

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR MAY 12, 2014**

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

CALL TO ORDER

SUNSHINE ANNOUNCEMENT

SALUTE TO THE FLAG

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.

**APPROVAL OF MINUTES - **April 28, 2014 Regular Meeting and
Closed Session Minutes****

Motion by Hobie Young, second by John Coggins, to adopt the April 28, 2014 Regular Meeting and Closed Session Minutes as submitted. During roll call vote all five Committee members voted in the affirmative.

REPORT OF GOVERNING BODY MEMBERS

John Coggins, Committeeman, reported that the Township was awarded a grant in the amount of \$172,000.00 from the New Jersey DOT for the Reconstruction of Bayview Drive Phase 2. Mr. Coggins next commended Barbara Spiegel and Paul Dietrich for finding a cost savings opportunity for the Township's utility expenditures.

Hobie Young, Committeeman, reported that the Tour De' Tuckahoe Bike-a-thon held last weekend had a great turnout and was a big success. He next briefly reported on the upcoming projects planned for Amanda's Field. He next reported that an increase in the insurance medical liability coverage for Baseball is required. He next reported on a request to have Pickleball at the Community Center during the winter months. Committeeman Young stated that Pickleball is a growing sport for senior citizens and he would like to look into designating it as a Township sponsored program. He will gather more information and bring the request before the Committee for formal action at a later date. He next gave a brief update on the preliminary plans for the Fourth of July events at Amanda's Field. Lastly he thanked

Roy Shone, Supervisor of Public Works, for placing temporary no parking signs along Old Tuckahoe Road. Later in the meeting Mr. Young requested a resolution be placed on the next agenda to authorize the engineer to solicit bids for field lighting at Amanda's Field baseball complex.

Anthony Inserra, Committeeman, reported on the maintenance of recreation fields and facilities. Lastly he briefly reported on the progress of trash collection with the automated trash trucks.

Edward Barr, Committeeman, reported that he recently had a very positive meeting with Dennis Township Officials with regard to the shared services for Municipal Court. He next reported that he will be attending a meeting with Committeeman Young and the Chief's Association to discuss public safety and security measures for the events on July 4th.

Richard Palombo, Mayor, also stated that the meeting with the officials from Dennis Township went very well. He next reported on an incident with a digital message sign on Route 49 which had been vandalized with an offensive message. While this incident was a mild practical joke, Mayor Palombo requested that any digital signs in the Township have proper security to avoid such a situation in the future.

OTHER REPORTS

Daniel Young, Municipal Attorney, briefly reported on his findings regarding term limits for Municipal Office. Mr. Young stated that it his opinion, based on case law, the Township Committee does not have the authority to institute term limits. He next reported that there are a number of items for closed session, personnel, contract negotiation items, and litigation.

Paul Dietrich, Municipal Engineer, gave a brief update on the Ocean Avenue paving project. The paving started last week and barring any inclement weather the project should be completed by the end of this week. Mayor Palombo inquired into the status of the beach erosion on the north end of Strathmere where there is a potentially hazardous situation. Mr. Dietrich stated that they are continuing to monitor the area, and given that we are entering into the summer months when the tides are more favorable and the threat of a major storm is low, the area is satisfactory at this time. However, as a contingency, Mr. Dietrich has contacted the contractor which performed the Township's previous emergency beach fills and obtained a preliminary price and a timeline in the event of an emergency situation. For the time being the signage closing the beach access path to that area will remain.

RESOLUTIONS

1. **Honoring Alice Teal for her years of service to Upper Township and extending to her best wishes in her future endeavors.** Mayor Palombo and the Committee presented the Resolution to Mrs. Teal and unveiled a plaque dedicated to her on the seat she has occupied for nearly thirty years. The Plaque states "In Honor of our dear friend Alice Teal for her many years of generous commitment to public service".

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO.106-2014

**RE: A RESOLUTION HONORING ALICE TEAL
FOR HER MANY YEARS OF SERVICE TO UPPER TOWNSHIP
AND EXTENDING TO HER BEST WISHES IN HER FUTURE ENDEAVORS**

WHEREAS, Alice Teal, a longtime writer, public relations professional and resident of Upper Township began her career in government in Upper Township in 1985 during which time she served as Public Relations Director, Public Information officer and Editor of the Upper Township Bulletin, a position she held with integrity, professionalism, and dedication; and

WHEREAS, during her tenure as Public Information Officer and Editor of the Upper Township Bulletin, Alice attended numerous groundbreaking and ribbon cutting ceremonies throughout the Township; and

WHEREAS, she worked tirelessly and effectively to benefit our citizens in the construction of the Upper Cape Branch Library and the “fast track” construction of the Marmora Post Office; and

WHEREAS, she received many letters and certificates of appreciation for her invaluable services and assistance to various organizations including, but not limited to, The Upper Township Chamber of Commerce, The Boy Scouts of America Pack 71 and 79, Star Lodge No. 65 F&AM, Upper Township All-star Soccer Cheerleaders and the Ortlieb Civic Association; and

WHEREAS, Alice continues to serve her community as an active member in the Society of Mayflower Descendants, as editor of the Mayflower Quarterly magazine and author of the Mayflower Quarterly Diamond Jubilee, a compilation of the best of the Mayflower Quarterly articles between 1935 and 2010; and

WHEREAS, Alice is also a member of the National Society Daughters of the American Revolution, and is a Foundation Board Member of Historic Cold Spring Village, demonstrating an exemplary measure of public-spiritedness and earning the deepest respect and admiration of her fellow citizens; and

WHEREAS, for nearly 30 years Alice has been a faithful attendee at Township Committee meetings and it is appropriate that she be publicly honored for her dedication to Upper Township and recognized for her achievements;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Upper to honor and extend to Alice Teal our heartfelt thanks and gratitude for her generous donation of time, commitment, leadership and public service to this community and we wish her well in her future endeavors.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this
12th day of May, 2014.

Resolution No. 106-2014

Offered by: Palombo

Seconded by: Barr

Adopted: May 12, 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>

2. Accepting the bid and authorizing the execution of a contract with Robert H. Hoover & Sons, Inc. of Flanders, NJ 07836 for the furnishing and delivery of one 10' Bed Dump Truck in the amount of \$149,949.00.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY**

R E S O L U T I O N

RESOLUTION NO.107-2014

**RE: ACCEPTING THE BID AND AUTHORIZING THE
EXECUTION OF A CONTRACT WITH ROBERT H. HOOVER & SONS, INC.
OF FLANDERS, NJ 07836 FOR THE FURNISHING AND DELIVERY OF ONE
10' BED DUMP TRUCK IN THE AMOUNT OF \$149,949.00**

WHEREAS, the Township of Upper solicited bids for Furnishing and Delivery of 2013 or Newer 10' Bed Dump Truck for Upper Township, which bids were received on April 3, 2014; and

WHEREAS, the aforesaid bids were thereafter reviewed by the Chief Financial Officer; and

WHEREAS, the Chief Financial Officer of the Township of Upper has certified the availability of funds attached hereto as "Exhibit A" in a sufficient amount to award a contract in the aggregate amount of \$149,949.00; and

WHEREAS, the Township intends to take formal action awarding the bid to the lowest responsible (and only) bidder as hereinafter provided;

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

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

2. The Township hereby accepts the bid submitted by Robert H. Hoover & Sons, Inc., of 149 Gold Mine Road, Flanders, New Jersey 07836, for the furnishing and delivery of one 10' Bed Dump Truck in the amount of \$149,949.00 subject to the following:

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

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

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

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

Resolution No. 107-2014

Offered by: Inserra

Seconded by: Coggins

Adopted: May 12, 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. Establishing a Local Emergency Planning Committee.

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

RESOLUTION NO. 108-2014

RE: ESTABLISHING A LOCAL EMERGENCY PLANNING COMMITTEE

WHEREAS, pursuant to the 1986 Superfund Amendments and Reauthorization Act (SARA), a Local Emergency Planning Committee (LEPC) must be established by each municipality and chaired by the local Emergency Management Coordinator; and

WHEREAS, the Township Committee of the Township of Upper hereby desires to establish an LEPC to assist the Municipal Emergency Management Coordinator in the development & revision of the Emergency Operations Plan (EOP) of the Township; hazardous materials planning, including natural, technological and civil disasters; and the implementation of procedures for community right to know reporting; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township of Upper hereby establishes the Upper Township Local Emergency Planning Committee consisting of the following volunteer members:

Scott Morgan, Chair
Richard Palombo
Anthony Inserra
Paul Dietrich
Jay Potter
Lou Raniszewski
Jay Newman
Richard Stevens
Bruce Riordan
Ed Carter

3. The forgoing appointees shall constitute the sole members of the Local Emergency Planning Committee, 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 or policies of the LEPC.

Resolution No. 108-2014

Offered by: Inserra Seconded by: Palombo
Adopted: May 12, 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>

4. Authorizing The Mayor and Township Clerk to submit a renewal application for a Commercial Rentor's License to the Legalized Games Of Chance Control Commission.

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

RESOLUTION NO. 109-2014

**RE: AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO
SUBMIT A RENEWAL APPLICATION FOR A COMMERCIAL RENTOR'S LICENSE TO
THE LEGALIZED GAMES OF CHANCE CONTROL COMMISSION**

WHEREAS, the Township of Upper, pursuant to Resolution 229-2012, submitted an application for a Commercial Rentor's License to the Legalized Games of Chance Control Commission (hereinafter LGCCC) in order to allow charitable organizations operating within the township to hold bingo at the Upper Township Community Center; and

WHEREAS, on February 19, 2013 the LGCCC approved the application and issued Commercial Bingo Hall License number 710-14, which will expire on June 30, 2014; and

WHEREAS, the Township of Upper would like to renew the Commercial Bingo Hall License to continue to enable all charitable organizations based in Upper Township, registered with the LGCCC, and holding a valid identification number issued by the LGCCC to conduct games of chance, use of the Community Center for the purposes of

holding bingo at no additional cost other than the required State Bingo License fee and the Township Bingo license fee for each occasion on which any games of bingo are to be conducted under the license in accordance with Chapter 26 of the Upper Township Code.

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Mayor and Township Clerk of the Township of Upper are hereby authorized, directed, and empowered to sign and submit a renewal application for Commercial Rentor's License 710-14 along with the required fee in the amount of \$1,000.00.
3. The Chief Financial Officer has issued a certification as to the availability of funds for this renewal application.
4. All Township officials, officers and employees are empowered to take such action as may be necessary or advisable in order to carry out the intent and purpose of this Resolution.

Resolution No. 109 - 2014

Offered by: Barr

Seconded by: Young

Adopted: May 12, 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>

5. Designating certain Strathmere Beach areas in the Township of Upper as a Surfing Beach and a Catamaran/Sailboat Beach for the 2014 Summer Season.

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

RESOLUTION NO. 110-2014

**RE: DESIGNATING CERTAIN STRATHMERE BEACH AREAS IN
THE TOWNSHIP OF UPPER AS A SURFING BEACH AND A CATAMARAN/SAILBOAT
BEACH FOR THE 2014 SUMMER SEASON**

WHEREAS, in accordance with Chapter IX entitled *Recreational Facilities*, of the Revised General Ordinances it is necessary to designate certain beach areas along the Strathmere shore in the Township of Upper strictly for the use of surfboards, sailboats, catamarans and other similar devices, for the 2014 summer season.

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. It has been determined by the Township Committee that for the 2014 summer season:
 - **Surfing Beach: Between Vincent Avenue and Sherman Avenue**
 - **Catamaran/Sailboat Beach: Nelson Avenue**
3. A map designating these areas has been provided by the Township Engineer and shall be attached hereto as Exhibit A.
4. During imminent storm all watercraft shall be removed from the designated beach areas.

Resolution No. 110 -2014

Offered by: Palombo

Seconded by: Inserra

Adopted: May 12, 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>

6. Releasing the Performance Surety Bond of Mashura Burger LLP, for the Major Subdivision on Block 453, Lots 10 and 11.01.

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

RESOLUTION NO. 111 -2014

**RE: RELEASING THE PERFORMANCE SURETY BOND
OF MASHURA BURGER LLP, FOR THE MAJOR SUBDIVISION
ON BLOCK 453, LOTS 10 AND 11.01**

**OWNER AND/OR DEVELOPER: MASHURA BURGER LLP
SUBDIVISION: MAJOR SUBDIVISION
PROPERTY: BLOCK 453, LOTS 10 AND 11.01**

WHEREAS, Mashura Burger LLP (hereinafter “Developer”), has heretofore requested the release of a Performance Surety Bond for the major subdivision known as “Major Subdivision” on Block 453, Lots 10 and 11.01; and

WHEREAS, the Developer has completed all work in conformance with the plans and specifications for the project known as “Major Subdivision” and all improvements have been in place in excess of two years and are in satisfactory condition as certified and inspected by the Township Engineer, and in accordance with recommendations made by the Township Engineer attached as Exhibit A, the Performance Bond now held by the Township, attached as Exhibit B, should be released; 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 Performance Bond now held by the Township is hereby released as follows:

Cash Surety	\$28,487.67 plus accrued interest
Remaining Inspection Fees	\$ 1,650.09 plus accrued interest

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

Resolution No. 111-2014

Offered by: Coggins

Adopted: May 12, 2014

Seconded by: Inserra

Roll Call Vote:

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

7. Authorizing the Computer Director to prepare specifications and solicit bids for security upgrades to Municipal Buildings.

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

RESOLUTION NO.112 -2014

**RE: AUTHORIZING THE COMPUTER DIRECTOR TO PREPARE
SPECIFICATIONS AND SOLICIT BIDS FOR SECURITY UPGRADES TO
MUNICIPAL BUILDINGS**

WHEREAS, the Township of Upper is in need of certain security upgrades to Municipal Buildings, the cost of which will exceed the bid threshold established for the year 2014; and

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

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Computer Director is hereby authorized and directed to prepare specifications, bid documents and solicit bids for security upgrades to Municipal Buildings.
3. Sealed bids shall be received by the Township of Upper in accordance with the directives contained in the Notice to Bidders.

Resolution No. 112-2014

Offered by: Barr

Seconded by: Coggins

Adopted: May 12, 2014

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
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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. Cancel and refund taxes on exempt property for Block 24 Lot 44.

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

RESOLUTION NO. 113 -2014

**CANCEL AND REFUND TAXES ON EXEMPT PROPERTY
FOR BLOCK 24 LOT 44**

WHEREAS, certain corrections have been recommended by the Upper Township Tax Collector in order to correct tax records, and

WHEREAS, certain properties became tax exempt for the year 2014, and

WHEREAS, George Meher is a 100% disabled American veteran residing at 63 Cedar Ave Block 24, Lot 44 on the municipal tax map of Upper Township, New Jersey, and

WHEREAS, the Department of Veterans Affairs has determined that Mr. Meher's 100% permanent wartime service connected disability was effective February 1, 2012, and

WHEREAS, George Meher made application on April 29, 2014.

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

Resolution No. 113-2014
Offered by: Young
Adopted: May 12, 2014
Roll Call Vote:

Seconded by: Coggins

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>

CANCEL & REFUND TAX 2014

<u>BLOCK/LOT</u>	<u>AMOUNT</u>	<u>NAME</u>
24/44	\$1,567.97	George & Connie Meher 63 Cedar Ave Woodbine PO, NJ 08270
1st Quarter - \$783.99		
2nd Quarter - \$783.98		

100% Totally Disabled Veteran

9. Cancel Tax Sale Certificate and refund Block 503 Lot 17.

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

RESOLUTION NO. 114-2014

RE: CANCEL TAX SALE CERTIFICATE AND REFUND BLOCK 503 LOT 17

WHEREAS, certain corrections have been recommended by the Upper Township Tax Collector in order to correct the tax records; and

WHEREAS, Tax Sale Certificate #11-00007 was sold on Block 503 Lot 17 at a Tax Sale held on 10/18/11 in the amount of \$166.27 to Ralph Clayton; and

WHEREAS, the certificate included lots 17, 18, 20, 25-27, 32 & 33; and

WHEREAS, a title search has determined that lots 17 & 20 are owned by The Township of Upper by way of an in rem foreclosure final judgment in 1968.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Upper, Cape May County, that corrections to the Tax Records are hereby authorized and the Tax Collector is hereby directed to cancel said Tax Sale

Certificate #11-00007 and refund Ralph Clayton in the amount of \$701.19, which includes the cost of the certificate, subsequent taxes paid and legal interest.

Resolution No. 114-2014

Offered by: Young

Seconded by: Inserra

Adopted: May 12, 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. Authorizing separate cash drawer funds in the Upper Township Municipal Court.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N
RESOLUTION NO. 115-2014**

**RE: AUTHORIZING SEPARATE CASH DRAWER FUNDS IN THE
UPPER TOWNSHIP MUNICIPAL COURT**

WHEREAS, there is a need for the Upper Township Municipal Court to have two separate cash drawer funds in the amount of \$100.00 each to facilitate day to day minor transactions; and

WHEREAS, the Township Committee has duly considered the matter and has determined to accept and approve the recommendation;

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 authorizes that two separate cash drawer funds be maintained in the Municipal Court Offices in the amount of \$100.00 each effective immediately.

Resolution No. 115-2014

Offered by: Coggins Seconded by: Young

Adopted: May 12, 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. Supporting Cape May County in the restoration project of the revetment wall along Ocean Drive (County Road No. 619) between the Rush Chattin Bridge and the Corsons Inlet Bridge, Upper Township, Cape May County, New Jersey.

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

RESOLUTION NO. 116 -2014

**RE: SUPPORTING CAPE MAY COUNTY IN THE RESTORATION PROJECT OF THE
REVTMENT WALL ALONG OCEAN DRIVE (COUNTY ROAD NO. 619) BETWEEN THE
RUSH CHATTIN BRIDGE AND THE CORSONS INLET BRIDGE, UPPER TOWNSHIP,
CAPE MAY COUNTY, NEW JERSEY**

WHEREAS, Cape May County is pursuing a restoration project to restore the existing revetment wall along the east side of Ocean Drive (County Road 619) between the Rush Chattin Bridge and the Corsons Inlet Bridge and extend it approximately 400 feet southward from its existing terminus; and

WHEREAS, the revetment wall and Ocean Drive in this area suffered extensive damage as the result of Superstorm Sandy; and

WHEREAS, because Ocean Drive is on a federal aid route, the permanent restoration of the damaged areas cannot take place until Federal Highway Administration (FHWA) through NJ Department of Transportation (NJDOT) authorizes the project; and

WHEREAS, Cape May County recently received comments back from NJDOT regarding preliminary plans, specifications and estimate package submitted last year; and

WHEREAS, Cape May County is preparing to submit the final authorization package to NJDOT; and

WHEREAS, the Township Committee of the Township of Upper wishes to support the County of Cape May in their efforts to attain authorization for this restoration project.

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 supports the County of Cape May Department of Public Works in their efforts to attain the authorization to restore the existing revetment wall along the east side of Ocean Drive (County Road 619) between the Rush Chatten Bridge and the Corsons Inlet Bridge.

Resolution No. 116 -2014

Offered by: Inserra

Seconded by: Palombo

Adopted: May 12, 2014

Roll Call Vote:

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

12. Appointing the 2014 season Beach Patrol Personnel.

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

RESOLUTION NO. 117-2014

RE: APPOINTING THE 2014 SEASON BEACH PATROL PERSONNEL

WHEREAS, the individuals hereinafter named have been determined to possess the requisite skills, training and are otherwise eligible for appointment to the position of lifeguard; 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 following individuals are appointed as lifeguards in the Township of Upper, pending successful completion of pre-employment testing, at a salary as stated below in accordance with the Salary Ordinance:

LIEUTENANTS

<i>WILLIAM STULL</i>	<i>\$17.50 per hour</i>
<i>JOSEPH O'NEIL</i>	<i>\$17.50 per hour</i>

SENIOR GUARDS

<i>FORD PALMER</i>	<i>\$14.25 per hour</i>
<i>ANDREW TOBIASON</i>	<i>\$14.25 per hour</i>

RETURNING GUARDS

KEVIN GILL	\$11.50 per hour
DYLAN PRICE	\$11.50 per hour
BRUCKNER CHASE	\$11.50 per hour
ANSON HADLEY	\$11.50 per hour
KYLE MCKELVEY	\$11.50 per hour
BETHANY DESMOND	\$12.20 per hour
KRISTI TAYLOR HENNESSY	\$12.20 per hour
GRIFFIN GRIMES	\$12.20 per hour
WILLIAM MASSEY	\$12.20 per hour
AMANDA ELLER	\$12.20 per hour
SAMUEL PALOMBO	\$12.20 per hour
ALICIA PALOMBO	\$12.20 per hour
ABIGAIL FREITAG	\$12.50 per hour
DAVID NEVILLE	\$12.50 per hour
SPENCER POPESON	\$12.50 per hour
EMILY CONOVER	\$12.50 per hour
MARYELLEN CURRAN	\$12.50 per hour
WILLIAM DOONER	\$12.50 per hour
BLAKE BOFFA	\$12.50 per hour
BRENDA HOWARD	\$12.50 per hour
GREGORY VAN GILDER	\$12.50 per hour
DAN PALOMBO	\$12.50 per hour
JAMES DUGAN	\$12.50 per hour
JON O'NEIL	\$12.50 per hour
WAYNE MACMURRAY	\$12.50 per hour

3. This Resolution shall be effective immediately and is further intended to ratify, confirm and approve any formal action taken by the Township Committee.

Resolution No. 117-2014

Offered by: Inserra

Seconded by: Barr

Adopted: May 12, 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> </u>	<u> </u>	<u>X</u>	<u> </u>

13. Appointing the 2014 season Boat Ramp Attendants.

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

RESOLUTION NO. 118-2014

RE: APPOINTING THE 2014 SEASON BOAT RAMP ATTENDANTS

WHEREAS, a need exists to appoint qualified personnel as part-time seasonal employees for the Upper Township Boat Ramp for the 2014 season; 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. Thomas Duffy, Kathryn L. Slaughter, Joseph M. Marrongelli, and Roy H. Zehner are hereby appointed as part-time seasonal Boat Ramp Attendants, pending pre-employment testing, at a salary of \$12.00 per hour in accordance with the Salary Ordinance.

3. This Resolution shall be effective immediately and is further intended to ratify, confirm and approve any formal action taken by the Township Committee.

Resolution No. 118-2014

Offered by: Barr

Seconded by: Coggins

Adopted: May 12, 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>

14. Appointing the Public Agency Compliance Officer.

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

RESOLUTION NO. 119-2014

RE: APPOINTING THE PUBLIC AGENCY COMPLIANCE OFFICER

WHEREAS, in accordance with N.J.A.C. 17:27-3.3, a Public Agency must annually designate an officer to serve as its Public Agency Compliance Officer (P.A.C.O.); and

WHEREAS, the P.A.C.O. is responsible for assuring that no public contract may be awarded nor any monies paid until the prospective contractor has agreed to contract performance which complies with an approved affirmative action program; and

WHEREAS, the P.A.C.O., as the liaison official for matters concerning P.L. 1975, c. 127 (N.J.A.C. 17:27), shall have the authority to make appropriate corrections to the Township of Upper's contracting procedures if required.

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 is hereby appointed as the Public Agency Compliance Office for the Township of Upper.
3. A certified copy of this Resolution shall be filed with the Department of Treasury, State Affirmative Action Office.

Resolution No. 119 -2014
Offered by: Inserra
Adopted: May 12, 2014

Seconded by: Barr

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>

15. Authorizing the purchase of a vehicle from the 2013 Capital Improvement Bond Ordinance in the amount of \$25,635.00.

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

RESOLUTION NO.120-2014

RE: AUTHORIZING THE PURCHASE OF A VEHICLE FROM THE 2013 CAPITAL IMPROVEMENT BOND ORDINANCE IN THE AMOUNT OF \$25,635.00

WHEREAS, it is necessary for the Township of Upper to make certain capital purchases; and

WHEREAS, the Township Committee has adopted the 2013 Capital Improvement Bond Ordinance 05-2013 on April 8, 2013 and

subsequently amended on December 16, 2013 and again on April 14, 2014; and

WHEREAS, pursuant to N.J.S.A 40A:11-12a, the Township wishes to purchase the vehicle listed on Exhibit A from State Contract; and

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

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

2. The Township Committee of the Township of Upper, County of Cape May, New Jersey hereby authorizes the purchase of the vehicle listed on Exhibit "A" in the amount of **\$25,635.00** from the 2013 Capital Improvement Bond.

3. The Chief Financial Officer is hereby authorized, directed and empowered to execute any and all necessary documents in order to implement the intent of this Resolution.

Resolution No. 120-2014

Offered by: Young Seconded by: Barr

Adopted: May 12, 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>

Exhibit "A"

2014 Ram 1500 4WD Crew Cab 140.5" Tradesman \$25,635.00

Vendor: Hertrich Fleet Services, Inc.

State Contract #A85438

TOTAL \$ 25,635.00

16. Authorizing the Mayor and Township Clerk to sign a revised contract with Emergency Communications Network, LLC for the CodeRED NEXT Emergency Notification Service.

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

RESOLUTION NO. 121-2014

**RE: AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO SIGN A
REVISED CONTRACT WITH EMERGENCY COMMUNICATIONS NETWORK,
LLC
FOR THE CODERED NEXT EMERGENCY NOTIFICATION SERVICE**

WHEREAS, the Township of Upper and Emergency Communications Network, LLC entered into a contract effective January 1, 2014 for the CodeRED Emergency Notification Service, pursuant to Resolution No. 255-2013; and

WHEREAS, the Township of Upper and Emergency Communications Network, LLC desire to enter into a revised contract for the upgraded Emergency Notification Service entitled CodeRED NEXT; and

WHEREAS, the Township Committee has determined that it is in the best interest of the Township to enter into a revised contract with Emergency Communications Network, LLC for the upgraded CodeRED NEXT Service; and

WHEREAS, the Chief Financial Officer has certified the availability of funds to permit the Township to enter into the revised contract as aforesaid; and

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

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

2. The Mayor and Township Clerk are hereby authorized, directed and empowered to execute the revised contract with Emergency Communications Network, LLC for the CodeRED NEXT Emergency Notification System.
3. All Township officials and officers are hereby authorized and directed to take all action necessary to carry out the intent and purpose of this Resolution.

Resolution No. 121 -2014

Offered by: Palombo

Seconded by: Barr

Adopted: May 12, 2014

Roll Call Vote:

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

17. Appointment of J. P. Bainbridge & Associates, Inc. and J. Paul Bainbridge as an Appraiser for the Township of Upper.

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

RESOLUTION NO. 122-2014

**RE: APPOINTMENT OF J. P. BAINBRIDGE & ASSOCIATES, INC. AND
J. PAUL BAINBRIDGE AS AN APPRAISER FOR THE TOWNSHIP OF UPPER**

WHEREAS, the Township requires an appraiser to provide services to obtain the fair market value of lots and beach easements in the Township with respect to the acquisition of said easements or said lots as required or appropriate to complete ongoing condemnation actions; and

WHEREAS, a resolution is required authorizing the award of such contract for professional services; and

WHEREAS, J.P. Bainbridge & Associates, Inc. and J. Paul Bainbridge have completed and submitted a Business Entity Disclosure Certification which certifies that J.P. Bainbridge & Associates, Inc. and J. Paul Bainbridge have 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 J.P. Bainbridge & Associates, Inc. and J. Paul Bainbridge from making any contributions through the term of the contract; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. J.P. Bainbridge & Associates, Inc. and J. Paul Bainbridge with offices at 6 Woodland Road, Cape May Court House, New Jersey is hereby appointed appraiser for the Township of Upper to provide services relating to the appraisal of lots and beach easements on lots in the Township as may be necessary in connection with anticipated beach replenishment projects in the Township and ongoing condemnation actions.
3. The contract shall have a term of one (1) year from date of full execution.
4. This Contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the New Jersey Local Public Contract Law because J.P. Bainbridge & Associates, Inc. and J. Paul Bainbridge have professional knowledge as to appraisal issues which knowledge is particularly valuable to the Township Committee and this service is acquired as a non-fair and open contract pursuant to N.J.S.A. 19:44A-2.05.

NOTICE OF CONTRACT AWARD

5. The Township Committee of the Township of Upper, State of New Jersey has awarded the contract without competitive bidding as a professional service pursuant to N.J.S.A. 40A:11-5(1)(a) to J.P. Bainbridge & Associates, Inc. and J. Paul Bainbridge for appraisal services. This contract and the resolution authorizing same shall be available for public inspection in the office of the municipal clerk of the Township of Upper, State of New Jersey.

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

7. 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.

8. The Mayor and the Township Clerk are hereby authorized and directed to execute, on behalf of the Township of Upper, a Professional Contract with J.P. Bainbridge & Associates, Inc. and J. Paul Bainbridge in accordance with the terms and provisions of the Local Public Contracts Law, subject to and in accordance with the limitations imposed herein. Upon execution of all parties thereto said contract shall become effective.

9. A notice of the contract award shall be published in the official newspaper of the Township of Upper within ten (10) days from the date of adoption.

10. This Resolution shall be effective as of adoption.

Resolution No. 122 -2014
Offered by: Young
Adopted: May 12, 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>

ORDINANCES

18. Public Hearing and Final Adoption of Ordinance No. 009-2014 RE: AN ORDINANCE AMENDING REVISED GENERAL ORDINANCE CHAPTER VII OF THE CODE OF UPPER TOWNSHIP. During the public hearing portion there were no speakers. Motion by Edward Barr, second by Anthony Inserra, to adopt Ordinance No. 009-2014. During roll call vote all five Committee members voted in the affirmative.

TOWNSHIP OF UPPER

CAPE MAY COUNTY

O R D I N A N C E

ORDINANCE NO. 009-2014

RE: AN ORDINANCE AMENDING REVISED GENERAL ORDINANCE CHAPTER VII OF THE CODE OF UPPER TOWNSHIP

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

SECTION 1. Chapter 7, Schedule I (entitled "No Parking") of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, shall be supplemented as hereinafter provided:

SCHEDULE I – NO PARKING

Add to include the following:

Street	Location
Old Tuckahoe Road	Southerly side of Old Tuckahoe Road beginning 1,447 feet from Perry Road and extending to a point that is 1,128 feet from Dennisville Road (CR-610)

SECTION 2: REPEALER: All Ordinances or parts of Ordinances which are in conflict or inconsistent herewith are hereby repealed to the extent of such inconsistency or conflict only.

SECTION 3: SEVERABILITY: If any section, paragraph, subdivision, subsection, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, subsection, clause or provision declared invalid and the remainder of this Ordinance shall remain in full force and effect and shall be enforceable.

SECTION 4: EFFECTIVE DATE: This Ordinance shall take effect upon final adoption and publication as required by law.

SECTION 5: CODIFICATION: This Ordinance shall be codified in the Upper Township Code at the sections referred to above.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 28TH DAY OF APRIL, 2014 AND WILL BE TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER TO BE HELD ON THE 12TH DAY OF MAY, 2014 AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY.

BY ORDER OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER.

BARBARA L. YOUNG, TOWNSHIP CLERK
TOWNSHIP OF UPPER

CORRESPONDENCE

NEW BUSINESS

19. **The ALS Association Greater Philadelphia Chapter request use of Township Roads for the Annual ALS Express Bike Ride to be held on June 14, 2014.**
Motion by Anthony Inserra, second by Hobie Young, to approve the request. During roll call vote all five Committee members voted in the affirmative.
20. **Calvary Baptist Church request use of Township Roads for Community “Walk/Run/Ride 4 Relief” fundraiser to be held June 14, 2014, rain date June 21, 2014.** Motion by Hobie Young, second by Anthony Inserra, to approve the request. During roll call vote all five Committee members voted in the affirmative.
21. **New Jersey Tar Heels request use of the Upper Township Community Center for AAU Girls Basketball Tournament to be held June 21st and 22nd, 2014.**
Motion by Hobie Young, second by Anthony Inserra, to approve the request contingent upon an employee being assigned to the building during the event and receipt of the appropriate fees and Insurance. During roll call vote all five Committee members voted in the affirmative.

UNFINISHED BUSINESS:

DISCUSSION

PAYMENT OF BILLS:

22. **“I hereby move that all claims submitted for payment at this meeting be approved and then incorporated in full in the minutes of this meeting.”** Motion by John Coggins, second by Anthony Inserra. During roll call vote all five Committee members voted in the affirmative.

Bills approved for payment: \$803,596.70
Payroll: \$155,851.90

REPORT OF MUNICIPAL DEPARTMENTS:

- 23. Construction Code
- 24. Animal Control
- 25. Tax Assessor
- 26. Tax Collector
- 27. MUA Report
- 28. Municipal Court

Motion by Richard Palombo, seconded by Edward Barr, to accept all the reports submitted. During roll call vote all five Committee members voted in the affirmative.

PUBLIC COMMENT

Roberta Townsend, spoke with regard to several issues she has been having with a neighbor involving a property line dispute and an alleged use of a residential property for commercial purposes. Mrs. Townsend was informed that the Township could not be involved in the property dispute and the matter would have to be resolved between the two parties. The Township Attorney explained that Ms. Townsend was previously advised of the process to file a complaint if she is alleging commercial use on residential property. The complaint should be filed in writing with the Zoning Officer with a request for a written determination. If Mrs. Townsend disagrees with the Zoning Officers determination, she can appeal it.

CLOSED SESSION

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

TOWNSHIP OF UPPER
RESOLUTION NO. 123-2014
MOTION GOING INTO CLOSED SESSION
MAY 12, 2014

I hereby move that a resolution be incorporated into the minutes authorizing the Township Committee to enter into an executive session for the following matters pursuant to the Open Public Meetings Act:

MATTERS:

1. Personnel
2. Contract negotiation - Dennis Township Shared Services
3. Contract negotiation - Cell Tower Lease Consultant
4. Contract negotiation - Lease and Management Agreement with Cape May County Open Space for Amanda's Field
5. Litigation – Tax Appeals

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

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

Moved by: John Coggins

Motion seconded by: Richard Palombo
During roll vote all five Committee members voted in the affirmative.

RECONVENE PUBLIC PORTION OF MEETING

ADJOURNMENT

There being no further business this evening the meeting was adjourned at 10:25 P.M. The next regular meeting is scheduled for Tuesday May 27, 2014 at 7:30 P.M.

Minutes prepared by

Barbara L. Young, RMC
Municipal Clerk

Bill List

62804	05/12/14	N0015	N.J. STATE DEPT. OF HEALTH	84.60	2826
62805	05/12/14	T0071	TOWNSHIP OF UPPER DOG ACCOUNT	325.40	2826
62806	05/12/14	A0004	A COMMERCIAL OFFICE CLEANERS	250.00	2827
62807	05/12/14	A0021	ADAMS, GEORGE E. JR.	152.98	2827
62808	05/12/14	A0025	ADVANTAGE RENTAL ACE HARDWARE	712.93	2827
62809	05/12/14	A0091	ATLANTIC CITY ELECTRIC	13,704.15	2827
62810	05/12/14	A0177	ALADTEC, INC	1,860.48	2827
62811	05/12/14	B0106	BARLOW BUICK GMC	1,986.07	2827
62812	05/12/14	B0184	BUSHONG, BRIAN	37.98	2827
62813	05/12/14	C0011	CAPE OFFICE MACHINES & SERVICE	680.00	2827
62814	05/12/14	C0019	CITY OF OCEAN CITY	55,697.25	2827
62815	05/12/14	C0068	COMCAST	231.84	2827
62816	05/12/14	C0078	CARTER, EDWARD, SR.	150.00	2827
62817	05/12/14	C0116	CINTAS CORPORATION	167.90	2827
62818	05/12/14	C0126	CMC PUBLIC WORKS ASSOC.	100.00	2827
62819	05/12/14	C0143	CODY'S POWER EQUIPMENT	249.99	2827
62820	05/12/14	C0223	CASA PAYROLL SERVICE	237.95	2827
62821	05/12/14	C0230	CATAMARAN MEDIA COMPANY	257.00	2827
62822	05/12/14	C0246	CRAFT OIL CORPORATION	2,093.41	2827
62823	05/12/14	C0247	CMRS-FP	2,000.00	2827
62824	05/12/14	D0016	DALEYS PIT	40.00	2827
62825	05/12/14	D0129	DINO'S DINER	450.00	2827
62826	05/12/14	F0048	LESLIE G. FOGG INC	470.19	2827
62827	05/12/14	F0054	DEARBORN NATIONAL LIFE INS. CO	433.80	2827
62828	05/12/14	G0014	GARDEN STATE HWY PRODUCTS INC.	300.00	2827
62829	05/12/14	G0016	GARDNER HARDWARE INC.	7.99	2827
62830	05/12/14	G0028	GENTILINI FORD	496.55	2827
62831	05/12/14	G0141	GENTILINI CHEVROLET	17.20	2827
62832	05/12/14	H0002	H.A. DEHART & SON CORP.	406.90	2827
62833	05/12/14	H0095	HORIZON BCBSNJ	130,328.18	2827
62834	05/12/14	H0144	HOOVER TRUCK CENTERS, INC	347.56	2827
62835	05/12/14	H0148	THOMAS H. HEIST INS AGENCY INC	3,493.65	2827
62836	05/12/14	I0021	INTERSTATE BATTERIES	49.90	2827
62837	05/12/14	I0030	IMPERATIVES, INC.	1,390.00	2827
62838	05/12/14	J0028	JESCO, INC.	491.18	2827
62839	05/12/14	J0040	JOHNSON & TOWERS, INC.	480.00	2827
62840	05/12/14	J0072	JERSEY WEB DESIGNS	1,425.00	2827
62841	05/12/14	L0108	Stephen W. Leypoldt	25.00	2827
62842	05/12/14	L0109	LODER, TERESA	69.54	2827
62843	05/12/14	M0007	MCAA OF NJ	90.00	2827
62844	05/12/14	M0035	MARMORA FIRE CO. DISTRICT #3	524,070.00	2827
62845	05/12/14	M0188	MCCARTHY TIRE SERVICE OF PHILA	1,998.03	2827

62846	05/12/14	M0222	MUNICIPAL CAPITAL CORPORATION	392.00	2827
62847	05/12/14	N0004	NJ-AMERICAN WATER CO.	138.20	2827
62848	05/12/14	N0043	NAPA AUTO PARTS	0.00	05/12/14 VOID 0
62849	05/12/14	N0043	NAPA AUTO PARTS	987.17	2827
62850	05/12/14	N0052	NATL YOUTH SPORTS COACHED ASSN	1,120.00	2827
62851	05/12/14	N0131	DEFINED CONTRIB RETIRE PROGRAM	56.90	2827
62852	05/12/14	O0006	SJSHORE MARKETING,LLC	78.76	2827
62853	05/12/14	O0042	ORCHARD HYDRAULIC SERVICE INC	1,390.50	2827
62854	05/12/14	P0008	PALMER, NANCY	22.40	2827
62855	05/12/14	P0032	PEDRONI FUEL CO.	994.20	2827
62856	05/12/14	P0053	PFAFF, MICHAEL	40.00	2827
62857	05/12/14	P0146	PEIFER, ASHLEE, E	25.00	2827
62858	05/12/14	P0147	PURDY AUTOMOTIVE, LLC	98.95	2827
62859	05/12/14	R0030	RIGGINS, INC.	7,926.53	2827
62860	05/12/14	R0100	ROBERTS OXYGEN COMPANY, INC.	232.85	2827
62861	05/12/14	R0103	REUTER CONSTRUCTION, INC	435.87	2827
62862	05/12/14	S0001	SAM'S CLUB	93.70	2827
62863	05/12/14	S0015	SMYTH, PATRICIA	68.10	2827
62864	05/12/14	S0018	SUBURBAN PROPANE, LP	309.54	2827
62865	05/12/14	S0056	SEASHORE ASPHALT CORPORATION	272.50	2827
62866	05/12/14	S0085	SHOCKEY'S PURE WATER SYSTEMS	325.00	2827
62867	05/12/14	S0092	SHONE, LEROY	150.00	2827
62868	05/12/14	S0112	SOUTH JERSEY COURT ADM. ASSOC.	90.00	2827
62869	05/12/14	S0126	SPIEGEL, BARBARA	50.00	2827
62870	05/12/14	S0196	STEWART BUSINESS SYSTEMS LLC	110.39	2827
62871	05/12/14	S0209	STAPLES ADVANTAGE	329.18	2827
62872	05/12/14	S0239	SHORE VET. ANIMAL CONTROL LLC	2,250.00	2827
62873	05/12/14	S0254	SHOPRITE	283.88	2827
62874	05/12/14	T0032	THE PRESS & SUNDAY PRESS	390.15	2827
62875	05/12/14	T0048	TILL PAINT CO/D. FITZGERALD	2,137.50	2827
62876	05/12/14	T0055	TACTICAL PUBLIC SAFETY LLC	6,011.00	2827
62877	05/12/14	T0067	TOWNSHIP OF UPPER PETTY CASH	40.55	2827
62878	05/12/14	T0080	TREASURER STATE OF N.J.	30.00	2827
62879	05/12/14	T0097	TRICO EQUIPMENT INC.	133.90	2827
62880	05/12/14	T0129	TRUGREEN CHEMLAWN	4,704.00	2827
62881	05/12/14	U0003	U.S. MUNICIPAL SUPPLY, INC.	4,266.23	2827
62882	05/12/14	U0060	UNSWORTH, NATHAN P	750.00	2827
62883	05/12/14	V0005	VAN EMBDEN, NATHAN, ATTORNEY	870.00	2827
62884	05/12/14	V0013	VERIZON WIRELESS	740.61	2827
62885	05/12/14	V0022	VERIZON	191.49	2827
62886	05/12/14	V0024	VAL-U AUTO PARTS L.L.C.	0.00	05/12/14 VOID 0
62887	05/12/14	V0024	VAL-U AUTO PARTS L.L.C.	852.80	2827
62888	05/12/14	W0050	WIRELESS ELECTRONICS, INC.	225.00	2827
62889	05/12/14	W0098	Carole C. Williams	25.00	2827
62890	05/12/14	Y0008	YOUNG, DANIEL J. ESQUIRE PC	13,431.25	2827
62891	05/12/14	Y0023	YOUNG, DANIEL J. ATTORNEY	2,625.00	2827
62892	05/12/14	Z0012	ZEHNER, ROY	40.00	2827

Total: 803,596.70