TOWNSHIP OF UPPER 2100 TUCKAHOE ROAD PETERSBURG, NJ 08270 CAPE MAY COUNTY MINUTES FOR OCTOBER 28, 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	Present

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

<u>APPROVAL OF MINUTES</u> - October 15, 2013 Regular Meeting and Closed Session Minutes-Motion by Jay Newman,

second by Curtis Corson, to approve the regular meeting and closed session minutes as submitted. During roll call vote all five Committee members voted in the affirmative.

REPORT OF GOVERNING BODY MEMBERS

Jay Newman, Committeeman, reported that daylight savings time ends this Sunday November 3 and reminded everyone of the simple lifesaving habit of changing the batteries in their smoke alarms and carbon monoxide detectors when changing their clocks back from daylight savings time.

Curtis Corson, Committeeman, reported that the 2014 Salary Ordinance will be introduced at the first meeting in November.

Richard Palombo, Mayor, addressed concerns with a recent political advertisement for Ambulance service. The ad states that fees are charged in order to be transported by ambulance in Upper Township. Mayor Palombo emphatically stated that no one has ever been turned away by the Upper Township Rescue Squad for lack of payment. Mayor Palombo next briefly reflected on Super Storm Sandy which made landfall this time last year. He once again commended and congratulated the Township's storm preparations and response before, during and after the storm. He stated that the township is even more prepared now for any potential storm because of lessons learned and experiences from last year.

OTHER REPORTS

Barbara Young, Municipal Clerk, made the following announcements: Trick or Treat will be held in Upper Township this Thursday October 31st from 5:00 to 8:00 p.m. and polls will be open from 6:00 a.m. to 8:00 p.m. on Election Day Tuesday November 5th.

Daniel Young, Municipal Attorney, reported that there are two contract negotiation items for closed session.

Paul Dietrich, Municipal Engineer, gave a brief update on the Strathmere beach grass and dune fence projects. Mr. Dietrich next requested funding for the purchase several items:

- Authorization to replace the playground equipment at the Golden Oak Playground at a cost of \$6,700. Motion by Curtis Corson, second by Edward Barr to authorize the purchase of the playground equipment. During roll call vote all five Committee members voted in the affirmative.
- Authorization to purchase cart tippers for two mini packers at a cost of \$9,990. Mr. Dietrich stated that the packers are necessary to collect trash on Harbor Road as well as the street ends in Strathmere and the parks throughout the Township. Motion by Richard Palombo, second by Anthony Inserra to authorize the purchase of two cart tippers, all members present voted in the affirmative.
- Purchase of a landscaping mower to be utilized at the Township Municipal Building at a cost of \$5,895. Motion by Anthony Inserra, second by Edward Barr to grant the request. All five members voted in favor.

Lastly Mr. Dietrich reported on a meeting he attended recently for the Hazard Mitigation Grant Program. The emergency generator grant awarded to the Township is for 100 percent of the cost. There is no match required by the Township.

RESOLUTIONS

1. In recognition and appreciation of Jeffrey Pierson for his dedicated service to the Upper Township Safety Committee.

TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION NO. 230-2013

RE: IN RECOGNITION AND APPRECIATION OF
JEFFREY PIERSON FOR HIS DEDICATED SERVICE TO THE
UPPER TOWNSHIP SAFETY COMMITTEE

WHEREAS, Jeffrey Pierson has recently stepped down from active membership of the Upper Township Safety Committee

where he served as the Assistant Safety Coordinator for 12 years; and

WHEREAS, the Township Committee wishes to thank Jeff for his invaluable service and assistance through the years in the development and implementation of a superior Safety Program for the Township of Upper; and

WHEREAS, it is most appropriate that Jeff's years of faithful and dedicated service to this community be publicly recognized.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey, that we extend to Jeffrey Pierson our heartfelt thanks and gratitude for his generous donation of time, commitment, leadership and public service to this Township and we wish him well in his future endeavors.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 28th day of October, 2013.

Resolution No. 230-2013

Offered by: Newman Seconded by: Corson

Adopted: October 28, 2013

Roll Call Vote:

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

2. Congratulating employee Nancy Palmer of the Upper Township Municipal Court for her winning entry in the Upper Township Safety Award Program for the 4th Quarter of 2013.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION NO. 231-2013

RE: CONGRATULATING EMPLOYEE NANCY PALMER
OF THE UPPER TOWNSHIP MUNICIPAL COURT
FOR HER WINNING ENTRY IN
THE UPPER TOWNSHIP SAFETY AWARD PROGRAM
FOR THE 4th QUARTER OF 2013

WHEREAS, employee Nancy Palmer is recognized for her efforts to promote safety for her fellow employees and residents of the Township through her participation in the Upper Township Safety Award Program with a submission of a safety suggestion; and

WHEREAS, Nancy's safety suggestion was chosen by the Upper Township Safety Committee from the entries submitted in the fourth quarter for the promotion of safety for employees and the community; and

WHEREAS, Nancy should be publicly recognized for reporting the hazard of not being able to hear the fire alarm in the court room and court offices; 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 the Committee extends its appreciation and publicly recognizes Nancy Palmer on her commitment to safety by her identifying a potential safety hazard and offering a suggestion through participation in the program.
- 2. That the Committee, on behalf of our employees and the citizens of the Township of Upper extend to Nancy Palmer our congratulations and present her with the "Safety Day Award" of one day off with pay.

 $\,$ GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 28^{th} day of October, 2013.

Resolution No. 231-2013 Offered by: Palombo Adopted: October 28, 2013

Seconded by: Barr

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	ABSENT
Barr	X			
Corson	X			
Inserra	X			
Newman	X			
Palombo	$\overline{\mathbf{X}}$			

3. Authorizing the Township Engineer to solicit bids for a six yard dump truck and roadside boom mower.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION NO. 232-2013

RE: AUTHORIZING THE TOWNSHIP ENGINEER TO SOLICIT BIDS FOR A SIX YARD DUMP TRUCK AND ROADSIDE BOOM MOWER

WHEREAS, the Township Committee of the Township of Upper

has determined a need for a new vehicle and equipment to insure optimal operations; and

WHEREAS, pursuant to the provisions of the Local Public Contracts Law, the Township of Upper intends to solicit bids as herein indicated;

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 Engineer is hereby authorized and directed to prepare specifications, bid documents and solicit bids for the following:

- a) One (1) Six Yard Dump Truck.
- b) One (1) Roadside Boom Mower.
- 3. Sealed bids shall be received by the Township of Upper in accordance with the directives contained in the Notice of Bidders.

Resolution No. 232-2013

Offered by: Inserra Seconded by: Barr

Adopted: October 28, 2013

Roll Call Vote:

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

4. Authorizing a contract amendment between Gibson Associates, P.A. and the Township of Upper for revisions to the official tax map of the Township of Upper.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION NO. 233-2013

RE: AUTHORIZING A CONTRACT AMENDMENT BETWEEN GIBSON ASSOCIATES, P.A. AND THE TOWNSHIP OF UPPER FOR REVISIONS TO THE OFFICIAL TAX MAP OF THE TOWNSHIP OF UPPER

WHEREAS, the Township of Upper and Gibson Associates, P.A. entered into a contract on July 25, 2013 for professional land surveyor services pursuant to Resolution No. 163-2013; and

WHEREAS, the Township of Upper and Gibson Associates, P.A. desire to modify said contract to provide an additional scope of work with regards to revisions to the official tax map required for State certification; and

WHEREAS, the Township Committee has determined that it is in the best interest of the Township to authorize said amendment to the contract with Gibson Associates, P.A. as hereinafter provided; and

WHEREAS, the Municipal Attorney has determined that the services provided by the proposed amendment to the existing contract are professional services and that the award of the amended contract may be made without competitive bid and pursuant to the provisions of N.J.S.A. 19:44A-2.05; and

WHEREAS, the Chief Financial Officer has certified the availability of funds to permit the Township to enter into the proposed amendment to the professional services contract as aforesaid; 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 professional services contract between the Township of Upper and Gibson Associates, P.A. is hereby amended to include the additional services as set forth in the correspondence dated October 10, 2013 from Gibson Associates, P.A. to the Township of Upper for the completion of the revisions to the official tax map of the Township of Upper.
- A copy of the proposed contract amendment detailing the nature and the extent of the work to be done shall be attached to this Resolution as Exhibit "A".
- 4. The Mayor and the Township Clerk are hereby authorized, directed and empowered to enter into said amendment to the professional services contract with Gibson Associates, P.A. aforesaid.
- 5. The Township Clerk shall cause a Notice of Award of this amendment to

the professional services contract to be published in the official newspaper of the Township as required by N.J.S.A. 40A:11-5.

- 6. This amendment to the contract is for a professional services contract and has been awarded without competitive bidding.
- All Township officials and officers are hereby authorized and directed to take all action necessary to carry out the intent and purpose of this Resolution.
- 8. This Resolution shall be effective as of adoption and shall memorialize the decisions of the Township Committee at its meeting on October 15, 2013.

Resolution No. 233-2013

Offered by: Corson Seconded by: Palombo

Adopted: October 28, 2013

Roll Call Vote:

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

ORDINANCES

CORRESPONDENCE

NEW BUSINESS

- **5.** Request for the installation of street lights on Ocean Avenue. Motion by Richard Palombo, second by Jay Newman, to approve the request. During roll call vote all five Committee members voted in the affirmative.
- 6. Ocean City Crew Boosters, Inc. requests to hold Raffle #417 at Yesterday's Restaurant on various dates in March, April and May 2014. Motion by Jay Newman, second by Edward Barr, to approve the request. During roll call vote all five Committee members voted in the affirmative.
- 7. **Results of the 2013 Road Paving Project and Reconstruction of Ocean Avenue from Wildwood Ave. to Seasounds Ave. Bid Opening.** Paul Dietrich reported on bids received. Motion by Curtis Corson, second by Jay Newman, to award the contract to the lowest responsible bidder contingent upon the requirements of the

NJDOT Grant portion of the project. During roll call vote four Committee members voted in the affirmative. Anthony Inserra abstained.

UNFINISHED BUSINESS:

- 8. Public Works vehicle purchase with the Municipal Bond. Tabled
- **9.** Shared Services Agreement with Cape May County for use of equipment. Motion by Richard Palombo, second by Jay Newman, to approve the renewal of the Shared Services Agreement for a term ending December 31, 2014. During roll call vote all five Committee members voted in the affirmative.

DISCUSSION

PAYMENT OF BILLS:

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

Bills approved for payment: \$1,547,861.83

Payroll: \$157,976.92

REPORT OF MUNICIPAL DEPARTMENTS:

PUBLIC COMMENT

The meeting was opened to the public and there was no public comment.

CLOSED SESSION

11. 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. 234-2013 MOTION GOING INTO CLOSED SESSION October 28, 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- Michael J. Donohue, Esquire and the Law Offices of Blaney & Donohue as Special Legal Counsel to complete certain In Rem foreclosure matters.

2. Contract negotiation - Shared Services with Fire Districts for website services.

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

- A. It is anticipated that the matters discussed in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.
- B. With respect to contract negotiations such matters will be made public when negotiations have ceased and there is no longer a reason for confidentiality.

Moved by: 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 8:15 P.M. The next meeting is scheduled for November 12, 2013 at 7:30 P.M.

Minutes prepared by

Barbara L. Young, RMC Municipal Clerk.

Bill List

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61686 10/28/13 A0017 ATLANTIC CO. MUNICIPAL JIF 91,342.00 2802
61687 10/28/13 A0018 ACTION SUPPLY INC. 55.02 2802
61688 10/28/13 A0025 ADVANTAGE RENTAL ACE HARDWARE 317.80 2802
61689 10/28/13 A0041 ALL ACTION WATER SPORTS, INC. 292.45 2802
61690 10/28/13 A0074 ATLANTICARE PHYSICIAN GROUP, PA 1,127.50 2802
61691 10/28/13 A0075 ADAMS, JOSHUA 79.98 2802
61692 10/28/13 A0091 ATLANTIC CITY ELECTRIC 4,280.29 2802
61693 10/28/13 A0131 ACORN 300.00 2802
61694 10/28/13 A0134 ANSELL GRIMM & AARON, PC 2,671.47 2802
61695 10/28/13 A0167 HESS CORPORATION 2,417.57 2802
61696 10/28/13 B0035 BELMONT & CRYSTAL SPRINGS 67.07 2802
61697 10/28/13 B0076 BOND, LAURENCE E. 150.00 2802
61698 10/28/13 B0200 BELLEPLAIN SUPPLY COMPANY INC 288.00 2802
61699 10/28/13 B0203 BOY SCOUT TROOP 95 300.00 2802
61700 10/28/13 B0204 BOY SCOUT TROOP 95 300.00 2802
61701 10/28/13 B0207 BARLOW CHEVROLET, INC 299.99 2802
61702 10/28/13 C0019 CITY OF OCEAN CITY 55,697.25 2802
61703 10/28/13 C0046 CAPE MAY COUNTY CLERK 88.00 2802
61704 10/28/13 C0051 COUNTRY SHORE WOMEN'S CLUB 300.00 2802
61705 10/28/13 C0052 CAPE MAY COUNTY TREASURER 1,208,741.30 2802
61706 10/28/13 C0060 CAPRIONI'S PORTABLE TOILETS 1,523.75 2802
61707 10/28/13 C0068 COMCAST 254.75 2802
61708 10/28/13 C0071 CAPEHART & SCATCHARD, P.A. 68.00 2802
61709 10/28/13 C0103 St. Maximilian Kolbe 300.00 2802
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61710 10/28/13 C0143 CODY'S POWER EQUIPMENT 56.75 2802
61711 10/28/13 C0156 COMPUTER HOUSE OF SOUTH JERSEY 1,000.00 2802
61712 10/28/13 C0182 CDW GOVERNMENT, INC 343.60 2802
61713 10/28/13 C0190 CUB SCOUT PACK #79 600.00 2802
61714 10/28/13 C0201 CRUZAN'S TRUCK SERVICE INC. 2,120.19 2802
61715 10/28/13 C0223 CASA PAYROLL SERVICE 277.25 2802
61716 10/28/13 C0247 CMRS-FP 2,000.00 2802
61717 10/28/13 C0257 LOUIS J. CONTE 26.00 2802
61718 10/28/13 D0040 DELTA DENTAL OF N.J. INC. 6,154.16 2802
61719 10/28/13 E0034 ESRI, INC. 1,600.00 2802
61720 10/28/13 E0062 EASTERN SURPLUS & EQUIPMENT CO 119.00 2802
61721 10/28/13 F0003 FRA TECHNOLOGIES, INC. 600.00 2802
61722 10/28/13 F0013 FARM RITE INC. 63.75 2802
61723 10/28/13 G-0147 Global Computer Supplies 4,383.57 2802
61724 10/28/13 G0016 GARDNER HARDWARE INC. 24.99 2802
61725 10/28/13 G0022 G.T.A.M. ASSOCIATION 300.00 2802
61726 10/28/13 G0028 GENTILINI FORD 1,027.17 2802
61727 10/28/13 G0105 GIRL SCOUT TROOP #41372 300.00 2802
61728 10/28/13 G0141 GENTILINI CHEVROLET 141.04 2802
61729 10/28/13 G0142 GIRL SCOUT TROOP 41548 300.00 2802
61730 10/28/13 G0143 GIRL SCOUT TROOP 41323 300.00 2802
61731 10/28/13 G0144 GIRL SCOUT TROOP 45127 300.00 2802
61732 10/28/13 G0147 GREATAMERICA FINANCIAL SVCS. 202.97 2802
61733 10/28/13 H0018 HAROLD RUBIN/L & H SUPPLY 189.75 2802
61734 10/28/13 H0057 HISTORICAL PRESERVATION 300.00 2802
61735 10/28/13 H0095 HORIZON BCBSNJ 113,425.34 2802
61736 10/28/13 H0142 HUB, THE 579.98 2802
61737 10/28/13 J0049 DAISY TROOP 41361 300.00 2802
61738 10/28/13 J0072 JERSEY WEB DESIGNS 1,050.00 2802
61739 10/28/13 L0007 LC EQUIPMENT, INC. 456.00 2802
61740 10/28/13 L0080 LOWES, INC. 788.94 2802
61741 10/28/13 M0188 MCCARTHY TIRE SERVICE OF PHILA 2,259.42 2802
61742 10/28/13 N0004 NJ-AMERICAN WATER CO. 3.67 2802
61743 10/28/13 N0043 NAPA AUTO PARTS 0.00 10/28/13 VOID 0
61744 10/28/13 N0043 NAPA AUTO PARTS 668.38 2802
61745 10/28/13 N0072 NFPA INTERNATIONAL 383.95 2802
61746 10/28/13 N0094 NEW JERSEY PLANNING OFFICIALS 360.00 2802
61747 10/28/13 00014 OCEANPORT LLC 6,448.52 2802
61748 10/28/13 P0024 PEER LEADERSHIP 300.00 2802
61749 10/28/13 P0032 PEDRONI FUEL CO. 1,874.15 2802
61750 10/28/13 P0036 PENNELLO, DAVID 360.50 2802
61751 10/28/13 P0056 TURF EQUIPMENT AND SUPPLY CO 26.03 2802
61752 10/28/13 P0075 POSITIVE PROMOTIONS INC 1,921.01 2802
61753 10/28/13 P0078 PRO VIDEO ENGINEERING 768.00 2802
61754 10/28/13 P0137 PARDO'S TRUCK SERV PARTS WHSE 1,244.04 2802
61755 10/28/13 R0030 RIGGINS, INC. 5,227.16 2802
61756 10/28/13 R0044 RODIO TRACTOR SALES INC 391.45 2802
61757 10/28/13 R0076 REGISTRARS' ASSOCIATION N.J. 75.00 2802
61758 10/28/13 R0100 ROBERTS OXYGEN COMPANY, INC. 110.85 2802
61759 10/28/13 S0001 SAM'S CLUB 381.58 2802
61760 10/28/13 S0031 SCHULER SECURITY, INC. 370.00 2802
61761 10/28/13 S0035 SCHOPPY WILLIAM TROPHY CO. 86.95 2802
61762 10/28/13 S0056 SEASHORE ASPHALT CORPORATION 829.61 2802
61763 10/28/13 S0108 SOUTHERN NEW JERSEY NIGP 40.00 2802
61764 10/28/13 S0121 SMUZ, THERESE A 51.92 2802
61765 10/28/13 S0134 SO. JERSEY GAS COMPANY 134.64 2802
61766 10/28/13 S0139 SO. JERSEY WATER COND. INC. 165.00 2802
61767 10/28/13 S0160 STAR LODGE # 65 300.00 2802
61768 10/28/13 S0209 STAPLES ADVANTAGE 957.69 2802
61769 10/28/13 S0254 SHOPRITE 9.98 2802
61770 10/28/13 S0256 SEAVILLE UNITED METHODIST CHUR 300.00 2802
61771 10/28/13 S0264 SOUTH SHORE STITCHERS 300.00 2802
61772 10/28/13 T0003 THE GUIDANCE GROUP 115.55 2802
61773 10/28/13 T0038 THOMAS, CHRISTOPHER 108.27 2802
61774 10/28/13 T0048 TILL PAINT CO/D. FITZGERALD 960.25 2802
61775 10/28/13 T0067 TOWNSHIP OF UPPER PETTY CASH 4.50 2802
61776 10/28/13 T0070 TOWNSHIP OF UPPER MAC 300.00 2802
61777 10/28/13 T0074 TRANSAXLE LLC 1,530.37 2802
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61778 10/28/13 T0102 TROOP #79 300.00 2802
61779 10/28/13 T0113 TUCKAHOE UNITED METHODIST 300.00 2802
61780 10/28/13 T0165 TUCKAHOE UNITED METHODIST 300.00 2802
61781 10/28/13 U0003 U.S. MUNICIPAL SUPPLY, INC. 2,076.95 2802
61782 10/28/13 U0013 U.T. WRESTLING ASSOC. 300.00 2802
61783 10/28/13 U0026 UNIVERSAL SUPPLY CO., INC. 1,208.38 2802
61784 10/28/13 U0033 UPPER TOWNSHIP HOCKEY ASSOC. 300.00 2802
61785 10/28/13 U0056 UPPER TWP SOCCER ASSN U14 BOYS 300.00 2802
61786 10/28/13 U0057 UPPER TWP SOCCER ASSN U14 GIRL 300.00 2802
61787 10/28/13 U0058 UPPER TWP MIDDLE SCHOOL 300.00 2802
61788 10/28/13 V0024 VAL-U AUTO PARTS L.L.C. 0.00 10/28/13 VOID 0
61789 10/28/13 V0024 VAL-U AUTO PARTS L.L.C. 1,615.42 2802
61790 10/28/13 V0026 VITAL COMPUTER RESOURCES, INC. 100.00 2802
61791 10/28/13 W0031 WESLEY METHODIST CHURCH 300.00 2802
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Total: \$1,547,861.83