

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR FEBRUARY 11, 2013**

CAPITAL BOND PROJECTS AND BUDGET WORKSHOP-6:30 P.M.

In preparation of the 2013 Municipal Budget the second budget workshop meeting was called to order by Mayor Palombo this evening at 6:30 PM.

The following were present for the meeting tonight:

Edward Barr	Present
Curtis Corson	Present
Antonio Inserra	Present
John "Jay" Newman	Present
Richard Palombo	Present

Also present were Municipal Clerk Barbara L. Young, Finance Officer Barbara Spiegel, and Municipal Engineer Paul Dietrich.

The Open Public Meeting notice was read into the record.

Mr. Corson began the meeting by stating that since the first budget workshop \$30,000 has been added back into the budget. \$25,000 was returned to the Special Litigation line and \$5,000 to the Computer Services line. However the budget is still under cap with a zero tax rate increase and approximately \$260,000 less than the proposed budget at the last meeting. He suggested that they again go through the budget line item by line item and discuss any possible additional cuts.

Financial Administration-under the Computer services line the increase was discussed. The amount appropriated also includes a proposal for video recording of Township meetings.

Affordable Housing-Mr. Dietrich explained this includes appropriations for updates to the Affordable housing plan that may be necessary due to DEP obligations.

Public Works Functions - Several line items were discussed and explained.

Under Surfacing of Roads Mr. Dietrich explained that the appropriation was increased since last year due to the deteriorating condition of Township roads. In 2012 most of the amount appropriated was expended for pothole repairs, curb repairs and basic maintenance.

Under Tipping fees the increase was discussed. Mr. Dietrich explained that the Township will see an increase of at least 2% due to contractual obligations with the MUA and an increase in their rates.

Park & Recreation Functions-The increase under Shore Protection was discussed. Also included in the appropriation is an Emergency Contingency.

Construction Code-there was discussion on revenue compared to expenses.

Zoning/Code Official- O/E has been reduced by \$1,000 from last year's appropriation.

Board of Health- the CFO explained that the actual expenditures under this line have decreased significantly from years past. The O/E appropriations under this line are for employee physicals and hearing tests for DPW employees.

Deferred Charges under Interest on Note the appropriation was reduced due to a significant reduction in the interest rate on the bond. The CFO explained that the expenditure in 2012 was \$45,690.00 since then the Township has paid 2.5 million on the 3.5 million bond. The 2013 appropriation is \$26,900.00.

Mr. Corson stated that he anticipates the budget will be ready for introduction on March 11, 2013.

Mr. Corson then opened up the meeting for public comment.

Ted Kingston, Strathmere-questioned the Capital Improvement Fund. The CFO stated the appropriation for the Capital Improvement Fund is \$40,000.

Capital Bond Projects

Paul Dietrich presented a proposed list of Capital Bond Projects.

Mr. Corson began the discussion by discussing the proposed amount for Trash Trucks. The CFO stated there is \$379,000 in the Recycling fund and an additional \$750,000 is needed to purchase the trucks. The Committee next discussed the paving project Mr. Dietrich proposed bonding \$1.5 million for repaving. Mr. Dietrich stated that the roads in the Township are in deteriorating condition and recommended repaving 22 miles of roadway over the next 10 years. The proposal for 1.5 million would allow the Township to repave two years' worth of streets, averaging about \$775,000 per year to resurface all the recommended streets over a ten year period. Mr. Inserra discussed postponing the project to wait for energy receipt taxes from hosting the B. L. England power plant. Mr. Corson expressed concerns with postponing the repaving projects and stated that the cost of repaving is much less compared to reconstruction. Mr. Dietrich reported that the cost of reconstructing a half mile of road is approximately \$300,000 compared to repaving a mile of roadway at \$340,000.

Because of time constraints, it was then decided to continue the discussion of the capital bond projects at the end of the regular meeting.

* Later in the meeting, the Capital Bond Projects Workshop was continued. The proposed capital projects were discussed again item by item. It was then decided to schedule a Capital Bond Projects workshop on the next agenda in order to reach a final decision on which projects should be authorized.

There was a 5-minute recess and then the regular meeting convened.

REGULAR MEETING OF THE TOWNSHIP COMMITTEE –7:30 P.M.

CALL TO ORDER

SUNSHINE ANNOUNCEMENT

SALUTE TO THE FLAG

ROLL CALL

Edward Barr	Present
Curtis Corson	Present
Antonio Inserra	Present
John "Jay" Newman	Present
Richard Palombo	Present

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

APPROVAL OF MINUTES - January 28, 2013 Budget Workshop, Regular Meeting and Closed Session Minutes

Motion by Jay Newman, second by Ed Barr to approve the closed session, regular meeting and budget workshop minutes as submitted. During roll call vote all five Committee members voted in the affirmative.

REPORT OF GOVERNING BODY MEMBERS

Edward Barr, Committeeman, reported that during the recent Recreation Board meeting Upper Township Lacrosse submitted a request to form a girls Lacrosse program and Daryl Ditroia of the Challenger program submitted a request to be accepted as an official Upper Township Organization. As soon as the organizations have completed all the necessary paperwork the recreation board will be submitting a letter to the Committee with their recommendations pertaining to the requests. He next reported that he was recently approached by Sea Isle City officials regarding extending Jitney service from Sea Isle into Strathmere for the summer season. Dan Young stated that in order to allow the Jitney service the Township would have to adopt an Ordinance and the Jitney service would have to be licensed through the Township. The Committee directed Mr. Young to prepare an Ordinance for their review. Mr. Barr next reported on a request from a resident for support of a proposed Good Samaritan bill. The Township Attorney stated that there are two versions of the bill. The first version of the bill offered protection from prosecution for someone who witnesses a drug overdose and called for help. That bill was vetoed by the Governor. The second version that is now pending is for a study on drug overdose reporting in order to make a recommendation on how to approach the problem. The Township Attorney requested clarification on which version of the bill should be supported. Mr. Barr next reported that cases of rabies infection are on the rise in Cape May County. The Township will be having a free Rabies Clinic on February 23, 2013 from 1:00 p.m. to 3:00 p.m. at Shore Veterinarians.

Curtis Corson, Committeeman, reported that the Budget introduction will be on March 11, 2013 at 7:30 p.m. The Municipal Auditor will be present to answer any questions.

Richard Palombo, Mayor, reported that the Committee may continue the discussion of the Capital Bond Projects later during this meeting. He next reported that he and the Township Engineer will be attending a FEMA meeting tomorrow in Trenton with officials from FEMA,

the Department of Community Affairs, and the Department of Environmental Protection to address municipal concerns regarding the Advisory Base Flood Maps which were implemented as emergency rules by the DEP and adopted by executive order for purposes of reconstruction although the maps are not yet official. Mayor Palombo next reported that plans are underway with the Township's website to become more user friendly and more informational.

OTHER REPORTS

Daniel Young, Municipal Attorney, reported that there a few contract negotiation items and personnel items for closed session.

RESOLUTIONS

1. Recognizing the dedicated service of the members of the Upper Township Board of Education and extending to them our thanks and appreciation.

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

RESOLUTION NO. 40-2013

RECOGNIZING THE DEDICATED SERVICE OF THE MEMBERS OF THE UPPER TOWNSHIP BOARD OF EDUCATION AND EXTENDING TO THEM OUR THANKS AND APPRECIATION

WHEREAS, the education of New Jersey's school-aged children is the foundation upon which the economic, social, and intellectual capital of our state is built; and

WHEREAS, the direction of public education in New Jersey is charted locally by individual school boards whose decisions affect the present and future lives of our children, and set direction to prepare our students to be competitive in the local, state, national, and global economy; and

WHEREAS, members of the Upper Township Board of Education volunteer countless hours of their time working with parents, education professionals, businesses, and other community members to create the educational vision we want for our students; and

WHEREAS, the Township Committee and all citizens of Upper Township are justly proud of the academic, athletic and social achievements of the children of Upper Township; and

NOW, THEREFORE, BE IT RESOLVED, that the Upper Township Committee does hereby commend and thank the members of the Upper Township Board of Education for their services to public education and our children; and

BE IT FURTHER RESOLVED, that the Township of Upper urges all citizens to join in recognizing the dedication of our School Board members.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 11th day of February, 2013.

Resolution No. 40-2013

Offered by: Newman

Seconded by: Barr

Adopted: February 11, 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>	___	___	___

2. Amendment of the Official Organizational Chart for the Township of Upper.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 41-2013

**AMENDMENT OF THE OFFICIAL ORGANIZATIONAL CHART FOR THE
TOWNSHIP OF UPPER**

WHEREAS, The Township of Upper finds it necessary to revise and update the Official Organizational Chart for the Township of Upper; and

WHEREAS, the aforesaid chart entitled "Township of Upper Organizational Chart" is attached hereto as Exhibit "A" and is available for inspection;

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 has determined that the chart attached as Exhibit "A" and identified as the "Township of Upper Organizational Chart" is hereby accepted and designated on February 11, 2013 as the official Organizational Chart until such time as amended by the Township Committee.

Resolution No. 41-2013

Offered by: Corson

Seconded by: Newman

Adopted: February 11, 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>	___	___	___

3. Tax Refund.

TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION

REFUND

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. 42-2013

Offered by: Newman

Seconded by: Inserra

Adopted: February 11, 2013

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>	_____	_____	_____

REFUND 2012

<u>BLOCK/LOT</u>	<u>AMOUNT</u>	<u>NAME</u>
735/71	\$3,097.71	ARCHER & GREINER, P.C. TRUSTEE/MARISA EDMUND 700 ALEXANDER PARK SUITE 102 PRINCETON, NJ 08540

2012 State Tax Court Appeal

4. Reimbursement of Property Taxes paid for the 2012 tax year to totally disabled veteran John M. Van Epps for Block 562, Lot 19 on the Municipal Tax Map.

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

RESOLUTION NO.43-2013

RE: REIMBURSEMENT OF PROPERTY TAXES PAID FOR THE 2012 TAX YEAR
TO TOTALLY DISABLED VETERAN JOHN M. VAN EPPS FOR
BLOCK 562, LOT 19 ON THE MUNICIPAL TAX MAP

WHEREAS, John M. Van Epps. is a 100% disabled
American veteran residing at 38 Island View Terrace, Block
562, Lot 19 on the municipal tax map of Upper Township, New
Jersey; and

WHEREAS, the Department of Veteran Affairs has
determined that Mr. Van Epps 100% permanent wartime service-
connected disability was effective November 9, 2011; and

WHEREAS, pursuant to N.J.S.A. 54:4-3.30 & 54:4-3.32,
the governing body of any municipality may, at it's
discretion, refund the amount of taxes collected on any
property which would have been exempt from taxation; and

WHEREAS, the Township Committee of the Township of
Upper has determined that it is just and appropriate in this
instance to reimburse John M. Van Epps the real estate taxes
paid for the 2012 tax year for Block 562, Lot 19; 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 shall hereby reimburse John M. Van Epps in the amount of \$3,845.88 for real estate taxes paid for the 2012 tax year for Block 562, Lot 19.

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. 43-2013

Offered by: Corson Seconded by: Newman

Adopted: February 11, 2013

Roll Call Vote:

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

5. Consenting to the Cape May County proposed Water Quality Management Amendment.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 44-2013

**RE: CONSENTING TO THE CAPE MAY COUNTY PROPOSED WATER QUALITY
MANAGEMENT AMENDMENT**

WHEREAS, pursuant to state regulations, municipal water quality management plans must be in compliance with its regional wastewater management planning agency which, in the case of Upper Township, requires that same be in compliance with the Cape May County Water Management Plan (WQM); and

WHEREAS, on January 17, 2012, the New Jersey State Legislature adopted an Act (P.L.2011, c.203) requiring that, within 180 days, each wastewater management planning agency prepare and submit an existing and future sewer service area map to the New Jersey Department of

Environmental Protection (NJDEP) as a foundational document of the county's future wastewater management plan; and

WHEREAS, in conjunction with the Cape May County Planning Department and Maser Consulting, P.A., the Township of Upper has developed its Future Wastewater Facilities and Service Areas Map prepared by Paul E. Dietrich, Sr., Professional Engineer, dated April 2012; and

WHEREAS, the duly advertised public meeting of the Upper Township Planning Board occurring on April 19, 2012, the Upper Township Planning Board discussed the Future Wastewater Facilities and Service Areas Map, accepted public comment, and deemed same satisfactory to the Board pursuant to NJSA 40:55D-28, a municipality's planning board is required to adopt and amend its Master Plan to guide the use of lands within the municipality in a manner which protects the public health and safety and promotes the general welfare; and

WHEREAS, at a meeting of the Township Committee occurring on April 30, 2012 that the Upper Township Committee did discuss the Future Wastewater Facilities and Service Areas Map and the Upper Township Planning Board's Special Resolution; and

WHEREAS, The County of Cape May incorporated Upper Township's request for plan amendment to the Cape May County WQM and submitted it to the NJDEP for review; and

WHEREAS, the NJDEP has removed two locations from the Township's request, the Petersburg Disability Center (Block 453 Lot 1) and proposed sanitary sewer service for Strathmere & Whale Beach sections of Upper Township because their underlying Planning Area is a 5; and

WHEREAS, the Petersburg Disability Center is an integral component of the Township's Affordable Housing & Fair Share Plan and located adjacent to the Town Center in Borough of Woodbine and removing it from the WQM will require the Township to reevaluate our Fair Share Plan; and

WHEREAS, the Strathmere & Whale Beach sections of Upper Township are currently served by individual on-site septic systems on 4,000 Square Foot lots. This septic density does not meet the NJDEP Water Quality Management Planning Rule (N.J.A.C. 7:15-5.25(e) which requires a development density to attain 2.0 mg/L nitrate in the ground water. In order to meet the antidegradation standard for the Atlantic Coast HUC11 Watershed a septic density is 8.6 acres/ septic is required. The Township did request this area to be endorsed as a Village Center but it was not endorsed by the NJDEP; and

WHEREAS, the Township of Upper will request in the future that the NJDEP should consider adding the Strathmere & Whale Beach sections to the proposed sanitary sewer area to meet the NJDEP's antidegradation standard which should be held paramount to the planning area rule and the Petersburg Disability Center so that the Township can continue to meets its obligation under the adopted Affordable Housing & Fair Share Plan which should be held paramount to the planning area rule; and

WHEREAS, the Cape May County WQM has been published in the N.J. Register on January 7, 2013 and in the Atlantic City Press on January 9, 2013; and

WHEREAS, the Township of Upper does consent to the amendment to the Cape May County WQM but we may continue to request future amendments for the Petersburg Disability Center and sanitary sewer service for Strathmere and Whale Beach sections of Upper Township.

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 does hereby consent to the amendment to Cape May County Water Quality Plan Amendment;
3. A copy of this Resolution shall be forwarded to the Cape May County Planning Department and NJDEP – Division of Coastal and Land Use Planning for their review and consideration.

Resolution No. 44-2013

Offered by: Newman

Seconded by: Barr

Adopted: February 11, 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>	_____	_____	_____

6. Authorizing the Mayor and Township Clerk to sign a Right of Entry Agreement with the New Jersey Turnpike Authority.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 45-2013

**RE: AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO SIGN A RIGHT OF
ENTRY AGREEMENT WITH THE NEW JERSEY TURNPIKE AUTHORITY**

WHEREAS, the New Jersey Turnpike Authority, with an address of 581 Main Street, Fourth Floor, Woodbridge, New Jersey, 07095-5042, hereinafter referred to as “NJTA” has submitted a Right of Entry Agreement to the Township of Upper for access to property located at 10

Harbor Road, Tuckahoe, New Jersey, Block 683, Lot 5 on the municipal tax map of the Township of Upper; and

WHEREAS, the Township of Upper, owner of property located at 10 Harbor Road, Tuckahoe, New Jersey, wishes to accept said Right of Entry Agreement and to authorize the execution of said Agreement; and

WHEREAS, the Right of Entry Agreement has been reviewed and approved by the Municipal Attorney and will be on record in the office of the Township Clerk and available for public inspection; 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 Mayor and Township Clerk are hereby authorized, directed and empowered to execute a Right of Entry Agreement between Upper Township and New Jersey Turnpike Authority, for the performance of any and all activities, including but not limited to investigations, testing and construction activities to facilitate the NJTA's Garden State Parkway Great Egg Harbor Bridge Improvement Project.
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. 45-2013

Offered by: Inserra

Seconded by: Barr

Adopted: February 11, 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> X </u>	<u> </u>	<u> </u>	<u> </u>

7. Accepting the Bid and authorizing the execution of a contract with Turfsapes, LLC of Williamstown, NJ 08094 for Sand Fence for Strathmere Beach in the amount of \$28,854.00.

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

RESOLUTION NO. 46-2013

**RE: ACCEPTING THE BID AND AUTHORIZING THE
EXECUTION OF A CONTRACT WITH TURFSCAPES, LLC
OF WILLIAMSTOWN, NJ 08094 FOR SAND FENCE FOR STRATHMERE BEACH
IN THE AMOUNT OF \$28,854.00**

WHEREAS, the Township of Upper solicited bids for Sand Fence for Strathmere Beach which bids were received on February 7, 2013; and

WHEREAS, the aforesaid bids were thereafter reviewed by the Township Engineer; 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 \$28,854.00; 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 Turfscapes, LLC, 3477 South Black Horse Pike, Williamstown, New Jersey 08094, for Sand Fence for Strathmere Beach in the amount of \$28,854.00 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. 46-2013

Offered by: Corson Seconded by: Inserra

Adopted: February 11, 2013

Roll Call Vote:

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

ORDINANCES

8. Public Hearing and Final Adoption of Ord. 001-2013 RE: AN ORDINANCE AMENDING ORDINANCE NO. 013-2012 KNOWN AS THE SALARY ORDINANCE FOR THE CALENDAR YEAR 2013. **During the public hearing**

portion there were no speakers. Motion by Jay Newman, seconded by Edward Barr, to adopt Ordinance No. 001-2013. During roll call vote all five Committee members voted in the affirmative.

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

ORDINANCE NO. 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:**

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAX-2013</u>
------------------------	-----------------------	------------------------

A. ADMINISTRATIVE/REVENUE AND FINANCE:

Asst. Personnel Officer (P/T)	No Min.	1,500.00
-------------------------------	---------	----------

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 st year	12,500.00	37,578.00
Laborer 2 nd year	12,500.00	39,618.00
Laborer 3 rd year	12,500.00	41,658.00
Laborer 4 th year	12,500.00	43,699.00
Laborer 5 th 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
Recycling Laborer	10,400.00	43,663.00
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

NEW BUSINESS

9. **Clean Ocean Action request to hold the 28th Annual Beach Sweep beach clean-up days on Saturday April 27, 2013 and Saturday October 19, 2013, from 9AM to 12:30 PM.** Motion by Richard Palombo, second by Jay Newman, to approve the request. During roll call vote all five Committee members voted in the affirmative.
10. **Upper Township Soccer Association request for use of Amanda's Field for Soccer Tournament August 30 through September 1, 2013.** Motion by Jay Newman, second by Edward Barr, to approve the request. During roll call vote all five Committee members voted in the affirmative.
11. **Request to donate property owned by Estate of Mary Lynn Paget Block 29 Lot 6 to Upper Township.** Motion by Curtis Corson, second by Anthony Inserra, to authorize a resolution on a future agenda accepting the donation upon compliance with Township Code. During roll call vote all five Committee members voted in the affirmative.
12. **Request by Dixie McGuire for payment plan of 2012 taxes for Block 30, Lot 1, 170 Mill Road, Upper Township.** Motion by Curtis Corson, second by Anthony Inserra, to approve the request. During roll call vote all five Committee members 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 Anthony Inserra. During roll call vote all five Committee members voted in the affirmative.

Bills approved for payment: \$ 1,376,396.95

Payroll: \$ 164,337.68

REPORT OF MUNICIPAL DEPARTMENTS:

- 14. Construction Code
- 15. Clerk's Office
- 16. Tax Assessor
- 17. Tax Collector
- 18. Finance Office
- 19. MUA Report
- 20. EMS

Reports are available in the Clerk's Office.

PUBLIC COMMENT

Lynn Fayter, Strathmere, inquired if flooding issues on Bayview Avenue could be addressed with money from the FEMA Hazard Mitigation Grant. The Township Engineer stated that although the FEMA grant money cannot be used for that purpose, the Township will be purchasing drainage flow control valves, a Department of Transportation grant has been applied for to help reconstruct a the portion of the road, and repaving the road has been included as part of the Capital Improvement Projects currently being discussed. She then inquired as to how many homes were included in the FEMA Hazard Mitigation Grant application. The Township Engineer stated that the Grant application has not been submitted, however 500 properties are listed on the letter of intent. She next inquired into the status of a hiring a coastal engineer. Mayor Palombo stated that several options have been discussed during the budget meeting, and money has been allocated for the issue. She then inquired if a date has been set for a local FEMA meeting. Mr. Dietrich stated that he has not received a confirmation on a date yet.

Mike Jones, Marshallville Rd, inquired into the status of the requests of the Men's Softball and the Upper Township Lacrosse to use the Township fields. The Township Clerk stated that scheduling for those requests are done through the Clerk's office, they do not need to be brought before the Committee.

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.

TOWNSHIP OF UPPER
RESOLUTION NO. 047-2013
MOTION GOING INTO CLOSED SESSION
February 11, 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. Contract Negotiation - Shared Services Agreement with the County of Cape May for snow plowing.
2. Contract negotiation – Shared Services Agreement with the County of Cape May for renovations to the Upper Township Senior Center.
3. Contract negotiation - Shared Services Agreement with Dennis Township for a Recycling Coordinator.
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 five Committee members voted in the affirmative.

RECONVENE PUBLIC PORTION OF MEETING

ADJOURNMENT

There being no further business this evening the meeting was adjourned at 9:59 P.M. Next meeting scheduled is February 25, 2013 with a Capital Bond Projects Workshop meeting at 7:00 P.M. and the regular meeting at 7:30 P.M.

Minutes prepared by

Barbara L. Young, RMC
Municipal Clerk

Bill List

60327 02/11/13 A0023 ADAMS, JOHN 86.00 2764
60328 02/11/13 A0025 ADVANTAGE RENTAL ACE HARDWARE 915.86 2764
60329 02/11/13 A0035 AIRLINE HYDRAULIC CORP. 232.00 2764
60330 02/11/13 A0091 ATLANTIC CITY ELECTRIC 15,555.82 2764
60331 02/11/13 B0118 BROWN, RANDAL 26.00 2764
60332 02/11/13 B0182 BRIGGS LAW OFFICE, P.C. 706.95 2764
60333 02/11/13 C0010 CMC MUNICIPAL JUDGES ASSOC 75.00 2764
60334 02/11/13 C0011 CAPE OFFICE MACHINES & SERVICE 98.00 2764
60335 02/11/13 C0019 CITY OF OCEAN CITY 55,697.25 2764
60336 02/11/13 C0030 CAMP, BARBARA 1,198.80 2764
60337 02/11/13 C0052 CAPE MAY COUNTY TREASURER 1,240,680.76 2764
60338 02/11/13 C0068 COMCAST 237.24 2764
60339 02/11/13 C0071 CAPEHART & SCATCHARD, P.A. 3,733.84 2764
60340 02/11/13 C0113 CAMP, JR ROBERT T 1,198.80 2764
60341 02/11/13 C0128 CARDINAL HEALTH 200, LLC 4,258.82 2764
60342 02/11/13 C0171 COLONIAL ELECTRIC SUPPLY CO. 37.48 2764
60343 02/11/13 C0223 CASA PAYROLL SERVICE 230.45 2764
60344 02/11/13 D0080 DOWNAM, HARRY J. JR. 175.97 2764
60345 02/11/13 E0012 EHRlich PEST CONTROL INC 80.59 2764
60346 02/11/13 E0026 ERICH PRINTING INC. 775.00 2764
60347 02/11/13 F0049 FOGGIO'S CARPET & DESIGN CENTE 236.00 2764
60348 02/11/13 F0053 FORD, SCOTT & ASSOCIATES 7,500.00 2764
60349 02/11/13 F0054 DEARBORN NATIONAL LIFE INS. CO 459.90 2764
60350 02/11/13 G0006 GARBUTT,PATRICIA A. 1,098.90 2764
60351 02/11/13 G0057 GLOBALSTAR USA LLC 84.60 2764
60352 02/11/13 I0021 INTERSTATE BATTERIES 205.90 2764
60353 02/11/13 J0053 J & M EMBROIDERY SCREEN PRNTG 279.00 2764
60354 02/11/13 J0063 JOHNSON WILSHIRE, INC 443.02 2764
60355 02/11/13 K0007 KACZMARSKI, RICHARD 134.98 2764
60356 02/11/13 K0037 KOHLER, JOHN F 500.00 2764
60357 02/11/13 L0065 LIBERTY MUTUAL FIRE CO. 1,157.00 2764
60358 02/11/13 L0080 LOWES, INC. 582.49 2764
60359 02/11/13 M0103 MODERN GAS COMPANY, INC. 1,499.95 2764
60360 02/11/13 M0128 MUNICIPAL CLERKS ASSOC. N.J. 175.00 2764
60361 02/11/13 M0222 MUNICIPAL CAPITAL CORPORATION 392.00 2764
60362 02/11/13 N0004 NJ-AMERICAN WATER CO. 81.85 2764
60363 02/11/13 N0043 NAPA AUTO PARTS OF S.JERSEY 181.20 2764
60364 02/11/13 N0131 DEFINED CONTRIB RETIRE PROGRAM 24.80 2764
60365 02/11/13 P0032 PEDRONI FUEL CO. 2,507.27 2764
60366 02/11/13 P0036 PENNELLO,DAVID 239.50 2764
60367 02/11/13 P0118 PLAYBUILDER INC 299.85 2764
60368 02/11/13 P0121 PENGUIN MANAGEMENT, INC 76.80 2764
60369 02/11/13 R0030 RIGGINS, INC. 9,315.28 2764
60370 02/11/13 S0031 SCHULER SECURITY, INC. 105.00 2764
60371 02/11/13 S0097 SMH CPR TRAINING CENTER 63.00 2764
60372 02/11/13 S0108 SOUTHERN NEW JERSEY NIGP 100.00 2764
60373 02/11/13 S0168 SURESOURCE 118.95 2764
60374 02/11/13 S0209 STAPLES ADVANTAGE 185.65 2764
60375 02/11/13 T0018 TEKK COMM COMMUNICATIONS 156.00 2764
60376 02/11/13 T0024 TAYLOR, MATTHEW 600.00 2764
60377 02/11/13 T0032 THE PRESS & SUNDAY PRESS 540.36 2764
60378 02/11/13 T0036 THIS AND THAT 500.00 2764
60379 02/11/13 T0067 TOWNSHIP OF UPPER PETTY CASH 10.64 2764
60380 02/11/13 V0013 VERIZON WIRELESS 675.61 2764
60381 02/11/13 V0022 VERIZON 184.14 2764
60382 02/11/13 V0024 VAL-U AUTO PARTS L.L.C. 84.99 2764
60383 02/11/13 W0030 WEST PUBLISHING CO. 393.53 2764
60384 02/11/13 W0038 WILLIAMS, JEREMIAH J. 38.79 2764

60385 02/11/13 W0050 WIRELESS ELECTRONICS, INC. 307.00 2764
60386 02/11/13 Y0008 YOUNG, DANIEL J. ESQUIRE PC 16,232.37 2764
60387 02/11/13 Y0023 YOUNG, DANIEL J. ATTORNEY 2,625.00 2764

Total: 1,376,396.95