

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
MINUTES OF JANUARY 3, 2014  
REORGANIZATION MEETING**

**6:30 P.M. Call to Order**

**Sunshine Announcement**

**Presentation of the Colors** - Boy Scout Troop 55 of Tuckahoe,  
Joseph Maffei, Scout Master

**A patriotic song** – presented by Melissa Schenck.

**Roll Call -**

Edward Barr	Present
John Coggins	Present
Antonio Inserra	Present
Hobart Young	Present
Richard Palombo	Present

Also present were Municipal Clerk Barbara Young, Municipal Attorney Daniel Young, Chief Financial Officer Barbara Spiegel and Municipal Engineer Paul Dietrich. A full audience was in attendance.

**Invocation** - Reverend Thomas Fisher -  
First United Methodist Church of Wildwood Crest  
Formerly of Wesley United Methodist Church of Petersburg.

**Statement of Determination of Election**- Read by Barbara L. Young, Municipal Clerk.

**Oath of Office**

**Committeeman Elect John Coggins** -  
Sworn in by Honorable James R. Birchmeier, Upper Township Municipal Court Judge.

**And**

**Committeeman Elect Hobart (Hobie) Young** -  
Sworn in by Municipal Clerk, Barbara L. Young.

**Nominations for Mayor – 2014** - The Clerk asked for nominations for Mayor. Anthony Inserra made a motion to nominate Richard Palombo, Edward Barr seconded the motion. There were no other nominations and the nominations were closed. During roll call vote all five Committee members voted in the affirmative. Richard Palombo is appointed as the 2014 Mayor of Upper Township.

**Resolutions:**

**1. Appointment of Deputy Mayor.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION  
RESOLUTION NO. 001-2014**

**RE: APPOINTMENT OF DEPUTY MAYOR**

**WHEREAS**, it is deemed advisable to appoint a member of the Township Committee to the position of Deputy Mayor of the Township of Upper in the County of Cape May and State of New Jersey.

**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. Committeeman **Antonio Inserra** is hereby designated and appointed as Deputy Mayor of the Township of Upper, in the County of Cape May and State of New Jersey, effective immediately, to serve until the next annual meeting of the Township Committee and until his successor is duly appointed and qualified.

Resolution No.001-2014

Offered by: Palombo      Seconded by: Young

Adopted: January 3, 2014

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Barr	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Coggins	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Inserra	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Young	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Palombo	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

**2. Establishment of Departments.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION  
RESOLUTION NO. 002-2014**

**RE: ESTABLISHMENT OF DEPARTMENTS**

**WHEREAS**, it is deemed necessary to establish Departments within the Township government to provide for the orderly and efficient transaction of Township business and to promote public service.

**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 following Departments are hereby established within the Township of Upper, effective immediately and to remain in effect until the next Reorganization Meeting of the Township Committee, unless sooner modified or terminated and the member of the Township Committee assigned to oversee the operation of such Department is as follows:

- Committeeman John D. Coggins, Jr.:** Revenue and Finance.
- Committeeman Antonio Inserra:** Department of Public Works.
- Committeeman Hobart Young:** Department of Sports and Recreational Programs and Public Buildings and Grounds.
- Committeeman Edward Barr:** Municipal Court, Fire and Rescue, Public Safety and Animal Control.
- Committeeman Richard Palombo:** Personnel, Emergency Management, and Lifeguards.

Resolution No.002-2014  
Offered by: Coggins      Seconded by: Young  
Adopted: January 3, 2014  
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>
Coggins	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Inserra	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Young	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Palombo	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

**3. Appointment of Municipal Auditor, Solicitor, Prosecutor, and Public Defender.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION  
RESOLUTION NO. 003-2014**

**RE: APPOINTMENT OF MUNICIPAL AUDITOR; TOWNSHIP SOLICITOR;  
MUNICIPAL PROSECUTOR; AND MUNICIPAL PUBLIC DEFENDER**

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**WHEREAS**, the Township of Upper is required, in accordance with the provisions of N.J.S. 40A:5-4, to cause an annual audit of the books, accounts and financial transactions of the Township of Upper and in order to do so, it is necessary to retain a Registered Municipal Accountant; and

**WHEREAS**, N.J.S. 40A:9-139 requires the appointment of a Municipal Attorney and the Township Committee desires to make such appointment in accordance with the terms of the Professional Services Contract to be entered into and the Township of Upper recognizes the need for professional legal services and advice to ensure the orderly, efficient and proper conduct of the affairs of the said Township; and

**WHEREAS**, there also exists a need for the appointment of an Attorney At Law of the State of New Jersey to act in the capacity of Municipal Prosecutor at a salary of \$39,000.00; and

**WHEREAS**, there also exists a need for the appointment of an Attorney At Law of the State of New Jersey to serve in the capacity of Municipal Public Defender at a salary of \$19,000.00; and

**WHEREAS**, the services to be performed by the Auditor, Township Solicitor, Municipal Prosecutor and Municipal Public Defender are declared to be professional services performed by persons authorized by law to practice recognized

professions, which professions are regulated by law within the meaning of the Local Public Contracts Law (N.J.S. 40A:11-1, et seq.) and, hence, are exempt from competitive bidding; and

**WHEREAS**, the Township has a need to acquire the services of the Municipal Auditor, Township Solicitor, Municipal Prosecutor and Municipal Public Defender as non-fair and open contracts pursuant to the provisions of N.J.S.A. 19:44A-2.05; and

**WHEREAS**, the Township financial officer has determined and certified in writing that the value of each of the contracts for the Municipal Auditor, Township Solicitor, Municipal Prosecutor and Municipal Public Defender will exceed \$17,500.00; and

**WHEREAS**, the proposed Municipal Auditor, Township Solicitor, Municipal Prosecutor and Municipal Public Defender have completed and submitted Business Entity Disclosure Certifications which certify that 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 that the contract will prohibit the contractor from making any contributions through the term of the contract; and

**WHEREAS**, funds are available for the purposes set forth above.

**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. **Leon Costello, C.P.A., R.M.A.,** is hereby appointed as Registered Municipal Accountant for the Township of Upper for a term of one (1) year, commencing January 1, 2014, and until his successor is duly appointed and qualified.

3. **Daniel J. Young, Esquire is hereby appointed as Township Solicitor** for the Township of Upper for a term of one (1) year commencing January 1, 2014, and until his successor is duly appointed and qualified.

4. **Patrick F. Martin, Esquire is hereby appointed as Municipal Prosecutor** for the Township of Upper for a term of one (1) year, commencing January 1, 2014, and until his successor is duly appointed and qualified.

5. **William E. Brewer, Esquire is hereby appointed as Municipal Public Defender** for the Township of Upper for a term of one (1) year, commencing January 1, 2014, and until his successor is duly appointed and qualified.

7. Compensation for the Auditor and Solicitor shall be on the basis of Professional Contracts to be negotiated with such individuals and payment shall be made by the Township of Upper for such professional services based upon vouchers to be submitted and approved by the Township Committee. The Annual Salary Ordinance and the applicable resolutions of the Township Committee shall make provision for the payment of the compensation for the Prosecutor, and Public Defender.

8. The Mayor and the Township Clerk are hereby authorized and directed to execute, on behalf of the Township of Upper, professional Contracts with the Auditor, Solicitor, Prosecutor and Public Defender in accordance with the terms and provisions of the Local Public Contracts Law, subject to and in accordance with the limitations imposed in Paragraph 7 hereof.

9. A Copy of this Resolution shall be published in the official newspaper of the Township of Upper within ten (10) days from the date of adoption.

10. The Business Disclosure Entity Certification and the Determination of Value for the Municipal Auditor, Township Solicitor and Municipal Prosecutor and Municipal Public Defender contracts shall be placed on file with this Resolution.

Resolution No. 003-2014

Offered by: Barr

Seconded by: Inserra

Adopted: January 3, 2014

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>
Coggins	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Inserra	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Young	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Palombo	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

**4. Appointment of Official to Certify Municipal Improvement Searches.**

**TOWNSHIP OF UPPER**

**CAPE MAY COUNTY**

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

**RESOLUTION NO. 004-2014**

**RE: APPOINTMENT OF OFFICIAL TO CERTIFY**

**MUNICIPAL IMPROVEMENT SEARCHES**

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**WHEREAS**, it is necessary to have an authorized official of the Township of Upper, in the County of Cape May and State of New Jersey, to execute, on behalf of the Township of Upper, certificates for municipal improvements; and

**WHEREAS**, the Township Committee of the Township of Upper desires to make such an appointment.

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

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

2. BARBARA L. YOUNG, the Township Clerk of the Township of Upper, is hereby designated as the official of the Township of Upper authorized to execute certificates as to liability for municipal improvements for the year 2014.

3. This Resolution shall become effective immediately upon its adoption.

Resolution No.004-2014

Offered by: Barr

Seconded by: Coggins

Adopted: January 3, 2014

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Barr	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Coggins	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Inserra	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Young	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Palombo	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>

**5. Designation of Banking Institutions as Official Depositories.**

**TOWNSHIP OF UPPER**

**CAPE MAY COUNTY**

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

**RESOLUTION NO. 005-2014**

**RE: DESIGNATION OF BANKING INSTITUTIONS**

**AS OFFICIAL DEPOSITORIES**

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**WHEREAS**, it is necessary that the Township Committee of the Township of Upper, in the County of Cape and State of New Jersey, designate certain banking institutions as official depositories for Township funds.

**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 Bank is hereby designated as the principal depository of the Township of Upper.

3. The following banking institutions are hereby designated as secondary depositories of the Township of Upper:

- (A) Sun National Bank;
- (B) Wachovia;
- (C) Fox Chase Bank;
- (D) PNC Bank, New Jersey;
- (E) Ocean City Home Bank;
- (F) First Bank of Sea Isle City;
- (G) Municipal Investors Corp.;
- (H) N.J. Cash Management Plan and
- (I) Crown Bank of Ocean City
- (J) Bank of America, N.A.
- (K) Sovereign Bank
- (L) Sturdy Savings Bank
- (M) Newfield National Bank
- (N) TD Bank
- (O) Franklin Savings Bank

4. The Mayor, the Township Clerk and the Township Chief Financial Officer, as well as such other officials as may be designated by law, are hereby authorized, directed and empowered to execute any Resolutions of any of the aforesaid banking institutions which may be reasonably required in order to carry out the intent and purpose of this Resolution.

5. This Resolution shall become effective immediately

upon adoption.

Resolution No. 005-2014

Offered by: Young      Seconded by: Inserra

Adopted: January 3, 2014

Roll Call Vote:

NAME            YES        NO        ABSTAINED    ABSENT

Barr	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Coggins	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Inserra	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Young	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Palombo	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>

**6. Designation of Official Newspapers.**

**TOWNSHIP OF UPPER**

**CAPE MAY COUNTY**

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

**RESOLUTION NO. 006-2014**

**RE: DESIGNATION OF OFFICIAL NEWSPAPERS**

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**WHEREAS**, it is necessary to designate one (1) or more newspapers as an official newspaper of the Township of Upper.

**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 following newspapers are hereby designated as the official newspapers of the Township of Upper:

The Press and Sunday Press

and

Ocean City Sentinel Ledger

Resolution No.006-2014

Offered by: Coggins    Seconded by: Barr

Adopted: January 3, 2014

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
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Barr	<u>  X  </u>	_____	_____
Coggins	<u>  X  </u>	_____	_____
Inserra	<u>  X  </u>	_____	_____
Young	<u>  X  </u>	_____	_____
Palombo	<u>  X  </u>	_____	_____

**7. Payment of Real Estate Taxes and Penalty for Late Payments.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION  
RESOLUTION NO. 007-2014**

**RE: PAYMENT OF REAL ESTATE TAXES  
AND PENALTY FOR LATE PAYMENTS**

WHEREAS, N.J.S. 54:4-66, which mandates the date on which real estate taxes shall be paid to the municipality, has been amended by P.L. 1991, c.410, s.4; and

WHEREAS, N.J.S. 54:4-67, which mandates the rate of interest to be charged on the payment of all real estate taxes which are delinquent, has also been amended by P.L. 1991, c. 75, s.39; and

WHEREAS, said amendments were amended by P.L. 1994, c.32, which was approved May 12, 1994; 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. In accordance with N.J.S. 54:4-66, all real estate taxes shall be payable quarterly in accordance with the following schedule:

First Installment - February 1

Second Installment - May 1

Third Installment - August 1

Fourth Installment - November 1

3. In the event that the real estate taxes are not paid in accordance with the foregoing quarterly payment schedule, said taxes shall become delinquent and remain delinquent until such time as all unpaid taxes, including taxes and other liens subsequently due and unpaid, together with interest, have been fully paid and satisfied.
4. In accordance with N.J.S. 54:4-67, if taxes and municipal liens and charges are not paid when due, and are delinquent, then, in addition to the taxes, municipal liens and charges due and payable an additional sum equal to eight (8%) percent per annum on the first \$1,500.00 of delinquency and eighteen (18%) percent per annum on any amount in excess of \$1,500.00, to be calculated from the date same was payable until the date that actual payment to the Tax Collector is made.
5. No interest shall be charged pursuant to Paragraph 4 of this Resolution if payment of any installment is made within the tenth (10th) calendar day following the date upon which the same became payable.
6. In addition to the interest penalty imposed pursuant to Section 4 of this Resolution, a further penalty shall be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the fiscal year. The fiscal year for the Township of Upper shall be the calendar year. The penalty so fixed shall equal six (6%) percent of the amount of the delinquency.
7. If delinquent taxes, municipal liens and charges in excess of \$10,000.00 are fully paid and satisfied by the holder of any outstanding Tax Sale Certificate, the holder shall be entitled to receive the amount of the penalty, that is, six (6%)

percent of the amount of the delinquency, as part of the amount required to redeem such Certificate of Sale.

8. It is the policy of the Upper Township Tax Collector's Office to accept small coins as payment only when coins are wrapped or the balance is \$.50 cents or less.
9. Tax payments are accepted at Cape Bank, Marmora.
10. A copy of this Resolution shall be prominently posted in the office of the Tax Collector of the Township of Upper and shall also be prominently posted upon the bulletin board in the Township Hall.
11. This Resolution shall take effect immediately.

Resolution No. 007-2014

Offered by: Barr

Seconded by: Inserra

Adopted: January 3, 2014

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>
Coggins	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Inserra	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Young	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Palombo	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>

**8. Schedule of Township Committee meetings for 2014.**

**TOWNSHIP OF UPPER**

**CAPE MAY COUNTY**

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

**RESOLUTION NO. 008-2014**

**RE: SCHEDULE OF TOWNSHIP COMMITTEE MEETINGS FOR 2014**

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**WHEREAS**, N.J.S.A. 10:4-18 requires that every public body give notice concerning the schedule of regular meetings to be held during the succeeding year, which schedule shall contain the location of each meeting, to the extent that it is known, and the time and date of each meeting.

**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 hereby by this reference.

2. Regular meetings of the Upper Township Committee shall be held at 2100 Tuckahoe Road, Petersburg, New Jersey, on the second (2nd) and fourth (4th) Mondays of each month, at 7:30 P.M. unless otherwise indicated, in accordance with the following schedule:

**2014 SCHEDULE - REGULAR MEETINGS**

			<b>Work <u>Session</u></b>	<b>Regular <u>Meeting</u></b>
January	13	Regular Meeting	6:30 p.m.	7:30 p.m.
January	27	Regular Meeting	6:30 p.m.	7:30 p.m.
February	10	Regular Meeting	6:30 p.m.	7:30 p.m.
February	24	Regular Meeting	6:30 p.m.	7:30 p.m.
March	10	Regular Meeting	6:30 p.m.	7:30 p.m.
March	24	Regular Meeting	6:30 p.m.	7:30 p.m.
April	14	Regular Meeting	6:30 p.m.	7:30 p.m.
April	28	Regular Meeting	6:30 p.m.	7:30 p.m.
May	12	Regular Meeting	6:30 p.m.	7:30 p.m.
May (Tues)	27	Regular Meeting	6:30 p.m.	7:30 p.m.
June	09	Regular Meeting	6:30 p.m.	7:30 p.m.
June	23	Regular Meeting	6:30 p.m.	7:30 p.m.
July	14	Regular Meeting	6:30 p.m.	7:30 p.m.
July	28	Regular Meeting	6:30 p.m.	7:30 p.m.

August	11	Regular Meeting	6:30 p.m.	7:30 p.m.
August	25	Regular Meeting	6:30 p.m.	7:30 p.m.
September	08	Regular Meeting	6:30 p.m.	7:30 p.m.
September	22	Regular Meeting	6:30 p.m.	7:30 p.m.
Oct. (Tues)	14	Regular Meeting	6:30 p.m.	7:30 p.m.
October	27	Regular Meeting	6:30 p.m.	7:30 p.m.
November	10	Regular Meeting	6:30 p.m.	7:30 p.m.
November	24	Regular Meeting	6:30 p.m.	7:30 p.m.
December	08	Regular Meeting	6:30 p.m.	7:30 p.m.
December	15	Regular Meeting	6:30 p.m.	7:30 p.m.

2. Unless otherwise indicated, all regular meetings of the Township Committee will be held on the dates indicated, at the Township Hall, Tuckahoe, New Jersey. A work session may precede a regular meeting of the Township Committee. The work session will be open to the public unless the matter under discussion involves one or more matters set forth in N.J.S.A. 10:4-12(b). In the event that any such matter is discussed, the public will be excluded from that portion of the meeting pursuant to Resolution which shall be adopted in accordance with N.J.S. 10:4-13. The meetings may recess and will then continue until 10:30 p.m., at which time the public portion of the meeting will be adjourned and the Township Committee will further consider matters set forth in N.J.S.A. 10:4-12(b) and the public shall be excluded from that portion of the meeting. At the conclusion of such closed session, the meeting shall be reopened to the public. All meetings of the Township Committee, whether closed or open, will end at 11:00 p.m.

3. In the event of a necessity for holding a meeting of the Township Committee, in addition to the meeting schedule set forth in Paragraph 2 of this Resolution, the Township Clerk shall give written advance notice of at least forty eight (48) hours giving the date, time, location

and, to the extent known, the agenda, of any regular, special or rescheduled meeting, which notice shall state whether formal action may or may not be taken. Such notice shall be:

- (A) Prominently posted on the bulletin board in the Township Hall;  
and
- (B) Mailed, telephoned, telegrammed or hand delivered to the newspapers hereinafter set forth in this Resolution; and
- (C) Filed in the Township Clerk's office.

4. The Township Clerk shall post either a copy of this Resolution or a copy of the scheduled meetings for the current year on the bulletin board in the Township Hall and, in addition, shall mail a copy of this Resolution to the following newspapers:

The Press and Sunday Press  
1 South Main Street  
Cape May Court House, N.J. 08210

The Ocean City Sentinel Ledger  
112 East 8th Avenue  
Ocean City, N.J. 08226

5. Any person requesting to be mailed copies of any regular meeting schedule or revision thereof and any advance written notice of such meetings as permitted by N.J.S.A. 10:4-19, shall pay a fee to the Township Clerk as follows:

Schedule of Fees

For copy of schedule of regular meetings and revisions thereto:	\$10.00
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For advance written notice of a particular meeting designated in the request:	\$10.00
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For advanced written notice of all  
 regular, special or rescheduled  
 meetings during the calendar year: \$25.00

All notices sent to any person requesting same in accordance with N.J.S.A. 10:4-19 shall

terminate December 31, 2014.

Resolution No. 008-2014

Offered by: Barr

Seconded by: Coggins

Adopted: January 3, 2014

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>
Coggins	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Inserra	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Young	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Palombo	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

**9. Providing for a Bi-Weekly Payroll.**

**TOWNSHIP OF UPPER  
 CAPE MAY COUNTY  
 RESOLUTION**

**RESOLUTION NO. 009-2014**

**RE: PROVIDING FOR A BI-WEEKLY PAYROLL**

**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. All of the employees of the Township of Upper covered by the Salary Ordinance shall be paid bi-weekly on alternate Fridays, commencing January 1, 2014, unless such employees elect to be paid monthly or quarterly and notify the Chief Financial Officer of such fact, in which case, such employees shall be paid in accordance with such election.

2. The Chief Financial Officer is directed to distribute all payroll checks to the Department Heads of the employees of the Township of Upper at or before the close of

business on those days designated as paydays and the Chief Financial Officer shall not be required to present such paychecks for approval at a meeting of the Township Committee when such payment is for salaries and wages which have been approved by the Salary Ordinance currently in effect in the Township of Upper.

3. This Resolution shall take effect immediately.

Resolution No.009-2014

Offered by: Coggins

Seconded by: Inserra

Adopted: January 3, 2014

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Barr	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Coggins	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Inserra	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Young	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Palombo	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>

**10. Appointments to the Upper Township Zoning Board of Adjustment.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 010-2014**

**RE: APPOINTMENTS TO THE UPPER TOWNSHIP  
ZONING BOARD OF ADJUSTMENT**

---

**WHEREAS**, N.J.S.A. 40:55D-69 provides for the appointment of a Zoning Board of Adjustment, which shall consist of seven (7) regular members and may have not more than four (4) alternate members and prescribes the term of office for such regular and alternate members; and

**WHEREAS**, such Statute further provides that the members of the Zoning Board of Adjustment shall be appointed by the Governing Body of the municipality; and

**WHEREAS**, it is necessary to make certain appointments or re-appointments to the Zoning Board of Adjustment of the Township of Upper, 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 following appointments are hereby recognized as continuing in their existing terms:**

Paul Casaccio - appointed to a four (4) year term commencing January 1, 2012 and expiring on December 31, 2015.

Andrew L. Shawl- appointed to a four (4) year term commencing January 1, 2011 and expiring December 31, 2014.

Christopher Phifer - appointed to a four (4) year term commencing January 1, 2013 and expiring December 31, 2016.

Matt Unsworth - appointed to a four (4) year term commencing January 1, 2013 and expiring December 31, 2016.

Lynn Petrozza - appointed to a four (4) year term commencing January 1, 2013 and expiring December 31, 2016.

Joseph Healy - appointed to a four (4) year term commencing January 1, 2013 and expiring December 31, 2016.

**2. The following appointments are hereby made to the Zoning Board of Adjustment:**

Jeffrey Pierson –appointed to a four (4) year term commencing January 1, 2014 and expiring December 31, 2017.

Alistar Lihou – appointed to the unexpired two (2) year term of Hobart Young term as Alternate #1, commencing January 1, 2013 and expiring December 31, 2014.

**Susan Adelizzi-Schmidt** - appointed to a two (2) year term as Alternate #2, commencing January 1, 2014 and expiring December 31, 2015.

**Jeffrey Stuart** - appointed to a two (2) year term as Alternate #3, commencing January 1, 2014 and expiring December 31, 2015.

**Thaddeus Klepac** - appointed to a two year term as Alternate #4, commencing January 1, 2014 and expiring December 31, 2015.

Resolution No. 010-2014

Offered by: Inserra                      Seconded by: Barr

Adopted: January 3, 2014

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>
Coggins	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Inserra	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Young	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Palombo	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

**11. Appointment of Class 3 member to the Upper Township Planning Board.**

**TOWNSHIP OF UPPER**

**CAPE MAY COUNTY**

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

**RESOLUTION NO. 011-2014**

**RE: APPOINTMENT OF CLASS 3 MEMBER TO THE**

**UPPER TOWNSHIP PLANNING BOARD**

---

**WHEREAS**, it is necessary to appoint a member of the Governing Body to the Planning Board of the Township of Upper to serve as a Class 3 member of such Planning Board.

**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 Committee person Hobart Young is hereby appointed as a Class 3 member of the Upper Township Planning Board for a term of one (1) year, effective immediately.

Resolution No. 011-2014

Offered by: Palombo

Seconded by: Barr

Adopted: January 3, 2014

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Barr	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Coggins	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Inserra	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Young	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Palombo	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>

**12. Appointment of Various Officers and Employees to Annual and Specified Terms.**

**TOWNSHIP OF UPPER**

**CAPE MAY COUNTY**

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

**RESOLUTION NO. 012 -2014**

**RE: APPOINTMENT OF VARIOUS OFFICERS AND  
EMPLOYEES TO ANNUAL AND SPECIFIED TERMS**

**WHEREAS**, a need exists in the Township of Upper to appoint various administrative, clerical and other personnel in order to staff the various positions of the Township for the ensuing 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, as follows:

1. The allegations of the preamble are incorporated herein by this reference.
2. The following persons shall be appointed to the position opposite his or her name for a one (1) year term commencing **January 1, 2014:**

**ANNUAL APPOINTMENTS - ONE (1) YEAR TERM**

NAME	POSITION	SALARY
Barbara Young	Official to Certify Municipal Improvement Searches; General Licensing Official	\$ 1,850.00
Joanne Herron	Deputy Township Clerk	\$ 2,000.00
	Secretary Board of Health	\$ 550.00
Janet McBride	Alternate Deputy Registrar	\$ 2,000.00
Barbara Spiegel	Personnel Officer	\$ 4,000.00
	QPA/Purchasing Agent	\$ 3,000.00
Rhonda Sharp	Tax Search Officer	\$ 1,850.00
	Assistant Personnel Officer	\$ 2,000.00
Therese Smuz	Claims Coordinator/Fund Commissioner	\$ 3,500.00
Rosemary Trout	Assistant Finance Officer	\$ 550.00
Patricia Smyth	Deputy Tax Collector	\$ 550.00
Jay Potter	Safety Coordinator	\$ 3,500.00
Theodore Kingston	Asst. Safety Coordinator	\$ 1,500.00
Paul Dietrich	Computer Director	\$ 1,500.00
	Municipal Housing Liaison	\$ 2,500.00
	Floodplain Manager	\$ 1,000.00
	Stormwater Program Coordinator	
	Solid Waste Advisory Committee	
	Air Quality Control Officer	
Richard Palombo	Emergency Information Officer	No salary on this title.
Karen Buchanan	Secretary Sports & Recreation Advisory Board	\$ 2,200.00
Edward Kenney	Fire Protection Inspector	\$ 2,279.00
Rob Spiegel	9-1-1 Coordinator/Right to Know Director	\$ 1,000.00
J. Michael Jones	Deputy Municipal Director of Emergency Management	\$ 2,845.00
Edward Carter	Deputy Municipal Director of Emergency Management	\$ 2,845.00
Michael Endicott	1 <sup>st</sup> Assistant Municipal Director of Emergency Management	\$ 900.00
	Deputy Right to Know Director	\$ 700.00

Bruce Riordan	2 <sup>nd</sup> Assistant Municipal Director of Emergency Management	\$ 900.00
Charles Johnson	Court Attendant/Bailiff	\$ 200.00/ Session
Karen Veach	School Crossing Guard	\$13.00/Hr.
LeRoy Shone	Asst. Recycling Coordinator Alternate Solid Waste Advisory Committee	\$ 2,849.00
William McDaniels	Recycling Coordinator	\$ 2,500.00
	Recycling Certification	\$ 1,000.00
Jeremiah Williams	Playground Inspector	\$ 1,000.00
Shelley Lea	Zoning Official	\$ 7,500.00
	Housing Officer/Code Enforcement	\$ 7,500.00

3. The following persons are being appointed or are presently serving in the position indicated, either in a permanent or provisional capacity or for a fixed term.

NAME	POSITION	SALARY	TERM
Barbara Young	Township Clerk	\$58,400.00	3-year appt.
	Data Information Coordinator	\$ 3,500.00	commencing 12/1/2012
	Registrar of Vital Statistics	\$ 4,000.00	and expiring 11/30/2015
	Keyboarding Clerk 2		
Rhonda Sharp	Tax Collector	\$54,071.00	Tenured
Megan A. McAfee	Township Tax Assessor	\$63,049.00	Tenured
Michelle Johnson	Keyboarding Clerk 1	\$37,936.00	Permanent
	Deputy Tax Assessor	\$ 550.00	Tenured
Barbara Spiegel	Chief Financial Officer	\$62,179.00	Tenured
	Keyboarding Clerk 2		
Paul Dietrich	Township Engineer	\$99,356.00	3-year term commencing

			4/1/2012
			and expiring
			3/31/2015
James Birchmeier	Judge, Municipal Court	\$42,000.00	3-year term
			commencing
			8/1/2011
			and expiring
			7/31/2014
Rosemary Bonner	Municipal Court Administrator	\$68,205.00	Permanent
	Violations Clerk		
Nancy Palmer	Deputy Municipal Court Administrator	\$55,521.00	Permanent
	Deputy Violations Clerk		
Therese Smuz	Keyboarding Clerk 1, Dept. of PW	\$36,256.00	Permanent
Janet McCrosson	Keyboarding Clerk 1, Construction	\$41,620.00	Permanent
Shelley Lea	Keyboarding Clerk 1	\$49,818.00	Permanent
Joanne Herron	Keyboarding Clerk 1, Clerk's Office	\$39,864.00	Permanent
	Deputy Registrar of Vital Statistics	\$ 2,000.00	3-year term
			commencing
			10/01/2013
			and expiring
			9/30/2016
Edward Kenney	Construction Code Official	\$71,267.00	Permanent
	Building Sub-Code Official	\$ 6,769.00	Permanent
	Plumbing Inspector(P/T)	\$ 6,524.00	Permanent
	Fire Sub-Code Official		4-year appt.
			commencing
			1/2/2012
			and expiring
			12/31/2015
			4-year appt.
	Plumbing Sub-Code Official	\$ 4,450.00	



			commencing 1/1/2013 and expiring 12/31/16
Rosemary Trout	Keyboarding Clerk 1, Finance Office	\$35,813.00	Permanent
Patricia Smyth	Keyboarding Clerk 1, Tax Office	\$35,493.00	Permanent
Janet McBride	Keyboarding Clerk 1, Clerk's Office	\$30,400.00	Permanent
William Hoffmann	Electric Sub-Code Official	\$27,820.00	Permanent
	Electrical Inspector		Permanent
Michelle Previti	Keyboarding Clerk 1, MAC	\$ 4,450.00	Permanent
Karen Buchanan	Keyboarding Clerk 2	\$37,566.00	Permanent
Rob Spiegel	Municipal Director of Emergency Management	\$11,000.00	3-year appt. commencing 1/1/2013 and expiring 12/31/2015
Jay Potter	Chief E.M.T.	\$67,281.00	Permanent
Linwood Chatten	Emergency Medical Technician (3 or more years)	\$50,293.00	Permanent
Mellissa Linz	Emergency Medical Technician (3 or more years)	\$50,293.00	Permanent
Melissa Blackledge	Emergency Medical Technician (3 or more years)	\$50,293.00	Permanent
Michelle Sampson	Emergency Medical Technician (3 or more years)	\$50,293.00	Permanent
Joseph Repici	Emergency Medical Technician	\$14.00/Hr	Part-Time
William Friend	Emergency Medical Technician	\$14.00/Hr	Part-Time
Daniel Dubbs	Emergency Medical Technician	\$14.00/Hr	Part-Time
Patricia Kravitz	Emergency Medical Technician	\$14.00/Hr	Part-Time
Roy Blackledge	Emergency Medical Technician	\$14.00/Hr	Part-Time

Donna Haugen	Emergency Medical Technician	\$14.00/Hr	Part-Time
James Sampson	Emergency Medical Technician	\$14.00/Hr	Part-Time
Mort Schmerling	Emergency Medical Technician	\$14.00/Hr	Part-Time
Valerie McKim	Emergency Medical Technician	\$14.00/Hr	Part-Time
Francis Corcoran	Emergency Medical Technician	\$14.00/Hr	Part-Time
Angel Anderson	Emergency Medical Technician	\$14.00/Hr	Part-Time
Carolyn Raff	Emergency Medical Technician	\$14.00/Hr	Part-Time
Deborah Dore	Emergency Medical Technician	\$14.00/Hr	Part-Time
Matthew Steinthal	Emergency Medical Technician	\$14.00/Hr	Part-Time
John Hemby	Emergency Medical Technician	\$14.00/Hr	Part-Time
Mark Barham	Emergency Medical Technician	\$14.00/Hr	Part-Time
Ray Norton	Emergency Medical Technician	\$14.00/Hr	Part-Time
Anthony Caine	Emergency Medical Technician	\$14.00/Hr	Part-Time
Mikhaila Hemby	Emergency Medical Technician	\$14.00/Hr	Part-Time
Bobbi Potter	Emergency Medical Technician	\$14.00/Hr	Part-Time
Adam Kooker	Emergency Medical Technician	\$14.00/Hr	Part-Time
Lauren DiGiovanni	Emergency Medical Technician	\$14.00/Hr	Part-Time
Eileen Gannon	Emergency Medical Technician	\$14.00/Hr	Part-Time
Amanda Grau	Emergency Medical Technician	\$14.00/Hr	Part-Time
Michael Linz, Jr.	Emergency Medical Technician	\$14.00/Hr	Part-Time
Patrick Dugan	Emergency Medical Technician	\$14.00/Hr	Part-Time
Tanya Pickert	Emergency Medical Technician	\$14.00/Hr	Part-Time
Mark Newman	Emergency Medical Technician	\$14.00/Hr	Part-Time
Chris Vliet	Emergency Medical Technician	\$14.00/Hr	Part-Time
Katrina Warren	Emergency Medical Technician	\$14.00/Hr	Part-Time
Joe Reign	Emergency Medical Technician	\$14.00/Hr	Part-Time
Perry Coker	Emergency Medical Technician	\$14.00/Hr	Part-Time
Zachary Kooker	Emergency Medical Technician	\$14.00/Hr	Part-Time
Judith May	Emergency Medical Technician	\$14.00/Hr	Part-Time
Matthew Capone	Emergency Medical Technician	\$14.00/Hr	Part-Time

Keely M. Barrett	Emergency Medical Technician	\$14.00/Hr	Part-Time
Christopher Gay	Emergency Medical Technician	\$14.00/Hr	Part-Time
Donald Fancher	Emergency Medical Technician	\$14.00/Hr	Part-Time

4. The following persons are presently serving and shall continue serving in the Department of Public Works in the position and at the salary indicated as follows:

NAME	POSITION	SALARY	TERM
Position Discontinued	Superintendent of Public Works	N/A	Unclassified
LeRoy Shone	Road Repairer Supervisor	\$72,483.00	Permanent
	Principal Public Works Manager		
Christopher Thomas	Road Repairer 3	\$68,254.00	Permanent
William Layton	Supervising Maintenance Repairer	\$56,545.00	Permanent
Thomas Woolley	Supervising Equipment Operator	\$57,556.00	Permanent
James M. Jones	Supervising Carpenter	\$57,556.00	Permanent
Duane Terwilliger	Maintenance Supervisor, Grounds	\$64,484.00	Permanent
Joseph D'Augustine	Sr. Mechanic (10 or more yrs.)	\$55,721.00	Permanent
Daniel Schuler	Mechanic (10 or more yrs.)	\$53,285.00	Permanent
John Hope	Mechanic (0-9 yrs.)	\$51,846.00	Provisional
George Adams, Jr.	Recycling Laborer	\$44,863.00	Permanent
James Schuler	Maintenance Worker 1, Grounds (10 or more yrs.)	\$52,328.00	Permanent
George Grund	Equipment Operator (0-9 yrs.)	\$50,889.00	Permanent
Harry Downam	Maintenance Repairer (0-9 yrs.)	\$50,889.00	Permanent
Richard Kaczmariski	Maintenance Repairer (0-9 yrs.)	\$50,889.00	Permanent
William McDaniels	Carpenter's Helper	\$50,889.00	Permanent
David Pennello	Carpenter (0-9 yrs.)	\$50,889.00	Permanent
Nicholas Mason	Equipment Operator (0-9 yrs.)	\$50,889.00	Permanent
Raymond Blaker	Equipment Operator (0-9 yrs.)	\$50,889.00	Permanent
Edward Kline	Truck Driver (10 or more yrs.)	\$51,121.00	Permanent

Stewart Segin	Truck Driver (0-9 yrs.)	\$49,680.00	Permanent
Brian Keenan	Truck Driver (0-9 yrs.)	\$49,680.00	Permanent
Robert J. Young	Truck Driver (0-9 yrs.)	\$49,680.00	Permanent
Richard McCauley	Truck Driver (0-9 yrs.)	\$49,680.00	Permanent
Ralon Armstrong	Truck Driver (0-9 yrs.)	\$49,680.00	Permanent
John Chisholm	Truck Driver (0-9 yrs.)	\$49,680.00	Permanent
Joel Lloyd	Laborer 1 (10 or more yrs.)	\$49,937.00	Permanent
Peter Buganski	Laborer 1 (10 or more yrs.)	\$49,937.00	Permanent
Josh Adams	Laborer 1 (6-9 yrs.)	\$48,499.00	Permanent
Brian Bushong	Truck Driver (0-9 yrs.)	\$49,680.00	Permanent
Matthew Taylor	Laborer 1 (6-9 yrs.)	\$48,499.00	Permanent
James J. Osborn	Laborer 1 (6-9 yrs.)	\$48,499.00	Permanent
John D. Mayberry	Laborer 1 (6-9 yrs.)	\$48,499.00	Permanent
Lester F. Woody, III	Laborer 1 (6-9 yrs.)	\$48,499.00	Permanent
Anthony V. Parsio	Laborer 1 (6-9 yrs.)	\$48,499.00	Permanent
John Adams	Maintenance Worker 2, Grounds (10 or more yrs.)	\$52,328.00	Permanent
William Haberman	Maintenance Worker 2, Grounds (10 or more yrs.)	\$52,328.00	Permanent
Jeremiah Williams	Maintenance Worker 2, Grounds (0-9 yrs.)	\$50,889.00	Permanent
Edward Carter	Maintenance Worker 1, Grounds (0-9 yrs.)	\$49,680.00	Permanent
John Kohler	Maintenance Worker 1, Grounds (0-9 yrs.)	\$49,680.00	Permanent
Roger Van Order	Maintenance Worker 1, Grounds (0-9 yrs.)	\$49,680.00	Permanent
Michael Mayne	Laborer 1 (6-9 yrs.)	\$48,499.00	Permanent
John McCardell	Laborer 1 (6-9 yrs.)	\$48,499.00	Permanent
Barbara Grund	Bldg. Maintenance Worker	\$35,739.00	Permanent

5. The following persons shall be appointed to the Board of Health of the Township of Upper:

Township Committee

Tax Assessor, Megan McAfee

Joanne Herron, Clerk for the Board

6. The following persons shall be appointed to the Lighting Committee of the Township of

Upper:

Township Committee

Resolution No. 012 –2014

Offered by: Barr

Seconded by: Palombo

Adopted: January 3, 2014

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>
Coggins	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>
Inserra	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>
Young	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>
Palombo	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>

**13. Meeting Procedures.**

**TOWNSHIP OF UPPER**

**CAPE MAY COUNTY**

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

**RESOLUTION NO. 013-2014**

**RE: PROCEDURE TO BE FOLLOWED IN WORK SESSION  
MEETINGS AND REGULAR MEETINGS OF THE TOWNSHIP  
COMMITTEE; LIMITING THE TIME OF SUCH MEETINGS;  
AND PROVIDING A SCHEDULE FOR THE ORDERLY  
CONDUCT OF SUCH MEETINGS  
AND ESTABLISHING CERTAIN OTHER  
RULES AND REGULATIONS PERTAINING TO SAME**

**WHEREAS**, the Open Public Meetings Law of the State of New Jersey requires that meetings of the Governing Body be open to the public, except in certain limited instances; and

**WHEREAS**, the Township Committee may hold a work session meeting prior to the regularly scheduled meeting of the Township Committee, which work session meeting shall be open to the public in accordance with the provisions of Resolution No. 008-2013, unless the subject matter under discussion involves one or more matters set forth in N.J.S.A. 10:4-12(b), in which event the public shall be excluded from that portion of the meeting; and

**WHEREAS**, it is necessary to establish a procedure for the orderly transaction of such business.

**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 regular meeting of the Township Committee will commence at 7:30 p.m. on those dates which have been designated as meeting dates. The Township Committee may convene publicly, however, at 6:30 p.m. for a work session meeting. The public may be excluded from a meeting upon the adoption of an appropriate Resolution in order to discuss one or more of the following subject matters:

(A) Any matter which, by express provision of Federal Law or State Statute or Rule of Court shall be rendered confidential or excluded from the provisions of subsection A. of this section (N.J.S.A. 10:4-12);

(B) Any matter in which the release of information would impair a right to receive funds from the Government of the United States;

(C) Any material, the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, dates, reports, recommendations, or other personal material of any educational, training, social service, medical health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission,

discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request, in writing, that the same be disclosed publicly;

(D) Any Collective Bargaining Agreement, or the terms and conditions which are proposed for inclusion in any Collective Bargaining Agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body;

(E) Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed;

(F) Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law;

(G) Any pending or anticipated litigation or contract negotiations other than in subsection (4) herein in which the public body is, or may become, a party. Any matter falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer;

(H) Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request, in writing, that such matter or matters be discussed at a public meeting;

(I) Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act or omission for which the responding party bears responsibility.

3. The Resolution which shall be adopted closing the meeting to the public shall be adopted in accordance with the provisions of N.J.S.A. 10:4-13, which shall state the general nature of the subject to be discussed and shall state, as precisely as possible, the time when

and the circumstances under which the discussion conducted in closed session of the Governing Body can be disclosed to the public.

4. Promptly at 7:30 p.m. the work session of the Township Committee, whether opened or closed to the public, shall terminate and the regular meeting of the Township Committee shall commence. All meetings shall continue unless a recess occurs, until 10:30 p.m., at which time the public shall be excluded from the meeting in order to permit the Township Committee to take up one or more of the matters enumerated in Section 2 of this Resolution. Such closed session shall terminate so as to permit the meeting to be reopened to the public and to be adjourned not later than 11:00 p.m.

RULES PERTAINING TO PUBLIC COMMENT:

5. In the conduct of public meetings and the course of receiving public comments, the following procedures shall apply:

(A) Any member of the public wishing to address the Township Committee on any matter, including public hearings on the adoption of Ordinances or the adoption of the Township Budget, shall be limited to a total of five (5) minutes, at which point such individual shall cease speaking and shall not thereafter be recognized, except in the exercise of the sound discretion of the Mayor or other presiding officer, which discretion should only be exercised after all other persons desiring to address the Township Committee on any issue have had an opportunity to do so.

(B) In receiving public comments on a particular issue or in conducting public hearings on the adoption of an Ordinance or the Annual Budget, or in conducting any other public hearing, the Mayor, or the presiding officer in the absence of the Mayor, shall determine, either in the exercise of his discretion or on a motion adopted by a majority of the members of the Township Committee, the amount of time that is to be devoted to the particular issue and discussion thereon shall be limited accordingly. Any such determination made by the Mayor or presiding officer may be the subject of an appeal to the Township Committee as a whole, which may overrule such determination by majority vote.

(C) In calling for public comment, the Mayor or presiding officer shall recognize a particular member of the public. Upon being recognized, such person shall state his or her full name, address and general nature of the matter to be commented upon, unless such



comments are in the course of a public hearing on a particular subject, in which event such comments must be limited to the matter under discussion and shall not relate to any other issue.

(D) The Mayor or other presiding officer shall give preference to residents of the Township of Upper who shall be afforded an opportunity to speak first before any non-resident is recognized. Such determination shall not apply to any public official seeking to address the Township Committee, nor shall it apply to any attorney or other representative appearing on behalf of any resident of the Township, provided that the identity and address of the Township Resident is first disclosed.

(E) All comments made by the public shall be addressed to the Township Committee and shall not be addressed to any other member of the public, nor shall such comments provide a forum for debate between or among members of the public. Any person violating this provision shall be declared "out of order" and shall thereupon forfeit his or her right to address the Governing Body.

(F) The procedures outlined in this Resolution are intended to encourage and to foster the greatest possible participation in municipal government by members of the public and in order to achieve that purpose, these rules and regulations are intended to reduce multiplicitous comments by a single individual, as well as comments of long duration or which are or may be repetitive or argumentative in nature.

Resolution No. 013-2014

Offered by: Inserra                      Seconded by: Coggins

Adopted: January 3, 2014

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Barr	<u>  X  </u>	_____	_____	_____
Coggins	<u>  X  </u>	_____	_____	_____
Inserra	<u>  X  </u>	_____	_____	_____
Young	<u>  X  </u>	_____	_____	_____
Palombo	<u>  X  </u>	_____	_____	_____

**14. Imposing a fee of twenty-five dollars on all checks given to the Township of Upper, which are dishonored for any reason.**

**TOWNSHIP OF UPPER**  
**CAPE MAY COUNTY**  
**R E S O L U T I O N**  
**RESOLUTION NO. 014-2014**

**RE: IMPOSING A FEE OF TWENTY-FIVE (\$25.00) DOLLARS**  
**ON ALL CHECKS GIVEN TO THE TOWNSHIP OF UPPER WHICH ARE**  
**DISHONORED FOR ANY REASON**

---

**WHEREAS, the Chief Financial Officer of the Township of Upper has reported to the Township Committee an increase in the number of checks which are returned by the maker's bank due to insufficient funds or for other reasons; and**

**WHEREAS, such circumstances have greatly increased the time involved in the processing of transactions and has otherwise increased the administrative costs to the Township; and**

**WHEREAS, a returned check item results in a charge to the Township of Upper by the depository bank; and**

**WHEREAS, the Chief Financial Officer has recommended to the Township Committee the imposition of a charge to cover all such checks which are returned or dishonored by the maker's bank for any reason.**

**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 impose a charge of twenty-five (\$25.00) Dollars against any person who tenders a check to the Township, which check is dishonored by the bank upon which it is drawn for insufficient funds or for any other reason. The Twenty-five (\$25.00) Dollar fee shall be in addition to all other fees which are due and payable to the Township and shall be collected in the same manner as are taxes and penalties.**

3. An appropriate notice shall be posted by the Municipal Clerk in a conspicuous location, advising all persons that such charge will be imposed effective immediately.

4. This Resolution shall take effect immediately.

Resolution No. 014-2014

Offered by: Coggins

Seconded by: Inserra

Adopted: January 3, 2014

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Barr	<u>  X  </u>	_____	_____	_____
Coggins	<u>  X  </u>	_____	_____	_____
Inserra	<u>  X  </u>	_____	_____	_____
Young	<u>  X  </u>	_____	_____	_____
Palombo	<u>  X  </u>	_____	_____	_____

15. Authorizing the Chief Financial Officer to maintain a Petty Cash Fund.

TOWNSHIP OF UPPER

CAPE MAY COUNTY

R E S O L U T I O N

RESOLUTION NO. 015-2014

RE: AUTHORIZING THE CHIEF FINANCIAL OFFICER TO

MAINTAIN A PETTY CASH FUND IN THE AMOUNT OF \$100.00

---

**WHEREAS**, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund for the Chief Financial Officer; and

**WHEREAS**, said Petty Cash Fund was established by Resolution dated June 28, 1993 by the Township Committee of the Township of Upper; and

**WHEREAS**, said Petty Cash Fund received approval from the Director of Local Government Services on July 13, 1993; and

**WHEREAS**, it is the desire of the Township Committee that said fund be continued under the direction of the Chief Financial Officer;

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Upper that:

1. The allegations of the preamble are incorporated in full.

2. During the year 2014, Barbara Spiegel, Chief Financial Officer, be and is hereby authorized and permitted to establish a Petty Cash Fund in the amount not to exceed \$100.00 pursuant to the provisions of N.J.S.A. 40A:5-21. Said Petty Cash Fund will be used by such office or department to pay claims for small miscellaneous expenses.

3. Barbara Spiegel, Chief Financial Officer, having custody of the Fund be bonded in an amount not less than \$1,000.00 or the amount of the fund, which ever is greater and will maintain said Fund in accordance with the laws and regulations governing its operation.

Resolution No. 015-2014

Offered by: Coggins

Seconded by: Inserra

Adopted: January 3, 2014

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Barr	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Coggins	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Inserra	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Young	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Palombo	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

**16. Authorizing the Tax Assessor to file a petition of Appeal or Appeals for the Tax Year 2014 with the Cape May County Board of Taxation and/or the Tax Court of New Jersey to seek corrections of errors and proper values.**

**TOWNSHIP OF UPPER**

**COUNTY OF CAPE MAY**

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

**RESOLUTION NO. 016-2014**

**RE: AUTHORIZING THE TAX ASSESSOR TO FILE APETITION OF APPEAL OR APPEALS FOR**

**THE TAX YEAR 2014 WITH THE CAPE MAY COUNTY BOARD OF TAXATION AND OR THE TAX COURT OF NEW JERSEY TO SEEK CORRECTION OF ERRORS AND PROPER VALUES.**

---

**WHEREAS**, from time to time the Tax Assessor of the Township of Upper discovers an error in calculation, transposition, measurement or typographical error in the tax assessment on the tax list after the time within which the County Board of Taxation has certified the tax rates of the tax year; and

**WHEREAS**, the governing body of the taxing district of the Township of Upper is desirous that every taxpayer shall pay their fair share of taxes; and

**WHEREAS**, if said error is discovered by the Tax Assessor in the normal course of his business and is not corrected, the affected taxpayers would be paying more or less than their fair share of taxes; and

**WHEREAS**, in each instance, the error discovered was not caused by any act or omission of the taxpayer.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and the Township Committee of the taxing district of the Township of Upper that the Tax Assessor is hereby authorized and permitted to file a Petition of Appeal or Appeals for the tax year 2014 with the Cape May County Board of Taxation and or the Tax Court of New Jersey to seek correction of such errors, and in each instance, to either raise or lower the assessment to the correct and proper value; and

**BE IT FURTHER RESOLVED** that in each such instance, a copy of any Petition of Appeal filed with the Cape May County Board of Taxation and or the Tax Court of New Jersey pursuant to the authorization extended by this Resolution shall be filed with the Township Clerk of the Township of Upper; and

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be forwarded by the Clerk of the Township of Upper to the Cape May County Board of Taxation and or the Tax Court of New Jersey upon passage of this Resolution; and

**BE IT FINALLY RESOLVED** that a certified copy of this Resolution shall be forwarded to the Cape May County Board of Taxation and or the Tax Court of New Jersey accompanying any Petition of Appeal which may be filed by the Assessor under this authority extended herein.

Resolution No. 016-2014

Offered by: Barr      Seconded by: Coggins

Adopted: January 3, 2014

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Barr	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Coggins	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Inserra	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Young	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>

**17. Adopting the Cash Management Plan for the Township of Upper.**

**TOWNSHIP OF UPPER**

**CAPE MAY COUNTY**

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

**RESOLUTION NO. 017-2014**

**RE: ADOPTING THE CASH MANAGEMENT PLAN OF THE TOWNSHIP OF UPPER**

---

**WHEREAS**, N.J.S.A. 40A:5-14 requires each municipality adopt a Cash Management Plan and that all municipal funds shall be managed pursuant to that Plan; and

**WHEREAS**, the cash management plan shall include the designation of a depository or depositories as permitted in section 4 of P.L. 1970, c235(C:17:9-44); and

**WHEREAS**, the cash management plan shall be designed to assure to the extent practicable, the investment of local funds in interest bearing accounts and may be modified from time to time in order to reflect changes in federal or state law or regulations and other reasons; and

**WHEREAS**, the cash management plan shall be subject to the annual audit conducted pursuant to N.J.S.A. 40A:5-4.

**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 to the preamble are incorporated herein by this reference.
2.        The Cash Management Plan for the Township of Upper for the year January 1, 2014 through December 31, 2014, a copy of which is on record in the office of the Township Clerk and in the office of the Township Chief Financial Officer, is hereby adopted.
3.        The Cash Management Plan shall remain in full force and effect for the term January 1, 2014 through December 31, 2014, unless sooner modified or amended, as permitted by law, and until such time as a replacement Cash Management Plan is approved by the Governing Body through the adoption of a formal Resolution.

**BE IT FURTHER RESOLVED** that the proper officials be and are hereby authorized to do all things necessary to carry out the intent of this Resolution.

Resolution No. 017-2014

Offered by: Inserra                      Seconded by: Barr

Adopted: January 3, 2014

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Barr	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Coggins	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Inserra	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Young	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Palombo	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

**TOWNSHIP OF UPPER**

**COUNTY OF CAPE MAY**

**STATE OF NEW JERSEY**

**CASH MANAGEMENT PLAN**

**I. STATEMENT OF PURPOSE:**

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the Township, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes) and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investments matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

**II. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN.**

- A. The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Township.

Current Fund  
Trust Fund  
General Capital Fund  
Public Assistance Fund  
Payroll Fund

III. **DESIGNATION OF OFFICIALS OF THE TOWNSHIP AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN.**

The Chief Financial Officer and the Treasurer of the Township (the “Designated Officials”) are hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investment, such officials of the Township are directed to supply all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

IV. **DESIGNATION OF DEPOSITORIES.**

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of Deposit which are not otherwise invested in Permitted Investments as provided for in this Plan.

PNC Bank N.J.  
Sun National Bank  
Wachovia  
Ocean City Home Bank  
TD Bank  
Cape Bank  
First Bank of Sea Isle City  
Franklin Savings Bank  
Municipal Investors Corp  
N.J. Cash Management Plan  
Crown Bank of Ocean City  
Bank of America, N.A.  
Sovereign Bank  
Fox Chase Bank  
Sturdy Savings Bank  
Newfield National Bank

All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official(s) referred to in Section III.



V. **DESIGNATION OF OFFICIALS TO SIGN CHECK AND WITHDRAWALS OF THE TOWNSHIP OF UPPER.**

Pursuant to N.J.S.A. 40A:5-17B(2), that the following named officials shall sign checks and authorized withdrawals for the Township of Upper for the Current Fund, Public Assistance Fund and Payroll Fund:

Richard Palombo  
Mayor

Barbara L. Young, RMC  
Township Clerk

Barbara Spiegel  
CFO

OR

Rosemary Trout  
Assistant Finance Officer

All checks and withdrawals shall be signed with three (3) signatures, namely, the Mayor, Township Clerk and Township Chief Financial Officer or in the Township Chief Financial Officer's absence, the Assistant Finance Officer.

The following named officials shall sign checks and authorized withdrawals for the Township of Upper for the Trust Fund and the General Capital Fund:

Barbara Spiegel  
CFO

OR

Rosemary Trout  
Assistant Finance Officer

All checks and withdrawals shall be signed with one (1) signature, namely, the Township Chief Financial Officer or in the Township Chief Financial Officer's absence, the Assistant Finance Officer.

VI. **DESIGNATION OF BROKERAGE FIRMS AND DEALERS WITH WHOM THE DESIGNATED OFFICIALS MAY DEAL**

The following brokerage firms and/or dealers and other institutions are hereby designated as firms with whom the Designated Official(s) of the Township referred to in this Plan may deal for purposes of buying and selling securities identified in this Plan as Permitted Investments or otherwise providing for Deposits. All such brokerage firms and/or dealers shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official(s) referred to in Section III above.

None Designated

VII **AUTHORIZED INVESTMENTS.**

A. Except as otherwise specifically provided for herein, the Designated

Officials are hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

- (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
- (2) Government money market mutual funds;
- (3) Any obligation that a federal agency or a federal instrumentally has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
- (4) Bonds or other obligations of the Local unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located;
- (5) Bonds or other obligations, have a maturity date not more than 397 days From the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units;
- (6) Local government investment pools;
- (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c.281 (C.52:18A-90.4); or
- (8) Agreements for the repurchase of fully collateralized securities if:
  - (a) the underlying securities are permitted investments pursuant to Paragraphs (1) and (3) of this subsection;
  - (b) the custody of collateral is transferred to a third party;
  - (c) the maturity of the agreement is not more than 30 days;
  - (d) the underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (C17:9-41); and
  - (e) a master repurchase agreement providing for the custody and security of collateral is executed.

For purposes of the above language, the terms "government money market mutual fund" and "local government investment pool" shall have the following definitions:

Government Money Market Mutual Fund. An investment company or investment trust:

- (a) which is registered with the Securities and Exchange Commission Under the "Investment Company Act of 1940", 15 U.S.C. sec. 80a-1 et seq. And operated in accordance with 17 C.F.R. sec 270.2a-7.

- (b) the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- (c) which has:
  - (i) attained the highest ranking or the highest letter and Numerical rating of a nationally recognized statistical rating organization; or
  - (ii) retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission Pursuant to the "Investment Advisors Act of 1940," 15 U.S.C. sec.80b-1 et seq., with experience investing in U.S. government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

Local Government Investment Pool, An investment pool:

- (a) which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
- (b) which is rated in the highest category by a nationally recognized statistical rating organization;
- (c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec.270.2a-7 and repurchase agreements that are collateralized by such [ ] U.S. Government securities;
- (d) which is in compliance with rules adopted pursuant to thi"Administrative Procedure Act," P.L. 1968, c.410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirement, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investment.
- (e) which does not permit investments in instruments that are subject to high price volatility which changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- (f) which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time

of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9 (C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.

B. Notwithstanding the above authorization, the monies on hand in the following funds and accounts shall be further limited as to maturities, specific investments or otherwise as follows:

Limited only to maturities, 1 year or less

VIII. **SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN.**

To the extent that any Deposit or Permitted Investments involve a document or security which is not physically held by the Township, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Township to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a "delivery versus payment" method to insure that such Permitted Investments are either received by the Township or by a third party custodian prior to or upon the release of the Township's funds. To assure that all parties with whom the Township either by way of Deposits or Permitted Investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such

parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official(s).

IX **REPORTING REQUIREMENTS**

On the first day of each month during which this Plan is in effect, the Designated Official(s) referred to in Section III hereof shall supply to the governing body of this Township, a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the Township as a Deposit or a permitted investment.
- B. The amount of securities or deposits purchased or sold during the Immediately preceding month.

- C. The class or type of securities purchased or deposits made.
- D. The book value of such deposits or permitted investments.
- E. The earned income on such deposits or permitted investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- F. The fees incurred to undertake such deposits or permitted investments.
- G. The market value of all deposits or permitted investments as of the end of the immediately preceding month.
- H. All other information which may be deemed reasonable from time to time By the governing body of the Township.

X **TERM OF PLAN.**

This Plan shall be in effect **from January 1, 2014 to December 31, 2014**. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Township Committee, the Designated Officials are directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

**18. 2014 Temporary Budget.**

TOWNSHIP OF UPPER

CAPE MAY COUNTY

R E S O L U T I O N

RESOLUTION NO. 018-2014

RE: 2014 TEMPORARY BUDGET

WHEREAS, N.J.S.A. 40A:4-19 provides that the governing body shall by Resolution adopted prior to January 31 of the fiscal year make appropriations to provide for the period between the beginning of the fiscal year and the adoption of the Budget; and

WHEREAS, the total of the appropriations so made shall not exceed 26.25% of the total of the appropriations made for all purposes in the Budget for the preceding year excluding public assistance, such amount being **\$2,843,403.35**.

NOW, THEREFORE BE IT RESOLVED, that the following appropriations shall constitute the Temporary Budget for the year 2014:

**ADMINISTRATIVE & EXECUTIVE**

**Mayor and Committee**

Salary and Wages \$ 17,300.00

Mayor and Committee O/E \$ 1,500.00

DCRP-Township Committee \$ 800.00

**Municipal Clerk**

Salary and Wages \$ 44,000.00

**OTHER EXPENSES**

Legal Advertising \$ 2,000.00

Miscellaneous O/E \$ 3,000.00

Purchase of Office Equipment \$ 1,000.00

Codification of Ordinances \$ 1,000.00

MAC \$ 3,192.00

Cape Mediation \$ 2,300.00

Cape Assist EAP \$ 1,155.00

**FINANCIAL ADMINISTRATION**

Salaries & Wages \$ 28,000.00

Miscellaneous O/E \$ 3,200.00

Computer Hardware/Software \$ 15,000.00

Annual Audit \$ 20,000.00

**ASSESSMENT OF TAXES**

Salaries & Wages \$ 24,000.00

Miscellaneous O/E \$ 2,000.00

**COLLECTION OF TAXES**

Salaries & Wages \$ 21,500.00

Miscellaneous O/E \$ 1,000.00

Purchase TTL	\$	0
<b>LIQUIDATION OF TTL &amp; FORECLOSED PROPERTY</b>		
Other Expenses	\$	0
<b>LEGAL SERVICES AND COSTS</b>		
Other Expenses	\$	30,000.00
<b>MUNICIPAL COURT</b>		
Salaries & Wages	\$	51,000.00
Miscellaneous O/E	\$	2,000.00
<b>PUBLIC DEFENDER</b>		
Salaries & Wages	\$	6,400.00
<b>MUNICIPAL PROSECUTOR</b>		
Salaries & Wages	\$	10,500.00
<b>ENGINEERING SERVICES &amp; COSTS</b>		
Salaries & Wages	\$	23,500.00
Other Expenses	\$	3,000.00
<b>PUBLIC BUILDINGS &amp; GROUNDS</b>		
Salaries & Wages	\$	24,000.00
Other Expenses	\$	65,000.00
<b>PLANNING BOARD</b>		
Salaries & Wages	\$	11,000.00

Other Expenses	\$	1,000.00
<b>BOARD OF ADJUSTMENT</b>		
Salaries & Wages	\$	11,000.00
Other Expenses	\$	1,000.00
<b>CONSTRUCTION OFFICE &amp; BUILDING INSPECTOR</b>		
Salaries & Wages	\$	41,000.00
Other Expenses	\$	2,000.00
<b>INSURANCE</b>		
Group Insurance for Employees	\$	556,600.00
Other Insurance Premiums	\$	50,000.00
Workers Compensation	\$	70,000.00
<b>SCHOOL CROSSING GUARD</b>		
Salaries & Wages	\$	2,400.00
Miscellaneous O/E	\$	500.00
<b>BEACH PATROL</b>		
Other Expenses	\$	1,000.00
<b>EMERGENCY MANAGEMENT/RTK/911 COORDINATOR</b>		
Salaries & Wages	\$	5,500.00
Miscellaneous O/E	\$	3,800.00
<b>ROAD REPAIRS &amp; MAINTENANCE</b>		
Salaries & Wages	\$	372,000.00



Miscellaneous O/E	\$	40,000.00
<b>SURFACING OF ROADS CONTRACTUAL</b>		<b>3,000.00</b>
<b>STREET LIGHTING</b>	\$	<b>70,000.00</b>
<b>GARBAGE &amp; TRASH REMOVAL</b>		
Salaries & Wages	\$	76,000.00
Miscellaneous O/E	\$	20,000.00
Tipping Fees	\$	75,000.00
<b>BOARD OF HEALTH</b>		
Salaries & Wages	\$	150.00
Miscellaneous O/E	\$	500.00
<b>DOG REGULATION</b>		
Miscellaneous O/E	\$	28,000.00
<b>PUBLIC RELATIONS</b>		
Miscellaneous O/E	\$	1,000.00
<b>ZONING/CODE OFFICIAL</b>		
Salaries & Wages	\$	4,100.00
Miscellaneous O/E	\$	1,000.00
<b>SPORTS &amp; RECREATION</b>		
Salaries & Wages	\$	600.00
Miscellaneous O/E	\$	20,000.00

**FIRST AID ORGANIZATION**

Salaries & Wages	\$	144,000.00
Miscellaneous O/E	\$	20,000.00

**RECYCLING**

Salaries & Wages	\$	145,000.00
Miscellaneous O/E	\$	20,000.00

**AFFORDABLE HOUSING**

Salaries & Wages	\$	700.00
Miscellaneous O/E	\$	500.00

**COMMUNITY CENTER**

Miscellaneous O/E	\$	8,000.00
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**CELEBRATION OF PUBLIC EVENTS** \$ 1,000.00

**SOCIAL SECURITY SYSTEM** \$ 80,000.00

**SPECIAL LITIGATION** \$ 20,000.00

**SUI CONTRIBUTION** \$ 3,000.00

**CENTRAL DISPATCH** \$ 57,000.00

**MAC GRANT** \$ 12,766.00

**ALCOHOL & DRUG TESTING** \$ 8,500.00

**COMP. ABSENCES RESERVES** \$ 100.00

PERS \$ 432,261.00

CAPE MAY CO. OPEN SPACE PROG.

BAYVIEW AVE. BOAT RAMP \$ 15,000.00

Total \$ 2,843,324.00

Resolution No. 018-2014  
Offered by: Coggins Seconded by: Inserra  
Adopted: January 3, 2014

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Barr	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Coggins	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Inserra	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Young	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Palombo	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

**19. Appointment of Thomas H. Heist IV as Risk Management Consultant.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 019-2014**

**RE: AUTHORIZING THE APPOINTMENT OF THOMAS H. HEIST IV  
AS RISK MANAGEMENT CONSULTANT TO PERFORM VARIOUS PROFESSIONAL SERVICES ON  
BEHALF OF THE TOWNSHIP OF UPPER RELATIVE TO THE ATLANTIC COUNTY MUNICIPAL JOINT  
INSURANCE FUND AND MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND**

---

**WHEREAS**, the Township Committee of the Township of Upper has resolved to join the Atlantic County Municipal Joint Insurance Fund, a self-insurance pooling fund, following a detailed analysis; and

**WHEREAS**, the by-laws of the Funds require that each municipality appoint a Risk Management Consultant to perform various professional services as detailed in the by-laws; and

**WHEREAS**, NJSA 40A:11-5 (1)(m), specifically exempts the hiring of insurance consultants from competitive bidding as an extraordinary unspecifiable service; and

**WHEREAS**, the experience, knowledge of public insurance and risk management issues and judgmental nature required of a Risk Management Consultant are clearly an extraordinary unspecifiable service which therefore render competitive bidding impractical:

**WHEREAS**, the Township purchasing agent has determined and certified in writing that the value of the contract for the Risk Management Consultant will not exceed \$17,500.00; and

**WHEREAS**, the proposed Risk Management Consultant has completed and submitted Business Entity Disclosure Certifications which certify that 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 that the contract will prohibit the contractor from making any contributions through the term of the contract; and

**NOW THEREFORE BE IT RESOLVED** that the governing body of the Township of Upper does hereby appoint Thomas H. Heist IV as its Risk Management Consultant in accordance with 40A:11-5 and;

**BE IT FURTHER RESOLVED** that the governing body is hereby authorized and directed to execute the Consultant's Agreement annexed hereto as "Exhibit A"; and

1. The Township Clerk is hereby authorized and directed to 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(1),(a),(i), within ten (10) days of its passage.
2. 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.
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. 019-2014

Offered by: Barr            Seconded by: Inserra

Adopted: January 3, 2014

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Barr	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Coggins	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Inserra	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Young	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Palombo	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

**20. Confirming Appointments to various positions required by the Atlantic County Municipal Joint Insurance Fund.**

TOWNSHIP OF UPPER

CAPE MAY COUNTY

R E S O L U T I O N

RESOLUTION NO. 020-2014

**RE: CONFIRMING APPOINTMENTS TO VARIOUS POSITIONS REQUIRED BY THE ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND**

**WHEREAS**, the Township of Upper is a member of the Atlantic County Municipal Joint Insurance Fund (''JIF''); and

**WHEREAS**, the Township, as a participating member of JIF, is required to create certain positions and to fill those positions; and

**WHEREAS**, the Township Committee duly considered this matter and made certain appointments which are hereby ratified and confirmed through this Resolution;

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

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

2. The Township Committee hereby makes the following appointments as Township representatives or Township committees with respect to Township participation in the Atlantic County JIF:

**Fund Commissioner:** Theresa Smuz

**Alternate**

**Fund Commissioner:** Barbara L. Young, Township Clerk

**Risk Management**

**Consultant:** Thomas H. Heist, IV; Thomas Heist Insurance Agency

**Claims Coordinator:** Theresa Smuz

**Safety Coordinator:** Jay Potter, Chief, Upper Township Rescue Squad

**Asst. Safety Coordinator:** Theodore Kingston

**Safety Committee:** E. Robert Spiegel;

Jay Potter;  
Leroy Shone;  
Theodore Kingston;  
Paul Dietrich;

Theresa Smuz; Alt. Patricia Smyth  
Barbara Young; Alt. Joanne Herron  
Thomas Woolley; Alt. Christopher Thomas  
Roger Van Order; Alt. Stewart Segin

3. The Safety Committee will meet not less than quarterly to discuss safety issues.

4. A certified copy of this Resolution shall be sent to the Atlantic County Joint Insurance Fund to the attention of Paul Miola, Executive Director and a copy of this Resolution shall be provided to each of the persons named herein.

Resolution No. 020-2014  
Offered by: Barr  
Adopted: January 3, 2014

Second by: Inserra

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>
Coggins	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Inserra	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Young	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>
Palombo	<u>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>

**21. Appointments to the Upper Township Sports and Recreation Advisory Board.  
TOWNSHIP OF UPPER**

**CAPE MAY COUNTY**

**RESOLUTION**

**RESOLUTION NO. 021-2014**

**RE: APPOINTMENTS TO THE UPPER TOWNSHIP**

**SPORTS AND RECREATION ADVISORY BOARD**

---

**WHEREAS**, a need exists in the Township of Upper to appoint suitable persons to the Sports and Recreation Advisory Board of the Township of Upper.

**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 following persons be and are hereby appointed to the Sports and Recreation Program Advisory Board of the Township of Upper for a one (1) year term, commencing January 1, 2014 and expiring on December 31, 2014, provided, however, that such member shall continue to serve until his/her successor is duly appointed and qualified:

**Member in charge of the  
Department of Sports and Recreation Programs**

**The Township Committee**

**Volunteer Resident Members**

**Al Harris  
Kevin Wiesner  
Ronald DiGiovanni  
Georgette Costello**

3. The forgoing appointees shall constitute the sole members of the Sports and Recreation Program for 2014, subject to the provision of Paragraph 4 hereof.

4. The Township Committee expressly reserves the right to supplement this Resolution at any time it deems it appropriate to change the membership of the Sports and Recreation Advisory Board or change the policies, programs and personnel with respect to any recreational activity of the Township.

Resolution No. 021-2014  
Offered by: Inserra  
Adopted: January 3, 2014

Seconded by: Young



Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Barr	<u>  X  </u>	_____	_____	_____
Coggins	<u>  X  </u>	_____	_____	_____
Inserra	<u>  X  </u>	_____	_____	_____
Young	<u>  X  </u>	_____	_____	_____
Palombo	<u>  X  </u>	_____	_____	_____

**22. Adoption of the National Incident Management System.**

**TOWNSHIP OF UPPER**

**CAPE MAY COUNTY**

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

**RESOLUTION NO. 022 -2014**

**RE: ADOPTION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM**

---

**WHEREAS**, the United States Department of Homeland Security has developed a National Incident Management System (“NIMS”) to provide a consistent nationwide approach for Federal, State, local and tribal governments to work effectively and efficiently together to prepare for, prevent, respond to, and recover from domestic incidents, regardless of cause, size or complexity; and

**WHEREAS**, the NIMS incorporates the best-practices currently in use by incident managers at all levels; and

**WHEREAS**, the Township Committee has determined that it is in the best interest of the Township of Upper to adopt the NIMS and that by doing so the Township will satisfy a condition for Federal preparedness assistance; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township Committee of the Township of Upper hereby adopts the National Incident Management System as administered by the U.S. Department of Homeland Security.

3. A copy of this Resolution shall be forwarded to the Cape May County Board of Chosen Freeholders and the Cape May County Office of Emergency Management.

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

Resolution No. 022-2014  
Offered by: Barr  
Adopted: January 3, 2014

Seconded by: Coggins

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>
Coggins	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>
Inserra	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>
Young	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>
Palombo	<u>X</u>	<u>          </u>	<u>          </u>	<u>          </u>

**23. Naming the overall winner of the 2013 Safety Program.**

**TOWNSHIP OF UPPER**

**CAPE MAY COUNTY**

**RESOLUTION**

**RESOLUTION NO. 023-2014**

**RE: CONGRATULATING EMPLOYEE NANCY PALMER OF THE UPPER TOWNSHIP MUNICIPAL COURT AS THE UPPER TOWNSHIP 2013 SAFETY EMPLOYEE OF THE YEAR**

---

**WHEREAS**, in an effort to promote safety for the Upper Township workforce as well as the residents of this community, employees are encouraged to participate in the Upper Township Safety Program and are recognized quarterly for their safety suggestions, from which one is chosen for the overall yearly winner; and

**WHEREAS**, of the 2013 quarterly winners, the safety suggestion submitted by Nancy Palmer in the 4<sup>th</sup> quarter was also selected as the best overall safety suggestion for 2013 and Ms. Palmer was chosen as the "2013 Safety Employee of the Year" by the Upper Township Safety Committee; and



**Executive Order of the Mayor-Planning Bd. Appointments.**

**TOWNSHIP OF UPPER  
EXECUTIVE ORDER OF THE MAYOR**

**Pursuant to the authority vested in me as Mayor of the Township of Upper, I hereby make the following appointments to the Upper Township Planning Board, pursuant to the provisions of the Municipal Land Use Act of the State of New Jersey:**

**CLASS II:**

**Janet McCrosson** is hereby reappointed to a one (1) year term, which term shall expire on December 31, 2014.

**The foregoing appointees shall serve with the other members of the Upper Township Planning Board, who are as follows:**

**CLASS I:**

**Deputy Mayor Antonio Inserra**

**CLASS III:**

**Hobart Young**, (Member of the Governing Body, appointed by the Governing Body)

**CLASS IV:**

**James Kelly** is reappointed to a four (4) year term commencing January 1, 2014 and expiring on December 31, 2017.

**Michael Endicott** is appointed to a four (4) year term commencing January 1, 2014 and expiring on December 31, 2017.

**The following Class IV appointees shall continue to serve in their existing terms, as follows:**

**Renee Scrocca** appointed to a four (4) year term commencing January 1, 2013 and expiring on December 31, 2016.

**Daniel Bready** appointed to a four (4) year term commencing January 1, 2011 and expiring December 31, 2014.

**William Brown** appointed to a four (4) year term commencing January 1, 2011 and expiring December 31, 2014.

**Joseph Harney** is appointed to a four (4) year term commencing January 1, 2013 and expiring on December 31, 2016.

**ALTERNATE MEMBERS:**

**Georgette Costello** is reappointed as Alternate #1 to a two (2) year term commencing on January 1, 2014 and expiring on December 31, 2015.

**Theodore Kingston** is appointed as Alternate #2 to a two (2) year term commencing on January 1, 2014 and expiring on 2015.

Effective January 1, 2014

**Comments by Members of the Governing Body**

**Edward Barr, Committeeman**, wished everyone a Happy New Year. He then welcomed Hobie Young and John Coggins and stated he was looking forward to working with them. He then praised and congratulated the members of the Public Works Department for their hard work clearing the roads during the recent snow storm.

**Anthony Inserra, Committeeman**, offered his congratulations to Hobie Young and John Coggins and stated that he is looking forward to working with all the members of the Committee for another year.

**John Coggins, Committeeman**, also offered his congratulations to the Public Works Department for the condition of the roads in Upper Township and complimented their hard work in also collecting both the trash and recycling today as well under such harsh conditions. He then thanked everyone who voted for him and promised to do his best not to disappoint.

**Hobie Young, Committeeman**, also thanked the Public Works Department for their hard work. He then thanked everyone that supported him during his campaign, and stated that he will be working for all of the residents. He next thanked Curtis Corson and Jay Newman for their years of service to the Township. He then thanked his fellow Committee members Mayor Palombo, Ed

Barr, and Anthony Inserra for their help during the transition. Lastly he wished everyone a Happy New Year.

**Richard Palombo, Mayor**, praised the transition process during the past few months with the new Committee members John Coggins and Hobie Young. He next thanked Curtis Corson and Jay Newman for their assistance with that process and for their hard work and dedication to the Township over the years. He next gave a brief update on new projects completed and coming up in the Township including the videotaping of the Committee Meetings, the new upgraded Township website, the utilization of the many grants the Township has received, including a new fully funded beach fill project which will commence this year at no cost to the Township. He next acknowledged the Coggins and Young families along with the families of all of the Committee members and thanked them for their support. He finally encouraged the members of the public to stay involved and wished everyone a Happy New Year.

### **Recognition of Distinguished Guests**

Mayor Palombo recognized and thanked the following distinguished guests for attending this evening:

CMC Sherriff Gary Schaeffer

CMC Clerk Rita Fulginiti

CMC Freeholder and Sea Isle City Mayor Leonard Desiderio

Municipal Judge Jim Birchmeier

Municipal Prosecutor Patrick Martin

Planning and Zoning Board Attorney Dean Marcolongo

Upper Township OEM Director Rob Spiegel

Upper Township Risk Management Consultant Thomas Heist

Former Committeeman Jay Newman

Municipal Public Defender William Brewer

**Benediction** - Monsignor Peter Joyce - Parish of Saint Maximillian Kolbe.

### **Adjournment**

Motion to adjourn the meeting was made by Anthony Inserra, seconded by John Coggins, with all five Committee members voting in the affirmative.

There being no further business for this evening, the meeting was adjourned at 7:15 P.M. and everyone was invited to join the Committee at Levari's Seafood and American Grill in Tuckahoe for refreshments.

The next regular meeting is scheduled for January 13, 2014 at 7:30 P.M.

Minutes prepared by:

Barbara L. Young, RMC  
Municipal Clerk

