

**TOWNSHIP OF UPPER  
2100 TUCKAHOE ROAD  
PETERSBURG, NJ 08270  
CAPE MAY COUNTY  
MINUTES FOR TUESDAY SEPTEMBER 8, 2015**

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

**CALL TO ORDER**

**SUNSHINE ANNOUNCEMENT**

**SALUTE TO THE FLAG**

**ROLL CALL**

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

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

**APPROVAL OF MINUTES** - August 24, 2015 Regular Meeting and  
Closed Session Minutes

Motion by John Coggins, second by Jeffrey Pierson, to accept the August 24, 2015 Regular Meeting and Closed Session Minutes as submitted. During roll call vote all five Committeemen voted in the affirmative.

**REPORT OF GOVERNING BODY MEMBERS**

**John Coggins, Committeeman**, questioned if the Fall Fest, scheduled for Sunday October 18<sup>th</sup>, is in conflict with the other events going on that weekend. The Upper Township Historical Society will be holding their Apple Fest on Saturday October 17<sup>th</sup> at the Gandy House, and the South Shore Stitchers will be holding a quilt show on Saturday and Sunday at the Community Center. There was a general consensus that the date for the Fall Fest is not a conflict and should remain the same.

**Hobie Young, Committeeman**, reported that the Fall Fest will be held on Sunday October 18<sup>th</sup> from 1:00 to 6:00 pm at Amanda's Field. There will be live bands, a hayride, pumpkin carving and painting contests, games, etc. He gave a brief report on the progress of the Amanda's Field baseball fields and next reported that Football is underway, the kids did very well in the scrimmages, and there has been a great turnout. He also stated that the Babe Ruth World Series Champions will be coming in for an honoring resolution presentation at the

next meeting. Next, Committeeman Young reported on a few requests he has received for more outdoor basketball facilities throughout the Township. Lastly, he reported that Public Works will be installing the rubber compound on the concrete slab where the cheerleaders perform, and the hockey rink will soon be resurfaced to get ready for the season.

Later in the meeting, Committeeman Young stated for the record that he has stepped down as President of the South Jersey Storm Football Team. Although he will continue on as head coach, he will no longer be involved with the financial or administrative aspects of the team.

**Edward Barr, Committeeman**, commended the Public Works Department for the preparation of the fields for the endless soccer tournament, and the Rescue Squad for their presence during the games. He stated that there were many teams that participated, and it was a nice community event. He next stated that traffic conditions should improve with summer coming to a close; however he cautioned residents to look out for school buses and road workers.

**Richard Palombo, Mayor**, reported that there are some scarping issues along the beach at Vincent Avenue. He requested that Public Works level off the area again. Mayor Palombo next reported that the lifeguards were able to use a prototype of an aluminum lifeguard stand this year which proved to be much lighter, safer and lasts longer than the wooden stands. He requested that the wooden life guard stands be gradually replaced with the new aluminum stands. He stated that they are approximately the same cost as the wooden stands. Lastly, Mayor Palombo reported that there is an extremely large pothole on Roosevelt Boulevard in front of Broadleys. Mr. Dietrich stated that he will notify the County of the problem.

### **OTHER REPORTS**

**Barbara Young, Municipal Clerk**, requested approval to register 22 township employees, members of the Township Committee, and members of the Planning and Zoning Boards for the New Jersey League of Municipalities Conference to be held in November. The cost to register is \$55.00 per person for online registration prior to October 1, 2015. Motion by Hobie Young, second by Jeffrey Pierson, to approve the request. During roll call vote all five Committee members voted in the affirmative.

**Daniel Young, Municipal Attorney**, reported that there are several contract negotiation items, a litigation matter, and a safety and security matter for closed session.

**Paul Dietrich, Municipal Engineer**, reported that a resident has requested, and he agrees, that the intersection of Stagecoach Road and Tuckahoe Road be designated as a no parking zone in order to maintain the site triangles. Motion by Jeffrey Pierson, second by Edward Barr, to direct the Municipal Attorney and Municipal Engineer to obtain approval from the County and prepare an Ordinance for formal action at a future meeting. During roll call vote all five Committeemen voted in the affirmative. Committeeman Coggins requested an update on the seasonal employees. After a brief discussion it was stated that seasonal employment is normally for a six month time period. Lastly, Mr. Dietrich requested that the beach sweepers be employed until the end of September to perform road clean ups in certain areas. He stated that there is funding available from Clean Communities.

**Barbara Spiegel, Chief Financial Officer**, reported on a recent Personnel matter with the Beach Patrol in which Mayor Palombo had a conflict and which, due to time constraints, the matter was handled by Committeeman Barr. Ms. Spiegel requested a motion to officially appoint an alternate for Mayor Palombo in the event this was to happen again. Motion by John Coggins, second by Jeffrey Pierson, to appoint Committeeman Barr to act as an alternate for Mayor Palombo during conflict issues involving Personnel and the Beach Patrol. During roll call vote four Committeemen voted in the affirmative. Mayor Palombo abstained.

## **PRESENTATIONS**

1. Honoring Boy Scout Troop 95 of Upper Township for their assistance during the Upper Township Annual 4th of July Celebration.

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

#### **RESOLUTION NO. 174 -2015**

#### **RE: HONORING BOY SCOUT TROOP 95 OF UPPER TOWNSHIP FOR THEIR ASSISTANCE DURING THE UPPER TOWNSHIP ANNUAL 4<sup>TH</sup> OF JULY CELEBRATION**

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**WHEREAS**, Boy Scout Troop 95 of Upper Township participated in the Upper Township Annual 4<sup>th</sup> of July celebration by providing general assistance with various activities held throughout the day, including supervising the dunk tank and cleanup of Amanda's Field at the conclusion of the celebration; and

**WHEREAS**, the Boy Scouts of America provides a program that offers young people the opportunity to build character, learn new skills and develop leadership expertise; and

**WHEREAS**, the Boy Scouts of America program provides valuable training in the responsibilities of participation and citizenship, and the importance of connecting and giving back to their communities; and

**WHEREAS**, it is appropriate that on behalf of the citizens of Upper Township we recognize and honor the Boy Scouts of Troop 95 for their dedication to community service during the Upper Township 4<sup>th</sup> of July celebration and throughout the year; and

**WHEREAS**, that the Township Committee also extends its congratulations and appreciation to the Scout Masters of Troop 95 and all others who give so freely and generously of their time for the benefit of our youth.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee on behalf of the citizens of the Township of Upper, to extend to Boy Scout Troop 95 recognition of their valued assistance and service provided during the Upper Township 4<sup>th</sup> of July celebration and to the Scout Masters a heartfelt thanks and gratitude for the their time and service to the young people of this community.

**GIVEN UNDER OUR HANDS** and the seal of the Township of Upper this 27<sup>th</sup> day of July 2015.

## **RESOLUTIONS**

2. Congratulating employee Edward Carter of the Upper Township Department of Public Works for his winning entry in the Upper Township safety Award program for the 4th Quarter of 2015.

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

**RESOLUTION NO.202-2015**

**RE: CONGRATULATING EMPLOYEE EDWARD CARTER  
OF THE UPPER TOWNSHIP DEPARTMENT OF PUBLIC WORKS  
FOR HIS WINNING ENTRY IN THE UPPER TOWNSHIP SAFETY AWARD PROGRAM  
FOR THE 4TH QUARTER OF 2015**

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**WHEREAS**, employee Edward Carter, is recognized for his efforts to promote safety for his fellow employees and residents of the Township through his participation in the Upper Township Safety Award Program with the submission of a safety suggestion in 2015; and

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

**WHEREAS**, Ed should be publicly recognized for reporting that the portable toilets were improperly placed along the roadside at Amanda's Field during a recent Soccer Tournament; and

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

1. That the Committee extends its appreciation and publicly recognizes Edward Carter for his commitment to safety by identifying a potential safety hazard and offering a suggestion through participation in the program.
2. That the Committee, on behalf of our employees and the citizens of the Township of Upper, extend to Edward Carter our congratulations and present him with the "Safety Day Award" of one day off with pay.

**GIVEN UNDER OUR HANDS** and the seal of the Township of Upper the 8th day of September, 2015.

Resolution No. 202-2015

Offered by: Pierson

Seconded by: Young

Adopted: September 8, 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>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

3. A resolution congratulating the Atlantic Shore 14 Year Old Baseball Team on becoming the 2015 Babe Ruth 14 Year Old World Series Champions.

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

**RESOLUTION NO. 203-2015**

**RE: A RESOLUTION CONGRATULATING THE ATLANTIC SHORE  
14 YEAR OLD BASEBALL TEAM**

**ON BECOMING THE 2015 BABE RUTH 14 YEAR OLD  
WORLD SERIES CHAMPIONS**

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**WHEREAS**, the Atlantic Shore 14 Year Old Team comprised of 14 players from Atlantic City, Linwood, Northfield, Ventnor, Ocean City and Upper Township finished their season by winning the Babe Ruth World Series Title; and

**WHEREAS**, Atlantic Shore remained undefeated throughout district, state and regional play ending with 21 wins after an 8-7 victory against Tri-Valley, California in the Babe Ruth championship game to win the World Series Title; and

**WHEREAS**, the players displayed outstanding team spirit, competitiveness and focus throughout the season and exhibited tremendous talent in their hitting, pitching and fielding abilities, with the members of the community showing great support and pride in recognition of their efforts; and

**WHEREAS**, it is appropriate that on behalf of the citizens of Upper Township we recognize and congratulate the players listed as follows:

Nick Abrams (Atlantic City)	Jayson Hoopes (Northfield)
Nick Atohi (Northfield)	Brandon Lashley (Upper Township)
Jon Bonczek (Northfield)	Dom Monteleone (Upper Township)
Anthony Cappuccio (Northfield)	Hunter Rich (Linwood)
Frank Curtin (Ventnor)	Devin Sharkey (Northfield)
Kyle Goodman (Northfield)	Sleighter Suriel (Atlantic City)
Solomon Griffith (Ocean City)	Cole Vanderslice (Ocean City)

**WHEREAS**, we also extend this recognition and thanks to the team manager, Dave Geiger, and the coaches Lee Geiger, Joe Geiger and Dennis Foreman, who have generously given their personal time and service to this team; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee on behalf of the citizens of the Township of Upper, to extend to the Atlantic Shore 14 Year Old Team congratulations on becoming the 2015 Babe Ruth World Series Champions, and to each coach heartfelt thanks and gratitude for the generous donation of their time and service to the young people of this community.

**GIVEN UNDER OUR HANDS** and the seal of the Township of Upper this 8<sup>th</sup> day of September 2015.

Resolution No. 203-2015

Offered by: Young                      Seconded by: Pierson

Adopted: September 8, 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>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

4. Honoring Shoprite Partners In Caring and the Marmora Shoprite Associates for their fight against hunger.

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

**RESOLUTION NO. 204-2015**

**HONORING SHOPRITE PARTNERS IN CARING AND THE  
MARMORA SHOPRITE ASSOCIATES FOR THEIR FIGHT AGAINST HUNGER**

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**WHEREAS**, ShopRite Partners in Caring is a year-round community based, hunger fighting initiative that works with food industry manufacturers providing much needed funds to qualified charitable agencies throughout New York, Connecticut, Delaware, Pennsylvania, Maryland and New Jersey; and

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

**WHEREAS**, ShopRite Partners In Caring supports emergency food pantries, homeless shelters, child care centers, battered women's shelters, soup kitchens, 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 have collected donations and held various events, raising funds to support regional food banks in communities served by ShopRite stores; and

**WHEREAS**, the Upper Township Committee wishes to acknowledge and thank the Marmora ShopRite for their generous support of our local 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 its sincere appreciation to 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 8<sup>th</sup> day of September, 2015.

Resolution No. 204-2015

Offered by: Pierson                      Seconded by: Palombo

Adopted: September 8, 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>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

5. Authorizing the Mayor and Township Clerk to sign a contract with Shore Veterinarian Animal Control Services, LLC for animal control services in Upper Township.

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

**RESOLUTION NO. 205-2015**

**RE: AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO SIGN A CONTRACT  
WITH SHORE VETERINARIAN ANIMAL CONTROL SERVICES, LLC FOR ANIMAL  
CONTROL SERVICES IN UPPER TOWNSHIP**

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**WHEREAS**, Shore Veterinarian Animal Control Services, L.L.C. has submitted a proposal to the Township for animal control services; and



**WHEREAS**, the Township wishes to accept said proposal and to authorize the execution of a contract with Shore Veterinarian Animal Control Services, L.L.C.; and

**WHEREAS**, the proposed contract has been reviewed and approved by the Municipal Attorney and will be on record in the office of the Township Clerk and available for public inspection; and

**WHEREAS**, Shore Veterinarian Animal Control Services, L.L.C. has completed and submitted a Business Entity Disclosure Certification which certifies that Shore Veterinarian Animal Control Services, L.L.C. has not made any contributions to a political or candidate committee in the Township that would bar the award of this contract and that the contract will prohibit Shore Veterinarian Animal Control Services, L.L.C. from making any contributions through the term of the contract; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Mayor and Township Clerk are hereby authorized, directed and empowered to execute a contract with Shore Veterinarian Animal Control Services, L.L.C. to provide animal control services within the Township of Upper commencing September 15, 2015.
3. Shore Veterinarian Animal Control Services, L.L.C. 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.
4. This Contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the New Jersey Local Public Contract Law because Shore Veterinarian Animal Control Services, L.L.C. has professional knowledge as to animal control services which knowledge is particularly valuable to the Township Committee and this service is acquired as a non-fair and open contract pursuant to N.J.S.A. 19:44A-2.05.

## NOTICE OF CONTRACT AWARD

5. The Township Committee of the Township of Upper, State of New Jersey has awarded the contract without competitive bidding as a professional service pursuant to N.J.S.A. 40A:11-5(1)(a) to Shore Veterinarian Animal Control Services, L.L.C. for animal control services. This contract and the resolution authorizing same shall be available for public inspection in the office of the municipal clerk of the Township of Upper, State of New Jersey.

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

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

8. The Mayor and the Township Clerk are hereby authorized and directed to execute, on behalf of the Township of Upper, a Professional Contract with Shore Veterinarian Animal Control Services, L.L.C. in accordance with the terms and provisions of the Local Public Contracts Law, subject to and in accordance with the limitations imposed herein. Upon execution of all parties thereto said contract shall become effective.

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

10. This Resolution shall be effective as of adoption.

Resolution No. 205-2015

Offered by: Pierson      Seconded by: Palombo

Adopted: September 8, 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>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

6. Authorizing a two year extension of the Temporary Use and Occupancy Agreement with Rutgers University, Institute of Marine and Coastal Sciences.

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

**RESOLUTION NO. 206 -2015**

**RE: AUTHORIZING A TWO YEAR EXTENSION OF THE TEMPORARY USE AND  
OCCUPANCY AGREEMENT WITH RUTGERS UNIVERSITY, INSTITUTE OF MARINE  
AND COASTAL SCIENCES**

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**WHEREAS**, on March 28, 2011 and on August 20, 2013, the Township entered into Temporary Use and Occupancy Agreements with Rutgers University, Institute of Marine and Coastal Sciences (Institute) for the use and occupancy of an area on Block 851 Lot 11 in the Strathmere section of the Township, to be utilized by their Coastal Observation Lab as a coastal research site; and

**WHEREAS**, the Institute has requested to extend the term of the August 20, 2013 Agreement for an additional two years; and

**WHEREAS**, the Township Committee of the Township of Upper has agreed to extend said Agreement for a period of two (2) years upon the same terms and conditions; 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 Temporary Use and Occupancy Agreement with Institute for the use and occupancy of an area of Block 851 Lot 11 in the Strathmere section of the Township is hereby extended for a period of two (2) years upon the same terms and conditions.
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. 206-2015

Offered by: Palombo

Seconded by: Barr

Adopted: September 8, 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. Certification of costs for abatement of nuisance on Block 303 Lot 1, 348 Lot 18, Block 455 Lot 33 and Block 474 Lot 1.01.

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

**RESOLUTION NO. 207-2015**

**CERTIFICATION OF COSTS FOR ABATEMENT OF NUISANCE ON  
BLOCK 303 LOT 1, 348 LOT 18, BLOCK 455 LOT 33 AND BLOCK 474 LOT 1.01**

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**WHEREAS**, pursuant to Township Code Section 11-1, the Township Committee is empowered to enforce the removal of fire hazards and nuisances, including the clearing of obnoxious growth; and

**WHEREAS**, resolution #158-2015 adopted June 22, 2015 and resolution #171-2015 adopted July 13, 2015 authorized the Zoning Officer to serve a notice of violation to certain property owners describing the violation and stating that unless the violation is abated, removed or remedied within 10 days from the date of such notice the violation shall be abated, removed and remedied by the Township and the cost thereof shall be assessed as a lien against such land; and

**WHEREAS**, 10 days passed from the date of such notice of violation with no response from the property owners and the Township thereafter remedied the violation; and

**WHEREAS**, pursuant to Township Code Section 11-1 and N.J.S.A. 40:48-2.14, the Township Principal Public Works Manager has certified the costs of remedying the said violations as set forth on the attached list; and

**WHEREAS**, the Township Committee now wishes that said certified costs become a lien upon such lands and be added to and become and form part of the taxes assessed and levied against such lands pursuant to Township Code Section 11-1.8 and N.J.S.A. 40:48-2.13.

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township Committee hereby declares that the costs as set forth on the attached list shall be certified to the Township Tax Collector as a lien against the land in question which lien shall become and form a part of the taxes assessed and levied upon such land pursuant to Township Code Section 11-1.8 and N.J.S.A. 40:48-2.14.
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. 207-2015

Offered by: Young

Seconded by: Pierson

Adopted: September 8, 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>	_____	_____	_____

**CLEARING OF OBNOXIOUS GROWTH**

<b><u>BLOCK/LOT</u></b>	<b><u>AMOUNT</u></b>	<b><u>LOCATION</u></b>
303/1	\$198.00	READING AVE
348/18	\$312.00	2351 RT 50
455/33	\$274.00	340 DENNS/PTSBG RD
474/1.01	\$274.00	119 DENNS/PTSBG RD

8. Renewal of an Alcoholic Consumption License to Levariland, Inc. for the license year 2015.

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

**RESOLUTION NO. 208-2015**

**RE: RENEWAL OF AN ALCOHOLIC CONSUMPTION LICENSE TO  
LEVARILAND, INC. FOR THE LICENSE YEAR 2015**

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WHEREAS, the holder of an alcoholic beverage license in the Township of Upper has applied for renewal of its license in the prescribed manner; and

WHEREAS, said holder of an alcoholic beverage license has complied with all requirements of law and regulations of the Division of Alcoholic Beverage Control (Division); and

WHEREAS, the Division, in order to implement a new electronic web based licensing system, extended the 2014-15 license terms to no later than September 18, 2015; and

WHEREAS, no objections have been filed with the Township Committee as the issuing authority of the Township of Upper.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper in the County of Cape May and State of New Jersey, that the following license be authorized for issue for the license year effective July 1, 2015:

Levariland, Inc.  
T/A Levari's Seafood and American Grill  
1291 State Highway Route 50  
P.O. Box 17  
Tuckahoe, N.J. 08250  
License # 0511-33-006-005  
Plenary Retail Consumption License  
Municipal Fee Paid: \$700.00

State Fee Paid: \$200.00

BE IT FURTHER RESOLVED that the aforesaid alcoholic beverage license which has been authorized to be issued pursuant to this Resolution shall be delivered to the licensee or his authorized agent at such time as the licensee or his authorized agent shall sign an actual receipt therefore in the stub of the license book and otherwise satisfy the requirements of N.J.A.C. 13:2-3.2.

Resolution No. 208-2015

Offered by: Coggins

Seconded by: Pierson

Adopted: September 8, 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>	_____	_____	_____

9. Authorizing the Engineer to prepare specifications and solicit bids for roadway and bike path paving at Amanda's Field.

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

**RESOLUTION NO. 209-2015**

**RE: AUTHORIZING THE ENGINEER TO PREPARE SPECIFICATIONS AND  
SOLICIT BIDS FOR ROADWAY AND BIKE PATH PAVING AT AMANDA'S  
FIELD**

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**WHEREAS,** the Township Committee of the Township of Upper has determined a need to provide improvements to Amanda's Field; and

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

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

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

2. The Township Engineer is hereby authorized and directed to prepare specifications, bid documents and solicit bids for the following project:

**PAVING OF ROADWAY AND BIKE PATHS AT AMANDA'S FIELD**

3. Sealed bids shall be received by the Township of Upper in accordance with the directives contained in the Notice to Bidders.

Resolution No. 209-2015

Offered by: Barr

Seconded by: Young

Adopted: September 8, 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>	_____	_____	_____

10. Tax Refund for Block 563 Lot 21.

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

**RESOLUTION NO. 210-2015**

**TAX REFUND  
BLOCK 563 LOT 21**

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**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. 210-2015



Offered by: Barr  
Adopted: September 8, 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>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

#### **REFUND 2014**

<b><u>BLOCK/LOT</u></b>	<b><u>AMOUNT</u></b>	<b><u>NAME</u></b>
563/21	\$859.84	Bradley Hansen 26 Hope Corson Rd Ocean View, NJ 08230

3<sup>rd</sup> Quarter 2015 taxes paid by homeowner and mortgage company. Homeowner has requested a refund.

11. Authorizing a shared services agreement with the Township of Egg Harbor for use of facilities, equipment and supplies for truck and equipment washing.

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

#### **RESOLUTION NO. 211-2015**

#### **RE: AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF EGG HARBOR FOR USE OF FACILITIES, EQUIPMENT AND SUPPLIES FOR TRUCK AND EQUIPMENT WASHING**

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**WHEREAS**, on August 1, 2012 the Township of Upper and the Township of Egg Harbor entered into a Shared Services Agreement for use of facilities, equipment and supplies for truck and equipment washing which has now expired; and

**WHEREAS**, the Township of Upper and the Township of Egg Harbor desire a new Agreement for an additional one year; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township Committee hereby authorizes a Shared Services Agreement with the Township of Egg Harbor for use of facilities, equipment and supplies for truck and equipment washing for one (1) year, commencing August 1, 2015 and expiring on July 31, 2016.
3. This Resolution extending the terms of the aforesaid Shared Services Agreement is conditioned upon similar action being taken by the Township of Egg Harbor.
4. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 211-2015

Offered by: Young

Seconded by: Barr

Adopted: September 8, 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>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

12. Honoring the citizens of Osprey Point for their continued efforts to commemorate the innocent victims of September 11, 2001 and those who continue to fight for the freedom of this great nation.

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

**RESOLUTION NO. 212-2015**

**RE: HONORING THE CITIZENS OF OSPREY POINT FOR THEIR CONTINUED  
EFFORTS TO COMMEMORATE THE INNOCENT VICTIMS  
OF SEPTEMBER 11, 2001  
AND THOSE WHO CONTINUE TO FIGHT  
FOR THE FREEDOM OF THIS GREAT NATION**

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**WHEREAS**, on September 11, 2001, terrorists hijacked four civilian aircraft, crashing two into the World Trade Center in New York City, a third into the Pentagon outside of Washington, D.C., and a fourth into the countryside of Pennsylvania; and

**WHEREAS**, thousands of innocent people were killed and injured as a result of these reprehensible attacks;

**WHEREAS**, the site of the Osprey Point Condominiums was a strategic military installation vital to our nation's defense for over three decades before being transformed into the present day Osprey Point; and

**WHEREAS**, the citizens of Osprey Point continue to remember these tragic events by hosting a Patriot Day service each year to honor the innocent victims of the September 11<sup>th</sup> terrorist attacks; and

**WHEREAS**, the Patriot Day service held each year at the Sergeant William R. Godfrey Memorial Park at Osprey Point is dedicated to the memory of Sergeant William R. Godfrey, of United States Army C CO, 1ST Battalion, 8th Cavalry Regiment, the only fatal casualty of Vietnam from Upper Township who lost his life in the line of duty while serving his country in the Vietnam war; and

**WHEREAS**, Osprey Point will continue in the tradition of patriotism this year by hosting a Patriot Day ceremony at the Sergeant William R. Godfrey Memorial Park beginning at 10:00 am on September 11, 2015. The service will be led by Osprey resident Aldo Palombo with Monsignor Conahan and Ernest Casaccio participating and United States Coast Guard Commander Richard M. Scott as guest speaker. Representatives from the American Legion Post 239 and VFW

Post 8659 will participate in the ceremony along with officials from the Upper Township Committee, Upper Township Rescue Squad and Upper Township fire companies; 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, that we do hereby give tribute and recognize the Citizens of Osprey Point for their continued observation of Patriots Day held each year to honor the innocent victims of the September 11th terrorist attacks and those who continue to fight for the freedom of this great Nation; and

**BE IT FURTHER RESOLVED**, that all persons within this municipality are urged to honor these victims and members of our Armed Forces by appropriate displays of our flag.

**GIVEN UNDER OUR HANDS** and the seal of the Township of Upper this 8th day of September 2015.

Resolution No. 212-2015

Offered by: Pierson

Seconded by: Young

Adopted: September 8, 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>  X  </u>	<u>          </u>	<u>          </u>	<u>          </u>

13. Authorizing a Notice of Violation and Abatement of Nuisance pursuant to Township Code Section 11-1.

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

**RESOLUTION NO. 213-2015**

**RE: AUTHORIZING A NOTICE OF VIOLATION AND ABATEMENT OF NUISANCE  
PURSUANT TO TOWNSHIP CODE SECTION 11-1**

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**WHEREAS**, pursuant to Township Code Section 11-1, the Township Committee is empowered to enforce the removal of fire hazards and nuisances, including the clearing of obnoxious growths; and

**WHEREAS**, the Upper Township zoning officer has determined that the properties, listed and attached hereto as Exhibit A, contain a public nuisance and obnoxious growths which must be removed; and

**WHEREAS**, pursuant to Upper Township Code Section 11-1 and N.J.S.A. 40:48-2.13, the Township Committee is authorized to cause a Notice of Violation to be sent to each owner and/or foreclosing lien holder describing the violation and stating that unless the violation is abated, removed and remedied within 10 days from the date of such notice the violation shall be abated, removed and remedied by the Township and the cost thereof shall be assessed as a lien against said land; and

**WHEREAS**, the Township Committee has determined that said Notice of Violation shall be served upon each owner and/or foreclosing lien holder forthwith; 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 zoning officer is hereby directed to serve a Notice of Violation pursuant to Township Code Section 11-1 describing the obnoxious growths violation and nuisance upon each owner and/or foreclosing lien holder of the properties listed on Exhibit A, attached hereto.
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. 213-2015

Offered by: Coggins

Seconded by: Young

Adopted: September 8, 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>	___	___	

## **ORDINANCES**

14. **Introduction and first reading of Ordinance No. 012-2015 RE: AN ORDINANCE AMENDING MULTIPURPOSE BOND ORDINANCE NUMBERED 005-2013, AS AMENDED BY ORDINANCE #015-2013 AND ORDINANCE #004-2014 OF THE TOWNSHIP OF UPPER, IN THE COUNTY OF CAPE MAY, NEW JERSEY, FINALLY ADOPTED APRIL 8, 2013, AS AMENDED DECEMBER 16, 2013 AND APRIL 14, 2014, RESPECTIVELY, IN ORDER TO MOVE A PORTION OF THE AGGREGATE APPROPRIATION AND A PORTION OF THE AGGREGATE AUTHORIZATION FROM SECTION 3(a) TO SECTION 3(b) AND SECTION 3(e), TO AMEND THE DESCRIPTION OF THE PROJECTS IN SECTION 3(a), SECTION 3(b), SECTION 3(d) AND SECTION 3(e) AND TO AMEND THE AVERAGE USEFUL LIFE.** Motion by Jeff Pierson, second by John Coggins, to introduce Ordinance 012-2015 with a public hearing and final adoption scheduled for October 13, 2015. During roll call vote all five Committeemen voted in the affirmative.

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

#### **ORDINANCE NO. 012-2015**

AN ORDINANCE AMENDING MULTIPURPOSE BOND ORDINANCE NUMBERED 005-2013, AS AMENDED BY ORDINANCE #015-2013 AND ORDINANCE #004-2014 OF THE TOWNSHIP OF UPPER, IN THE COUNTY OF CAPE MAY, NEW JERSEY, FINALLY ADOPTED APRIL 8, 2013, AS AMENDED DECEMBER 16, 2013 AND APRIL 14, 2014, RESPECTIVELY, IN ORDER TO MOVE A PORTION OF THE AGGREGATE APPROPRIATION AND A PORTION OF THE AGGREGATE AUTHORIZATION FROM SECTION 3(a) TO SECTION 3(b) AND SECTION 3(e), TO AMEND THE DESCRIPTION OF THE PROJECTS IN SECTION 3(a), SECTION 3(b), SECTION 3(d) AND SECTION 3(e) AND TO AMEND THE AVERAGE USEFUL LIFE.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER, IN THE COUNTY OF CAPE MAY, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section One. Section 3 of Bond Ordinance #005-2013, as amended by Ordinance #015-2013 and Ordinance #004-2014, finally adopted April 8, 2013, as amended December 16, 2013 and April 14, 2014, respectively, (the “Original Bond Ordinance”) of the Township of Upper, in the County of Cape May, New Jersey (the “Township”), is hereby amended to read as follows (certain appropriations and debt authorizations have been reallocated among the various purposes, as indicated below, such that the total appropriation and debt authorization are not changed):

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
a) Acquisition of various vehicles and equipment, consisting of trash trucks and containers, a dump snow plow and spreader, mowers, a mini-dump truck with utility box and snow plow, a utility body pick-up truck, a utility body pick-up truck with snow plow, a pick-up truck, a loader bucket, road patching equipment, an equipment trailer and a pickup truck, improvements to an existing loader and the acquisition and installation of carpeting at the Township Hall meeting room, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$1,946,500	\$1,849,175	5 years
b) The Paving Project, consisting of milling of existing surface and overlay of 2 inch bituminous surface course with ancillary work, including concrete curb and sidewalk, signs and drainage work, the reconstruction of the municipal parking lot and road condition inventory, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$990,000	\$940,500	10 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
c) The replacement of the boat ramp, consisting of engineering work, permits and the installation of a new pier and floating docks, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$125,000	\$118,750	10 years
d) Recreational field improvements, consisting of fencing, irrigation, baseball dugouts, the sewer pump station, the restroom building and sports field and baseball field lighting, improvements to Golden Oak Playground and the construction of a concession stand, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$216,000	\$205,200	15 years
e) Replacement of the Town Hall roof, repairs to the Public Works Building and the Rescue Squad Building and the acquisition and installation of an ADA door opener, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$235,000	\$223,250	10 years
f) The Building/Facility Security Project, consisting of the acquisition and installation of web enable cameras and recording equipment at Township Hall, the Community Center, Caldwell Park and Amanda's Field and the installation of bullet-resistant windows at Town Hall, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$100,000	\$95,000	10 years
g) Acquisition of various equipment, consisting of an emergency generator for the Rescue Squad, a vehicle fueling system and a vehicle lift, including all related costs and expenditures incidental	\$83,000	\$78,850	15 years



<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
thereto.			
h) Acquisition of portable radios for the Public Works Department and the Rescue Squad, including all related costs and expenditures incidental thereto.	\$46,000	\$43,700	10 years
i) Acquisition of a portable tent for use as an emergency shelter, including all related costs and expenditures incidental thereto.	\$6,500	\$6,175	5 years
TOTALS	<u>\$3,748,000</u>	<u>\$3,560,600</u>	

Section Two. Section 6(b) of The Original Bond Ordinance is hereby amended to read as follows:

“The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 7.79 years.”

Section Three. The appropriation and the amount of bonds or notes for the purposes described in Section 3(a) of the Original Bond Ordinance are hereby decreased by \$190,000 and \$180,500, respectively, to \$1,946,500 and \$1,849,175, respectively.

Section Four. The appropriation and the amount of bonds or notes for the purposes described in Section 3(b) of the Original Bond Ordinance are hereby increased by \$90,000 and \$85,500, respectively, to \$990,000 and \$940,500, respectively, such amounts representing a portion of the aggregate appropriation and a portion of the aggregate authorization for the purposes described in Section 3(a) of the Original Bond Ordinance.

Section Five. The appropriation and the amount of bonds or notes for the purposes described in Section 3(e) of the Original Bond Ordinance are hereby increased by \$100,000 and \$95,000, respectively, to \$235,000 and \$223,250, respectively.

Section Six. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section Seven. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond 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 8<sup>th</sup> DAY OF SEPTEMBER, 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 13<sup>th</sup> DAY OF OCTOBER, 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

15. **Ducks Unlimited NJ State Committee request to hold a raffle at the Seaville Fire Hall on October 24, 2015.** Motion by Hobie Young, second by Richard Palombo, to approve the request. During roll call vote all five Committeemen voted in the affirmative.

16. **Upper Township Baseball Association request to hold movie night at Amanda's Field on September 12<sup>th</sup> through October 17<sup>th</sup>.** Motion by Edward Barr, second by Hobie Young, to approve the request. During roll call vote all five Committeemen voted in the affirmative.
17. **Strathmere Improvement Association "Welcome to Strathmere" Sign.**  
Linda Bateman, President of the Strathmere Improvement Association, stated that the sign will be located behind the guardrail on the southbound lane of Ocean Drive as it approaches the Corson's Inlet Bridge. She further stated that the SIA have been working to raise the money for the sign through fundraisers, as well as working with the County Engineer to find a suitable location, since 2012. After a brief discussion regarding the wording on the sign, there was a motion by John Coggins, second by Richard Palombo, to authorize the installation of the sign as requested. During roll call vote all five Committeemen voted in the affirmative.
18. **Upper Township Tax Collector request for Official to bid on behalf of Upper Township and to authorize funds for Tax Sale Scheduled for October 6, 2015.**  
Motion by John Coggins, second by Mayor Palombo to authorize Barbara Young and Barbara Spiegel to bid on behalf of Upper Township at the Tax Sale. During roll call vote all five Committeemen voted in the affirmative. A resolution for formal action will be placed on the next agenda.
19. **Stephen Armstrong requests use of Tuckahoe Beach for a Caritas Project.** After a brief discussion, there was a general consensus to approve the project, contingent upon Mr. Armstrong's compliance with all Facility Use requirements.

## **UNFINISHED BUSINESS**

## **DISCUSSION**

## **PAYMENT OF BILLS**

20. **"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 five Committeemen voted in the affirmative.

**Bills approved for payment: \$289,585.86**

**Payroll: \$199,654.57**

## **REPORT OF MUNICIPAL DEPARTMENTS**

21. **Construction**
22. **Tax Collector**
23. **MUA Report**

Motion by Richard Palombo, second by Hobie Young, to accept the reports as submitted. During roll call vote all five Committeemen voted in the affirmative.

### **PUBLIC COMMENT**

There were no public speakers during the public comment portion of the meeting.

### **CLOSED SESSION**

24. 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. 214-2015 MOTION GOING INTO CLOSED SESSION SEPTEMBER 8, 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 - Atlantic Investigations
2. Contract negotiation - Insurance
3. Safety and Security - Emergency Action Plan
4. Litigation - Affordable Housing Declaratory Judgment

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

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

Moved by: John Coggins

Motion seconded by: Richard Palombo

During roll vote all five Committee members voted in the affirmative.

### **RECONVENE PUBLIC PORTION OF MEETING**

## **ADJOURNMENT**

There being no further business this evening the meeting was adjourned at 9:20 P.M. The next regular meeting is scheduled for September 21, 2015 at 7:30 P.M.

Minutes prepared by

Barbara L. Young, RMC

### **Bill List**

65695 09/08/15 A0018 ACTION SUPPLY INC. 241.74 2891  
65696 09/08/15 A0023 ADAMS, JOHN 276.20 2891  
65697 09/08/15 A0025 ADVANTAGE RENTAL ACE HARDWARE 1,224.03 2891  
65698 09/08/15 A0027 ACE PLUMBING SUPPLY, INC 537.57 2891  
65699 09/08/15 A0075 ADAMS, JOSHUA 164.00 2891  
65700 09/08/15 A0091 ATLANTIC CITY ELECTRIC 5,735.76 2891  
65701 09/08/15 A0134 ANSELL GRIMM & AARON, PC 913.67 2891  
65702 09/08/15 A0191 ACTION UNIFORM CO. LLC 339.00 2891  
65703 09/08/15 A0195 ADVANTAGE BUSINESS EQUIPMENT 780.00 2891  
65704 09/08/15 A0200 AMERICAN GENERAL LIFE INS CO. 192.41 2891  
65705 09/08/15 B0035 BELMONT & CRYSTAL SPRINGS 20.90 2891  
65706 09/08/15 C0021 CIVIL SOLUTION A DIVISION 6,000.00 2891  
65707 09/08/15 C0060 CAPRIONI'S PORTABLE TOILETS 55.00 2891  
65708 09/08/15 C0068 COMCAST 261.61 2891  
65709 09/08/15 C0171 COLONIAL ELECTRIC SUPPLY CO. 279.12 2891  
65710 09/08/15 C0223 CASA PAYROLL SERVICE 298.25 2891  
65711 09/08/15 C0246 CRAFT OIL CORPORATION 1,022.05 2891  
65712 09/08/15 E0047 EFINGER SPORTING GOODS CO 132.00 2891  
65713 09/08/15 F0013 FARM RITE INC. 106.27 2891  
65714 09/08/15 F0048 LESLIE G. FOGG INC 188.50 2891  
65715 09/08/15 F0053 FORD, SCOTT & ASSOCIATES 3,000.00 2891  
65716 09/08/15 F0174 F.W. SHAWL & SONS, INC. 20,632.58 2891  
65717 09/08/15 G0016 GARDNER HARDWARE INC. 70.41 2891  
65718 09/08/15 G0028 GENTILINI FORD 17.82 2891  
65719 09/08/15 G0037 GOVT FINANCE OFFICER ASN OF NJ 425.00 2891  
65720 09/08/15 G0086 W.W. GRAINGER, INC. 277.11 2891  
65721 09/08/15 G0092 GRUND, BARBARA J. 22.50 2891  
65722 09/08/15 G0141 GENTILINI CHEVROLET 796.40 2891  
65723 09/08/15 G0147 GREATAMERICA FINANCIAL SVCS. 176.97 2891  
65724 09/08/15 H0018 HAROLD RUBIN L & H SUPPLY 997.18 2891  
65725 09/08/15 H0062 HOPE, JOHN J. 485.91 2891  
65726 09/08/15 H0073 HOME DEPOT CRC/GECF 193.51 2891  
65727 09/08/15 H0095 HORIZON BCBSNJ 139,229.14 2891  
65728 09/08/15 H0098 HERITAGE TOWERS, INC. 2,040.00 2891  
65729 09/08/15 H0148 THOMAS H. HEIST INS AGENCY INC 24,244.00 2891  
65730 09/08/15 J0041 JONES, JAMES M. 150.00 2891  
65731 09/08/15 J0072 JERSEY WEB DESIGNS 1,832.50 2891  
65732 09/08/15 J0073 JW SCOTT SERV STA EQUIP CO INC 490.09 2891  
65733 09/08/15 K0080 KOHLER'S AUTO GLASS 165.00 2891  
65734 09/08/15 L0007 LC EQUIPMENT, INC. 234.00 2891  
65735 09/08/15 M0188 MCCARTHY TIRE SERVICE OF PHILA 352.81 2891  
65736 09/08/15 N0004 NJ-AMERICAN WATER CO. 195.76 2891  
65737 09/08/15 N0052 NATL YOUTH SPORTS COACHED ASSN 20.00 2891  
65738 09/08/15 N0107 N.J.DIV ALCHOLOIC BEV CONTROL 24.00 2891  
65739 09/08/15 N0131 DEFINED CONTRIB RETIRE PROGRAM 136.83 2891  
65740 09/08/15 N0145 NATL. BUSINESS FURNITURE, LLC 3,292.44 2891  
65741 09/08/15 O0006 SJSHORE MARKETING, LLC 600.00 2891  
65742 09/08/15 O0042 ORCHARD HYDRAULIC SERVICE INC 711.52 2891

65743 09/08/15 P0032 PEDRONI FUEL CO. 2,206.75 2891  
65744 09/08/15 P0056 TURF EQUIPMENT AND SUPPLY CO 245.28 2891  
65745 09/08/15 P0147 PURDY AUTOMOTIVE, LLC 460.03 2891  
65746 09/08/15 P0153 Pashley Seth 20.00 2891  
65747 09/08/15 P0154 Picinich, Dana 44.20 2891  
65748 09/08/15 P0156 PALOS SPORTS, INC. 79.99 2891  
65749 09/08/15 R0030 RIGGINS, INC. 4,240.17 2891  
65750 09/08/15 R0097 ROCK-N-RESCUE 229.95 2891  
65751 09/08/15 S0051 SEAL MASTER PRODUCTS & SERVICE 367.39 2891  
65752 09/08/15 S0121 SMUZ, THERESE A 500.00 2891  
65753 09/08/15 S0134 SO. JERSEY GAS COMPANY 94.17 2891  
65754 09/08/15 S0153 STERICYCLE, INC. 468.51 2891  
65755 09/08/15 S0196 STEWART BUSINESS SYSTEMS LLC 105.64 2891  
65756 09/08/15 S0279 SPECTROTEL, INC 1,073.06 2891  
65757 09/08/15 S0296 D.C.T II LLC 5,011.83 2891  
65758 09/08/15 T0038 THOMAS, CHRISTOPHER 135.00 2891  
65759 09/08/15 T0074 TRANSAXLE LLC 130.68 2891  
65760 09/08/15 T0129 TRUGREEN CHEMLAWN 4,394.00 2891  
65761 09/08/15 T0158 TELECORP, INC. 402.00 2891  
65762 09/08/15 T0168 TOWNSHIP OF UPPER 201.41 2891  
65763 09/08/15 U0028 UPPER TOWNSHIP BD.OF EDUCATION 122.19 2891  
65764 09/08/15 V0005 VAN EMBDEN, NATHAN, ATTORNEY 750.00 2891  
65765 09/08/15 V0013 VERIZON WIRELESS 1,862.91 2891  
65766 09/08/15 V0024 VAL-U AUTO PARTS L.L.C. 122.75 2891  
65767 09/08/15 V0025 V.E. RALPH & SON,INC. 618.24 2891  
65768 09/08/15 W0030 WEST PUBLISHING CO. 697.87 2891  
65769 09/08/15 W0037 WALLACE REFRIGERATION 100.00 2891  
65770 09/08/15 W0050 WIRELESS ELECTRONICS, INC. 24,640.00 2891  
65771 09/08/15 W0087 W.B. MASON 635.14 2891  
65772 09/08/15 W0099 WATERS EDGE ENVIRONMENTAL, LLC 1,237.50 2891  
65773 09/08/15 Y0008 YOUNG, DANIEL J. ESQUIRE PC 18,789.75 2891  
65774 09/08/15 Y0020 YOUNG, BARBARA L. 17.89 2891  
Total: 289,585.86