously contracted with Cape May County Council on Alcoholism and Drug Abuse, Inc., a New Jersey non-profit corporation (hereinafter referred to as "Cape Assist") for such services and wishes to continue such relationship by entering into a Professional Services Contract to cover the period from January 1, 2013 to December 31, 2013; and

**WHEREAS**, Cape Assist has the required expertise to provide and implement the Upper Township Employee Assistance Program; and

**WHEREAS**, the Township Committee intends to engage the services of Cape Assist under a Professional Services Contract attached hereto as Exhibit A; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds to permit said Contract to be entered into;

**WHEREAS**, Cape Assist has completed and submitted a Business Entity Disclosure Certification which certifies that Cape Assist has not made any contributions to a political or

candidate committee in the Township that would bar the award of this contract and that the contract will prohibit Cape Assist from making any contributions through the term of the contract; and

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

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

2. Cape Assist 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 proposed Professional Services Contract between the Township of Upper and Cape Assist, a copy of which is on file in the office of the Township Clerk, is hereby approved and the Mayor and the Township Clerk are hereby authorized, directed and empowered to execute said Contract on behalf of the Township of Upper and the Township Clerk is further authorized, directed and empowered to seal said Contract with the seal of the Township of Upper.

4. The Township Clerk shall cause a Notice of Award of this Contract to be published in the official newspaper of the Township of Upper as required by N.J.S.A. 40A:11-5.

5. This Contract has been awarded without competitive bidding for the following reason or reasons:

(A) Professional services of the type herein sought are of such a nature as to require a high degree of trust or confidence in the individual providing the service and, in fact, may require the creation of a confidential or fiduciary relationship between that individual and the municipality;

(B) The services required are highly specialized or technical in nature;

(C) The services require peculiar ability or skill and demand a high degree of specialized knowledge or expertise;

(D) The services are such that their relative work must be judged by subjective considerations that are not susceptible of valuation by competitive bidding; and

(E) The individual who will provide these services has demonstrated his competence and particular expertise in the services required.

6. This Resolution shall take effect immediately and shall be deemed retroactive to January 1, 2013.

Resolution No. 025-2013  
Offered by: Newman  
Adopted: January 14, 2013

Seconded by: Inserra

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>

2. Authorizing the Township of Upper to enter in a contract with Benjamin Rau for the Maintenance and Development of the Upper Township Internet Website for the year 2013.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 026-2013**

**RE: AUTHORIZING THE TOWNSHIP OF UPPER  
TO ENTER INTO A CONTRACT WITH BENJAMIN RAU  
FOR THE MAINTENANCE AND DEVELOPMENT OF THE  
UPPER TOWNSHIP INTERNET WEB SITE FOR THE YEAR 2013**

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**WHEREAS**, the Township of Upper maintains an internet web site which requires routine maintenance and web site enhancement, including but not limited to the development of new pages, information and data for the web site; and

**WHEREAS**, Benjamin Rau possesses the requisite skill and knowledge to perform routine maintenance on the Upper Township web site and enhance same by developing new pages and information; and

**WHEREAS**, the Township of Upper desires to enter into a contract for services with said Benjamin Rau for the aforesaid purposes as set forth in said contract of which a copy is attached 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 of Upper is hereby authorized to enter into a contract for services with Benjamin Rau for routine maintenance and enhancement, including the development of new pages and information, with respect to the Township internet web site for the calendar year 2013. A copy of the proposal dated January 3, 2013 is attached hereto as Exhibit "A".

3. The consideration to be paid said Benjamin Rau shall be the sum of four thousand five hundred and fifty dollars (\$4,550.00) for the calendar year 2013.

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

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

6. The contractor has not made any contributions to a political or candidate committee in the Township that would bar the award of this contract and the contract will prohibit Contractor from making any contributions through the term of the contract.

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

8. This Resolution shall be effective as of January 1, 2013.

Resolution No. 026-2013

Offered by: Inserra

Seconded by: Barr

Adopted: January 14, 2013

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>

- Authorizing the execution of a Collective Bargaining Agreement between the Township of Upper and Council 71, American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO for the term January 1, 2012 to December 31, 2014.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 027-2013**

**RE: AUTHORIZING THE EXECUTION OF A COLLECTIVE BARGAINING  
AGREEMENT BETWEEN THE TOWNSHIP OF UPPER AND COUNCIL 71, AMERICAN  
FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), AFL-  
CIO FOR THE TERM JANUARY 1, 2012 TO DECEMBER 31, 2014**

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**WHEREAS**,; the Township Committee appointed a Negotiating Committee to meet with a Negotiating Committee appointed by Council 71, American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO (hereinafter “Bargaining Unit”); and

**WHEREAS**,; an agreement has been reached by the respective Negotiating Committees with respect to the contract terms which terms have been ratified by the members of the Collective Bargaining Unit and by the Township Committee;

**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:

- The allegations of the preamble are incorporated herein by this reference.
- The Township Committee of the Township of Upper hereby ratifies, confirms and approves a contract between the Township of Upper and the Bargaining Unit for the term commencing January 1, 2012 until December 31, 2014, a copy of which is attached hereto as “Exhibit A” and is on file in the office of the Municipal Clerk and available for public inspection..
- The Mayor and Township Clerk are hereby authorized, directed and empowered to sign said contract on behalf of the Township of Upper.

Offered by: Inserra  
Adopted: January 14, 2013

Seconded by: Corson

Roll Call Vote:  
NAME      YES    NO      ABSTAINED    ABSENT

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

4. Authorizing the Township of Upper to enter into an agreement with the Atlantic County Municipal Joint Insurance Fund for the 2013 Retrospective Program, and authorizing the signature of the Mayor and Township Clerk.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
STATE OF NEW JERSEY  
RESOLUTION**

**RESOLUTION NO. 028-2013**

**RE: AUTHORIZING THE TOWNSHIP OF UPPER TO ENTER INTO AN AGREEMENT WITH THE ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND FOR THE 2013 RETROSPECTIVE PROGRAM AND AUTHORIZING THE SIGNATURE OF THE MAYOR AND TOWNSHIP CLERK.**

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**WHEREAS**, the Township of Upper is a member of the Atlantic County Municipal Joint Insurance Fund (hereinafter the “FUND”); and

**WHEREAS**, the FUND offers the opportunity for member municipalities to control their future assessments by offering a policy endorsement to enter into a Retrospective Program; and

**WHEREAS**, the Township of Upper wishes to accept the policy endorsement and enter into an agreement for the 2013 fund year Retrospective Program, a copy of which is attached hereto as Exhibit “A”; and

**NOW THEREFORE** be it resolved as follows:

1. The allegations of the preamble are incorporated herein by this reference.
2. The Mayor and Township Clerk are hereby authorized to execute the “Contract for 2013 Retrospective Program” annexed hereto as Exhibit “A” and made a part hereof.
3. All Township officials and officers are hereby authorized and directed to take all action necessary in order to carry out the intent and purpose of this Resolution.



Resolution No. 028-2013  
Offered by: Inserra  
Adopted: January 14, 2013

Seconded by: Newman

Roll Call Vote:

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

5. Reserve Budget Transfers.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION  
RESOLUTION NO. 029-2013**

**RE: RESERVE BUDGET TRANSFERS**

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**WHEREAS**, various 2012 bills have been presented for payment this year, which bills were not covered by order number and/or recorded at the time of transfers between the 2012 budget appropriation reserve in the last two months of 2012; and

**WHEREAS**, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available until lapsed at the close of the succeeding year to meet specific claims, commitments or contracts incurred during the preceding fiscal year and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year.

**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 the transfers in the amount of \$45,000.00 be made between the 2012 budget appropriation reserves as follows:

<u>TO</u>	<u>FROM</u>
1 <sup>ST</sup> AID CONTRIBUTION \$5,000.00	CLERK S/W \$3,000.00
ROAD REPAIRS & MAINT O/E	FINANCE S/W

\$5,000.00  
SPORTS & RECREATION O/E  
\$5,000.00  
STREET LIGHTING O/E  
\$10,000.00  
MISC. TIPPING FEES  
\$20,000.00

\$2,500.00  
CONSTRUCTION CODE S/W  
\$5,000.00  
1<sup>st</sup> AID ORGANIZATION S/W  
\$3,000.00  
ROAD REPAIRS & MAINT. S/W  
\$10,000.00  
RECYCLING S/W  
\$15,000.00  
MUNICIPAL COURT O/E  
\$4,000.00  
ZONING BOARD O/E  
\$2,500.00

Resolution No. 029-2013

Offered By: Corson

Seconded By: Newman

Adopted: January 14, 2013

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>

**ORDINANCES**

- Introduction and First Reading of Ordinance No. 001-2013 RE: AN ORDINANCE AMENDING ORDINANCE NO. 013-2012 KNOWN AS THE SALARY ORDINANCE FOR THE CALENDAR YEAR 2013. Motion by Jay Newman, seconded by Anthony Inserra, to introduce Ordinance No. 001-2013 with public hearing and final adoption scheduled for February 11, 2013 at 7:30 P.M. During roll call vote all four Committee members present voted in the affirmative.

**TOWNSHIP OF UPPER**

**CAPE MAY COUNTY**

**ORDINANCE**

**ORDINANCE NO. 001-2013**

**RE: AN ORDINANCE AMENDING ORDINANCE NO. 013-2012 KNOWN AS THE SALARY ORDINANCE FOR THE CALENDAR YEAR 2013**

**BE IT ORDAINED** by the Township Committee of the Township of Upper,

in the County of Cape May and State of New Jersey, as follows:

**SECTION 1:** Ordinance No.013-2012, known as the Salary Ordinance of 2013 at Section 2, is hereby amended as hereinafter provided for the line items as indicated below:

**SECTION 2: SALARIES:** Salaries for the various officials and employees of the Township of Upper for the calendar year 2013 shall be as follows:

<b><u>POSITION</u></b>	<b><u>MINIMUM</u></b>	<b><u>MAX-2013</u></b>
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**A. ADMINISTRATIVE/REVENUE AND FINANCE:**

Asst. Personnel Officer (P/T)	No Min.	1,500.00
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**E. PUBLIC WORKS/SPORTS AND RECREATIONAL PROGRAMS:**

Sr. Carpenter (0-9 yrs.)	20,000.00	51,128.00
Sr. Carpenter (10 or more yrs.)	20,000.00	52,567.00
Carpenter (0-9 yrs.)	12,500.00	49,689.00
Carpenter (10 or more yrs.)	12,500.00	51,128.00
Carpenter's Helper	12,500.00	49,689.00
Senior Mechanic (0-9 yrs.)	12,500.00	53,080.00
Senior Mechanic (10 or more yrs.)	12,500.00	54,521.00
Mechanic (0-9 yrs.)	12,500.00	50,646.00
Mechanic (10 or more yrs.)	12,500.00	52,085.00
Mechanics Helper (0-9 yrs.)	12,500.00	48,562.00
Mechanics Helper (10 or more yrs.)	12,500.00	50,001.00
Equipment Operator (0-9yrs.)	12,500.00	49,689.00
Equipment Operator (10 or more yrs.)	12,500.00	51,128.00
Truck Driver (0-9 yrs.)	12,500.00	48,480.00
Truck Driver (10 or more yrs.)	12,500.00	49,921.00
Laborer 1 <sup>st</sup> year	12,500.00	37,578.00
Laborer 2 <sup>nd</sup> year	12,500.00	39,618.00
Laborer 3 <sup>rd</sup> year	12,500.00	41,658.00
Laborer 4 <sup>th</sup> year	12,500.00	43,699.00
Laborer 5 <sup>th</sup> year	12,500.00	45,740.00
Laborer (6-9 yrs.)	12,500.00	47,299.00
Laborer (10 or more yrs.)	12,500.00	48,737.00
Sr. Sanitation Inspector	12,500.00	51,128.00

Sanitation Inspector (0-9 yrs.)	12,500.00	49,689.00
Sanitation Inspector (10 or more yrs.)	12,500.00	51,128.00
Groundskeeper (0-9 yrs.)	12,500.00	49,689.00
Groundskeeper (10 or more yrs.)	12,500.00	51,128.00
Building Maintenance Worker	22,000.00	34,539.00
Sr. Recreation Maint. Worker (0-9 yrs.)	11,500.00	49,689.00
Sr. Rec. Maint. Worker (10 or more yrs.)	11,500.00	51,128.00
Maintenance Repairer (0-9 yrs.)	10,500.00	49,689.00
Maintenance Repairer (10 or more yrs.)	10,500.00	51,128.00
Recreation Maint. Worker (0-9 yrs.)	10,500.00	48,480.00
Recreation Maint. Worker (10 or more yrs.)	10,500.00	49,921.00
Recreation Attendant/Laborer	9,500.00	47,299.00

**SECTION 2: SEVERABILITY:** If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance, but shall be confined in its effects to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

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

**SECTION 4: EFFECTIVE DATE:** 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 ON JANUARY 14, 2013 AND WILL BE TAKEN UP FOR SECOND READING AND FINAL ADOPTION AT A MEETING OF THE UPPER TOWNSHIP COMMITTEE TO BE HELD ON FEBRUARY 11, 2013 AT 7:30 P.M.**

**BY ORDER OF THE TOWNSHIP COMMITTEE.**

**BARBARA L. YOUNG, RMC  
TOWNSHIP CLERK**

**CORRESPONDENCE**

7. **FEMA Advisory Base Flood Elevation Information.** The Township Engineer reported that the Township has received a copy of the Advisory Base Flood Elevations. They are posted on the Upper Township website, and paper copies are available to the public. FEMA also provided additional general information regarding changes to the Flood Insurance Program, which will change how flood insurance policies are rated beginning in 2013. That additional information will be posted on the website soon.

## **NEW BUSINESS**

### **UNFINISHED BUSINESS:**

### **DISCUSSION**

### **PAYMENT OF BILLS:**

8. "I hereby move that all claims submitted for payment at this meeting be approved and then incorporated in full in the minutes of this meeting." **Motion by Jay Newman, seconded by Curtis Corson. During roll call vote all four Committee members present voted in the affirmative.**

Bills approved for payment: \$ 386,185.50

Payroll: \$ 231,902.30

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

9. Construction Code
10. Division of EMS
11. Clerk's Office
12. Animal Control
13. Tax Assessor
14. Tax Collector
15. Municipal Court
16. Finance Office
17. MUA Report
18. Department of Public Works

Reports are available in the Clerk's Office.

### **PUBLIC COMMENT**

**Valerie Watson, on behalf of NJ Project for Hope and Healing**, the organization is through the NJ Division of Mental Health and Addiction Services Disaster and Terrorism Branch and provides free emotional support, individual and family counseling, and education to those who have been affected by Hurricane Sandy. Contact information for the group will be available in the Clerk's Office.

### **CLOSED SESSION**

19. Resolution to conduct a closed meeting pursuant to N.J.S.A. 10:4-12, from which the public shall be excluded.

TOWNSHIP OF UPPER  
RESOLUTION NO. 030-2013  
MOTION GOING INTO CLOSED SESSION  
January 14, 2013

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. Potential contract negation – Charles and Eleanor DeNight.
2. Contract negotiation – James Bonner.
3. Contract negotiation – NJ Turnpike Authority.
4. Contract negotiation – Communication Tower Leases.
5. Personnel.

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: Newman

Motion seconded by: Corson

During roll vote all four 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 9:06 P.M. Next meeting scheduled is January 28, 2013 with a Budget Workshop meeting at 6:30 P.M. and the regular meeting at 7:30 P.M.

Minutes prepared by

Barbara L. Young, RMC  
Municipal Clerk

## Bill List

60135	01/14/13	A0004	A+ COMMERCIAL OFFICE CLEANERS	225.00	2761	
60136	01/14/13	A0006	ADVANCE TREADS INC	279.00	2761	
60137	01/14/13	A0025	ADVANTAGE RENTAL ACE HARDWARE	261.77	2761	
60138	01/14/13	A0075	ADAMS, JOSHUA	57.34	2761	
60139	01/14/13	A0081	ARMSTRONG, RALON I.	9.37	2761	
60140	01/14/13	A0091	ATLANTIC CITY ELECTRIC	18,929.97	2761	
60141	01/14/13	A0134	ANSELL ZARO GRIMM & AARON, PC	2,798.69	2761	
60142	01/14/13	A0143	BARLOW BUICK GMC	117.34	2761	
60143	01/14/13	A0167	HESS CORPORATION	3,254.62	2761	
60144	01/14/13	A0170	ASFPM	110.00	2761	
60145	01/14/13	A0173	ADVANCE LEARNING	99.00	2761	
60146	01/14/13	B0035	BELMONT & CRYSTAL SPRINGS	390.78	2761	
60147	01/14/13	B0152	BUCHANAN, KAREN A.	62.97	2761	
60148	01/14/13	B0178	BUGANSKI, PETER R.	254.51	2761	
60149	01/14/13	B0213	BOROUGH OF STONE HARBOR	24.00	2761	
60150	01/14/13	C0019	CITY OF OCEAN CITY	33,868.87	2761	
60151	01/14/13	C0031	CAPE ASSIST	1,050.00	2761	
60152	01/14/13	C0048	CAPE MAY COUNTY MUA	59,940.47	2761	
60153	01/14/13	C0060	CAPRIONI'S PORTABLE TOILETS	852.00	2761	
60154	01/14/13	C0061	CAPRIONI FAMILY SEPTIC	400.00	2761	
60155	01/14/13	C0068	COMCAST	475.86	2761	
60156	01/14/13	C0071	CAPEHART & SCATCHARD, P.A.	4,919.70	2761	
60157	01/14/13	C0078	CARTER, EDWARD, SR.	335.16	2761	
60158	01/14/13	C0116	CINTAS FAX LOCKBOX	636525	183.19	2761
60159	01/14/13	C0196	COMPUTER HOUSE	1,877.40	2761	
60160	01/14/13	C0201	CRUZAN'S TRUCK SERVICE INC.	147.03	2761	
60161	01/14/13	C0223	CASA PAYROLL SERVICE	545.60	2761	
60162	01/14/13	C0230	CATAMARAN MEDIA COMPANY	174.00	2761	
60163	01/14/13	C0246	CRAFT OIL CORPORATION	2,144.34	2761	
60164	01/14/13	D0003	DATA RESOURCE SOLUTIONS	640.00	2761	
60165	01/14/13	D0026	DEAUGUSTINE, JOE	600.00	2761	
60166	01/14/13	D0080	DOWNAM, HARRY J. JR.	146.70	2761	
60167	01/14/13	D0096	DELL MARKETING L.P.	1,164.02	2761	
60168	01/14/13	E0012	EHRlich PEST CONTROL INC	80.87	2761	
60169	01/14/13	E0021	ENCHANTING FLORIST	302.48	2761	
60170	01/14/13	F0054	DEARBORN NATIONAL LIFE INS. CO	453.45	2761	
60171	01/14/13	G0035	GENRON FIRE PROTECTION	20.00	2761	
60172	01/14/13	G0040	GIBSON ASSOCIATES, P.A.	2,495.00	2761	
60173	01/14/13	G0074	GPA OF NEW JERSEY, INC.	90.00	2761	
60174	01/14/13	G0086	W.W. GRAINGER, INC.	118.74	2761	
60175	01/14/13	G0147	GREATAMERICA FINANCIAL SVCS.	176.97	2761	
60176	01/14/13	H0062	HOPE, JOHN J.	234.62	2761	
60177	01/14/13	H0095	HORIZON BCBSNJ	115,654.08	2761	
60178	01/14/13	J0040	JOHNSON & TOWERS, INC.	950.00	2761	
60179	01/14/13	K0014	KEENAN, BRIAN	329.50	2761	
60180	01/14/13	K0047	KLINE, EDWARD T.	297.93	2761	
60181	01/14/13	L0030	LAWYERS DIARY AND MANUAL	87.00	2761	
60182	01/14/13	L0031	LORCO PETROLEUM SERVICES	100.00	2761	
60183	01/14/13	M0012	McCAULEY, RICHARD	80.13	2761	
60184	01/14/13	M0059	MCDANIELS, WILLIAM J. III	192.94	2761	
60185	01/14/13	M0062	MARLEE CONTRACTORS, LLC	609.45	2761	
60186	01/14/13	M0088	MC SYSTEMS SOFTWARE LLC	400.00	2761	
60187	01/14/13	M0180	MED-TECH RESOURCE, INC.	1,470.40	2761	
60188	01/14/13	M0188	MCCARTHY TIRE SERVICE OF PHILA	1,182.51	2761	
60189	01/14/13	M0222	MUNICIPAL CAPITAL CORPORATION	392.00	2761	
60190	01/14/13	M0223	MR. GLASS	332.00	2761	
60191	01/14/13	N0004	NJ-AMERICAN WATER CO.	81.85	2761	
60192	01/14/13	N0043	NAPA AUTO PARTS OF S.JERSEY	280.01	2761	
60193	01/14/13	N0068	NJ MOTOR VEHICLE COMMISSION	150.00	2761	
60194	01/14/13	N0131	DEFINED CONTRIB RETIRE PROGRAM	45.38	2761	
60195	01/14/13	O0004	O.C. SENTINEL LEDGER INC.	360.00	2761	
60196	01/14/13	O0006	SJSHORE MARKETING, LLC	326.37	2761	
60197	01/14/13	O0012	OCEAN CITY BD. OF EDUCATION	1,342.56	2761	
60198	01/14/13	O0025	OLD DOMINION BRUSH	725.00	2761	
60199	01/14/13	O0038	OSBORN, JAMES	180.71	2761	
60200	01/14/13	P0032	PEDRONI FUEL CO.	1,207.12	2761	
60201	01/14/13	P0050	PARSIO, ANTHONY	169.98	2761	
60202	01/14/13	P0075	POSITIVE PROMOTIONS INC	420.56	2761	

60203 01/14/13 P0096 PREVITI,MICHELE M. 240.32 2761  
60204 01/14/13 P0104 PASHUCK, SUZANNE 29.68 2761  
60205 01/14/13 P0121 PENGUIN MANAGEMENT, INC 92.16 2761  
60206 01/14/13 P0131 360 BUSINESS SOLUTIONS 64.95 2761  
60207 01/14/13 P0137 PARDO'S TRUCK SERV PARTS WHSE 58.52 2761  
60208 01/14/13 R0030 RIGGINS, INC. 13,059.54 2761  
60209 01/14/13 R0099 RANSOME INTERNATIONAL, LLC 235.27 2761  
60210 01/14/13 R0103 REUTER CONSTRUCTION, INC 900.00 2761  
60211 01/14/13 S-0257 South Jersey Energy Service Pl 87.24 2761  
60212 01/14/13 S0001 SAM'S CLUB 101.65 2761  
60213 01/14/13 S0015 SMYTH, PATRICIA 25.00 2761  
60214 01/14/13 S0020 AM SAN 525.68 2761  
60215 01/14/13 S0031 SCHULER SECURITY, INC. 312.00 2761  
60216 01/14/13 S0036 SCHULER, JAMES 66.46 2761  
60217 01/14/13 S0106 SIMPLEX/GRINNELL 64.26 2761  
60218 01/14/13 S0121 SMUZ, THERESE A 32.34 2761  
60219 01/14/13 S0134 SO. JERSEY GAS COMPANY 2,577.62 2761  
60220 01/14/13 S0161 SPICA STEEL, INC./J.D.L.GARAGE 275.00 2761  
60221 01/14/13 S0165 S.E.T. COMMUNICATIONS INC 47.50 2761  
60222 01/14/13 S0185 STOCKTON STATE COLLEGE 38,280.33 2761  
60223 01/14/13 S0209 STAPLES ADVANTAGE 1,121.79 2761  
60224 01/14/13 S0241 SAFEGUARD BUSINESS SYSTEMS 102.90 2761  
60225 01/14/13 S0250 SOUTH JERSEY GLASS & DOOR CO 188.93 2761  
60226 01/14/13 T0005 TCTA OF NEW JERSEY 200.00 2761  
60227 01/14/13 T0022 TERMINIX 55.00 2761  
60228 01/14/13 T0032 THE PRESS & SUNDAY PRESS 254.57 2761  
60229 01/14/13 T0066 TOWNSHIP OF UPPER 30,100.00 2761  
60230 01/14/13 T0067 TOWNSHIP OF UPPER PETTY CASH 100.00 2761  
60231 01/14/13 T0080 TREASURER STATE OF N.J. 1,463.00 2761  
60232 01/14/13 U0003 U.S. MUNICIPAL SUPPLY, INC. 2,162.47 2761  
60233 01/14/13 U0024 UNIVERSAL COMPUTING SERV. INC. 726.00 2761  
60234 01/14/13 U0029 UPPER TOWNSHIP BD.OF EDUCATION 455.84 2761  
60235 01/14/13 U0037 UPPER TOWNSHIP P.T.A. 1,025.00 2761  
60236 01/14/13 V0005 VAN EMBDEN, NATHAN, ATTORNEY 562.50 2761  
60237 01/14/13 V0013 VERIZON WIRELESS 963.02 2761  
60238 01/14/13 V0022 VERIZON 184.38 2761  
60239 01/14/13 V0025 V.E. RALPH & SON,INC. 65.20 2761  
60240 01/14/13 W0030 WEST PUBLISHING CO. 374.79 2761  
60241 01/14/13 W0031 WESLEY METHODIST CHURCH 300.00 2761  
60242 01/14/13 W0050 WIRELESS ELECTRONICS, INC. 2,000.00 2761  
60243 01/14/13 W0085 WOODY, LESTER 106.87 2761  
60244 01/14/13 Y0007 YEP COMPANY 169.85 2761  
60245 01/14/13 Y0008 YOUNG, DANIEL J. ESQUIRE PC 15,835.00 2761  
60246 01/14/13 Y0012 YOUNG,ROBERT 289.56 2761  
60247 01/14/13 Y0023 YOUNG, DANIEL J. ATTORNEY 2,625.00 2761

Total: \$386,185.50