

**TOWNSHIP OF UPPER  
2100 TUCKAHOE ROAD  
PETERSBURG, NJ 08270  
CAPE MAY COUNTY  
MINUTES FOR MARCH 30, 2015**

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

**CALL TO ORDER**

**SUNSHINE ANNOUNCEMENT**

Deputy Mayor Edward Barr read the Sunshine announcement into the record.

**SALUTE TO THE FLAG**

The Flag Salute was led by Cub Scouts of Pack 79

**ROLL CALL**

Edward Barr	Present
John Coggins	Present
Jeffrey Pierson	Present
Hobart Young	Present
Richard Palombo	Absent

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

**APPROVAL OF MINUTES** - March 9, 2015 Regular Meeting and  
Closed Session Minutes

Motion by Hobie Young, second by Jeffrey Pierson, to approve the March 9, 2015 Regular Meeting Minutes and Closed Session Minutes as submitted. During roll call vote all four Committee members present voted in the affirmative.

**REPORT OF GOVERNING BODY MEMBERS**

**John Coggins, Committeeman**, commended Barbara Young, Hobie Young and the Special Events Committee on a successful Spring Fling event.

**Hobie Young, Committeeman**, reported that the Spring Fling was a great success and very well attended. He gave a special thank you to the members of the event committee and the Tuckahoe Volunteer Fire Company for providing the Fire Truck for the Easter Bunny to ride in on. He also thanked members of the Cub Scouts, the Upper Township and Ocean City Student Council, Committeeman Ed Barr and Township Clerk Barbara Young for all their help in organizing the event. He then thanked all of the sponsors that supported the event. He next requested that the CFO look into setting up an account for the special events. He also gave an update on the lighting project at Amanda’s Field and reported that members of our wrestling team recently won two State Championships. They will be brought in at a future meeting to honor them with a resolution. Lastly he gave a brief update on the Baseball, Soccer and Lacrosse programs.

**Jeff Pierson, Committeeman**, reported that he recently had the honor of speaking with the family of a young 94 year old veteran that recently passed away. Mr. Pierson gave a brief report on the years of service of Kitty King, a Woman Air Force Service Pilot (WASP), who flew during World War II. He requested a resolution be drafted to present to the family of Kitty King in memory of her. Motion by Jeff Pierson, second by Hobie Young to direct that a resolution be prepared in memory of Kitty (Leaming) King. During roll call vote all four members of the Committee voted in the affirmative.

Mr. Pierson next reported that he recently attended a meeting with Corbin City Officials and the New Jersey DOT regarding the Route 50 Bridge project. The bridge will remain open during construction with one lane open at all times and traffic controlled by a traffic signal. Emergency responders will have access to control the signal if necessary to respond to an emergency in Corbin City. It is estimated that the project will be completed by 2017. He recommended scheduling a joint meeting with Corbin City and the NJDOT in order to go over the plans with the public. Mr. Pierson next reported that the Office of Emergency Management has developed Standard Operating Procedure guidelines for pipeline emergencies. The SOP is still in draft form and is being reviewed by fire and rescue personnel. Lastly he wished everyone a Happy Easter.

**Edward Barr, Committeeman**, stated that Amanda's Field has become the focal point of the Township and a great venue to not only hold sports but all of our community events. He next gave a brief report for the Department of Public Works. The street sweeper is now up and running and will be working its way throughout the Township. He next reminded everyone that leaf pickup will begin in April and to separate the sticks and branches from your leaves. Mr. Barr reports that the Gov Deals auction closed with \$66,727.06 in sales. There were four items that did not sell due to the minimum bid being set too high. Mr. Barr made a motion, seconded by Hobie Young to drop the minimum bid on the remaining items to \$500.00. During roll call vote all four Committee members present voted in the affirmative.

### **OTHER REPORTS**

**Barbara Young, Municipal Clerk**, reminded everyone that Township Offices will be closed on Friday April 3<sup>rd</sup> in observance of Good Friday. For those that have trash collection on Friday, their garbage will be collected on Monday and recycling should be held until the following Friday.

**Daniel Young, Municipal Attorney**, reported that earlier this month the state Supreme Court ruled that judges will now take over the regulation of affordable housing in New Jersey. He explained that the Courts will now decide on a case by case basis a municipality's obligation as to low and moderate income housing. It was stated the decision was issued on March 10, 2015 and will take effect 90 days after that date. The Municipal Attorney further advised that within the first 30 days after the effective date, the court will take applications from towns seeking protection from builder's remedy lawsuits. He indicated Upper Township filed a plan with COAH but COAH never acted on it. In order to maintain protection from these types of suits he stated Upper would have to file for a declaratory judgment from the court within the 30 day period. Without such protection, the Municipal Attorney explained that, upon the filing of a builder's remedy lawsuit, the court will determine whether or not our zoning complies with the legal requirements. He suggested that the Township draft a resolution as recommended by the New Jersey League of Municipalities urging the legislature to address this issue. He also recommended that the Planning Board review our current plan and perhaps make recommendations and/or hire a planner to update our plan. He informed the Committee the Township has included additional elements to our affordable housing plan since the plan was first submitted that may give us credit for more affordable housing under the new rules. Motion by Jeff Pierson, second by Hobie Young, to direct a resolution be prepared for the next agenda urging the Governor and the State Legislature to enact legislation to implement a reasonable and rational state affordable housing policy. During roll call vote all four Committee members present voted in the affirmative. Motion by Jeff Pierson, second by Edward Barr to request that the Planning Board review the current plan and possibly consider hiring a planner to update our housing plan. During roll call vote all four Committee members present voted in the affirmative. Lastly, Mr. Young reported that there are a number of items for closed session; contract negotiations, litigation, safety and security, and personnel.

**Paul Dietrich, Municipal Engineer**, reported that at the last meeting we had discussed a proposal from Lomax Consulting group to prepare a Community Forestry Management Plan. The Township previously received a \$3,000 New Jersey Community Forestry Green Communities grant to assist the Township in developing a Forestry Management Plan. However the proposal exceeded that amount. The Lomax group has since revised the scope of their proposal to account for the Township Engineer providing the lead role in certain elements that will create a budget savings. The revised proposal is for \$3,500. Motion by John Coggins, second by Ed Barr, to hire the Lomax Consulting Group to assist the Township in developing a Community Forestry Management Plan at a cost to the Township not to exceed \$500.00.

During roll call vote all four Committee members present voted in the affirmative. Mr. Dietrich next reported that at the last Planning Board meeting there was an application by a resident on Butter Road; some of the residents in that area had concerns regarding drainage where the County road approaches Route 9. Mr. Dietrich stated that he has discussed the matter with the County engineer and they are looking at the matter to come up with a plan to address the drainage issues in that area. He further stated that he will also be approaching the State to request that they address the issue as well. Lastly, Mr. Dietrich reported that the official FEMA 90 day comment period for the preliminary Flood Insurance Rate Maps (FIRMs) has begun. Prior to the map revisions becoming effective residents are provided the opportunity to appeal the information contained within the maps. After the 90 day comment period the Township would then have another 90 days to adopt the maps as the official FIRMs for the Township. Mr. Dietrich recommended that the Township hold an Open house for Township residents to come in and view the maps.

**Barbara Spiegel, Chief Financial Officer**, reported that the Tax Assessor has organized a Blood Drive for April 2, 2015 from 2:00 pm to 7:00 pm at the Upper Township Community Center, and is requesting permission to offer a raffle for one day off to employees that donate blood. Motion by John Coggins, second by Hobie Young, to approve the request. During roll call vote all four Committee members voted in the affirmative. Ms. Spiegel next reported that one our Deputy OEM Directors is requesting permission to attend a conference in Atlantic City for three days at a cost of \$110. Motion by Jeff Pierson, second by Edward Barr to approve the request. During roll call vote all four Committee members present voted in the affirmative. Lastly Ms. Spiegel reported that she received an application for the Townships re-enrollment in the Medicaid program which requires her signature and the signature of the Chief of EMS. Ms. Spiegel requested authorization to sign and submit the application for re-enrollment into the Medicaid program. Motion by Ed Barr, second by John Coggins to authorize the CFO and Chief of EMS to sign and submit the application for re-enrollment into the Medicaid program. During roll call vote all four Committee members present voted in the affirmative.

## **PRESENTATIONS**

1. Honoring Cub Scouts of Pack 79 Joey Brace, Sonny DeFranco, Nicholas George, Travis Koches, Christopher Lemmon, William McLees, Stephen Scales and Evan Troxel on attaining the Arrow of Light Award.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
R E S O L U T I O N  
RESOLUTION NO. 055-2015**

**RE: HONORING CUB SCOUTS OF PACK 79 JOEY BRACE, SONNY DEFRANCO,  
NICHOLAS GEORGE, TRAVIS KOCHES, CHRISTOPHER LEMMON,  
WILLIAM MCLEES, STEPHEN SCALES AND EVAN TROXEL  
ON ATTAINING THE ARROW OF LIGHT AWARD**

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**WHEREAS**, the Scouts of Cub Scout Pack 79, Joey Brace, Sonny DeFranco, Nicholas George, Travis Koches, Christopher Lemmon, William McLees, Stephen Scales and Evan Troxel, have recently achieved the Arrow of Light Award, which is the highest level of advancement for a Cub Scout; and

**WHEREAS**, the Scouts of Cub Pack 79 have completed numerous tasks involving citizenship, outdoorsmanship, engineering skills, communication skills and fitness as well as participated in the annual food drive and community clean up to satisfy the requirements of the Arrow of Light Award; and

**WHEREAS**, the Township of Upper wishes to acknowledge this outstanding accomplishment; 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:

**RESOLVED THAT** this Township Committee extends its sincere congratulations to these graduating Cub Scouts on the occasion of their receiving the Arrow of Light Award and commends them for this outstanding accomplishment; and it is

**FURTHER RESOLVED** that the Township Committee extends its congratulations and best wishes to their parents, family and friends on this happy occasion; and it is

**FURTHER RESOLVED** that the Township Committee also extends its congratulations and appreciation to the Den Leaders, Kathleen DeFranco and Debbie Brace, and others who give so freely and generously of their time for the benefit of our youth.

**GIVEN UNDER OUR HANDS** and the seal of the Township of Upper this 23rd day of February, 2015.

**2. Army Corps of Engineers and Bureau of Coastal Engineering.**

Chris Constantino, Project Manager of the NJDEP Bureau of Coastal Engineering, Toms River Division, thanked the Committee for the invitation to make the presentation this evening on the Great Egg Harbor Inlet to Townsends Inlet Beach fill project. He thanked and acknowledged Dwight Pakan, Christian Bikens, Tim Cramer, Brian Klumba, and Ted Kingston for their involvement with the project. Mr. Constantino and Dwight Pakan then gave a slide presentation outlining the reason and purpose for the beach fill, how the project is being funded, and the current schedule for the beach fill project, along with the equipment that will be used, and what to expect during the operation. The full slide presentation is available on the Upper Township website.

Ted Kingston, Strathmere, expressed concern with the unintended consequences of past beach fill projects in Ocean City, which have caused a large amount of sand to build up in the inlet and back bay. He stated that this has caused the back bay to almost be full with sand and has caused flooding issues that previously were not there. He expressed his hope that this issue is addressed in future projects.

**3. Upper Township Fire District No. 4 and Seaville Volunteer Fire Company.**

Hance Jaquett, Solicitor for the Seaville Fire Company, thanked the Committee for the invitation to speak at the meeting and introduced Chief Richard Stevens and Board of Trustees President Brian Allegretto. Mr. Jaquett spoke regarding the indictment of the former chief and treasurer of the Seaville Fire Company and gave a brief explanation as to why the members cannot speak further regarding the ongoing prosecution.

Seaville Fire Chief Richard Stevens stated that the Seaville Volunteer Fire & Rescue Company is a nonprofit corporation consisting of 40 active volunteer members. The mission of the Company is to protect the life and property of the residents of the Seaville Fire District. Chief Stevens then gave a rundown of the number of runs, average response times, training hours, and special events the Company covered for the year 2014.

Board of Trustees President Brian Allegretto gave a brief report on the steps and new accounting procedures the Fire Company has implemented in response to the indictments of the former fire chief and treasurer.

Joe McGroarty, Solicitor for Fire District #4 Board of Fire Commissioners, on behalf of the Fire Commissioners, Mr. McGroarty gave a brief report on the Fire District budget process. He stated that the meetings are open to the public and all of the public records are available on the website.

Deputy Mayor Barr thanked the members for coming here tonight, and stated that they have done their due diligence in their response and the corrective measures taken to rectify the situation. He congratulated Chief Stevens for holding the morale of the company together during this difficult time.

Committeeman Pierson stated that the Seaville Fire Company have always performed their duties with professionalism and skill and thanked them for attending tonight.

## **RESOLUTIONS**

4. Honoring Shoprite Partners in Caring and Marmora Shoprite Associates Nicoletta Ciccarone and Pier Diriggi for their fight against hunger.

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

#### **RESOLUTION NO. 71 -2015**

#### **HONORING SHOPRITE PARTNERS IN CARING AND MARMORA SHOPRITE ASSOCIATES NICOLETTA CICCARONE AND PIER DIRIGGI FOR THEIR FIGHT AGAINST HUNGER**

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**WHEREAS**, since its inception in 1999, ShopRite Partners In Caring has donated nearly \$37 million to more than 1,700 charities; and

**WHEREAS**, ShopRite Partners In Caring supports emergency food pantries, soup kitchens, homeless shelters, child care centers, battered women's shelters, senior citizen programs, drug rehab centers, programs for the mentally and physically disabled, after-school programs and other organizations that aid those in need; and

**WHEREAS**, ShopRite associates across six states banded together last September in a friendly competition sponsored by ShopRite and General Mills, for the annual ShopRite Partners In Caring Cheerios Contest; and

**WHEREAS**, ShopRite associates collected donations and held various events, raising \$1.27 million to support regional food banks in communities served by ShopRite stores; and

**WHEREAS**, each of the winning stores was awarded with the selection of two ShopRite associates to be featured on a special-edition Cheerios box., sold exclusively at ShopRite; and

**WHEREAS**, among this year's winning stores was the ShopRite of Marmora, which selected Nicoletta Ciccarone and Pier Diriggi to be featured on 125,000 special-edition Cheerios boxes for their store's commitment; and

**WHEREAS**, the box was unveiled during a ceremony at the ShopRite of Marmora, on March 17, 2015, during the ceremony a check in the amount of \$500 was presented to the Church of the Resurrection St. Maximilian Kolbe for the Community food bank; 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, this Township Committee expresses sincere appreciation to Nicoletta Ciccarone, Pier Diriggi, ShopRite Partners in Caring and the associates of the Marmora ShopRite store for their efforts in fighting hunger and raising awareness of this significant problem.

**GIVEN UNDER OUR HANDS** and the seal of the Township of Upper this 30<sup>th</sup> day of March, 2015.

Resolution No. 71-2015  
 Offered by: Pierson                      Seconded by: Coggins  
 Adopted: March 30, 2015  
 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>
Pierson	<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>      </u>	<u>  X  </u>

5. Reappointment of Paul Dietrich, Sr. as Municipal Engineer effective April 1, 2015.

**TOWNSHIP OF UPPER  
 CAPE MAY COUNTY  
 RESOLUTION**

**RESOLUTION NO. 72-2015**

**RE: REAPPOINTMENT OF PAUL DIETRICH, SR. AS MUNICIPAL ENGINEER  
 EFFECTIVE APRIL 1, 2015**

**WHEREAS**, N.J.S.A. 40A:9-140 requires every municipality to appoint a Municipal Engineer and provides for a term of office of three (3) years, unless otherwise provided by law; and

**WHEREAS**, this municipality operates under the Township form of government and the term of office of the Municipal Engineer is three (3) years; 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. Paul Dietrich, Sr. of 235 Tyler Road, Dennisville, New Jersey 08270 is hereby reappointed as Municipal Engineer for the Township of Upper effective April 1, 2015.
3. Compensation shall be in accordance with the 2015 Salary Ordinance and such other terms and conditions of employment as shall be as set forth in an employment agreement to be negotiated and approved by the Township Committee.

4. 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.

Resolution No. 72-2015

Offered by: Coggins                      Seconded by: Young

Adopted: March 30, 2015

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>
Pierson	<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>      </u>	<u>  X  </u>

6. Authorizing the annual Fourth of July fireworks display.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 73-2015**

**RE: AUTHORIZING THE ANNUAL FOURTH OF JULY FIREWORKS DISPLAY**

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**WHEREAS**, for many years, the Township of Upper has provided a fireworks display for the residents of Upper Township and others; and

**WHEREAS**, the Township wishes to continue to provide a display of fireworks in celebration of the 4th of July; and

**WHEREAS**, the Township has solicited proposals from several Firework Companies and has selected Schaefer Pyrotechnics, Inc., of 376 Hartman Bridge Road, Ronks, PA 17572; and

**WHEREAS**, the State of New Jersey, Department of Community Affairs, requires that the Township provide a Resolution approving same; and

**WHEREAS**, the site for the fireworks display will be determined in conjunction with a State of New Jersey Fire Inspector; and

**WHEREAS**, FAA Clearance will be applied for; and

**WHEREAS**, a plot/site plan for site display, showing the distances from the public and structures to the fireworks discharge area, has been provided by the Township Engineer; and

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

**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 in full herein by this reference.
2. Upon meeting all requirements of the State of New Jersey, Department of Community Affairs as well as any and all recommendations or requirements of the Township's Risk Management Consultant and the Joint Insurance Fund, the Township Clerk is hereby directed and authorized to provide a certified copy of this Resolution, with all attachments, to the Department of Community Affairs for their review and issuance of a Fireworks Permit.
3. The contractor shall comply with all terms and provisions of the Municipal Excess Liability Joint Insurance Fund Bulletin MEL 15-08, dated February 2, 2015.
4. 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.
5. 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, including but not limited to the entering into and execution of an Agreement to Furnish Fireworks Exhibition with Schaefer Pyrotechnics, Inc., Ronks, PA, for the sum of \$8,331.00.

Resolution No. 73-2015

Offered by: Young

Seconded by: Coggins

Adopted: March 30, 2015

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>	_____	_____	_____
Pierson	<u>X</u>	_____	_____	_____
Young	<u>X</u>	_____	_____	_____
Palombo	_____	_____	_____	<u>  X  </u>

7. Supporting Cape May County's project to improve Commonwealth Avenue from the border with Sea Isle City to Corson's Inlet Bridge.

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

**RESOLUTION NO. 74-2015**

**RE: SUPPORTING CAPE MAY COUNTY'S PROJECT TO IMPROVE COMMONWEALTH AVENUE FROM THE BORDER WITH SEA ISLE CITY TO CORSON'S INLET BRIDGE**

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**WHEREAS**, Commonwealth Avenue between the border with Sea Isle City and Corson's Inlet Bridge exhibits the following defects:

- Roadway is in fair condition with areas of rough and uneven pavement and failing asphalt over the joints in the concrete subbase;
- Roadway lacks crosswalks at many intersections;
- The sidewalks do not conform with the American with Disabilities Act; and

**WHEREAS**, the County of Cape May is planning to improve Commonwealth Avenue (County Road No. 619) from the border with Sea Isle City to Corson's Inlet Bridge; and

**WHEREAS**, the improvements will provide smoother and safer riding surface of the roadway, bring sidewalks into compliance with the American Disabilities Act, and update traffic striping and markings; and

**WHEREAS**, the Township is working with the County to ensure compliance with the applicable state and federal guidelines; and

**WHEREAS**, the project is meant to achieve the goals of Cape May County and the Township of Upper to provide appropriate improvements to preserve and sustain the vital infrastructure of the Township of Upper; 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 endorses and supports Cape May County's effort in advancing a project to improve Commonwealth Avenue (CR 619) from the border with Sea Isle City to Corson's Inlet Bridge.

Resolution No.74 -2015  
 Offered by: Coggins                      Seconded by: Pierson  
 Adopted: March 30, 2015  
 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>	_____	_____	
Pierson	<u>X</u>	_____	_____	
Young	<u>X</u>	_____	_____	
Palombo	_____	_____	_____	<u>X</u>

8. Authorizing Institution of In Rem Foreclosure Proceedings Group No. 152.

**TOWNSHIP OF UPPER  
 CAPE MAY COUNTY  
 RESOLUTION**

**RESOLUTION NO. 75 -2015**

**RE: AUTHORIZING INSTITUTION OF IN REM FORECLOSURE PROCEEDINGS  
 GROUP NO. 152**

**WHEREAS**, the Township Committee has been advised by the Tax Collector that she is in possession of numerous Tax Sale Certificates which are now eligible for foreclosure, in rem, as more particularly described in the Tax Foreclosure List which is attached hereto as Exhibit A; and

**WHEREAS**, it is the desire of the Township Committee to authorize the institution of in rem foreclosure proceedings against the parcels that are covered by these Tax Sale Certificates;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee in 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. Michael J. Donohue, Esquire of the law firm of Blaney & Donohue, P.A., having been duly appointed as Special Counsel for the Township, is hereby authorized and directed to institute In Rem Foreclosure proceedings, pursuant to the provisions of NJS 54: 5-104.29, et seq., as amended, against the Tax Sales Certificates held by it and described in Exhibit A affixed hereto and made a part hereof.
3. A copy of this Resolution and Exhibit(s) shall be filed with the Tax Collector of the Township of Upper.
4. All appropriate Township officials are hereby directed to take all actions necessary or reasonably required to carry into effect the intent and purpose of this Resolution.

Resolution No. 75-2015  
 Offered by: Pierson  
 Adopted: March 30, 2015  
 Roll Call Vote:

Seconded by: Coggins

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

9. Authorizing the award of a contract with McCarthy Tire & Automotive Centers for automotive parts and supplies.

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

**RESOLUTION NO. 76-2015**

**RE: AUTHORIZING THE AWARD OF A CONTRACT WITH MCCARTHY TIRE &**

**AUTOMOTIVE CENTERS FOR AUTOMOTIVE PARTS AND SUPPLIES**

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**WHEREAS**, the Township of Upper must acquire various automotive parts and supplies and to do so desires to enter into a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, McCarthy Tire & Automotive Centers has indicated they will provide automotive parts and supplies, which when aggregated with other purchases from said vendor will exceed the Pay to Play threshold of \$17,500.00; and

**WHEREAS**, the Qualified Purchasing Agent has determined and certified in writing that the value of acquisitions with McCarthy Tire & Automotive Centers for the year 2015 will exceed \$17,500 and a contract pursuant to N.J.S.A. 19:44A-20.5 is required; and

**WHEREAS**, McCarthy Tire & Automotive Centers has completed and submitted a Business Entity Disclosure Certification which certifies that McCarthy Tire & Automotive Centers has not made any reportable contributions to a political or candidate committee in the Township in the previous one year, and that the contract will prohibit McCarthy Tire & Automotive Centers from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Chief Financial Officer of the Township has certified the availability of funds to allow the award of contract for the purchase herein authorized and has certified that adequate funds have been appropriated for this purpose in the 2015 Municipal Budget.

**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 Qualified Purchasing Agent to enter into a contract with McCarthy Tire & Automotive Centers as described herein.

3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

4. 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. 76-2015  
Offered by: Pierson                      Seconded by: Coggins  
Adopted: March 30, 2015  
Roll Call Vote:

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

10. Authorizing the Chief Financial Officer to withdraw funds in the amount of \$19,975.00 from the account entitled Recycling Trust for an industrial cross cut paper shredder.

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

**RESOLUTION NO.77-2015**

**RE: AUTHORIZING THE CHIEF FINANCIAL OFFICER TO WITHDRAW FUNDS IN THE AMOUNT OF \$19,975.00 FROM THE ACCOUNT ENTITLED RECYCLING TRUST FOR AN INDUSTRIAL CROSS CUT PAPER SHREDDER**

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**WHEREAS,** the Township of Upper values our natural resources and the need to reduce, reuse and recycle our trash; and

**WHEREAS,** the Township of Upper wishes to continue offering residential paper shredding for its residents; and

**WHEREAS,** it is necessary to replace the existing paper shredder with an industrial shredder; and

**WHEREAS,** the Township's QPA has reviewed and approved the quote for the industrial cross cut paper shredder; and

**WHEREAS,** the Qualified Purchasing Agent has determined and certified in writing that the value of the acquisition with Advantage Business Equipment of Temecula, California for the year 2015 will exceed \$17,500; and

**WHEREAS,** Advantage Business Equipment has completed and submitted a Business Entity Disclosure Certification which certifies that Advantage Business Equipment has not made any reportable

contributions to a political or candidate committee in the Township in the previous one year, and that the contract will prohibit Advantage Business Equipment from making any reportable contributions through the term of the contract.

**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 Qualified Purchasing Agent to enter into a contract with Advantage Business Equipment as described herein.

3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

4. The Chief Financial Officer is hereby authorized, directed and empowered to withdraw funds in the amount of \$19,975.00 from the account entitled Recycling Trust and execute any and all necessary documents in order to implement the intent of this Resolution.

Resolution No. 77-2015  
 Offered by: Young                      Seconded by: Coggins  
 Adopted: March 30, 2015

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>
Pierson	<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>      </u>	<u>  X  </u>

11. Authorizing the Greater Tuckahoe Area Merchants Association 6<sup>th</sup> Annual Tour de Tuckahoe Bike Ride and 5<sup>th</sup> Annual Duathlon to be held at Amanda's Field in Petersburg, New Jersey on Saturday, May 2, 2015.

**TOWNSHIP OF UPPER  
 CAPE MAY COUNTY  
 RESOLUTION**

**RESOLUTION NO. 78-2015**

**RE: AUTHORIZING THE GREATER TUCKAHOE AREA MERCHANTS ASSOCIATION 6<sup>th</sup> ANNUAL TOUR DE TUCKAHOE BIKE RIDE AND 5<sup>th</sup> ANNUAL DUATHLON TO BE HELD AT AMANDA'S FIELD**

**IN PETERSBURG, NEW JERSEY ON SATURDAY, MAY 2, 2015**

---

**WHEREAS**, the Greater Tuckahoe Area Merchants Association, Inc., of P.O. Box 656 Tuckahoe, NJ 08250, has submitted a proposal to the Upper Township Committee requesting authority to hold a Bike Ride and Duathlon in Petersburg, New Jersey on May 2, 2015, rain date May 3, 2015, consisting of four different courses to accommodate riders of all levels, with Registration beginning at 7:30 a.m., the duathlon beginning at 8:30 a.m., and the bike rides commencing at 9:00 a.m., as more particularly specified in their Application for Use of Facilities and event description attached hereto as Exhibit A; and

**WHEREAS**, the bike tour and the duathlon will travel NJSH Route 50 and will utilize Township, County and State roads in Upper Township as described on maps attached hereto as Exhibit “B”; and

**WHEREAS**, the proposed event is sanctioned and insured by the Greater Tuckahoe Area Merchants Association, Inc. copy of insurance certificate attached as Exhibit “C”; and

**WHEREAS**, the parking area and registration site for the event is proposed on Amanda’s Field lots attached hereto as Exhibit “D”; and

**WHEREAS**, the event organizers have represented that approvals have been or will be obtained from the New Jersey State Police, and any all other governmental agencies or entities having any jurisdiction or interest in the race or race course; 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 does hereby grant approval, to the extent that it has jurisdiction to do so, to the Greater Tuckahoe Area Merchants Association, Inc. for the Bike Ride and Duathlon event to be held on May 2, 2015, rain date on May 3, 2015, as specified in this Resolution and in the accompanying Exhibits subject to and conditioned upon the following:

- (A) The event described in this Resolution is carried out by the Greater Tuckahoe Area Merchants' Association, Inc. These sponsors have no connection, direct or indirect, with the Township of Upper or any of its officials or employees. These sponsors shall not, in any way, directly or indirectly, represent that the race is, in any way, associated with or affiliated with the Township of Upper and shall make clear that the event is carried out with all appropriate governmental and other approvals. Although the Township of Upper has given permission, subject to the terms of this Resolution, to these event sponsors to conduct the proposed race, it must be made clear that the event is not and shall not be considered a Township of Upper sponsored or sanctioned event.
- (B) Greater Tuckahoe Area Merchants' Association, Inc., has provided general comprehensive liability insurance in form and substance satisfactory to the Township of Upper's Risk Management Consultant. Said insurance includes a medical expense limit. A Certificate of Insurance has been provided to the Township Clerk, which the Risk Management Consultant of the Township of Upper has approved Certificate of Insurance. Said Certificate of Insurance names the Township of Upper, its officials, officers and employees, as an additional insured.
- (C) Greater Tuckahoe Area Merchants' Association, Inc., the event sponsor, has obtained or will obtain written approval from and comply with all conditions imposed by the following entities:
- (i) the Risk Management Consultant of the Township of Upper.
  - (ii) the New Jersey State Police.
  - (iii) the Upper Township Rescue Squad.

(iv) Cape May County Board of Chosen Freeholders.

The event sponsors must provide written authorization from the above entities, including any conditions required of said entities, to the Township Clerk at least seven days prior to the event.

(D) Greater Tuckahoe Area Merchants' Association, Inc., has provided a Use of Facilities Agreement and an Indemnification and Hold Harmless Agreement in favor of the Township of Upper, its officials, officers and employees in the form attached hereto as Exhibit "E".

(E) Setup for the event will take place at 7:00 a.m. the morning of the event.

(F) The approval granted herein is subject to all conditions and stipulations as may be recommended or imposed by the Township's Risk Management Consultant or Insurance Representatives. The Township may revoke this approval if the Event Sponsors fail to comply with any said condition or recommendation or any other condition of this Resolution.

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. 78-2015  
Offered by: Young  
Adopted: March 30, 2015

Seconded by: Pierson

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>
Pierson	<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>          </u>	<u>    X    </u>

12. Adopting an amendment to the Upper Township Rules and Regulations for Sports and Recreation Programs and Use of Township Facilities.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO.79 -2015**

**RE: ADOPTING AN AMENDMENT TO THE UPPER TOWNSHIP RULES  
AND REGULATIONS FOR SPORTS AND RECREATION PROGRAMS  
AND USE OF TOWNSHIP FACILITIES**

---

**WHEREAS**, the Township of Upper has adopted rules and regulations for Upper Township sports and recreation programs and the use of Upper Township facilities in connection with such programs; and

**WHEREAS**, the Township Committee, pursuant to a recommendation from the Sports and Recreation Programs Advisory Board, desires to amend the existing rules and regulations as set forth and attached hereto as Exhibit A; 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 Amendment to the Upper Township Rules and Regulations for Sports and Recreation Programs and Use of Township Facilities, as set forth in Exhibit A, is hereby adopted.
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. 79-2015  
Offered by: Young                      Seconded by: Pierson  
Adopted: March 30, 2015

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

13. Appointing the 2015 Season Beach Patrol Personnel.

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

**RESOLUTION NO. 80-2015**

**RE: APPOINTING THE 2015 SEASON BEACH PATROL PERSONNEL**

---

**WHEREAS**, the individual hereinafter named has been determined to possess the requisite skills, training and is 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 individual is appointed as a lifeguard in the Township of Upper pending successful completion of pre-employment testing, at a salary as stated below in accordance with the Salary Ordinance:

<b>WILLIAM HANDLEY</b>	<b>CAPTAIN</b> <b>\$24.00 per hour</b>
------------------------	---

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. 80-2015  
 Offered by: Coggins                      Seconded by: Pierson  
 Adopted: March 30, 2015  
 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>
Pierson	<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>          </u>	<u>  X  </u>

14. Re-appointing Roy H. Blackledge, III and John M. Hemby as part-time employees to the Upper Township Division of Emergency Medical Services.

**TOWNSHIP OF UPPER  
 CAPE MAY COUNTY  
 RESOLUTION**

**RESOLUTION NO. 81-2015**

**RE: RE-APPOINTING ROY H. BLACKLEDGE, III AND JOHN M. HEMBY  
 AS PART-TIME EMPLOYEES TO THE UPPER TOWNSHIP  
 DIVISION OF EMERGENCY MEDICAL SERVICES**

---

**WHEREAS**, a need exists to re-appoint qualified personnel as part-time employees to the Upper Township Division of Emergency Medical Services after a separation from employment; and

**WHEREAS**, the EMS Chief has recommended their re-appointment and confirmed that the required certifications are in place for each of the individuals; and

**WHEREAS**, each individual's appointment is conditioned upon successful completion of drug and alcohol testing and a background verification.

**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. Roy H. Blackledge, III and John M. Hemby are hereby re-appointed as members of the Division of Emergency Medical Services in a part-time position at a rate of \$14.50 per hour in accordance with the Salary Ordinance.

Resolution No. 81 -2015  
Offered by: Young  
Adopted: March 30, 2015

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>
Pierson	<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>                    </u>	<u>X</u>

15. Tax Refund - Block 845 Lot 6.

TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION

RESOLUTION NO. 82-2015

TAX REFUND - BLOCK 845 LOT 6

---

**WHEREAS**, certain corrections have been recommended by the Upper Township Tax Collector in order to refund monies.

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

Resolution No. 82-2015  
Offered by: Coggins  
Adopted: March 30, 2015

Seconded by: Pierson

Roll Call Vote:

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

**REFUND 2014**

<u>BLOCK/LOT</u>	<u>AMOUNT</u>	<u>NAME</u>
845/6	\$1,017.43	Bonner & Bonner Partnership 1029 Tyler Dr. Newtown Square, PA 19073

Refund of 2014 taxes due to State Tax Court Appeal.

16. Tax Refunds - Homestead Benefits.

TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION

RESOLUTION NO. 83-2015

TAX REFUNDS  
HOMESTEAD BENEFITS

**WHEREAS**, certain corrections have been recommended by the Upper Township Tax Collector in order to refund monies.

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

Resolution No. 83-2015

Offered by: Coggins

Seconded by: Young

Adopted: March 30, 2015

Roll Call Vote:

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

**REFUND 2015**

<u>BLOCK/LOT</u>	<u>AMOUNT</u>	<u>NAME</u>
24/44	\$286.05	Connie M & George Meher 63 Cedar Ave Woodbine PO, NJ 08270

348/6	\$282.14	Anthony Jr. & Dorothy Giorgianni PO Box 22 Tuckahoe, NJ 08250
643/46	\$395.86	Paul & Dianne Adamowski 22 Richwood Terrace Marmora, NJ 08223

The above properties are tax exempt as a result of a 100% totally disabled veteran status. The above refunds are for the Homestead Benefit which is sent by the State of New Jersey to be applied to taxes.

**ORDINANCES**

17. Public hearing and final adoption of Ordinance No: 003-2015 RE: AN ORDINANCE AUTHORIZING SALE OF LANDS, TO WIT BLOCK 607, LOTS 7 AND 8. **During the public hearing portion there were no speakers. Motion by Hobie Young, second by Jeffrey Pierson, to adopt Ordinance 003-2015. During roll call vote all four Committee members voted in the affirmative.**

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

**ORDINANCE NO. 003-2015**

**RE: AN ORDINANCE AUTHORIZING SALE OF LANDS,  
TO WIT BLOCK 607, LOTS 7 AND 8**

**WHEREAS**, the Township of Upper is the owner, in fee, of a certain parcels of vacant ground located within the Township of Upper, County of Cape May, and State of New Jersey, set forth on the municipal tax map as Block 607, Lots 7 and 8; and

**WHEREAS**, the Township has received an offer from Tim and Karen Larson, (hereinafter “Larson”), the owners of real property contiguous with said parcels owned by the Township, to purchase said parcels; and

**WHEREAS**, after discussion and deliberation the Township Committee is of the opinion that the sale of said parcels will be in the best interest of the Township and will provide for the consolidation of said lots with an existing lot; and

**WHEREAS**, the Township Committee has determined the minimum bid for such lots is the sum of \$6,365.00, as said amount is the fair market value as determined by an appraisal prepared by Louis A. Bonato dated December 5, 2014; and

**NOW, THEREFORE, 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:** The Township of Upper is hereby authorized to sell the real property commonly known as follows:

Block 607, Lots 7 and 8

to the highest bidder from among all owners of real property contiguous thereto in accordance with N.J.S.A. 40A:12-13(b)(5). Such sale shall not be for less than the fair market value of said real property and the minimum bid for such parcels sold is hereby established as follows:

Block 607, Lots 7 and 8

Minimum Bid: \$6,365.00

**SECTION 2:** Prior to said sale, the Township will obtain a title report from a title company or abstract company licensed to do business in the State of New Jersey. Said report shall be available to all prospective bidders.

**SECTION 3:** The list of property authorized to be sold together with the minimum price thereof shall be posted at Township Hall and advertisement of the sale shall be made in a newspaper circulating in the Township within 5 days following enactment of this ordinance. Offers for the property may thereafter be made to the Township Committee for 20 days following said advertisement. The Township Committee may reconsider this ordinance not later than 30 days after enactment and thereafter advertise the property for public sale pursuant to N.J.S.A. 40A:12-13(a). The Township Clerk shall file with the Director of the Division of Local Government Services in the Department of Community Affairs sworn affidavits verifying the publication of the foregoing advertisements.

**SECTION 4:** Larson shall pay the following sum to the Township Clerk prior to the adoption of this Ordinance: \$500.00. This payment will be used by the Township and defray Township expenses involved in Authorizing the Sale and terms thereof; Engineer's review; Attorney's review; legal advertising, certified mail notices, title review expenses, closing costs and other expenses. If the parcel is not sold, this amount will be retained by the Township as **LIQUIDATED DAMAGES** and will be used to pay for the review of the title report and other documents. If the highest bidder at the auction sale is not the original applicant, the highest bidder will be required to pay, in addition to the purchase price and other expenses, an additional sum of \$500.00, representing pre-sale amounts paid by the original applicant requesting the sale and the original applicant (who is not the highest bidder) will then be entitled to a refund of all sums paid (\$500.00) except for the non-refundable application fee (\$50.00).

**SECTION 5:** The aforesaid parcels of real property shall be offered for sale at an auction to be conducted by the Township Clerk at a date and time to be set by the Township

Clerk after the appropriate notice of sale has been sent to contiguous owners of the subject real property. Said notice shall be sent certified and regular mail to the owners of contiguous property at the address set forth on the tax assessor's records. Said notice shall be sent no greater than 30 days prior to the date of sale and no less than 14 days prior to the date of sale. At any time, the Township Clerk may adjourn said sale and renotice in accordance with the provisions of this Ordinance and N.J.S.A. 40A:12-13.

**SECTION 6:** The Township Committee expressly reserves the right to reject any and all bids in the exercise of its sole judgment and discretion. The Township Committee is authorized to confirm the sale by resolution and complete the transaction pursuant to this Ordinance and N.J.S.A. 40A:12-13.

**SECTION 7:** In the event the highest bid at such auction exceeds the minimum bid established herein and the Township Committee rejects same in the exercise of its sole judgment and discretion, then, in such event, all deposits made by the original applicant or the highest bidder, as the case may be, shall be refunded except for the \$50.00 application fee which shall be non-refundable.

**SECTION 8:** All payments required to be made pursuant to said sale to the Township Clerk must be made by personal check, cash or certified check, or any combination of the foregoing. All payments required to be made hereunder to a title company or abstract company conducting the closing shall be made in collected funds, that is, by cash, certified check, cashier's check or wire transfer.

**SECTION 9:** A sum equal to ten percent (10%) of the highest bid for said parcel or parcels shall be paid to the Township of Upper by the highest bidder or bidders at the time of the sale. The remaining balance of ninety percent (90%) of the highest bid for the parcel or parcels shall be paid to the Township of Upper, and must be received by the Township Clerk, not later than thirty (30) days after the date of the sale. In addition to the deposit of ten percent (10%), the highest bidder or bidders shall also be required to pay or tender at the time of sale the following:

**IF THE BIDDER IS THE ORIGINAL APPLICANT:**

- (A) (i) The sum of \$100.00 for the preparation of the Deed; and
- (ii) the sum of \$70.00 for recording the Deed.

**IF THE BIDDER IS NOT THE ORIGINAL APPLICANT:**

(B) The sum of 500.00, payable to the Township of Upper, representing payment to the Township for expenses of \$500.00 to defray Township expenses, which amounts were required of the original applicant.

(C) (i) The sum of \$100.00 for the preparation of the Deed.

(ii) The sum of \$70.00 for recording the Deed.

**AT THE TIME OF CLOSING** the successful bidder shall be required to pay the following sums:

(D) Any additional sum required for title search or title insurance.

(E) The cost of any survey ordered by the successful bidder. Successful bidder shall place such order directly with the surveyor or with the title company conducting closing, but the survey must be prepared in time to permit the closing to take place as scheduled.

(F) Title company settlement fees covering services to both the Seller and the Buyer.

(G) Any additional fees or costs chargeable by the title company or otherwise necessary to complete the transaction on behalf of the purchaser.

**SECTION 10:** The closing of title shall take place as designated by the Township as follows:

(A) Township Hall, Petersburg, New Jersey; or

(B) Office of the Township Solicitor; or

(C) At the office of a title insurance company or title abstract company located within Cape May County.

**SECTION 11:** If the bidder fails to close or fails to comply with the provisions hereof, such bidder shall be in default and all amounts paid to the Township by or on behalf of the bidder shall be retained by the Township as **LIQUIDATED DAMAGES AND NOT AS A PENALTY.**

**SECTION 12:** The Deed from the Township of Upper shall be what is commonly known as a Quitclaim Deed.

**SECTION 13:** The title to be delivered by the Township shall be free and clear of all taxes up to and including the date when the Deed is delivered and closing takes place. Purchaser shall be responsible for all taxes thereafter. Unless otherwise specified herein, the purchaser shall be liable for payment of all assessments, of any nature, against said land.

**SECTION 14:** The title to be delivered by the Township shall be under and subject to all easements and rights of way, recorded and unrecorded, whether for utilities or for others, and shall also be subject to all conditions, reservations and restrictions of record, if any. If the title report discloses an unmarketable condition of title, except as specified herein, the remedy of the bidder shall be limited to the return of payments made to the Township of Upper on account of the purchase price and closing costs only. Any and all other amounts paid to the Township shall be non-refundable. This sale is under and subject to any riparian claim which may affect said property. If any such claim exists, it shall be the sole responsibility of the purchaser to meet and satisfy all requirements of the State of New Jersey with respect to said riparian claim and the payment of any compensation to the State of New Jersey on account thereof. Nothing herein shall be construed as obligating the Township of Upper to construct or maintain access roads to any portion of the property being sold. Such property may not qualify for a building permit due to lack of water supply, lack of sewer or septic facilities, lack of access, inadequate lot size, or other reasons, including those reasons set forth below. The purchaser is required to comply with all applicable zoning, building and health ordinances and codes and regulations. The property being sold may be situated in a Flood Hazard Zone. The Township of Upper makes no warranties or representations, expressed or implied, as to the property being offered for sale, the condition or marketability

of the title or any other matter. The Township of Upper makes no warranties or representations, expressed or implied, as to whether or not the property being offered for sale contains wetlands anywhere on the property. The Township makes no warranties or representations as to any matter of an environmental nature, or otherwise, which may prevent or limit building or construction.

**SECTION 15:** All references to Lots and Blocks described herein are to the Lots and Blocks as shown on the Current Official Tax Map of the Township of Upper.

**SECTION 16:** The successful bidder shall be required, at the time of the sale, to execute a document acknowledging that the sale is governed by the provisions of this Ordinance as well as N.J.S.A. 40A:12-13.

**SECTION 17:** The provisions of this Ordinance pertaining to this sale shall survive the closing of title and shall not merge into the Deed.

**SECTION 18:** It is a requirement of this sale that the purchaser of the subject property be a contiguous property owner. Said purchaser shall be required to take immediate action to cause a consolidation of the property being purchased with all of the bidder's existing adjacent property so as to constitute a single parcel of ground which shall not be further subdivided into more than one lot. This restriction shall be included in the deed of conveyance and shall run with the land. The successful bidder shall complete the consolidation as a condition of the sale. The provisions of this Section shall survive closing and shall not merge into the Deed.

**SECTION 19:** This Ordinance shall take effect immediately upon final adoption and publication as required by law.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 23<sup>rd</sup> DAY OF

FEBRUARY, 2015 AND WAS TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER ON THE 30<sup>th</sup> DAY OF MARCH, 2015 AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY, AT WHICH TIME SAID ORDINANCE WAS ADOPTED.

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

BARBARA L. YOUNG, TOWNSHIP CLERK

18. Public hearing and final adoption of Ordinance No. 004-2015 RE: AN ORDINANCE ADOPTING REVISED GENERAL ORDINANCE CHAPTER XVII (CONSTRUCTION OF BULKHEADS) OF THE CODE OF UPPER TOWNSHIP AND AMENDING REVISED GENERAL ORDINANCE CHAPTERS XIX (LAND SUBDIVISION, SITE PLAN AND LAND USE ADMINISTRATION) AND XX (ZONING) OF THE CODE OF UPPER TOWNSHIP. **The Municipal Attorney stated that there are two minor adjustments to the tree preservation definition in order to correct redundancy. The changes are not substantive and are not required to be published. During the public hearing portion there were no speakers. Motion by John Coggins, second by Jeffrey Pierson, to adopt Ordinance 004-2015. During roll call vote all four Committee members present voted in the affirmative.**

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

**ORDINANCE NO. 004-2015**

**RE: AN ORDINANCE ADOPTING REVISED GENERAL ORDINANCE CHAPTER XVII (CONSTRUCTION OF BULKHEADS) OF THE CODE OF UPPER TOWNSHIP AND AMENDING REVISED GENERAL ORDINANCE CHAPTERS XIX (LAND SUBDIVISION, SITE PLAN AND LAND USE ADMINISTRATION) AND XX (ZONING) OF THE CODE OF UPPER TOWNSHIP**

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**WHEREAS**, the Township Committee desires to adopt an ordinance regulating the construction of bulkheads and amending the existing ordinances with respect to land subdivision, site plan, land use administration and zoning; and

**WHEREAS**, at its meeting on November 20, 2014, and memorialized pursuant to Special Resolution 06-14, the Township Planning Board reviewed and considered proposed amendments to the Township ordinances, accepted public comment regarding same and found the proposed amendments satisfactory such that the amendments to Chapter XVII (construction of bulkheads), Chapter XIX (land subdivision, site plan and land use administration) and Chapter XX (zoning) are substantially consistent with the Upper Township Master Plan and Master Plan Reexamination; and

**WHEREAS**, the Upper Township Planning Board further recommended a zoning change of the Wyndom Way Subdivision from CM-2 (Commercial District) Zoning District, to an R-2 (Moderate Density Residential) Zoning District as set forth in said Special Resolution 06-14 of the Upper Township Planning Board.

**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 17 of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, shall be adopted as hereinafter provided:

**CHAPTER 17. CONSTRUCTION OF BULKHEADS**

**17-1 PURPOSE.**

The Township of Upper desires to create uniform regulations for the construction, reconstruction, repair or renovation of existing or new bulkheads within the Township of Upper along any waterway or beach of Upper Township. It is the purpose of this Chapter to promote public health, safety and general welfare, and to minimize public and private losses due to flood conditions. Bulkheads are an integral component for Flood Damage Control and are designed to:

- a. Protect human life and health.

- b. Protect public and private infrastructure.
- c. Minimize expenditure of public and private money for costly repairs from flood damage.
- d. Minimize prolonged interruptions to business and residential activities due to street flooding.
- e. Reduce the extent of flood waters that may flow across public and private property which may cause flood damage.
- f. Reduce flood wave velocities.

**17.2 BULKHEAD REQUIRED.**

A bulkhead shall be provided on properties as required by Revised General Ordinance Section 20-5.19.

**17.3 PERMIT REQUIRED.**

A permit shall be required before beginning the construction, reconstruction, repair or renovation of any bulkhead on any waterway or beach within the Township of Upper. Applications for a bulkhead permit shall be submitted to the Municipal Engineer. The fee for said permit shall be Four Hundred Dollars (\$400.00).

All applications shall be on the form provided by the Township and accompanied by plans showing the size, shape, configuration and location of such bulkheads, the specifications of material to be used in construction, reconstruction, renovation or repair, the manner in which materials shall be incorporated into the bulkhead and the fee for review. Bulkhead plans and specifications must be designed by an engineer licensed to practice in the State of New Jersey and signed and sealed by such engineer. The plan must contain the label "issued for construction". Two (2) copies of the plan shall be provided along with an electronic copy in pdf format.

**17-4 PERMIT APPROVALS.**

The Municipal Engineer shall review the plans and grant or deny the application within twenty (20) business days upon receipt of a completed application. The review by the Municipal Engineer shall be in conformity with this Chapter, consistent with the minimum specifications and performance standards contained herein. For bulkhead repairs valued at less than One Thousand Dollars (\$1,000.00), the requirements for meeting minimum specifications and performance standards, including the requirements for engineered plans, may be waived by the Municipal Engineer.

**17-5 NOTIFICATION OF COMMENCEMENT OF CONSTRUCTION.**

The Municipal Engineer shall receive notice of commencement of construction at least two (2) business days in advance of said construction.

**17-6 FINAL INSPECTION.**

Notice of project completion shall be given to the Municipal Engineer within seven (7) days of substantial completion of the project. The Municipal Engineer shall make a final

inspection and receive a certification from a licensed engineer or land surveyor of the elevations of completed bulkhead height and adjacent water body soundings.

#### **17-7 STATE AND FEDERAL APPROVALS.**

Application for bulkhead work must be made to appropriate agencies of the State or Federal government including but not limited to the New Jersey Department of Environmental Protection and the United States Army Corps of Engineers. No permit for work shall be issued until a valid permit is received from appropriate State or Federal Agencies having jurisdiction over the work. If the bulkhead is required by this Ordinance but the State or Federal agency having jurisdiction over the work denies the application then said denial shall supersede this Ordinance.

#### **17-8 MINIMUM SPECIFICATIONS.**

The minimum specifications for construction, reconstruction, repair or renovation of bulkheads are as follows:

- a. Bulkhead design shall provide for expected toe scour or proposed dredge depth and shall be shown on plans.
- b. Non-Oceanfront Bulkheads
  1. The minimum elevation of the top of the bulkhead shall be as follows:
    - a. Along Strathmere Bay (Blocks 750, 756, 757, 825, 826, 841, 842, 849 and 850): 7.0' NAVD, 1988 Datum.
    - b. Along Great Egg Harbor (Block 479, 682 and 735): 10.0' NAVD, 1988 Datum.
    - c. Along Tuckahoe River (Block 12, 15, 19 and 310): one (1') above the existing bank along the spring high tide line.
    - d. Along Tuckahoe River (Block 348): 9.0' NAVD, 1988 Datum.
  2. Additional outfall piping requires written approval from the Municipal Engineer. If drainage conditions require piping, all new infrastructure must have an approved tide-control device.
  3. Existing privately owned outfall piping will be extended and fitted with an approved tide-control device.
  4. Existing Township owned storm drains that penetrate private bulkheads shall be extended and maintained by the private property owner.
  5. Bulkhead construction shall not adversely effect the depth of the adjacent water body.
- c. Oceanfront Bulkheads
  1. Oceanfront Bulkheads shall be required when adjacent to the Atlantic Ocean and extending along Corson's Inlet to the Corson's Inlet Bridge.
  2. The minimum elevation of the top of the bulkhead shall be 11.0' NAVD, 1988 datum. The existing timber bulkhead along the oceanfront shall be considered grandfathered as meeting these standards.
  3. If the proposed construction methods shall require access and/or disturbance of Township property, a detailed plan outlining the proposed limits of disturbance and proposed restoration shall be provided for approval by the Township Engineer. Township property shall be restored to a condition equal to preconstruction conditions.

## **17-9 PERFORMANCE STANDARDS.**

All bulkhead construction, reconstruction, repair or renovation must meet the following performance standards in addition to the minimum specifications set forth above. Applicants utilizing innovative methods of construction must be prepared to show how such methods will meet the performance standards.

- a. Bulkheads also function as flood protection. All bulkheads shall be designed to function as such.
- b. All bulkhead reconstruction shall utilize generally accepted engineering principles and practices.
- c. Material selection must include evaluation of environmental impacts that are caused by the materials.
- d. Bulkhead construction shall not adversely affect adjacent properties.
- e. Bulkhead shall extend the entire length of the property with appropriate returns and connections to adjacent bulkheads.
- f. Bulkhead construction shall meet the requirements of the New Jersey Department of Environmental Protection.

## **17-10 UTILITIES.**

It is the responsibility of the applicant to protect all existing utilities. The applicant is responsible for obtaining current "utility mark-out" for appropriate State or Local Agencies prior to commencement of construction.

## **17-11 MAINTENANCE, DUTY TO REPAIR.**

All private bulkheads within the Township of Upper shall be maintained so they shall not pose a danger to the health, safety or welfare of the citizens of the Township of Upper or to property within the Township of Upper. The bulkheads shall be kept in a state of repair to prevent erosion or damage to abutting, adjacent or adjoining properties. Whenever a bulkhead has deteriorated to such a degree that it poses a danger to the property, or adjoining properties, the Municipal Engineer shall notify the property owner, in writing, of the nature of the deterioration and require the owner to make the necessary repairs. Said repairs shall be made in conformance with this Chapter. The property owner shall submit a plan of corrective action to the Municipal Engineer no later than thirty (30) days from receipt of the notice. Upon approval of the corrective action by the Municipal Engineer, the property owner shall complete all necessary repairs forthwith. If permits are required from the State of New Jersey or the Federal government, such permits shall be immediately applied for. In the event the property owner fails to submit a corrective action plan or fails to implement that plan, he shall be liable for the penalties and violations contained herein.

## **17-12 VIOLATION; PENALTIES.**

Anyone violating any of the provisions of this Chapter shall be subject to a fine not to exceed the sum of One Thousand Dollars (\$1,000.00) and/or imprisonment not to exceed ninety (90) days for each violation. Each day of a continuing violation shall be a separate offense and shall be punishable as a separate offense.

**SECTION 2.** Chapter 19 of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, shall be amended and supplemented as hereinafter provided:

**Section 19-9.2 Requirements.**

Replace the Checklist with Exhibit A attached hereto to add the following application items to the Checklist:

- 65. Neighborhood Map showing aerial map 500' beyond the subject property. Required for all applications.
- 66. Electronic copy of the full application including: application, photos, maps, reports, plans and other exhibits in pdf format. Electronic copy may be in separate files. Required for all applications.
- 67. Buy and sell letters to adjacent property owners for any variance for bulk requirements pursuant to N.J.A.C. 40-55d-70c.(1) on forms provided by Township.

**SECTION 3.** Chapter 20 of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, shall be amended and supplemented as hereinafter provided:

**Section 20-2.1 Definitions of Township Application.**

Add, replace or delete the following Definitions:

*Building* shall mean any structure or extension therefor or addition thereto having a roof supported by such things as columns, posts, piers or walls intended for the shelter, business, housing or enclosing of persons, animals or property. Open uncovered decks or raised patios less than eighteen inches (18") above grade, are considered parts of the building. For purposes of permitted encroachments any overhangs, soffits, chimney, bay windows or similar structure that extends more than eighteen inches (18") beyond the face of the building shall be considered parts of the building.

*Flag Lot* – delete

*Habitable Space.* A space in a building for living, sleeping, eating or cooking. Garage, storage, stairs, halls or utility and other similar spaces are not considered habitable spaces.

*Impervious coverage.* Any surface that has been compacted or covered with a layer of material so that it prevents, impedes or slows infiltration or absorption of fluid, including stormwater directly into the ground, and results in either reduced groundwater recharge or increased stormwater runoff sufficient to be classified as impervious in Urban Areas by the United States Department of Agriculture, Natural Resources Conservation Service Title 210 – Engineering, 210-3-1 – Small Watershed Hydrology (WINTR-55) Version 1.0. Such surfaces may have varying degrees of permeability and shall include building coverage.

*Mezzanine.* An intermediate level or levels between the floor and ceiling of any story and shall be considered a 1/2 story when determining number of stories for building height.

*Monument Sign.* A free-standing sign, generally having a low profile where the base of the sign structure is on the ground or a maximum of twelve inches (12") above the lowest point of the ground adjacent to the sign such that the sign has the appearance of a solid base. The maximum height shall be eight feet (8') from the ground and the width of the sign base shall be at least 75% of the sign face at its widest point.

*Story, Habitable.* Shall mean a story that has more than ten percent (10%) of the gross building floor area is considered a habitable story.

*Tree Preservation* shall mean an area of tree(s) that must be maintained with natural tree(s) on a parcel of land. Said area shall be restricted from clearing or removal of any trees two inches (2") in diameter or greater, except dead trees greater than five inches (5") in diameter or greater and trees within 35' of the principal structure may be removed to prevent a safety hazard. The area shall be measured along the perimeter of the canopy of the tree(s). The area beneath the canopy of the tree(s) may be maintained or unmaintained.

*Waterfront Property* shall mean any property where the principal structure is located within fifty feet (50') of the mean high water line or the toe of the waterward side of the primary frontal dune whichever is closer.

### **Section 20-3.2 Zoning Map**

The map is amended to reflect the zoning boundary changes as set forth on the revised zoning map of the Township of Upper prepared by Paul E. Dietrich, Sr., Upper Township Engineer, dated January 12, 2004 and revised through February 23, 2015 and attached hereto as Exhibit B.

### **Section 20-4.6d General Requirements.**

Add the following to Section 20-4.6d:

7. Outside sales display area shall be permitted subject to the following:

- (a) Display area shall be limited to fifty (50) square feet for every fifty feet (50') of road frontage and not to exceed a total of two hundred (200) square feet.
- (b) Items within the display area shall not exceed a height of six feet (6').
- (c) Items shall not be located within the sight triangle of any driveway or roadway intersection or inhibit pedestrian or vehicle circulation.
- (d) Temporary display areas shall be permitted two (2) nonconsecutive 45 day periods per year. Temporary zoning permit shall be required for each period at least 10 days prior to the start of the temporary display area.

### **Section 20-4.7. "TC" Town Center and "TCC" Town Center Core**

Add the following to Section 20-4.7

1. Outside sales display area for commercial uses shall be permitted subject to the following:

1. Display area shall be limited to fifty (50) square feet for every fifty feet (50') of road frontage and not to exceed a total of two hundred (200) square feet.
2. Items within the display area shall not exceed a height of six feet (6').
3. Items shall not be located within the sight triangle of any driveway or roadway intersection or inhibit pedestrian or vehicle circulation.
4. Temporary display areas shall be permitted two (2) nonconsecutive 45 day periods per year. Temporary zoning permit shall be required for each period at least 10 days prior to the start of the temporary display area.

#### **Section 20-5.8 Performance Standards For All Uses.**

Revise and replace the following in Section 20-5.8:

An application for subdivision or site plan shall provide documentation that the intended use will comply with the performance standards enumerated below. In the case of a structure being built where the future use is not known, a construction permit may be issued with the condition that no Certificate of Occupancy will be issued until such time as this documentation is submitted with respect to the particular occupant. It shall be the burden of the applicant to prove beyond a reasonable doubt that the proposed use meets the standards required by this Chapter.

- a. Unchanged
  1. Unchanged.
  2. Unchanged.
  3. Unchanged.
  4. Unchanged.
  5. Residential Buffer. This type of buffer is appropriate buffer between two adjacent residential uses which is provided to soften the impact of the land use on the community. Properties may provide additional buffer but is not required to provide such buffer as long as they provide the minimum vegetation in subsection (b) below.
    - (a) All existing trees should be preserved and the plans must specify appropriate grading and tree protection details to assure the preservation of the vegetation.
    - (b) Areas void of significant vegetation shall receive landscape plantings as follows for every one hundred (100') linear feet of buffer area:

Type	Quantity
Evergreen or Shade Tree	2
Ornamental Tree	2
Shrubs	5
6. General Landscape Standards. All areas not occupied by structures, impervious cover and natural vegetation shall be maintained and planted as follows:
  - (a) Area shall be kept clean of all debris, rubbish, weeds and tall grass (over twelve inches (12") in height).

- (b) Area shall be planted with grass or ground cover to prevent erosion of soil in accordance with the Cape-Atlantic Soil Conservation District Standards.
- (c) An underground irrigation system shall be provided for non-residential properties.
- (d) Landscape areas shall be permanently maintained, and plant material which does not live shall be replaced within one (1) year or one (1) growing season.
- (e) Landscape buffer plant material shall be so placed that at the maturity, the plant will be no closer than three feet (3') from any street.
- (f) The buffer area shall not be broken unless specifically approved by the Planning Board or Zoning Board of Adjustment.
- (g) Plant material within the buffer shall be the following: a minimum height of six feet (6') to eight feet (8') for evergreen trees, two feet (2') to two and half feet (2.5') for shrubs and a minimum caliper of one inch (1") to one and half inches (1.5") for ornamental trees and a minimum caliper of two inches (2") and two and half inches (2.5") for shade trees.
- (h) The plant material shall be of a species common to the area, be of nursery stock, shall be free of insect and disease, and shall be otherwise conform to the landscaping provisions of subsection 20-5.14c. which are applicable within the Pinelands Area.
- (i) No roads, parking or buildings or structures shall be located within prescribed landscape buffer with the exception of access driveways serving the development, sidewalks and bike/jogging paths.
- (j) Off-street parking lots shall be landscaped in accordance with Section 20-5.7a.4.
- (k) At a minimum ten percent (10%) of the lot area shall be landscaped. The landscaping shall be located in protected areas along walkways, in center islands, adjacent to the building and in all irregular spaces not used for parking. The landscape areas shall include a combination of ground cover, shrubbery, ornamental plantings and shall include one canopy tree per 1,225 square feet of required landscape area. Said area shall be in addition to the required landscape buffer requirements.

**Section 20-5.9 Principal Use.**

Revise Section 20-5.9 as follows:

- a. *Structures.* No more than one (1) principal structure shall be permitted on one (1) lot, except as allowed in the TC, TCC, CM2, CM4 and CMP or otherwise specified for in a particular zoning district.
- b. *Use.* No more than one (1) principal use shall be located on one (1) lot, except for forestry, agriculture, horticulture, fish and wildlife management, recreational development or agricultural lands and as allowed in the TC, TCC, CM2, CM4 and CMP zones or otherwise specified for in a particular zoning district.

Add the following Section 20-5.19:

**Section 20-5.19 Bulkheads.**

- a. The Township of Upper desires to create uniform regulations for the construction, reconstruction, repair or renovation of existing or new bulkheads within the Township of Upper along any waterway or beach of Upper Township. It is the purpose of this section to promote public health, safety and general welfare, and to minimize public and private losses due to flood conditions. Bulkheads are an integral component for Flood Damage Control and are designed to:
  - 1) Protect human life and health.
  - 2) Protect public and private infrastructure.
  - 3) Minimize expenditure of public and private money for costly repairs from flood damage.
  - 4) Minimize prolonged interruptions to business and residential activities due to street flooding.
  - 5) Reduce the extent of flood waters that may flow across public and private property which may cause flood damage.
  - 6) Reduce flood wave velocities.
- b. A bulkhead shall be provided for all new development and existing development which is being substantially improved in accordance with the standards of Chapter 18 – Flood Damage Control which is located on a waterfront property as follows:
  - 1) Non-Oceanfront Bulkheads
    - i. Along Strathmere Bay (Tax Blocks 750, 756, 757, 825, 826, 841, 842, 849 and 850 as shown on the current official Tax Map)
    - ii. Along Great Egg Harbor (Tax Blocks 479, 682 and 735 as shown on the current official Tax Map)
    - iii. Along Tuckahoe River (Tax Blocks 12, 15, 19, 310 and 348 as shown on the current official Tax Map)
  - 2) Oceanfront Bulkheads
    - i. Oceanfront Bulkheads shall be required when adjacent to the Atlantic Ocean and extending along Corson’s Inlet to the Corson’s Inlet Bridge.
- c. The bulkhead shall obtain a permit, be designed and constructed in accordance with Chapter 17 – Construction of Bulkheads.

Add the following Section 20-5.20:

**Section 20-5.20 Used Clothing Containers.**

- a. Generally. Used clothing donation steel or similar storage containers (hereinafter referred to in this section as “bins”) are prohibited in the Township of Upper.
- b. Exceptions. Registered 401(c) nonprofit organizations are permitted to place used clothing bins on nonresidential property in accordance with the following:
  1. Nonresidential premises are permitted to have only three (3) used clothing donation bins on the property, which are devoted to nonprofit purposes.
  2. The bin(s) shall be appropriately located so as not to interfere with sight triangles, on-site circulation, required accessory side yard setbacks, landscaping, parking, and any other requirements that may have been imposed as part of the site plan approval for the premises, and shall be placed on a concrete surface.

3. The bin(s) shall be of the type that are enclosed by use of a receiving door and locked so that the contents of the bin(s) may not be accessed by anyone other than those responsible for the retrieval of the contents.
4. Each bin shall not cover a ground surface area in excess of five feet (5') by five feet (5') nor be more than six feet (6') in height.
5. Each bin must be regularly emptied of its contents so that it does not overflow, resulting in used clothing being strewn about the surrounding area.
6. Each bin shall be maintained in good working order and be free of graffiti and rust.
7. A permit for used clothing donation bin(s) shall be required. The permit shall be issued by the Clerk's Office, but can only be granted when it is determined by the Zoning Officer that:
  - (a) The bin(s) are for use by a duly registered nonprofit organization;
  - (b) The proper types of bin(s) are being used as described by this section;
  - (c) The bin(s) are being placed in a proper location as described by this section;
  - (d) Letter of authority/permission from the owner of the property upon which the bin(s) are to be and/or are already located; and
  - (e) Name, address and phone number of the nonprofit organization or Church displayed on each bin.
- c. If any used clothing donation bins are placed without a permit, or an inspection reveals that such bins are not in compliance with this section, enforcement and abatement shall take place as generally provided under this article.

**Section 20-6.5 Flag Lots** – This section is deleted

**Section 20-12.1 Penalty for Violation.**

Replace Section 20-12.1 as follows:

Any person, firm or corporation that shall violate any provision of this Chapter, shall, upon conviction thereof by any court authorized by law to hear and determine the manner, be subject to the General Penalty established in Chapter I, Section 1-5 of this code and be required to abate the violation by complying with the applicable standards of this Chapter.

The owner of any building or structure, lot or land or part thereof, and/or the tenant or occupant of any building or structure, lot or land or part thereof, where anything in violation of this Chapter shall be placed or shall exist or be suffered, allowed or permitted to exist, and any architect, builder, developer, contractor, agent, person or corporation engaged in connection therewith and who assists in the commission of any such violation, shall each be guilty of a separate violation and upon conviction thereof shall each be liable to the fine or imprisonment or both specified above.

**Schedule A in Chapter 20:** Delete the reference to Flag Lots in Schedule A and replace Schedule A with attached Exhibit C.

**Schedule C in Chapter 20:** Delete Note 3 and add Note 11 in Schedule C and replace Schedule C with attached Exhibit D.

**SECTION 4: EFFECTIVE DATE:** This ordinance shall take effect immediately upon adoption and publication as required by law.

**SECTION 5: REPEALER:** All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

**SECTION 6: 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 7: CODIFICATION:** This Ordinance shall be codified as indicated in Chapters 17, 19 and 20 of the Upper Township Code.

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 23rd DAY OF FEBRUARY, 2015 AND WAS TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 30th DAY OF MARCH, 2015 AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY, AT WHICH TIME SAID ORDINANCE WAS ADOPTED.

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

BARBARA L. YOUNG, TOWNSHIP CLERK

TOWNSHIP OF UPPER

19. Introduction and first reading of Ordinance No. 006-2015 RE: AN ORDINANCE REVISING JOB CLASSIFICATIONS AND TITLES AND AMENDING

CHAPTER V, ENTITLED "PERSONNEL", OF THE CODE OF UPPER TOWNSHIP. **Motion by John Coggins, second b Hobie Young, to introduce Ordinance 006-2015 with public hearing and final adoption scheduled for April 27, 2015. During roll call vote all four Committee members present voted in the affirmative.**

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

**ORDINANCE NO. 006-2015**

**RE: AN ORDINANCE REVISING JOB CLASSIFICATIONS AND TITLES AND AMENDING CHAPTER V, ENTITLED "PERSONNEL", OF THE CODE OF UPPER TOWNSHIP.**

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**WHEREAS**, it is necessary to amend certain job classifications or job titles;

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

**SECTION 1:** Chapter V, entitled "Personnel", of the Code of Upper Township, Section 5-6.1 (b), is hereby amended and supplemented as follows:

b. The following positions shall exist within the Township and the appointment to such position shall be made by the Township Committee:

**Township Clerk  
Township Tax Collector  
Township Tax Assessor  
Construction Official  
Plumbing Subcode Official  
Municipal Director of Disaster Control  
Deputy Director of Disaster Control  
Building Subcode Official  
Fire Protection Subcode Official  
Electrical Subcode Official  
Fire Prevention Official  
Chief Financial Officer  
Municipal Finance Officer  
Assistant Finance Officer  
Purchasing Agent  
Municipal Emergency Management Coordinator  
Fire Subcode Official  
Plumbing Inspector  
Electrical Inspector**

**Assistant Safety Coordinator**

**SECTION 2:** Chapter V, entitled “Personnel”, of the Code of Upper Township, Section 5-6.2, is hereby amended and supplemented as follows:

**Add The Following Positions:**

**Equipment Operator/Truck Driver  
Deputy Municipal Court Administrator**

**Delete The Following Positions:**

**Deputy Municipal Court Clerk  
Senior Recreation Maintenance Worker  
Clerk 1**

**SECTION 3:** Chapter V, entitled “Personnel”, of the Code of Upper Township, Section 5-6.3, is hereby amended and supplemented as follows:

**Add The Following Position:**

**Recycling Program Aide**

**SECTION 4:** Chapter V, entitled “Personnel”, of the Code of Upper Township, Section 5-6.4, is hereby amended and supplemented as follows:

**Delete The Following Position:**

**Playground Safety Inspector**

**SECTION 5:** Chapter V, entitled “Personnel”, of the Code of Upper Township, Section 5-6.5, is hereby amended and supplemented as follows:

**Add The Following Positions:**

**Public Agency Compliance Officer  
Secretary Board of Health  
Tax Search Officer  
Claims Coordinator/Fund Commissioner  
Safety Coordinator**

**Computer Director  
Floodplain Manager  
Stormwater Program Coordinator  
Air Quality Control Officer  
Emergency Information Officer  
Secretary Sports & Recreation Advisory Bd.  
Asst. Recycling Coordinator  
Recycling Coordinator  
Data Information Coordinator  
Playground Safety Inspector**

**SECTION 6: REPEALER:** All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

**SECTION 7: SEVERABILITY:** This Ordinance shall be subject to the severability provisions set forth in Section 5-15 of Chapter V of the Code of Upper Township.

**SECTION 8: EFFECTIVE DATE:** This Ordinance shall take effect immediately upon final adoption and publication as required by law.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 30<sup>th</sup> DAY OF MARCH, 2015 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 27<sup>th</sup> DAY OF APRIL, 2015 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

20. Introduction and first reading of Ordinance No. 007-2015 RE: AN ORDINANCE AMENDING ORDINANCE NO. 017-2014 KNOWN AS THE SALARY ORDINANCE FOR THE CALENDAR YEAR 2015. **Motion by John Coggins, second by Hobie Young, to introduce Ordinance 007-2015, with public hearing and final adoption scheduled for April 27, 2015. During roll call vote all four Committee members present voted in the affirmative.**

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

**ORDINANCE NO. 007-2015**

**RE: AN ORDINANCE AMENDING ORDINANCE NO. 017-2014 KNOWN AS THE SALARY ORDINANCE FOR THE CALENDAR YEAR 2015**

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

**SECTION 1:** Ordinance No.017-2014, known as the Salary Ordinance of 2015 is hereby amended as hereinafter provided:

**SECTION 2: SALARIES:**

**E. PUBLIC WORKS/SPORTS AND RECREATIONAL PROGRAMS:**

<u>Title</u>	<u>Minimum</u>	<u>Maximum-2015</u>
Equipment Operator/Truck Driver	\$12,500.00	\$50,889.00
Recycling Program Aide	No Min.	2,500.00
Maint. Worker 1, Grounds (0-9 yrs) (former Groundskeeper)	12,500.00	50,889.00
Maint. Worker 1, Grounds (10 or more yrs) (former Groundskeeper)	12,500.00	52,328.00
Maint. Worker 1, Grounds (0-9 yrs) (former Rec. Maint. Worker)	12,500.00	49,680.00
Maint. Worker 1, Grounds (10 or more yrs) (former Rec. Maint. Worker)	12,500.00	51,121.00

**SECTION 3: SEVERABILITY:** If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance, but shall be confined in its effects to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

**SECTION 4: REPEALER:** All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

**SECTION 5: EFFECTIVE DATE:** This Ordinance shall take effect immediately upon final adoption and publication as required by law.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 30<sup>th</sup> DAY OF MARCH, 2015 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 27<sup>th</sup> DAY OF APRIL, 2015 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

21. Parish of Saint Maximilian Kolbe request to hold 50/50 Raffle on August 14, 2015 at Saint Maximilian Kolbe Parish. **Motion by John Coggins, second by Hobie Young, to approve the request. During roll call vote all four Committee members voted in the affirmative.**
22. Upper Township Farmers Market Association, a non-profit organization request waiver of Planning Board application fee. **Motion by Hobie Young, second by Jeffrey Pierson, to approve the request. During roll call vote all four Committee members voted in the affirmative.**

## UNFINISHED BUSINESS

### DISCUSSION

23. UT Board of Education Proposed Bid Evaluation for Solar Power Purchase. **Mr. Dietrich reported that the Upper Township Board of Education prepared the RFP for solar power purchase and included the Township as an alternative in order to give the Township the benefits of the aggregate purchase. After a brief discussion it was decided that Committeeman Coggins and Committeeman Barr would form a steering committee to go over the financial aspects and time commitments of the proposal.**

### PAYMENT OF BILLS

24. "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 Edward Barr. During roll call vote all four Committee members present voted in the affirmative.**

Bills approved for payment: \$336,274.83  
Payroll: \$162,020.25

### REPORT OF MUNICIPAL DEPARTMENTS

25. Animal Control
26. MUA Report
27. Finance Office
28. Department of Public Works
29. Zoning Board Annual Report

Motion by Edward Barr, second by John Coggins, to accept all reports as submitted. During roll call vote all four Committee members present voted in the affirmative.

### PUBLIC COMMENT

**Ludwig Samsalski, Seaville**, gave a brief statement regarding his personal feelings on the state of the Township. He also questioned how much each Committeeman receives in

compensation and benefits. CFO Barbara Spiegel stated that each committeeman receives \$11,250.00 a year for their services, and the Mayor receives \$16,250.00. She further stated that not every Committeeman has elected to receive a health benefit, however for those that have, the value varies with each individual.

**John DeSalvo, Marmora**, inquired if the Township is required to match the funds received from the County Open Space grant for Amanda's Field. Mr. Dietrich stated no matching funds are required. Mr. DeSalvo next stated that many of the improvements at Amanda's Field had to subsequently be taken down, and asked how much has been spent so far in improvements to the baseball fields. Committeeman Young stated that everything that has been taken down has been or will be reused. The main projects that have been done were necessary to correct the drainage, the field layout in order to comply with Little League rules, and corrections to the conduit in order to comply with code. Mr. DeSalvo next questioned what line item of the budget contain the improvements to Amanda's Field. It was stated that labor is the only cost to the Township, which is included in the salary line item for Public Works.

**William Hasek, Butter Road**, expressed his concerns with the clearing of a lot on Butter Road, and asked if the Township could provide oversight to prevent any further filling of the land that could cause drainage problems for adjacent properties. It was stated that the application for this property was recently tabled at a Planning Board meeting because of drainage and landscaping concerns. The applicant was directed to revise their plans and the matter will be heard at the next Planning Board meeting on April 16. Mr. Hassick was encouraged to attend the Planning Board meeting to voice his concerns. Mr. Hassick then inquired if any of the land in question was protected wetlands. Mr. Dietrich stated that most of the lot contained wetlands, however the owner had received a permit from the State to fill approximately  $\frac{3}{4}$  of the lot.

**Kevin Grubb, Rt 50, Greenfield**, questioned how much money has been spent on the improvements to the Amanda's Field baseball field. Mr. Barr stated that as of January to March of this year 727 man hours have been spent at Amanda's Field, however not all of that labor was exclusively dedicated to the baseball fields. Those hours reflect \$17,854.00 in salary. Mr. Grubb next inquired as to how money was saved when the Recreation Department and Public Works Department merged. It was stated that when the departments merged there were several employees retired and those positions were not replaced. He next inquired if the employees shredding documents are bonded. It was stated that they are not required to be bonded, and any resident that utilizes the service are present as their documents are destroyed.

**Russell Morano, Meadow Drive**, asked if the new tax rate has been released. It was stated that the tax bills are scheduled to be released in June. Mr. Morano then inquired if the Committee members that do not elect to receive health benefits are given a stipend. It was stated that a stipend is not given in lieu of health benefits. Mr. Morano then suggested that the budget workshop be televised, and that a member of the Committee serve as a liaison to the School Board.

**Nathalie Neiss, Rt 50 Petersburg**, asked several questions regarding her recent OPRA requests.

**CLOSED SESSION**

30. 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. 84-2015  
MOTION GOING INTO CLOSED SESSION  
MARCH 30, 2015

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

MATTERS:

1. Contract negotiation – Tax Map Maintenance
2. Contract negotiation – Norman Briggs Special Legal Counsel
3. Contract negotiation – Shared Services with Dennis Township
4. Contract negotiation – Engineer
5. Litigation – Tax Appeals
6. Personnel
7. Safety and Security

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: Hobie Young

During roll vote all four Committee members present voted in the affirmative.

**RECONVENE PUBLIC PORTION OF MEETING**

Motion by John Coggins, second by Edward Barr, to reconvene the public portion of the meeting. All Committee members present voted in the affirmative

Motion by John Coggins, second by Jeffrey Pierson, to direct the personnel officer to terminate the employment of Joel Lloyd on the basis of Mr. Lloyd's failure to comply with the requirements of having a driver's license as a condition of his employment, pursuant to Township Policy and the Union Contract. During roll call vote three members voted in the affirmative. Committeeman Young abstained.

### **ADJOURNMENT**

There being no further business this evening the meeting was adjourned at 11:20 P.M. The next regular meeting is scheduled for April 13, 2015 at 7:30 P.M.

Minutes prepared by

Barbara L. Young, RMC  
Municipal Clerk

### **Bill List**

64721 03/30/15 A0023 ADAMS, JOHN 10.00 2868  
64722 03/30/15 A0035 AIRLINE HYDRAULIC CORP. 476.00 2868  
64723 03/30/15 A0071 ANCHOR FIRE PROTECTION CO. 3,859.65 2868  
64724 03/30/15 A0081 ARMSTRONG, RALON I. 10.00 2868  
64725 03/30/15 A0091 ATLANTIC CITY ELECTRIC 20,185.06 2868  
64726 03/30/15 A0134 ANSELL GRIMM & AARON, PC 105.00 2868  
64727 03/30/15 A0166 Association of NJ Recyclers 65.00 2868  
64728 03/30/15 A0175 Adams Rehmann & Haggan Assoc 725.00 2868  
64729 03/30/15 A0178 ABC SUPPLY CO., INC 846.00 2868  
64730 03/30/15 A0193 ATLANTIC INVESTIGATIONS, LLC 91.00 2868  
64731 03/30/15 B0020 BLAKER, RAYMOND 10.00 2868  
64732 03/30/15 B0035 BELMONT & CRYSTAL SPRINGS 65.24 2868  
64733 03/30/15 B0148 AMERIGAS GAS 3,048.21 2868  
64734 03/30/15 B0178 BUGANSKI, PETER R. 113.97 2868  
64735 03/30/15 C0019 CITY OF OCEAN CITY 55,697.25 2868  
64736 03/30/15 C0027 CAPE INSULATION CO. INC 450.00 2868  
64737 03/30/15 C0048 CAPE MAY COUNTY MUA 23,557.00 2868  
64738 03/30/15 C0056 CAPE MEDIATION SERVICE, INC. 2,260.80 2868  
64739 03/30/15 C0060 CAPRIONI'S PORTABLE TOILETS 494.50 2868  
64740 03/30/15 C0068 COMCAST 123.76 2868  
64741 03/30/15 C0078 CARTER, EDWARD, SR. 10.00 2868  
64742 03/30/15 C0091 CHISHOLM, JOHN R. 10.00 2868  
64743 03/30/15 C0128 CARDINAL HEALTH 200, LLC 148.88 2868  
64744 03/30/15 C0171 COLONIAL ELECTRIC SUPPLY CO. 1,246.36 2868  
64745 03/30/15 C0182 CDW GOVERNMENT, INC 19.25 2868  
64746 03/30/15 C0201 CRUZAN'S TRUCK SERVICE INC. 712.38 2868  
64747 03/30/15 C0223 CASA PAYROLL SERVICE 264.65 2868  
64748 03/30/15 C0246 CRAFT OIL CORPORATION 1,417.13 2868  
64749 03/30/15 C0247 CMRS-FP 205.00 2868  
64750 03/30/15 D0016 DALEYS PIT 280.00 2868  
64751 03/30/15 D0040 DELTA DENTAL OF N.J. INC. 5,449.00 2868  
64752 03/30/15 D0148 DIRECT ENERGY BUSINESS 3,053.45 2868  
64753 03/30/15 D0156 Matthew P. Dice 25.70 2868  
64754 03/30/15 E0012 EHRLICH PEST CONTROL INC 251.00 2868  
64755 03/30/15 F0002 FENTON, JOSEPH III 24.20 2868  
64756 03/30/15 F0053 FORD, SCOTT & ASSOCIATES 11,000.00 2868  
64757 03/30/15 F0174 F.W. SHAWL & SONS, INC. 96,945.72 2868  
64758 03/30/15 G0012 GANN LAW BOOKS 117.00 2868

64759 03/30/15 G0028 GENTILINI FORD 0.00 03/30/15 VOID 0  
64760 03/30/15 G0028 GENTILINI FORD 3,435.29 2868  
64761 03/30/15 G0086 W.W. GRAINGER, INC. 129.68 2868  
64762 03/30/15 G0092 GRUND, BARBARA J. 16.97 2868  
64763 03/30/15 G0096 GRUND, GEORGE 10.00 2868  
64764 03/30/15 G0141 GENTILINI CHEVROLET 150.73 2868  
64765 03/30/15 G0147 GREATAMERICA FINANCIAL SVCS. 176.97 2868  
64766 03/30/15 G0157 GRANTURK EQUIPMENT CO., INC. 1,352.12 2868  
64767 03/30/15 G0163 GOVCONNECTION, INC 673.74 2868  
64768 03/30/15 H0002 H.A. DEHART & SON CORP. 542.47 2868  
64769 03/30/15 H0018 HAROLD RUBIN L & H SUPPLY 852.95 2868  
64770 03/30/15 H0097 HERRON, JOANNE R. 26.38 2868  
64771 03/30/15 J0041 JONES, JAMES M. 10.00 2868  
64772 03/30/15 J0072 JERSEY WEB DESIGNS 1,242.50 2868  
64773 03/30/15 K0007 KACZMARSKI, RICHARD 143.28 2868  
64774 03/30/15 L0080 LOWES, INC. 237.09 2868  
64775 03/30/15 M0012 McCAULEY, RICHARD 10.00 2868  
64776 03/30/15 M0059 MCDANIELS, WILLIAM J. III 49.99 2868  
64777 03/30/15 M0142 MASON, NICHOLAS 10.00 2868  
64778 03/30/15 M0188 MCCARTHY TIRE SERVICE OF PHILA 2,465.10 2868  
64779 03/30/15 M0206 McCARDELL, JOHN 119.92 2868  
64780 03/30/15 M0209 MAYBERRY, JOHN D 121.68 2868  
64781 03/30/15 M0247 MORGAN, SCOTT 123.58 2868  
64782 03/30/15 M0258 MITCHELL, CAROLE 820.00 2868  
64783 03/30/15 N0043 NAPA AUTO PARTS 331.08 2868  
64784 03/30/15 N0141 NETCARRIER TELECOM, INC. 1,863.97 2868  
64785 03/30/15 O0006 SJSHORE MARKETING,LLC 58.75 2868  
64786 03/30/15 O0042 ORCHARD HYDRAULIC SERVICE INC 510.42 2868  
64787 03/30/15 O0054 O'Kane James J. 24.20 2868  
64788 03/30/15 P0032 PEDRONI FUEL CO. 2,839.88 2868  
64789 03/30/15 P0116 PENN CARE INC 615.00 2868  
64790 03/30/15 P0136 POSTNET 197.65 2868  
64791 03/30/15 R0030 RIGGINS, INC. 6,889.37 2868  
64792 03/30/15 R0099 RANSOME INTERNATIONAL, LLC 359.12 2868  
64793 03/30/15 R106 RUMER, LISA 461.23 2868  
64794 03/30/15 S0018 SUBURBAN PROPANE, LP 1,817.92 2868  
64795 03/30/15 S0020 SUPPLY WORKS 645.16 2868  
64796 03/30/15 S0034 SCHULER, DANIEL 10.00 2868  
64797 03/30/15 S0035 SCHOPPY WILLIAM TROPHY CO. 34.95 2868  
64798 03/30/15 S0072 SEGIN, STEWART S. 10.00 2868  
64799 03/30/15 S0092 SHONE, LEROY 150.00 2868  
64800 03/30/15 S0108 SOUTHERN NEW JERSEY NIGP 160.00 2868  
64801 03/30/15 S0121 SMUZ, THERESE A 14.72 2868  
64802 03/30/15 S0134 SO. JERSEY GAS COMPANY 6,254.48 2868  
64803 03/30/15 S0165 S.E.T. COMMUNICATIONS INC 624.75 2868  
64804 03/30/15 S0196 STEWART BUSINESS SYSTEMS LLC 26.86 2868  
64805 03/30/15 S0209 STAPLES ADVANTAGE 703.23 2868  
64806 03/30/15 S0239 SHORE VET. ANIMAL CONTROL LLC 2,250.00 2868  
64807 03/30/15 S0249 BSN SPORTS 531.96 2868  
64808 03/30/15 S0250 SOUTH JERSEY GLASS & DOOR CO 200.00 2868  
64809 03/30/15 S0254 SHOPRITE 12.95 2868  
64810 03/30/15 S0279 SPECTROTEL, INC 981.66 2868  
64811 03/30/15 T0022 TERMINIX 59.00 2868  
64812 03/30/15 T0024 TAYLOR, MATTHEW 10.00 2868  
64813 03/30/15 T0032 THE PRESS & SUNDAY PRESS 871.59 2868  
64814 03/30/15 T0038 THOMAS, CHRISTOPHER 10.00 2868  
64815 03/30/15 T0067 TOWNSHIP OF UPPER PETTY CASH 1.50 2868  
64816 03/30/15 T0074 TRANSAXLE LLC 1,928.10 2868  
64817 03/30/15 U0003 U.S. MUNICIPAL SUPPLY, INC. 1,948.29 2868  
64818 03/30/15 U0043 ULINE, INC. 335.90 2868  
64819 03/30/15 V0005 VAN EMBDEN, NATHAN, ATTORNEY 2,200.00 2868  
64820 03/30/15 V0020 VINELAND AUTO ELECTRIC INC. 589.52 2868  
64821 03/30/15 V0022 VERIZON 187.19 2868  
64822 03/30/15 V0024 VAL-U AUTO PARTS L.L.C. 985.13 2868  
64823 03/30/15 V0026 VITAL COMPUTER RESOURCES, INC. 47,647.00 2868  
64824 03/30/15 V0027 VANORDER, ROGER 10.00 2868  
64825 03/30/15 W0030 WEST PUBLISHING CO. 433.87 2868  
64826 03/30/15 W0060 WOOLLEY, THOMAS 10.00 2868

64827 03/30/15 X0008 XEROX FINANCIAL SERVICES 1,324.80 2868  
64828 03/30/15 Y0008 YOUNG, DANIEL J. ESQUIRE PC 3,040.03 2868  
64829 03/30/15 Y0012 YOUNG, ROBERT 10.00 2868

Total: 336,274.83