

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR NOVEMBER 23, 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 - November 9, 2015 Regular Meeting and Closed Session Minutes

Motion by Hobie Young, second by John Coggins, to accept the November 9, 2015 Regular Meeting and Closed Session Minutes as submitted. During roll call vote four Committeemen voted in the affirmative. Mayor Palombo abstained.

REPORT OF GOVERNING BODY MEMBERS

John Coggins, Committeeman, wished everyone a Happy Thanksgiving and a happy holiday season.

Hobie Young, Committeeman, reported that a Toys for Tots donation box is located at Township Hall and donations will be accepted up until December 23rd. He next reported that the Christmas in the Park event will not be feasible this year, but they will be working on it for next year. Next, he reported that the Pee Wee and JV football teams will be playing in the Championship games this weekend and encouraged all to attend to show their support. There was next a brief discussion regarding the cleaning of facilities after sports events at the community center. It was requested that the matter be brought before the Sports and Recreation Advisory Board for their recommendation. He next gave a brief update on the Amanda's Field baseball fields. Last, he suggested that the Township reach out to the County to see if they would be interested in purchasing property adjacent to Amanda's Field as part of Open Space, and then incorporating the property into the County's lease with the Township for Amanda's Field. Motion by Hobie Young, second by Jeffrey Pierson, to direct

the Engineer to request the County to consider purchasing the property under the Open Space program. During roll call vote all five Committeemen voted in the affirmative.

Edward Barr, Committeeman, wished everyone a Happy Thanksgiving and asked that they please be safe.

Jeffrey Pierson, Committeeman, wished everyone a Happy Thanksgiving.

Richard Palombo, Mayor, thanked Municipal Clerk Barbara Young for organizing the Christmas Tree Lighting Ceremony that was held just before tonight's meeting. Mayor Palombo next thanked DPW employee Peter Buganski for doing such a great job decorating the outside of the building. He reminded everyone that there is a Toys for Tots donation box in Town Hall, and encouraged all who are able to give back to their community to do so.

OTHER REPORTS

Barbara Young, Municipal Clerk, reported that the Township Offices will be closed on Thursday November 26th and Friday November 27th for the Thanksgiving Holiday. She next requested formal authorization to send a renewal letter to Cape May County OEM for the Shared Services Agreement for use of equipment. Motion by John Coggins, second by Hobie Young to direct the Clerk to send a renewal letter to the County Office of Emergency Management for the Shared Services Agreement for use of equipment. During roll call vote all five Committeemen voted in the affirmative.

Daniel Young, Municipal Attorney, reported that there are a few contract negotiation, litigation, and personnel items for closed session.

Paul Dietrich, Municipal Engineer, gave a brief update regarding the holiday trash collection schedule. He next reported that Public Works currently has three crews out collecting leaves. A calendar designating the location and time the crews will be in certain areas for leaf, brush, and compost collection has been placed on the website. He next gave a brief update regarding the no parking designation of Tuckahoe Road near the intersection with Stagecoach Road. The County Engineer's office has requested more information to justify the no parking designation. Committeeman Pierson stated that he can personally attest to the dangerously reduced sight triangle when a vehicle is parked in that area. It was next suggested that a Resolution be adopted also requesting a full stop light at that intersection. Motion by Mayor Palombo, second by Edward Barr, to request the County to install a full stoplight at the intersection of Tuckahoe Road and Stagecoach Road. During roll call vote all five Committeemen voted in the affirmative. A resolution for formal action will be placed on the next agenda.

Barbara Spiegel, Chief Financial Officer, wished everyone a Happy Thanksgiving.

RESOLUTIONS

1. Re-appointing Janet McCrosson as Municipal Court Administrator, on an interim basis, for a term of one year effective December 1, 2015.

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

RESOLUTION NO. 250-2015

RE: RE-APPOINTING JANET MCCROSSON AS MUNICIPAL COURT ADMINISTRATOR, ON AN INTERIM BASIS, FOR A TERM OF ONE YEAR EFFECTIVE DECEMBER 1, 2015

WHEREAS, a need exists to fill a vacancy in the municipal court administrator position; and

WHEREAS, the Township Committee is of the opinion that Janet McCrosson is a competent, fit and suitable person for re-appointment as municipal court administrator.

WHEREAS, pursuant to N.J.S.A. 2B:12-11(e), the governing body may appoint a person who does not hold a municipal court administrator certificate to serve as a municipal court administrator, on an interim basis, for a period not to exceed one year commencing on the date of the appointment, and may be reappointed for four additional one-year terms until said certificate is obtained; and

WHEREAS, pursuant to Court Rule 1:34-3, the Assignment Judge has approved Janet McCrosson for this appointment; 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. Janet McCrosson is hereby re-appointed as the Municipal Court Administrator of the Township of Upper, on an interim basis, for a second term of one (1) year effective December 1, 2015 and expiring November 30, 2016, at a salary of \$57,000.
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. 250-2015
Offered by: Coggins
Adopted: November 23, 2015
Roll Call Vote:

Seconded by: Young

<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>

2. Re-appointing Barbara L. Young as Municipal Clerk, with tenure, for the Township of Upper commencing December 1, 2015.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 251-2015

**RE: RE-APPOINTING BARBARA L. YOUNG AS MUNICIPAL CLERK, WITH
TENURE, FOR THE TOWNSHIP OF UPPER COMMENCING DECEMBER 1, 2015.**

WHEREAS, N.J.S.A. 40A:9-133, requires a Municipality to appoint a Municipal Clerk for a term of three (3) years, and further requires that the appointee hold a Registered Municipal Clerk Certificate; and

WHEREAS, Barbara L. Young was appointed to serve as Municipal Clerk for the Township of Upper for a three-year term commencing December 1, 2012 and expiring November 30, 2015; and

WHEREAS, the Township Committee has duly considered the matter and has determined that Barbara L. Young, RMC, the current Municipal Clerk, possesses all of the requisite qualifications for re-appointment to said position as required by law; and

WHEREAS, Barbara L. Young, RMC, shall be re-appointed to a second three (3) year term effective December 1, 2015, thereby establishing tenure with the Township of Upper in accordance with N.J.S.A. 40A:9-133.7; 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 statements of the preamble above are incorporated herein by this reference.

2. Barbara L. Young, RMC, is hereby re-appointed Municipal Clerk for the Township of Upper, thereby establishing tenure, effective December 1, 2015.

3. A certified copy of this Resolution sealed with the seal of the Township of Upper shall be filed with the Division of Local Government Services in the Department of Community Affairs as conclusive evidence of the re-appointment of Barbara Young as Municipal Clerk for the term prescribed by law.

Resolution No. 251-2015

Offered by: Pierson Seconded by: Coggins

Adopted: November 23, 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>	_____	_____	_____

3. Directing the distribution of the Township of Upper's net returned surplus funds held in trust by the Atlantic County Municipal Joint Insurance Fund.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 252 -2015

**RE: DIRECTING THE DISTRIBUTION OF THE TOWNSHIP OF UPPER'S NET
RETURNED SURPLUS FUNDS HELD IN TRUST BY THE ATLANTIC COUNTY
MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, the Township of Upper, hereinafter referred to as MUNICIPALITY, participated as a member municipality of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as FUND, for one or more of the following FUND fiscal years beginning January 1, 1998, January 1, 1999, January 1, 2000, January 1, 2001, January 1, 2002, January 1, 2003, January 1, 2004, January 1, 2005, January 1, 2006, January 1, 2007, January 1, 2008, January 1, 2009, January 1, 2010; and

WHEREAS, the FUND is a statutory filed municipal joint insurance fund as defined in N.J.A.C. 11:15-2.1 et seq.; and

WHEREAS, the MUNICIPALITY joined the FUND knowing that membership carries with it joint and several liability with all other member municipalities for each year of the MUNICIPALITY's membership; and

WHEREAS, the MUNICIPALITY understands that the FUND's Executive Committee are the only persons authorized in law to make decisions as to when and how much of any available statutory surplus will be released by the FUND; and

WHEREAS, the MUNICIPALITY understands that the FUND's Executive Committee are the only persons authorized in law to make decisions as to when and how much of any projected deficit will be declared as an additional assessment due to the FUND; and

WHEREAS, the MUNICIPALITY understands that Available Statutory Surplus is defined to be the amount of money in excess of the projected value of claims by line of coverage, plus an actuarially determined value for Incurred But Not Reported claims, subject to the surplus reserve calculations as defined in N.J.A.C. 11:15-4.6 et seq., and subject to review and approval by the Department of Banking and Insurance and Department of Community Affairs, State of New Jersey, prior to release by the Executive Committee of the FUND; and

WHEREAS, the MUNICIPALITY understands that it remains jointly and severally liable into perpetuity despite the earlier release of Available Statutory Surplus due to the possibility that a FUND year wherein a return of Statutory Surplus has been duly authorized could later be presented with a claim for which it could be responsible causing a

demand for an additional assessment from each participating member municipality of that FUND year; and

WHEREAS, the MUNICIPALITY understands that it remains jointly and severally liable into perpetuity despite the earlier collection of an additional assessment due to the possibility that a FUND year wherein an additional assessment has been duly authorized could later be presented with a need for additional assessments from each participating member municipality of that FUND year; and

WHEREAS, the MUNICIPALITY understands that its options for directing the distribution of its net share of released Statutory Surplus to be as follows:

1. Direct the FUND to apply the MUNICIPALITY’s share to the MUNICIPALITY’s premium as credit in the next FUND fiscal year (N.J.A.C. 11:15-4.21(e)),
2. Direct the FUND to issue a check to the MUNICIPALITY for the MUNICIPALITY’s share,
3. Direct the FUND to apply the MUNICIPALITY’s share to the FUND’s Aggregate Excess Loss Contingency Fund (A.E.L.C.F.), which provides member municipalities with an available individual contingency balance for use in satisfying any possible need for a supplemental assessment for any year they were a member and an annual capacity to use all or a portion of a member municipality’s available balance in offsetting future premiums, **or**
4. Direct the FUND to apportion the MUNICIPALITY’s share as a stated dollar amount among options 1, 2 and 3 above such that the sum total of allocated dollars equals the amount of the Net Distribution available to the MUNICIPALITY as noted above.

1. The annual Reorganization Meeting of the Township Committee shall be held on Wednesday, January 6, 2016, commencing at 6:30 P.M. at the Upper Township Municipal Building, County Route 631, Petersburg, New Jersey.
2. Notification of this meeting shall be given in accordance with the requirements of the Open Public Meetings Act of the State of New Jersey.

Resolution No. 253–2015

Offered by: Pierson

Seconded by: Barr

Adopted: November 23, 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. Declaring certain Township property and equipment as surplus and authorizing its disposal by sale on an online auction website.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO.254-2015

**RE: DECLARING CERTAIN TOWNSHIP PROPERTY
AND EQUIPMENT AS SURPLUS AND AUTHORIZING ITS DISPOSAL
BY SALE ON AN ONLINE AUCTION WEBSITE**

WHEREAS, N.J.S.A.40A:11-36 authorizes a municipality to sell or dispose of certain personal property or equipment which is not needed for public use; and

WHEREAS, the Township of Upper has determined that the items listed on the attached sheet as Exhibit “A” are not needed for any public purpose and intends to sell those items on an online auction site; and

WHEREAS, the Director of the Division of Local Government Services, a Division of the Department of Community Affairs of the State of New Jersey permits the sale

of surplus property no longer needed for public use through the use of online auction services, pursuant to the Local Unit Electronic Technology Pilot Program and Study Act, P.L. 2001, c.30, and has granted approval to Upper Township, copy of approval is attached as Exhibit “B”; 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 property and equipment aforementioned on Exhibit “A” are hereby determined to be useless for any public purpose and are determined to be surplus property and will forthwith be advertised for public sale pursuant to the provision of N.J.S.A. 40A:11-36; and
3. The said materials will be sold at a public sale to the highest bidder through a contracted government on-line auction service, that being GovDeals, Inc., Internet web address at www.govdeals.com.
4. The required notice publication will

include the following information:

- a. The dates and times that the auction will take place.
- b. No minimum bid requirement for an item unless otherwise stated.
- c. The Township of Upper reserves the right to reject any and all bids.

Resolution No.254-2015
 Offered by: Barr Seconded by: Coggins
 Adopted: November 23, 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>	_____	_____	_____

Exhibit “A”

		Min. Bid
1.	Lot of five office chairs	\$ 50.00
2.	1967 Caterpillar Grader – 73G2028W	\$500.00
3.	2007 International Wagon (Chassis Only) – 1HTMNAAMX7H416095	\$500.00
4.	1998 Ford Expedition – 1FMPU18L0WLA98604	\$500.00
5.	2005 Ford F150 – 1FTRF14W65NA88332	\$500.00
6.	1988 GMC Stake Dump – 1GDG7D1F7JV509510	\$500.00

Exhibit "B"



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS

September 7, 2007

JON S. CORZINE
GOVERNOR

CHARLES A. RICHMAN
ACTING COMMISSIONER

Barbara Spiegel, Deputy Municipal Clerk
Township of Upper
P.O. Box 205
Tuckahoe, New Jersey 08250

Dear Ms. Spiegel:

Thank you for your interest in participating in the E-Procurement Pilot Program. The Division has reviewed your application dated August 10, 2007, which sets forth the preliminary plan for the online sale by the Township of Upper of municipal surplus property no longer needed for public use.

It is the Division's understanding that the Township intends to utilize the services of GovDeals, Inc. to conduct the auction. Further, it is our understanding that GovDeals will be paid by the Township a percentage of the sales of the auction for the use of its services.

The application has been approved. Enclosed is a copy of the Township's resolution approving the online sale of the surplus property. As with a traditional auction, the Township must do a newspaper advertisement for the online sale. Please provide the Division with a copy of the newspaper advertisement.

Finally, please be advised that, if the total amount from the sale of surplus property for the year that is due to GovDeals will exceed 15% of the Township's bid threshold, the Township will be required to obtain a Business Registration Certificate (BRC) from GovDeals. It is our understanding that GovDeals has previously acquired a BRC certificate.

The Division appreciates your efforts and cooperation in this program and wishes you well in the endeavor. If you have any questions, please contact Daniel Kaminski at 609-292-9757 or by e-mail at dkaminski@dca.state.nj.us.

Sincerely,

Susan Jacobucci, Director
Division of Local Government Services

SJ:djk
enc.



6. Accepting the bid and authorizing the execution of a License Agreement with New Cingular Wireless PCS, LLC (AT&T) for the License of Space on the Cell Tower and Ground at 1721 Mt. Pleasant Road, Township of Upper, Cape May County, New Jersey for the initial annual rent of \$30,000.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 255-2015

**RE: ACCEPTING THE BID AND AUTHORIZING THE EXECUTION OF A
LICENSE AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC (AT&T)
FOR THE LICENSE OF SPACE ON THE CELL TOWER AND GROUND AT 1721
MT. PLEASANT ROAD, TOWNSHIP OF UPPER, CAPE MAY COUNTY, NEW
JERSEY FOR THE INITIAL ANNUAL RENT OF \$30,000**

WHEREAS, the Township of Upper solicited bids for the license of space on the ground and cell tower located at 1721 Mt. Pleasant Road, Woodbine, Township of Upper, Cape May County, New Jersey which bids were received on October 27, 2015; and

WHEREAS, the aforesaid bids were thereafter reviewed by the Township Engineer;
and

WHEREAS, the Township intends to take formal action awarding a bid to the highest responsible bidder as hereinafter provided; and

WHEREAS, the successful bid of New Cingular Wireless PCS, LLC (AT&T) was in the amount of \$30,000.00 initial annual rent and the Township Committee has determined it is appropriate to accept same, subject to the terms of this resolution; 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 hereby accepts the bid submitted by New Cingular

Wireless PCS, LLC (AT&T), 200 North Warner Road, King of Prussia, Pennsylvania 19406 for the following space on the cell tower and ground located at 1721 Mt. Pleasant Road, Township of Upper, Cape May County, New Jersey:

- a. Existing height: 146 ft.
 - b. Ground area: Existing Lease Area #1 Size: 20' x 45'
3. The award of this bid is subject to the following:
- a. The bidder must comply with all bid documents, including the Notice to Bidders, all of which are incorporated herein by this reference.
 - b. The contract to be entered into must comply in all respects with applicable federal, state and local laws and regulations.
 - c. The License Agreement shall include a provision wherein the licensee must pay all monthly rent outstanding for the period of occupancy of the cell tower from January 2015 through the date of the License Agreement.
4. The Mayor and Township Clerk are further authorized to execute a License Agreement with the successful bidder and all other Township employees, agents and representatives are authorized to take such action so as to effectuate the intent and purpose of this resolution.

Resolution No. 255-2015

Offered by: Coggins Seconded by: Young

Adopted: November 23, 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>	_____	_____	_____

7. Accepting the bid and authorizing the execution of a License Agreement with T-Mobile Northeast, LLC for the License of Space on the Cell Tower and Ground at 1721 Mt. Pleasant Road, Township of Upper, Cape May County, New Jersey for the initial annual rent of \$20,000.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 256-2015

**RE: ACCEPTING THE BID AND AUTHORIZING THE EXECUTION OF A
LICENSE AGREEMENT WITH T-MOBILE NORTHEAST, LLC FOR THE
LICENSE OF SPACE ON THE CELL TOWER AND GROUND AT 1721 MT.
PLEASANT ROAD, TOWNSHIP OF UPPER, CAPE MAY COUNTY, NEW JERSEY
FOR THE INITIAL ANNUAL RENT OF \$20,000**

WHEREAS, the Township of Upper solicited bids for the license of space on the ground and cell tower located at 1721 Mt. Pleasant Road, Woodbine, Township of Upper, Cape May County, New Jersey which bids were received on October 27, 2015; and

WHEREAS, the aforesaid bids were thereafter reviewed by the Township Engineer; and

WHEREAS, the Township intends to take formal action awarding a bid to the highest responsible bidder as hereinafter provided; and

WHEREAS, the successful bid of T-Mobile Northeast, LLC was in the amount of \$20,000.00 initial annual rent and the Township Committee has determined it is appropriate to accept same, subject to the terms of this resolution; 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 hereby accepts the bid submitted by T-Mobile Northeast, LLC, 12920 SE 38th Street, Bellevue, Washington 98006 for the following space on the cell tower and ground located at 1721 Mt. Pleasant Road, Township of Upper, Cape May County, New Jersey:

- c. Height: 129 ft.
- d. Ground area: Existing Lease Area #2 Size: 10' x 20'

3. The award of this bid is subject to the following:
- a. The bidder must comply with all bid documents, including the Notice to Bidders, all of which are incorporated herein by this reference.
 - b. The contract to be entered into must comply in all respects with applicable federal, state and local laws and regulations.
 - c. The License Agreement shall include a provision wherein the licensee must pay all monthly rent outstanding for the period of occupancy of the cell tower from January 2015 through the date of the License Agreement.

4. The Mayor and Township Clerk are further authorized to execute a License Agreement with the successful bidder and all other Township employees, agents and representatives are authorized to take such action so as to effectuate the intent and purpose of this resolution.

Resolution No. 256-2015
 Offered by: Coggins Seconded by: Pierson
 Adopted: November 23, 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>

8. Accepting the bid and authorizing the execution of a License Agreement with Cellco Partnership Dba Verizon Wireless for the License of Space on the Cell Tower and Ground at 1721 Mt. Pleasant Road, Township of Upper, Cape May County, New Jersey for the initial annual rent of \$21,000.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 257-2015

**RE: ACCEPTING THE BID AND AUTHORIZING THE EXECUTION OF A
LICENSE AGREEMENT WITH CELLCO PARTNERSHIP, DBA VERIZON
WIRELESS FOR THE LICENSE OF SPACE ON THE CELL TOWER AND
GROUND AT 1721 MT. PLEASANT ROAD, TOWNSHIP OF UPPER, CAPE MAY
COUNTY, NEW JERSEY FOR THE INITIAL ANNUAL RENT OF \$21,000**

WHEREAS, the Township of Upper solicited bids for the license of space on the ground and cell tower located at 1721 Mt. Pleasant Road, Woodbine, Township of Upper, Cape May County, New Jersey which bids were received on October 27, 2015; and

WHEREAS, the aforesaid bids were thereafter reviewed by the Township Engineer;
and

WHEREAS, the Township intends to take formal action awarding a bid to the highest responsible bidder as hereinafter provided; and

WHEREAS, the successful bid of Cellco Partnership, dba Verizon Wireless was in the amount of \$21,000.00 initial annual rent and the Township Committee has determined it is appropriate to accept same, subject to the terms of this resolution; 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 hereby accepts the bid submitted by Cellco Partnership,

dba Verizon Wireless, One Verizon Way, Basking Ridge, NJ 07920 for the following space on the cell tower and ground located at 1721 Mt. Pleasant Road, Township of Upper, Cape May County, New Jersey:

- e. Height: 155 ft.
- f. Ground area: Lease Area #3 Size: 12' x 20'

3. The award of this bid is subject to the following:

- d. The bidder must comply with all bid documents, including the Notice to Bidders, all of which are incorporated herein by this reference.
- e. The contract to be entered into must comply in all respects with applicable federal, state and local laws and regulations.

4. The Mayor and Township Clerk are further authorized to execute a License Agreement with the successful bidder and all other Township employees, agents and representatives are authorized to take such action so as to effectuate the intent and purpose of this resolution.

Resolution No. 257-2015
 Offered by: Coggins Seconded by: Pierson
 Adopted: November 23, 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>

9. Approving the application of the Marmora Volunteer Fire Company for Highway Coin Drops.

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

RESOLUTION NO.258-2015

RE: APPROVING THE APPLICATION OF THE MARMORA VOLUNTEER FIRE
CO. FOR HIGHWAY COIN DROPS

WHEREAS, the Marmora Volunteer Fire Co., a non-profit corporation providing firefighting services, has made application to the Township Committee to hold coin drop solicitations in Upper Township; and

WHEREAS, the Township Committee has approved the requests; and

WHEREAS, the requests require approval from the County of Cape May and the State of New Jersey;

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

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

2. The application of the Marmora Volunteer Fire Co. to hold a coin drop within Upper Township at the Intersection of Roosevelt Boulevard and the Garden State Parkway from the GSP South Exit and South Entrance to the end of the Plaza on the South Side of Roosevelt Boulevard is hereby approved for the following dates:

- Saturday, May 28, 2016 from 9:00 am to 3:00 pm;
- Saturday, July 16, 2016, from 9:00 am to 3:00 pm;
- Saturday, July 30, 2016 from 9:00 am to 3:00 pm;

and

Saturday, August 20, 2016 from 9:00 a.m. to 3:00 p.m.

3. Attached to this Resolution is a certified copy of Ordinance No. 7-2001, authorizing coin drops within Upper Township enacted pursuant to N.J.S.A. 39:4-60.

4. A certified copy of this Resolution shall be provided to the State of New Jersey, Department of Transportation and the Board of Chosen Freeholders of the County of Cape May.

Resolution No. 258-2015

Offered by: Palombo Seconded by: Barr

Adopted: November 23, 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> </u>	<u> </u>	<u> X </u>	<u> </u>
Young	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Palombo	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

10. Appointing Michael J. Donohue, Esquire, and the Law Offices of Blaney & Donohue P.A. as Special Legal Counsel to complete certain In Rem Foreclosure matters.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 259-2015

**RE: APPOINTING MICHAEL J. DONOHUE, ESQUIRE AND THE LAW OFFICES OF
BLANEY & DONOHUE P.A. AS SPECIAL LEGAL COUNSEL TO
COMPLETE CERTAIN IN REM FORECLOSURE MATTERS**

WHEREAS, the Township of Upper requires legal counsel to complete certain in rem foreclosure matters; and

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

WHEREAS, the Township has decided to acquire the services of Michael J. Donohue, Esquire and the Law Offices of Blaney & Donohue, P.A. as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-2.05; and

WHEREAS, Michael J. Donohue, Esquire and the Law Offices of Blaney & Donohue, P.A. have completed and submitted a Business Entity Disclosure Certification which certifies that Michael J. Donohue, Esquire and the Law Offices of Blaney & Donohue, P.A. have not made any contributions to a political or candidate committee in the Township that would bar the award of this contract and that the contract will prohibit Michael J. Donohue, Esquire and the Law Offices of Blaney & Donohue, P.A. from making any contributions through the term of the contract.

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 and the Law Offices of Blaney & Donohue, P.A. with offices at 2123 Dune Drive, Suite 11, Avalon, New Jersey 08202 are hereby appointed as Special Legal Counsel for the Township of Upper for the completion of in rem foreclosure matters.
3. The contract shall have a term of one (1) year from date of full execution.
4. This Contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the New Jersey Local Public Contract Law because Michael J. Donohue, Esquire and the Law Offices of Blaney & Donohue, P.A. have professional knowledge as to in rem foreclosure matters 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 Michael J. Donohue, Esquire and the Law Offices of Blaney & Donohue, P.A. as Special Legal Counsel for in rem foreclosure matters. 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 Michael J. Donohue, Esquire and the Law Offices of Blaney & Donohue, P.A. 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 and shall be filed with the Tax Collector of the Township of Upper.

Resolution No. 259-2015

Offered By: Coggins

Seconded by: Pierson

Adopted: November 23, 2015

<u>ROLL CALL:</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>	_____	_____	_____

Assistant Finance Officer	No Min.	550.00
Registrar of Vital Statistics/CMR(P/T)	No Min.	4,000.00
Deputy Reg. Vital Statistics (P/T)	No Min.	2,000.00
Alt. Deputy Reg. Vital Statistics (P/T)	No Min.	2,000.00
Public Information Officer	No Min.	10,000.00
Data Information Coordinator/COOP	No Min.	3,500.00
Claims Coordinator	No Min.	3,500.00
Mun. Improvement Official (P/T)	No Min.	1,850.00
Tax Search Officer (P/T)	No Min.	1,850.00
Director of Public Asst. (P/T)	500.00	1,000.00
Personnel Officer (P/T)	No Min.	4,000.00
Asst. Personnel Officer (P/T)	No Min.	2,000.00
Computer Director	No Min.	1,500.00
Safety Coordinator	No Min.	3,500.00
Ass't Safety Coordinator	No Min.	1,500.00
Municipal Housing Liaison	No Min.	2,500.00
Floodplain Manager	No Min.	1,000.00

B. MUNICIPAL COURT:

Municipal Judge (P/T)	15,000.00	50,000.00
Municipal Court Administrator	15,000.00	78,000.00
Deputy Mun. Court Administrator	15,000.00	68,000.00
Municipal Prosecutor (P/T)	No Min.	45,000.00
Court Attendant (P/T)	No Min.	\$250.00 per session
Municipal Public Defender (P/T)	No Min.	25,000.00

C. CODE ENFORCEMENT/ZONING ENFORCEMENT:

Construction Official	15,000.00	98,000.00
Building Subcode Official (P/T)	2,500.00	6,769.00
Electrical Subcode Official (P/T)	9,500.00	30,000.00
Electrical Inspector (P/T)	9,500.00	30,000.00
Fire Sub-Code Off. (P/T)	2,500.00	4,900.00
Zoning Officer (P/T)	2,500.00	7,500.00
Deputy Zoning Officer	No Min.	550.00
Housing Officer/Code Enforce. (P/T)	2,500.00	7,500.00
Fire Prevention Official (P/T)	1,000.00	2,279.00
Plumbing Sub-Code Off. (P/T)	No Min.	12,000.00
Plumbing Inspector (P/T)	No Min.	6,524.00
Fire Protection Subcode Official (P/T)	No Min.	2,279.00
Temp. Const. Code/Building Subcode Official	No Min.	25.00/Hr.
Temp. Elect. Subcode Official/Inspector	No Min.	25.00/Hr.
Keyboarding Clerk 1 (Construction)	12,000.00	56,000.00

D. PUBLIC SAFETY/EMERGENCY MANAGEMENT:

Mun. Emerg. Management Coor. (P/T)	No Min.	25,000.00
Coord. 911 Emerg. Response, RTK	No Min.	2,000.00
Deputy Right to Know	No Min.	1,500.00
Deputy Dir. Emerg. Mgt. (P/T)	No Min.	2,845.00
Asst. Emerg. Mgt. (P/T)	No Min.	900.00
Lifeguard, 1st yr. Seasonal		12.00 Hr.
Lifeguard, 2nd yr. Seasonal		12.50 Hr.
Lifeguard, 3rd yr. to 4th yr.		13.20 Hr.
Lifeguard, 5th yr. and higher		13.50 Hr.
Hr. Lifeguard E.M.T.		\$4.00 Per Day
Captain Lifeguard Seasonal		24.50 Hr.
Lieutenant Lifeguard Seasonal		18.50 Hr.
Senior Lifeguard		15.25 Hr.
Emergency Medical Tech. –3 or more years	12,500.00	60,000.00
Emergency Medical Technician-2nd year	12,500.00	50,000.00
Emergency Medical Technician-1st year	12,500.00	45,000.00
Emergency Medical Technician (P/T)	No Min.	14.00 Hr. 1st Yr
Emergency Medical Technician (P/T)	No Min.	14.50 Hr. 2nd Yr
School Crossing Guard (P/T)		13.00 Hr.
Chief Emergency Medical Technician		80,000.00
Deputy Chief Emergency Medical Technician		75,000.00
Sr. Emergency Medical Technician		70,000.00
Supervising Emergency Medical Technician		72,000.00
Supervising Emergency Medical Technician (P/T)		Add'l \$1.00/Hr.

E. PUBLIC WORKS/SPORTS AND RECREATIONAL PROGRAMS:

Superintendent of Public Works	No Min.	10,000.00
Road Repairer Supervisor	12,500.00	88,000.00
Road Repairer 3	12,500.00	82,000.00
Supervisor Equipment Operator	12,500.00	70,000.00
Supervisor Maintenance Repairer	12,500.00	70,000.00
Supervising Carpenter	20,000.00	70,000.00
Sr. Carpenter (0-9 yrs.)	20,000.00	52,328.00
Sr. Carpenter (10 or more yrs.)	20,000.00	53,767.00
Carpenter (0-9 yrs.)	12,500.00	50,889.00
Carpenter (10 or more yrs.)	12,500.00	52,328.00
Carpenter's Helper	12,500.00	50,889.00
Senior Mechanic (0-9 yrs.)	12,500.00	54,280.00
Senior Mechanic (10 or more yrs.)	12,500.00	55,721.00
Mechanic (0-9 yrs.)	12,500.00	51,846.00
Mechanic (10 or more yrs.)	12,500.00	53,285.00
Mechanics Helper (0-9 yrs.)	12,500.00	49,762.00
Mechanics Helper (10 or more yrs.)	12,500.00	51,201.00
Equipment Operator (0-9yrs.)	12,500.00	50,889.00

Equipment Operator (10 or more yrs.)	12,500.00	52,328.00
Equipment Operator/Truck Driver	12,500.00	50,889.00
Truck Driver (0-9 yrs.)	12,500.00	49,680.00
Truck Driver (10 or more yrs.)	12,500.00	51,121.00
Laborer 1, 1st year	12,500.00	38,778.00
Laborer 1, 2nd year	12,500.00	40,818.00
Laborer 1, 3rd year	12,500.00	42,858.00
Laborer 1, 4th year	12,500.00	44,899.00
Laborer 1, 5th year	12,500.00	46,940.00
Laborer 1 (6-9 yrs.)	12,500.00	48,499.00
Laborer 1 (10 or more yrs.)	12,500.00	49,937.00
Laborer 1 (P/T)	5.00 Hr.	12.00 Hr.
Sr. Sanitation Inspector	12,500.00	52,328.00
Sanitation Inspector (0-9 yrs.)	12,500.00	50,889.00
Sanitation Inspector (10 or more yrs.)	12,500.00	52,328.00
Recycling Laborer	10,400.00	44,863.00
Recycling Coordinator (P/T)	No Min.	5,698.00
Recycling Program Aide	No Min.	2,500.00
Assistant Recycling Coordinator (P/T)	No Min.	2,849.00
Building Maintenance Worker	22,000.00	35,739.00
Recreational Program Coordinator	15,500.00	70,000.00
Maintenance Supervisor, Grounds	12,500.00	70,000.00
Maint. Worker 2, Grounds (0-9 yrs.)	11,500.00	50,889.00
Maint. Worker 2, Grds (10 or more yrs.)	11,500.00	52,328.00
Maintenance Repairer (0-9 yrs.)	10,500.00	50,889.00
Maintenance Repairer (10 or more yrs.)	10,500.00	52,328.00
Maint. Worker 1, Grounds (0-9 yrs.)	10,500.00	49,680.00
Maint. Worker 1, Grds (10 or more yrs.)	10,500.00	51,121.00
Recreation Aide	9,500.00	48,499.00
Recreation Aide (P/T)	5.00/Hour	11.50/Hour
Beach Sweeper (Seasonal)	5.00/Hour	12.00/Hour
Playground Safety Inspector	500.00	1,000.00
Beach Inspector	No Min.	4,000.00
Boat Ramp Attendant	No Min.	12.00 Hr.
Skate Park Attendant	No Min.	12.00 Hr.
Recreation Advisory Bd. Secretary (P/T)	No Min.	2,200.00
Keyboarding Clerk 1 (Recreation)	12,500.00	45,000.00
Keyboarding Clerk 2 (Recreation)	12,500.00	54,000.00

F. BOARD OF HEALTH/ZONING BOARD/PLANNING BOARD:

Secretary Planning Board (P/T)	42,000.00
Per Meeting	100.00
Secretary Zoning Board of Adjustment (P/T)	42,000.00
Per Meeting	100.00
Secretary Board of Health (P/T)	550.00

G. TOWNSHIP COMMITTEE MEETING ATTENDANCE: The Township Clerk and the Chief Financial Officer, in lieu of receiving compensatory time for attendance at meetings during non-business hours will receive \$100.00 per meeting.

H. MILEAGE: The standard rate per mile in accordance with I.R.S. regulations.

I. GIFT CARD AWARD OR BONUS: In addition to the salary set forth in this Ordinance, the Township Committee, by resolution, may award as a bonus any employee a gift card or gift cards not to exceed a total amount of \$200.00 for the year. Said award shall be by resolution of the Township Committee setting forth the amount of the gift card bonus.

J. EDUCATIONAL CERTIFICATION PAY RAISE: In addition to the salary set forth in this Ordinance upon resolution of the Township Committee, the Township Committee may give an increase in salary of \$1,000.00 to any employee that has satisfied educational certification requirements for his or her position in accordance with current Township policy. The Township Committee shall by resolution fix the pay increase in this regard and certify that the employee has satisfied the educational certification requirement.

K. ADDITIONAL PAY TO CREW OF SANITATION VEHICLES: Laborers employed in the collection of trash and assigned to the rear of a trash truck shall, in addition to any other compensation payable pursuant to this Ordinance, receive an additional sum to be known as “Hazardous Duty Pay”, which shall be payable at the rate of \$.25 per hour.

L. ADDITIONAL PAY TO EMERGENCY MEDICAL TECHNICIANS (EMTs): The most senior Emergency Medical Technician assigned to a shift where a supervisory employee is not also assigned to that shift, in addition to any other compensation payable pursuant to this Ordinance, shall receive an additional sum to be known as “Officer in Charge Pay”, which shall be payable at the rate of \$.50 per hour.

SECTION 3: LONGEVITY: In addition to the compensation and benefits otherwise payable, certain employees shall be paid an additional sum based on longevity. Any payment based on longevity shall be in accordance with the following schedule:

<u>YEARS OF SERVICE</u>	<u>AMOUNT OF INCREASE BASED ON LONGEVITY</u>
After 5 years	2%
After 10 years	4%
After 15 years	6%
After 20 years	8%
After 25 years	10%

SECTION 3A: RESTRICTIONS ON LONGEVITY PAYMENTS: Notwithstanding the provisions of Section 3 hereof, a longevity payment or longevity bonus to any single official, officer or employee of the Township of Upper shall not exceed the sum of Three Thousand (\$3,000.00) Dollars. If, as of January 1, 1997, any such official, officer or employee of the Township of Upper was entitled to a longevity

payment in excess of Three Thousand (\$3,000.00) Dollars, then such individual shall be entitled to receive the amount to which he or she would have been entitled as of January 1, 1997 and each such official, officer or employee shall thereafter, in all subsequent years, receive a longevity payment or bonus in the amount paid as of January 1, 1997. In no event shall the amount of longevity payments exceed the sum of Three Thousand (\$3,000.00) Dollars, except for those individuals who are entitled to receive in excess of Three Thousand (\$3,000.00) Dollars as of January 1, 1997 and all such individuals shall in 1997 and all succeeding years be restricted to a payment which does not exceed that which was payable on January 1, 1997.

SECTION 3B: LONGEVITY PAY ABOLISHED FOR CERTAIN EMPLOYEES: Any official, officer or employee who was employed by the Township of Upper on or after January 1, 1996 shall not be entitled to any longevity payment. Longevity pay is abolished for any and all officials, officers and employees hired on or subsequent to that date.

SECTION 4: RESOLUTION AS TO SALARIES: The salaries set forth in this Ordinance are the maximum salaries to be paid for the various positions during 2016 and for such period or periods as this Ordinance shall remain in effect. Such maximum salaries shall be paid for each of the positions indicated unless the Township Committee, by Resolution shall fix a lesser salary, in which event such lesser amount shall be paid.

SECTION 5: EFFECTIVE DATE OF PAYMENT: All salaries authorized by this Ordinance shall be paid commencing as follows:

- (A) As of January 1, 2016 for all officials, officers and employees of the Township who were employed or appointed as of December 31, 2015. For those officials, officers and employees appointed at the Reorganization Meeting of the Township Committee, such persons shall be deemed appointed and employed by the Township as of January 1, 2016. This provision shall not apply to members of a Collective Bargaining Unit.
- (B) The payment of any salary increment and longevity payment for members of a Collective Bargaining Unit shall be made in accordance with the provisions of the Collective Bargaining Agreement currently in effect, any other provisions herein to the contrary notwithstanding.
- (C) Upon the effective date of appointment for all officers and employees appointed subsequent to January 1, 2016.
- (D) Any salary increases provided for in this Ordinance shall not apply to any official, officer or employee of the Township who has resigned or otherwise terminated his or her employment with the Township of Upper prior to the effective date of this Ordinance.

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

SECTION 7: 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 8: EFFECTIVE DATE: This Ordinance shall take effect immediately upon passage and publication as required by law.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING ON NOVEMBER 23, 2015 AND WILL BE TAKEN UP FOR SECOND READING AND FINAL ADOPTION AT A MEETING OF THE UPPER TOWNSHIP COMMITTEE TO BE HELD ON DECEMBER 14, 2015 AT 7:30 P.M.

BY ORDER OF THE TOWNSHIP COMMITTEE.

**BARBARA L. YOUNG, RMC
TOWNSHIP CLERK**

CORRESPONDENCE

NEW BUSINESS

- 12. **Draft 2016 Resident Information packet.** After a brief discussion it was suggested that a map designating each trash collection area be posted on the website. Motion by John Coggins, second by Edward Barr to accept the packet as submitted. During roll call vote all five Committeemen voted in the affirmative. A resolution for formal action will be placed on the next agenda.

UNFINISHED BUSINESS

DISCUSSION

PAYMENT OF BILLS

- 13. "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 Richard Palombo, second by Edward Barr. During roll call vote all five Committeemen voted in the affirmative.

Bills approved for payment: \$133,296.42

Payroll: \$148,448.12

REPORT OF MUNICIPAL DEPARTMENTS

14. Clerk's Office
15. Municipal Court
16. Finance Office
17. Division of EMS

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

PUBLIC COMMENT

There was no public comment.

CLOSED SESSION

18. 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. 260-2015
MOTION GOING INTO CLOSED SESSION
NOVEMBER 23, 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 - Annual Appointments
2. Contract negotiation - Special Legal Counsel for Affordable Housing
3. Contract negotiation - Fire Districts Website Services
4. Contract negotiation - Collective Bargaining Unit
5. Litigation - Affordable Housing
6. Personnel

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 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.
- 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: Edward Barr

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 9:46 P.M. The next regular meeting is scheduled for December 7, 2015 at 7:30 P.M.

Minutes prepared by

Barbara L. Young, RMC

Bill List

66133 11/23/15 A0025 ADVANTAGE RENTAL ACE HARDWARE 312.48 2900
66134 11/23/15 A0071 ANCHOR FIRE PROTECTION CO. 950.00 2900
66135 11/23/15 A0081 ARMSTRONG, RALON I. 108.26 2900
66136 11/23/15 A0091 ATLANTIC CITY ELECTRIC 16,150.44 2900
66137 11/23/15 A0121 ABSECON RADIATOR SERVICE 990.00 2900
66138 11/23/15 A0134 ANSELL GRIMM & AARON, PC 6,107.50 2900
66139 11/23/15 A0170 ASFPM 140.00 2900
66140 11/23/15 A0191 ACTION UNIFORM CO. LLC 826.00 2900
66141 11/23/15 A0193 ATLANTIC INVESTIGATIONS, LLC 380.00 2900
66142 11/23/15 A0200 AMERICAN GENERAL LIFE INS CO. 3.03 2900
66143 11/23/15 B0031 BAINBRIDGE, J.P. & ASSOCIATES 1,377.50 2900
66144 11/23/15 B0160 BONNER, ROSEMARY 150.00 2900
66145 11/23/15 B0230 BLACKLEDGE III, ROY H 180.00 2900
66146 11/23/15 C0048 CAPE MAY COUNTY MUA 36,707.65 2900
66147 11/23/15 C0060 CAPRIONI'S PORTABLE TOILETS 604.00 2900
66148 11/23/15 C0068 COMCAST 404.56 2900
66149 11/23/15 C0131 CINTAS FIRST AID & SAFETY 74.11 2900
66150 11/23/15 C0143 CODY'S POWER EQUIPMENT 184.94 2900
66151 11/23/15 C0171 COLONIAL ELECTRIC SUPPLY CO. 2,079.68 2900
66152 11/23/15 C0182 CDW GOVERNMENT, INC 800.34 2900
66153 11/23/15 C0201 CRUZAN'S TRUCK SERVICE INC. 190.98 2900
66154 11/23/15 C0223 CASA PAYROLL SERVICE 246.15 2900
66155 11/23/15 C0230 CATAMARAN MEDIA COMPANY 378.00 2900
66156 11/23/15 C0245 CLEGG'S GARAGE, INC. 200.46 2900
66157 11/23/15 C0246 CRAFT OIL CORPORATION 550.00 2900
66158 11/23/15 D0016 DALEYS PIT 375.00 2900
66159 11/23/15 D0040 DELTA DENTAL OF N.J. INC. 5,716.78 2900
66160 11/23/15 D0080 DOWNAM, HARRY J. JR. 149.00 2900
66161 11/23/15 E0012 EHRlich PEST CONTROL INC 83.00 2900
66162 11/23/15 E0033 EMERGENCY SYSTEMS SERVICE CO 925.00 2900
66163 11/23/15 G0016 GARDNER HARDWARE INC. 0.00 11/23/15 VOID 0
66164 11/23/15 G0016 GARDNER HARDWARE INC. 360.37 2900
66165 11/23/15 G0028 GENTILINI FORD 846.15 2900

66166	11/23/15	G0057	GLOBALSTAR USA LLC	600.00	2900
66167	11/23/15	G0086	W.W. GRAINGER, INC.	166.39	2900
66168	11/23/15	G0141	GENTILINI CHEVROLET	269.12	2900
66169	11/23/15	G0157	GRANTURK EQUIPMENT CO., INC.	910.85	2900
66170	11/23/15	H0018	HAROLD RUBIN L & H SUPPLY	228.00	2900
66171	11/23/15	H0062	HOPE, JOHN J.	36.00	2900
66172	11/23/15	H0148	THOMAS H. HEIST INS AGENCY INC	578.32	2900
66173	11/23/15	I0002	IAAO	350.00	2900
66174	11/23/15	I0019	INTERNATIONAL CODE COUNCIL,INC	428.19	2900
66175	11/23/15	J0072	JERSEY WEB DESIGNS	3,277.50	2900
66176	11/23/15	K0007	KACZMARSKI, RICHARD	26.99	2900
66177	11/23/15	K0030	KNIGHTS OF COLUMBUS	300.00	2900
66178	11/23/15	M0121	McCROSSON, JANET	662.40	2900
66179	11/23/15	M0148	MYRON CORP.	387.14	2900
66180	11/23/15	M0180	MED-TECH RESOURCE,LLC	313.19	2900
66181	11/23/15	M0193	MAYNE, MICHAEL	54.98	2900
66182	11/23/15	N-0141	NICKERSON, ZACHARY	86.50	2900
66183	11/23/15	N0131	DEFINED CONTRIB RETIRE PROGRAM	177.40	2900
66184	11/23/15	N0141	NETCARRIER TELECOM, INC.	1,882.72	2900
66185	11/23/15	N0148	NJAFP/NJ EMS CONFERENCE	310.00	2900
66186	11/23/15	P0008	PALMER, NANCY	63.03	2900
66187	11/23/15	P0024	PEER LEADERSHIP	300.00	2900\
66188	11/23/15	P0032	PEDRONI FUEL CO.	574.76	2900
66189	11/23/15	P0036	PENNELLO,DAVID	88.95	2900
66190	11/23/15	P0050	PARSIO, ANTHONY	118.02	2900
66191	11/23/15	P0124	PRO CLUB	300.00	2900
66192	11/23/15	P0152	PASHLEY, LOREN	278.88	2900
66193	11/23/15	P0157	Pettit, Casi M.	44.20	2900
66194	11/23/15	R0030	RIGGINS, INC.	3,404.13	2900
66195	11/23/15	R106	RUMER, LISA	222.61	2900
66196	11/23/15	S0001	SAM'S CLUB	369.60	2900
66197	11/23/15	S0018	SUBURBAN PROPANE, LP	673.86	2900
66198	11/23/15	S0031	SCHULER SECURITY, INC.	280.00	2900
66199	11/23/15	S0075	SHARP, RHONDA L.	81.00	2900
66200	11/23/15	S0113	SMITH,THOMAS G.	61.25	2900
66201	11/23/15	S0201	SURRAN'S NURSERY	250.00	2900
66202	11/23/15	S0300	SYNERGISM ASSOCIATES LTD	500.00	2900
66203	11/23/15	T0022	TERMINIX	59.00	2900
66204	11/23/15	T0032	THE PRESS OF ATLANTIC CITY	979.72	2900
66205	11/23/15	T0067	TOWNSHIP OF UPPER PETTY CASH	13.50	2900
66206	11/23/15	T0113	TUCKAHOE UNITED METHODIST	300.00	2900
66207	11/23/15	T0166	TREASURER, STATE OF NEW JERSEY	398.00	2900
66208	11/23/15	T0180	TRI-COUNTY PEST CONTROL, INC	25.00	2900
66209	11/23/15	U0043	ULINE, INC.	806.07	2900
66210	11/23/15	U0057	UPPER TWP SOCCER ASSN U13 GIRL	300.00	2900
66211	11/23/15	V0005	VAN EMBDEN, NATHAN, ATTORNEY	1,950.00	2900
66212	11/23/15	V0022	VERIZON	191.13	2900
66213	11/23/15	V0024	VAL-U AUTO PARTS L.L.C.	375.86	2900
66214	11/23/15	W0050	WIRELESS ELECTRONICS, INC.	3,166.00	2900
66215	11/23/15	W0087	W.B. MASON	665.79	2900
66216	11/23/15	W0099	WATERS EDGE ENVIRONMENTAL, LLC	6,536.72	2900
66217	11/23/15	X0008	XEROX FINANCIAL SERVICES	662.40	2900
66218	11/23/15	Y0012	YOUNG,ROBERT	254.87	2900
66219	11/23/15	Z0014	MICHAEL ZYNDORF, LLC	19,405.00	2900

Total: \$133,296.42