

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR JULY 11, 2016**

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 – arrived at 7:45 pm
Hobart Young	Present
Richard Palombo	Present

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

APPROVAL OF MINUTES

June 13, 2016 Regular Meeting and
Closed Session A and B Minutes

June 20, 2016 Regular Meeting and
Closed Session Minutes

Motion by John Coggins, second by Edward Barr, to approve the June 13, 2016 Regular Meeting and Closed Session A and B Minutes, and the June 20, 2016 Regular Meeting and Closed Session Minutes as submitted. During roll call vote all four Committeemen present at the time voted in the affirmative.

REPORT OF GOVERNING BODY MEMBERS

John Coggins, Committeeman, thanked and congratulated the Strathmere parade organizers, and the Township employees and volunteers for the very successful 4th of July events.

Hobie Young, Committeeman, congratulated Strathmere for their very successful 4th of July parade. He stated that although the weather caused the fireworks to be delayed until the next evening, the 4th of July event was very successful. He thanked all of the vendors, employees and volunteers. He also thanked Shawna Mulford for coordinating the event. He next reported that the Upper Township Little League team has won the District 16 championship and have advanced to the State playoffs. He next inquired as to when the transition area from the parking lot to the concession stand at Amanda's Field will be completed. Mr. Dietrich stated that he is waiting to hear from the contractor as to when they are available. He next

thanked employee Mike Jones for his work on the new concession stand. Next, he stated that the hockey association has requested that the skate park building be repaired and painted. He stated they have volunteers willing to do the labor, they would just need the supplies. Lastly, he reported that the soccer tournament was a great success.

Edward Barr, Committeeman, stated that the 4th of July was a great day with the Strathmere parade and the events at Amanda's Field. He next stated that he and Paul Dietrich recently met with the NJ Turnpike Authority regarding the rest area and pedestrian/bicycle path on the Township's side of the Garden State Parkway Bridge. The Turnpike Authority is asking for the Township's input regarding the plan and design for the area. Mr. Barr requested that a Committee be formed to gather ideas and develop a vision for the area.

Jeffrey Pierson, Committeeman, congratulated Committeeman Young and all of the volunteers for an enjoyable 4th of July event at Amanda's Field. He also commended Strathmere for the wonderful parade. He next reported that a safety concern was reported regarding parking on Taylor Avenue in Strathmere. He requested that the matter be looked into.

Richard Palombo, Mayor, thanked the Sheriff's Department, State Troopers, Fire Companies, and the EMT's who assisted with the 4th of July events. He next reported that the Junior Lifeguard program has a record amount of participants. He next reminded everyone that the Farmer's Market is every Friday beginning at 3:30. Lastly he requested the August 8th meeting be rescheduled to August 1st. Motion by Mayor Palombo, second by Hobie Young to reschedule the August 8th meeting to August 1st. During roll call vote all five Committeemen voted in the affirmative.

OTHER REPORTS

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

Paul Dietrich, Municipal Engineer, gave a brief report regarding the Governor's executive order, which has halted all Transportation Trust Fund projects, and how the shutdown will affect the proposed and ongoing projects in the Township. Later in the meeting he reported that he and Committeeman Young recently met with the Historical Society to inspect the old Municipal Building as a possible site for a museum. The Historical Society has requested a cost estimate of the repairs needed to get the building ready for occupancy.

RESOLUTIONS

1. Congratulating employee Nicholas Mason of the Upper Township Public Works Department for his winning entry in the Upper Township Safety Award program for the 3rd quarter of 2016.

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

RESOLUTION NO. 156-2016

**RE: CONGRATULATING EMPLOYEE NICHOLAS MASON
OF THE UPPER TOWNSHIP PUBLIC WORKS DEPARTMENT
FOR HIS WINNING ENTRY IN THE UPPER TOWNSHIP SAFETY AWARD PROGRAM
FOR THE 3RD QUARTER OF 2016**

WHEREAS, employee Nicholas Mason, 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 2016; and

WHEREAS, Nicholas'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, Nicholas should be publicly recognized for reporting the safety hazard of the rear gate not self-closing or being locked at the Strathmere playground; 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 Nicholas Mason on 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 Nicholas Mason 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 11th day of July, 2016.

Resolution No.156-2016
Offered by: Coggins
Adopted: July 11, 2016
Roll Call Vote:

Seconded by: Barr

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Barr	___X___	_____	_____	_____

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>

2. Appointing Danyl D. Loyle, Carolyn A. Raff, Sean P. Stanton, and Michael F. Linz, Jr. as part-time employees to the Upper Township Division of Emergency Medical Services.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 157-2016

**RE: APPOINTING DANYL D. LOYLE, CAROLYN A. RAFF, SEAN P. STANTON,
AND MICHAEL F. LINZ, JR. AS A PART-TIME EMPLOYEES TO THE
UPPER TOWNSHIP DIVISION OF EMERGENCY MEDICAL SERVICES**

WHEREAS, a need exists to appoint qualified personnel as part-time employees to the Upper Township Division of Emergency Medical Services to insure optimal operation; and

WHEREAS, a recommendation has been made to the Township Committee and duly considered at the meeting of June 20, 2016; and

WHEREAS, these individuals' appointments are conditioned upon successful completion of a background check, drug and alcohol testing, and Civil Service review; and

WHEREAS, this Resolution is intended to ratify the action heretofore taken.

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. Danyl D. Loyle, Carolyn A. Raff, Sean P. Stanton, and Michael F. Linz, Jr. are hereby conditionally appointed as members of the Division of Emergency Medical Services in a part-time position at a rate of \$14.00 per hour in accordance with the Salary Ordinance.
3. This Resolution ratifies, confirms and approves action taken by the Township Committee, by motion, at the meeting of June 20, 2016.

Resolution No. 157-2016
 Offered by: Young Seconded by: Barr
 Adopted: July 11, 2016
 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. Tax Refunds - Homestead Benefits.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 158-2016

**TAX REFUNDS
HOMESTEAD BENEFITS**

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

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

Resolution No. 158-2016
Offered by: Coggins
Adopted: July 11, 2016

Seconded by: Pierson

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>	_____	_____	_____

REFUND 2015

BLOCK/LOT **AMOUNT** **NAME**

24/44	\$286.05	Connie & George Meher 63 Cedar Ave Woodbine PO, NJ 08270
573.01/34	\$199.16	Joseph & Barbara Moyer 17 Black Oak Drive Marmora, NJ 08223
643/46	\$395.86	Paul & Dianne Adamowski 22 Richwood Terrace Marmora, NJ 08223

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

4. Authorizing a one year extension of the contract with Cape Professional Billing, Inc., Dba Cape Medical Billing, for Emergency Medical Billing Services.

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

RESOLUTION NO. 159-2016

**RE: AUTHORIZING A ONE YEAR EXTENSION OF THE CONTRACT WITH
CAPE PROFESSIONAL BILLING, INC., DBA CAPE MEDICAL BILLING, FOR
EMERGENCY MEDICAL BILLING SERVICES**

WHEREAS, the Township of Upper and Cape Professional Billing, Inc., of 5 Locust Lane, P.O. Box 670, Cape May Court House, New Jersey 08210, entered into a Contract on July 30, 2015 for Emergency Medical Billing Services pursuant to Resolution No. 177-2015; and

WHEREAS, the Township of Upper desires to extend the terms of the Contract, as stipulated within, for an additional one year; and

WHEREAS, Cape Professional Billing, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Cape Professional Billing, Inc. 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 Cape Professional Billing, Inc. from making any contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for the renewed 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 Contract with Cape Professional Billing, Inc., for Emergency Medical Billing Services, is hereby renewed for an additional one year term for the period commencing August 1, 2016 through July 31, 2017.

3. Cape Professional Billing, Inc. 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. 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. 159-2016
Offered by: Pierson
Adopted: July 11, 2016

Seconded by: Coggins

Roll Call Vote:

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

5. Renewing Campground Licenses.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY**

RESOLUTION

RESOLUTION NO. 160-2016

RE: RENEWING CAMPGROUND LICENSES

WHEREAS, Chapter XII of the Code of Upper Township provides for the renewal of licenses to operate a Campground annually after certification by the Cape May County Board of Health; and

WHEREAS, each of the Campgrounds hereinafter designated has had an on-site inspection conducted by the Cape May County Board of Health and it has been attested that the operation of the campground is in compliance with all applicable New Jersey Statutes and the rules and regulations promulgated pursuant thereto.

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The following campground licenses are hereby renewed for a term of (1) one year, commencing August 1, 2016.

**OAK RIDGE RESORT CONDO ASSOC.
516 ROUTE US 9, SOUTH
MARMORA, NJ 08223
240 Sites**

**PLANTATION CAMPGROUND
60 CORSON TAVERN ROAD
SEAVILLE, NJ 08230
223 Sites**

**BAYBERRY COVE RESORT CONDO
435 ROUTE 9
MARMORA, NJ 08223
307 Sites**

**SEAVILLE SHORES TRAILER RESORT
98 CORSON TAVERN ROAD
SEAVILLE, NJ 08230
275 Sites**

**SHADY OAKS
64 ROUTE 50
SEAVILLE, NJ 08230**

218 Sites

OCEAN SANDS RESORT
56 ROUTE 50
SEAVILLE, NJ 08230
217 Sites

WHIPPOORWILL CAMPGROUND
810 ROUTE US 9 SO.
MARMORA, NJ 08223
288 Sites

FRONTIER CAMPGROUND
241 ROUTE 50
GREENFIELD, NJ 08230
196 Sites

SCENIC RIVERVIEW CAMPGROUND
465 ROUTE 49
P.O. BOX 184
TUCKAHOE, NJ 08250
125 Sites

SHOREBIRDS CAMPGROUND
1314 STAGECOACH ROAD
PALERMO, NJ 08230
100 Sites

ECHO FARMS RV RESORT
3066 ROUTE US 9 SOUTH
SEAVILLE, NJ 08230
241 Sites

3. All officials of the Township are hereby authorized to take such action as necessary or required in order to carry out the intent and purpose of this Resolution.
4. This Resolution shall become effective immediately upon adoption.

Resolution No. 160-2016

Offered by: Coggins

Seconded by: Pierson

Adopted: July 11, 2016

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 X _____ _____ _____
Palombo X _____ _____ _____

6. Renewing Mobile Home Park Licenses.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 161-2016

RE: RENEWING MOBILE HOME PARK LICENSES

WHEREAS, each of the Mobile Home Parks hereinafter designated has attested that the operation of the mobile home park is in compliance with all applicable New Jersey Statutes and the rules and regulations promulgated pursuant thereto.

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The following mobile home park licenses are hereby renewed for a term of (1) one year, commencing August 1, 2016.

**HIDDEN PINES MOBILE HOME PARK
1414 SOUTH SHORE ROAD
OCEAN VIEW, NJ 08230
10 Sites**

**PINE HILL MOBILE HOME PARK
430 ROUTE 9 SOUTH
MARMORA, NJ 08223
132 Sites**

**OCEAN BEACH TRAILER RESORT
1100 SO.COMMONWEALTH AVENUE
P.O. BOX 90
STRATHMERE, NJ 08248
100 Sites**

**SHORE ACRES MOBILE HOME PARK, LLC
1621 SOUTH SHORE ROAD
OCEAN VIEW, NJ 08230
200 Sites**

3. All officials of the Township are hereby authorized to take such action as necessary or required in order to carry out the intent and purpose of this Resolution.

4. This Resolution shall become effective immediately upon adoption.

Resolution No. 161-2016

Offered by: Pierson

Seconded by: Coggins

Adopted: July 11, 2016

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. Authorizing a refund in the amount of \$60.00 to the Bayberry Cove Condo Association.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 162-2016

**RE: AUTHORIZING A REFUND IN THE AMOUNT OF \$60.00
TO THE BAYBERRY COVE CONDO ASSOCIATION**

WHEREAS, the Bayberry Cove Condo Association submitted their 2016 campground license renewal application fee in excess of the amount due; and

WHEREAS, it has been recommended by the Upper Township Municipal Clerk that the overpayment, in the amount of \$60.00, be refunded to the Bayberry Cove Condo Association; and

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Upper, Cape May County, that a refund is hereby authorized and the Chief Financial Officer is hereby directed to refund monies as indicated below:

AMOUNT	NAME
---------------	-------------

\$60.00

**Bayberry Cove Condo Assoc.
435 S. Shore Rd.
Marmora, NJ 08223**

Resolution No. 162-2016

Offered by: Coggins

Seconded by: Pierson

Adopted: July 11, 2016

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>	_____	_____	_____

- 8. 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. 163-2016

**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. 163-2016

Offered by: Coggins

Seconded by: Barr

Adopted: July 11, 2016

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>	_____	_____	_____

Exhibit “A”

		Min. Bid
1.	1997 Tow Master 2 Axle Tandem Trailer – 4KNFT1928VL162094	\$500.00
2.	2001 Freightliner – 1FVABXBS41HH81492	\$500.00
3.	2002 Freightliner – 1FVABXBS42HJ80193	\$500.00

4.	2003 Freightliner – 1FVABXCS33HK87381	\$500.00
----	---------------------------------------	----------

9. Approving the Community Forestry Management Plan for the Township of Upper and authorizing its submittal to the New Jersey Community Forestry Council.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 164-2016

**RE: APPROVING THE COMMUNITY FORESTRY MANAGEMENT PLAN FOR
THE TOWNSHIP OF UPPER AND AUTHORIZING ITS SUBMITTAL TO THE
NEW JERSEY COMMUNITY FORESTRY COUNCIL**

WHEREAS, on May 12, 2015 the Township of Upper entered into a contract with the Lomax Consulting Group for the preparation of a Community Forestry Management Plan (CFMP), in accordance with the New Jersey Shade Tree and Community Forestry Assistance Act Guidelines; and

WHEREAS, the Lomax Consulting Group has prepared and submitted a draft CFMP for the Township, attached hereto as Exhibit A; and

WHEREAS, the draft CFMP has been reviewed by the Township Engineer; 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 attached Community Forestry Management Plan for the Township of Upper is hereby approved and ready for submittal to the New Jersey Community Forestry Council.

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. 164-2016

Offered by: Pierson

Seconded by: Young

Adopted: July 11, 2016

Roll Call Vote:

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

10. Appointing Larry J. Trulli as Alternate #4 to the Upper Township Zoning Board of Adjustment.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 165-2016

**RE: APPOINTING LARRY J. TRULLI AS ALTERNATE #4
TO THE UPPER TOWNSHIP ZONING BOARD OF ADJUSTMENT**

WHEREAS, N.J.S.A. 40:55D-69 provides that members of the Zoning Board of Adjustment shall be appointed by the Governing Body of the municipality; and

WHEREAS, due to a recent resignation of a member on the Zoning Board of Adjustment of the Township of Upper it is necessary to make the appointment of a new member to the Board; and

WHEREAS, the Township Committee deems it appropriate to advance the remaining members, as hereinafter provided, such that the new member appointed shall be appointed to the position of Alternate #4.

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

1. Susan Adelizzi-Schmidt is hereby appointed to serve as a regular member in the unexpired four (4) year term of Alistair Lihou, commencing July 11, 2016 and expiring December 31, 2017.

2. Carol Tutelian is hereby appointed to the unexpired two (2) year term of Susan Adelizzi-Schmidt as Alternate #1, commencing July 11, 2016 and expiring December 31, 2016.

3. Thaddeus Klepac is hereby appointed to the unexpired two (2) year term of Carol Tutelian as Alternate #2, commencing July 11, 2016 and expiring December 31, 2017.

4. Sherrie Lisa Galderisi is hereby appointed to the unexpired two (2) year term of Thaddeus Klepac as Alternate #3, commencing July 11, 2016 and expiring December 31, 2017.

5. Larry J. Trulli is hereby appointed to the unexpired two (2) year term of Sherrie Lisa Galderisi as Alternate #4, commencing July 11, 2016 and expiring December 31, 2017.

Resolution No. 165-2016

Offered by: Young

Seconded by: Barr

Adopted: July 11, 2016

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>	___	___	___

11. Authorizing the use of Township roads for a Du City Tri Runs Triathlon event on July 31, 2016.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 166-2016

**RE: AUTHORIZING THE USE OF TOWNSHIP ROADS FOR A DU CITY TRI RUNS
TRIATHLON EVENT ON JULY 31, 2016**

WHEREAS, Alejandra Reagan and George L. Reagan, individually and trading as DU CITY TRI RUNS, INC. of 251 Ilyssa Way Street, Staten Island, NY 10312, have submitted an application to the Township of Upper requesting the use of Township Roads for a Triathlon and

Duathlon event to be held on July 31, 2016, as indicated in their Application for Use of Facilities and accompanying maps attached hereto as Exhibit A; and

WHEREAS, Alejandra Reagan and George L. Reagan, individually and trading as DU CITY TRI RUNS, INC. have executed an approved Use of Facilities Agreement, attached hereto as Exhibit “B”; and

WHEREAS, the proposed event is sanctioned and insured by the USA Triathlon Association, copy of insurance certificate is attached hereto as Exhibit “C”; and

WHEREAS, Alejandra Reagan and George L. Reagan, individually and trading as DU CITY TRI RUNS, INC., have obtained written approval from and comply with all conditions imposed by the Risk Management Consultant of the Township of Upper, the New Jersey State Police, and the Upper Township Rescue Squad.

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township Committee does hereby grant approval, to the extent that it has jurisdiction to do so, to Alejandra Reagan and George L. Reagan, individually and trading as DU CITY TRI RUNS, INC. to utilize Brewhaus Road, E. Golden Oak Lane, and Redwish Avenue for a race event to be held on July 31, 2016.
3. Alejandra Reagan and George L. Reagan, individually and trading as DU CITY TRI RUNS, INC. have no connection, direct or indirect, with the Township of Upper or any of its officials or employees. Alejandra Reagan and George L. Reagan, individually and trading as DU CITY TRI RUNS, INC., shall not, in any way, directly or indirectly, represent that the race is, in any way, associated with or affiliated with the Township of Upper and shall make clear that the event is carried out with all appropriate governmental and other approvals.

Resolution No. 166-2016

Offered by: Young

Seconded by: Pierson

Adopted: July 11, 2016

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>

12. Authorizing the Upper Township Tax Collector to extend the 3rd Quarter Grace Period.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 167-2016

**AUTHORIZING THE UPPER TOWNSHIP TAX COLLECTOR
TO EXTEND THE 3RD QUARTER GRACE PERIOD**

WHEREAS, the tax rate or bills were not received in time to meet the statutory mailing and due dates, the grace period for the 3rd quarter of 2016 which is 10 days, will be extended to meet the statutory requirements as per N.J.S.A. 54:4-66.3d . (N.J.S.A.54:4-67) By law, the bills must be mailed 25 days prior to due date.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Upper, Cape May County, that in accordance with the law the third quarter of 2016 shall not be subject to interest until 25 days after mailing. Anyone paying after the extended grace period shall pay interest from the due date of August 1st.

Resolution No. 167-2016

Offered by: Coggins

Seconded by: Pierson

Adopted: July 11, 2016

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>

13. Adoption of Payment Assistance Program.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 168-2016

RE: ADOPTION OF PAYMENT ASSISTANCE PROGRAM

WHEREAS, the Governing Body of Township of Upper has petitioned the Council on Affordable Housing (COAH), now known as the Fair Housing Act Administration (FHAA) for substantive certification of its Housing Element and Fair Share Plan, dated December 2008; and

WHEREAS, Township of Upper's Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.) and FHAA's Third Round Substantive Rules (N.J.A.C. 5:94-1, et. seq.); and

WHEREAS, the Township Committee of the Township of Upper has developed a Down Payment Assistance Program in accordance with the Uniform Housing Affordability Controls and the New Jersey Fair Housing Act; and

WHEREAS, the Township Committee of the Township of Upper will dedicate from the Upper Township Affordable Housing Trust Fund up to \$10,000 of down payment assistance based on a recommendation from the Township's Administrative Agent to homebuyers of deed restricted affordable housing properties within Upper Township; and

NOW THEREFORE BE IT RESOLVED, the Township of Upper shall adopt the Down Payment Assistance Program attached to this Resolution; and

BE IT FURTHER RESOLVED, Triad Associates, the Township's Administrative Agent for this program, shall administer and enforce said plan in coordination with the Township's Municipal Housing Liaison.

Resolution No. 168-2016
Offered by: Coggins
Adopted: July 11, 2016

Seconded by: Pierson

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>

14. Authorizing a Down Payment Assistance payment from the Affordable Housing Trust Fund of Upper Township.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 169-2016

**RE: AUTHORIZING A DOWN PAYMENT ASSISTANCE PAYMENT FROM THE
AFFORDABLE HOUSING TRUST FUND OF UPPER TOWNSHIP**

WHEREAS, the Township of Upper adopted Resolution No. 168-2016 on July 11, 2016, adopting a Payment Assistance Program with funds available through the Affordable Housing Trust Fund of Upper Township, dedicating up to \$10,000 of down payment assistance to help low- and moderate-income households achieve the goal of homeownership; and

WHEREAS, the Payment Assistance Program is administered and enforced by Triad Associates, the Township’s Administrative Agent for this program, in coordination with the Township’s Municipal Housing Liaison; and

WHEREAS, the Township Committee hereby authorizes a down payment assistance payment of \$5,000.00 to Christine Lord for the purchase of Block 350, Lot 9 of the Township of Upper from the Housing Opportunities Corporation; and

WHEREAS, the down payment assistance payment will be given as a zero interest loan payable at the time of transfer of title of the affordable housing unit and is secured by a second mortgage and note; and

WHEREAS, in accordance with the Township of Upper’s Affordable Housing Trust Fund Spending Plan, adopted on April 30, 2012, by Resolution No. 105-2012, thereby setting forth certain procedures for the collection and distribution of development fee revenues from the Affordable Housing Trust Fund of Upper Township, the Township Committee hereby authorizes the release of the aforementioned down payment assistance payment.

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The down payment assistance payment of \$5,000.00 to Christine Lord for the purchase of Block 350, Lot 9 of the Township of Upper from the Housing Opportunities Corporation is hereby authorized and approved as a zero interest loan payable at the time of transfer of title of the affordable housing unit and is secured by a second mortgage and note.
3. The Chief Financial Officer is hereby authorized and empowered to release the aforementioned down payment assistance payment from the Affordable Housing Trust Fund of Upper Township.

Resolution No. 169-2016
 Offered by: Coggins
 Adopted: July 11, 2016

Seconded by: Young

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>

15. Appointing the 2016 Season Beach Patrol Personnel.

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

RESOLUTION NO. 170-2016

RE: APPOINTING THE 2016 SEASON BEACH PATROL PERSONNEL

WHEREAS, the individuals hereinafter named have been determined to possess the requisite skills, training and are otherwise eligible for appointment to the position of lifeguard; and

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

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

2. The following individuals are appointed as lifeguards in the Township of Upper at a salary as stated below in accordance with the Salary Ordinance:

RETURNING GUARDS

MIKE DESALIS	\$13.50 per hour
MIKE MANNING	\$13.50 per hour

ROOKIE GUARDS

EMILY CULMONE	\$12.00 per hour
CHRIS CARROL	\$12.00 per hour

Resolution No. 170-2016

Offered by: Barr

Seconded by: Pierson

Adopted: July 11, 2016

Roll Call Vote:

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

16. Authorizing the purchase of two Heil High Compaction Rear Loader Durapack 5000 25 Cubic Yard Trucks in the amount of \$342,823.07 through the National Joint Powers Alliance (NJPA) National Cooperative Contract with funds from the 2016 Capital Improvement Bond Ordinance.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 171-2016

**RE: AUTHORIZING THE PURCHASE OF TWO HEIL HIGH COMPACTION
REAR LOADER DURAPACK 5000 25 CUBIC YARD TRUCKS
IN THE AMOUNT OF \$342,823.07 THROUGH THE NATIONAL JOINT POWERS
ALLIANCE (NJPA) NATIONAL COOPERATIVE CONTRACT WITH FUNDS FROM
THE 2016 CAPITAL IMPROVEMENT BOND ORDINANCE**

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

WHEREAS, the Township Committee adopted the 2016 Capital Improvement Bond Ordinance 08-2016 on April 25, 2016; and

WHEREAS, N.J.S.A. 52:34-6.2 allows the Township of Upper to utilize national cooperative contracts as a method of procurement; and

WHEREAS, the Township of Upper intends to purchase two HEIL High Compaction Rear Loader DuraPack 5000 25 Cubic Yard trucks from Mid-Atlantic Waste Systems through the National Joint Powers Alliance (NJPA) National Cooperative Contract No. #HEIL 11214-THC as herein indicated; and

WHEREAS, Mid-Atlantic Waste Systems has completed and submitted a Business Entity Disclosure Certification which certifies that Mid-Atlantic Waste Systems has not made any reportable contributions to a political or candidate committee in the Township in the previous one year, and that the contract will prohibit Mid-Atlantic Waste Systems from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Township has certified the availability of funds to allow the award of contract for the purchase herein authorized and has certified that adequate funds have been appropriated for this purpose from the 2016 Capital Improvement Bond.

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

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

2. The Township Committee of the Township of Upper, County of Cape May, New Jersey hereby authorizes the Qualified Purchasing Agent to enter into a contract with Mid-Atlantic Waste Systems for the purchase of two HEIL High Compaction Rear Loader DuraPack 5000 25 Cubic Yard trucks through the NJPA National Cooperative Contract No. #HEIL 11214-THC in the amount of \$342,823.07.

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

Resolution No. 171-2016

Offered by: Coggins Seconded by: Barr

Adopted: July 11, 2016

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>	_____	_____	_____

ORDINANCES

17. Public hearing and final adoption of Ordinance No. 011-2016 RE: AMENDING REVISED GENERAL ORDINANCE CHAPTERS XIX (LAND SUBDIVISION, SITE PLAN AND LAND USE ADMINISTRATION) AND XX (ZONING) OF THE CODE OF UPPER TOWNSHIP. **During the public hearing portion there were no speakers. Motion by Jeffrey Pierson, second by Hobie Young, to adopt Ordinance 011-2016. During roll call vote all five Committee members voted in the affirmative.**

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

ORDINANCE NO. 011-2016

RE: AMENDING REVISED GENERAL ORDINANCE CHAPTERS XIX (LAND SUBDIVISION, SITE PLAN AND LAND USE ADMINISTRATION) AND XX (ZONING) OF THE CODE OF UPPER TOWNSHIP

WHEREAS, the Township Committee desires to amend land subdivision, site plan, land use administration and zoning; and

WHEREAS, Township Committee and the Upper Township Planning Board have identified elements in the Land Subdivision, Site Plan and Land Use Administration and Zoning ordinance that need modification, including clarification of zoning districts requiring sidewalks, penalty for violation of site plan provisions and existing non-confirming lot criteria; and

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

SECTION 1. Chapter 19 of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, shall be amended and supplemented as hereinafter provided:

19-7.4 Sidewalks.

Replace in its entirety Section 19-7.4a:

- a. Sidewalks shall be provided in the following zones as designated in the Upper Township Zoning Ordinance:^{*}
 - RR Resort Residential
 - RC Resort Commercial
 - TC Town Center
 - TCC Town Center Core
 - TV Tuckahoe Village

19-10 PENALTY.

Replace in its entirety Section 19-10

10.1 Transfer or Sale of Land Prior to Final Approval.

- a. If, before final subdivision approval has been granted, any party transfers or sells or agrees to transfer or sell, except pursuant to an agreement expressly conditioned on final subdivision approval as owner or agent, any land which forms a part of a subdivision for which municipal approval is required by ordinance pursuant to this act, then such person shall be subject to a penalty as described below.
- b. **Civil Action Instituted by Township.**

In addition to the foregoing, the Municipality may institute and maintain a civil action:

 - (1). For injunctive relief.

- (2). To set aside and invalidate any conveyance made pursuant to such a contract or sale if a certificate of compliance has not been issued in accordance with N.J.S.A. 40:55D-56.

c. **Entitlement to Lien.**

In any such action, the transferee, purchaser or grantee shall be entitled to a lien upon the portion of the land from which the subdivision was made that remains in the possession of the subdivider or his assigns or successors to secure the return of any deposit made or purchase price paid and also a reasonable search fee, survey expense and title closing expense, if any. Any such action must be brought within two (2) years after the date of the recording of the instrument or transfer, sale or conveyance of said land or within six (6) years, if unrecorded.

10.2 Site Plan Approval.

- a. If, before site plan approval has been granted any party clears any trees or underbrush from a lot, or changes any use on a property, or begins construction of any storage yard, building, structure or addition thereto, then such person shall be subject to a penalty as described below.
- b. Property owner shall be responsible for maintaining all improvements as shown on the approved final site plan approval and contained in the approving resolution. Any such person violating this section shall be subject to a penalty as described below.

10.3 Penalty

Any person(s) who is found to be in violation of the provisions of this Chapter shall be subject to a fine in the minimum amount of five hundred (\$500.00) dollars and not to exceed one thousand (\$1,000.00) dollars for each day. Except as otherwise provided, each and every day in which a violation of any provision of this Code or any other ordinance of the Township exists shall constitute a separate violation.

SECTION 2. Chapter 20 of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, shall be amended and supplemented as hereinafter provided:

Section 20-5.6g2(a) Nonconforming Uses, Structures and Lots.

Replace in its entirety Section 20-5.6g2(a):

- g. Any lots situated in the "AR," "C," "RR," "R," "R2," "TV," "TR," "PV," "RD," "F3," "F10," or "F25" Districts which:
 1. No change.
 2. Has a minimum frontage and width of one hundred (100') feet and a minimum area of thirty thousand (30,000) square feet; or has a minimum frontage of one hundred twenty (120') feet and a minimum area of twenty thousand (20,000) square feet; or is a developed residential lot that has an existing legally occupied structure; may have a construction permit issued for use permitted in the zoning district provided each of the following conditions are met:
 - (a) Such a lot shall have been created by a subdivision plat or deed duly recorded in the Office of the Cape May County Clerk on or before August 31, 1986 or if situated in the "AR" District on or before October 9, 2007, which plat or

deed shall clearly designate the lot as an individual parcel of land having either a minimum frontage and width of one hundred (100') feet and a minimum area of thirty thousand (30,000) square feet or a minimum frontage and width of one hundred twenty (120') feet and a minimum area of twenty thousand (20,000) square feet; or is an existing developed lot; and

SECTION 3: EFFECTIVE DATE: This ordinance shall take effect immediately upon adoption and publication as required by law.

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

SECTION 5: SEVERABILITY: If any section, paragraph, subdivision, subsection, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, subsection, clause or provision declared invalid and the remainder of this Ordinance shall remain in full force and effect and shall be enforceable.

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

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR THE FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 13TH DAY OF JUNE, 2016 AT THE TOWNSHIP HALL, AND WAS TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 11TH DAY OF JULY, 2016 AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY, AT WHICH TIME SAID ORDINANCE WAS ADOPTED.

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

BARBARA L. YOUNG, TOWNSHIP CLERK
TOWNSHIP OF UPPER

CORRESPONDENCE

NEW BUSINESS

18. Ocean City/Upper Township Rotary Club request to place a "Take a Book Leave a Book Bookhouse" at the Beesley's Point Beach. **Motion by Hobie Young, second**

by John Coggins to approve the request. During roll call vote all five Committee members voted in the affirmative.

UNFINISHED BUSINESS

DISCUSSION

PAYMENT OF BILLS

19. "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: \$268,827.41
Payroll: \$ 208,991.15

REPORT OF MUNICIPAL DEPARTMENTS

- 20. Construction Code
- 21. Clerk's Office
- 22. Animal Control
- 23. Tax Collector
- 24. Municipal Court
- 25. Finance Office
- 26. MUA Report
- 27. Department of Public Works
- 28. EMS

Motion by John Coggins, second by Richard Palombo, to accept the reports as submitted. During roll call vote all five Committeemen voted in the affirmative. Copies of the reports are available in the Clerk's Office.

PUBLIC COMMENT

Christine Furey, Strathmere, reported on an issue with a Township Recycling truck dropping small piles of glass on the road. It was stated that the issue has been resolved, and the Committee directed Public Works to have the street sweeper make a thorough pass through the affected streets. She next requested that the Township regulate the Jitney Service that is running through Strathmere. The Municipal Attorney stated that more information will need to be gathered as to whether the operation is public or private. He further stated that any public disturbance or disorderly conduct incidents should be reported to the State Police.

Karen Mitchell, Strathmere, stated that the Jitney issue could be resolved by allowing the Jitney to only pick up and drop off at the local bars or restaurants.

Elaine Holsomback, Strathmere, spoke with regard to several issues including the Jitney service, the condition of the streets after NJ American Water Company installed the water mains throughout Strathmere, the excess sand buildup on the beach access paths, and the patrol of the beaches by Animal Control.

Mike Jones, Marshallville, inquired as to when Mosquito Landing road will be repaired. He stated that the potholes are deep and unavoidable. The Engineer stated that it is on the Road Department's schedule for repair.

CLOSED SESSION

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

**TOWNSHIP OF UPPER
RESOLUTION NO. 172-2016
MOTION GOING INTO CLOSED SESSION
JULY 11, 2016**

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. Litigation - Affordable Housing
2. Litigation - Tax Lien Foreclosures
3. Contract negotiation - Environmental Testing
4. Contract negotiation - K.D. National Force Security & Investigations
5. Contract negotiation - Ansell, Grimm & Aaron PC
6. Contract negotiation - Shared Service Agreement with Ocean City for EMS and Fire Suppression to Strathmere
7. 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 employment and personnel matters such discussions will be made public if and when formal action is taken or when the individuals involved consent that it can be made public.
- C. With respect to litigation matters such discussions will be made public when litigation is complete and the applicable appeal period has expired.
- D. With respect to contract negotiations such matters will be made public when negotiations have ceased and there is no longer a reason for confidentiality.

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

Motion by John Coggins, second by Jeffrey Pierson, to reconvene the public portion of the meeting with all five Committee members voting in the affirmative.

Motion by John Coggins, second by Edward Barr, to authorize a \$2,000.00 payment to the Affordable Housing Consortium for additional legal representation. During roll call vote all five Committee members voted in the affirmative.

ADJOURNMENT

There being no further business this evening the meeting was adjourned at 10:29 P.M., with a motion by John Coggins, second by Jeffrey Pierson, to adjourn with all five members voting in the affirmative. The next regular meeting is scheduled for July 25, 2016 at 7:30 P.M.

Minutes prepared by

Barbara L. Young, RMC

Bill List

67403	07/11/16	A0018	ACTION SUPPLY INC.	57.28	2930
67404	07/11/16	A0025	ADVANTAGE RENTAL ACE HARDWARE	1,116.75	2930
67405	07/11/16	A0030	AFTER-PROM COMMITTEE OCHS	3,775.00	2930
67406	07/11/16	A0035	AIRLINE HYDRAULIC CORP.	17.70	2930
67407	07/11/16	A0091	ATLANTIC CITY ELECTRIC	10,395.05	2930
67408	07/11/16	A0191	ACTION UNIFORM CO. LLC	1,825.00	2930
67409	07/11/16	A0193	ATLANTIC INVESTIGATIONS, LLC	2,931.00	2930
67410	07/11/16	A0200	AIG LIFE INSURANCE COMPANY	192.41	2930
67411	07/11/16	B0035	BELMONT & CRYSTAL SPRINGS	25.36	2930
67412	07/11/16	B0220	BERGEY'S TRUCK CENTERS	37.92	2930
67413	07/11/16	C0031	CAPE ASSIST	450.00	2930
67414	07/11/16	C0043	CAPE COUNSELING SERVICES INC	200.00	2930
67415	07/11/16	C0055	CAPE MAY COUNTY HEALTH DEPT.	200.00	2930
67416	07/11/16	C0060	CAPRIONI'S PORTABLE TOILETS	2,717.75	2930
67417	07/11/16	C0068	COMCAST	840.80	2930
67418	07/11/16	C0081	CAPE MAY COUNTY TECHNICAL HIGH	200.00	2930
67419	07/11/16	C0116	CINTAS CORPORATION	71.30	2930
67420	07/11/16	C0143	CODY'S POWER EQUIPMENT	122.06	2930
67421	07/11/16	C0156	COMPUTER HOUSE OF SOUTH JERSEY	10,395.00	2930
67422	07/11/16	C0182	CDW GOVERNMENT, INC	5,416.99	2930
67423	07/11/16	C0223	CASA PAYROLL SERVICE	605.80	2930
67424	07/11/16	C0242	CORE MECHANICAL, INC.	149.80	2930
67425	07/11/16	C0264	CHERRY HILL FIRE DISTRICT	1,552.00	2930
67426	07/11/16	D0040	DELTA DENTAL OF N.J. INC.	330.35	2930
67427	07/11/16	F0181	FOR SHORE WEED CONTROL, INC	2,045.56	2930
67428	07/11/16	G0016	GARDNER HARDWARE INC.	199.42	2930
67429	07/11/16	G0028	GENTILINI FORD	85.31	2930
67430	07/11/16	G0086	W.W. GRAINGER, INC.	1,336.06	2930
67431	07/11/16	G0092	GRUND, BARBARA J.	85.45	2930
67432	07/11/16	G0147	GREATAMERICA FINANCIAL SVCS.	176.97	2930
67433	07/11/16	G0157	GRANTURK EQUIPMENT CO., INC.	1,274.34	2930
67434	07/11/16	H0018	HAROLD RUBIN L & H SUPPLY	443.94	2930
67435	07/11/16	H0043	HERITAGE SURF & SPORT	945.44	2930
67436	07/11/16	H0073	HOME DEPOT CRC/GECF	3,735.15	2930
67437	07/11/16	H0095	HORIZON BCBSNJ	144,505.77	2930
67438	07/11/16	H0098	HERITAGE TOWERS, INC.	696.00	2930

67439 07/11/16 J0041 JONES, JAMES M. 64.00 2930
67440 07/11/16 J0072 JERSEY WEB DESIGNS 4,959.49 2930
67441 07/11/16 J0074 J.A. MONTGOMERY RISK CONTROL 1,219.00 2930
67442 07/11/16 K0086 K D NATIONAL FORCE SECURITY 2,590.00 2930
67443 07/11/16 K0090 KENNY YOUNG BAND 2,500.00 2930
67444 07/11/16 L0031 LORCO PETROLEUM SERVICES 181.00 2930
67445 07/11/16 M0142 MASON, NICHOLAS 78.42 2930
67446 07/11/16 M0180 MED-TECH RESOURCE,LLC 1,132.55 2930
67447 07/11/16 M0188 MCCARTHY TIRE SERVICE OF PHILA 297.95 2930
67448 07/11/16 M0209 MAYBERRY, JOHN D 121.59 2930
67449 07/11/16 M0224 McBRIDE, JANET E 45.00 2930
67450 07/11/16 M0230 MCANJ 175.00 2930
67451 07/11/16 M0247 MORGAN, SCOTT 249.67 2930
67452 07/11/16 N0004 NJ-AMERICAN WATER CO. 181.46 2930
67453 07/11/16 N0052 NATL YOUTH SPORTS COACHED ASSN 120.00 2930
67454 07/11/16 N0131 DEFINED CONTRIB RETIRE PROGRAM 202.57 2930
67455 07/11/16 O0006 SJSHORE MARKETING,LLC 117.80 2930
67456 07/11/16 P0032 PEDRONI FUEL CO. 2,370.27 2930
67457 07/11/16 P0050 PARSIO, ANTHONY 177.94 2930
67458 07/11/16 P0056 TURF EQUIPMENT AND SUPPLY CO 311.85 2930
67459 07/11/16 P0075 POSITIVE PROMOTIONS INC 1,888.17 2930
67460 07/11/16 P0078 PRO VIDEO ENGINEERING 2,300.00 2930
67461 07/11/16 P0136 POSTNET 359.00 2930
67462 07/11/16 Q0003 QC INC. 2,300.60 2930
67463 07/11/16 Q0008 QUILL CORPORATION 231.28 2930
67464 07/11/16 R0030 RIGGINS, INC. 3,450.41 2930
67465 07/11/16 R0113 RAFF, CAROLYN 40.70 2930
67466 07/11/16 S0001 SAM'S CLUB 174.08 2930
67467 07/11/16 S0056 SEASHORE ASPHALT CORPORATION 223.75 2930
67468 07/11/16 S0121 SMUZ, THERESE A 45.83 2930
67469 07/11/16 S0130 SOUTH JERSEY CHIEFS ASSOC. 150.00 2930
67470 07/11/16 S0134 SO. JERSEY GAS COMPANY 135.72 2930
67471 07/11/16 S0139 SO. JERSEY WATER COND. INC. 340.50 2930
67472 07/11/16 S0165 S.E.T. COMMUNICATIONS INC 70.95 2930
67473 07/11/16 S0204 SAFETY DOWN UNDER, INC. 1,880.00 2930
67474 07/11/16 S0239 SHORE VET. ANIMAL CONTROL LLC 2,300.00 2930
67475 07/11/16 S0253 SAMPLE MEDIA, INC. 370.00 2930
67476 07/11/16 S0254 SHOPRITE 240.70 2930
67477 07/11/16 S0275 SCHAEFER PYROTECHNICS INC. 4,165.50 2930
67478 07/11/16 S0279 SPECTROTEL, INC 1,135.16 2930
67479 07/11/16 S0289 SEARCH INSTITUTE 222.90 2930
67480 07/11/16 S0292 JEFFREY SURENIAN & ASSOC. LLC 2,031.24 2930
67481 07/11/16 T0022 TERMINIX 59.00 2930
67482 07/11/16 T0032 THE PRESS OF ATLANTIC CITY 450.84 2930
67483 07/11/16 T0048 TILL PAINT CO/D. FITZGERALD 44.00 2930
67484 07/11/16 T0067 TOWNSHIP OF UPPER PETTY CASH 15.00 2930
67485 07/11/16 T0074 TRANSAXLE LLC 1,785.34 2930
67486 07/11/16 T0094 TREASURER STATE OF NEW JERSEY 50.00 2930
67487 07/11/16 T0129 TRUGREEN CHEMLAWN 5,393.14 2930
67488 07/11/16 T0168 TOWNSHIP OF UPPER 247.43 2930
67489 07/11/16 T0180 TRI-COUNTY PEST CONTROL, INC 25.00 2930
67490 07/11/16 U0003 U.S. MUNICIPAL SUPPLY, INC. 2,458.13 2930
67491 07/11/16 U0028 UPPER TOWNSHIP BD.OF EDUCATION 1,100.00 2930
67492 07/11/16 V0013 VERIZON WIRELESS 1,351.76 2930
67493 07/11/16 V0018 VILLAGE PHARMACY, INC. 60.00 2930
67494 07/11/16 V0020 VINELAND AUTO ELECTRIC INC. 1,000.21 2930
67495 07/11/16 V0024 VAL-U AUTO PARTS L.L.C. 467.79 2930
67496 07/11/16 V0025 V.E. RALPH & SON,INC. 93.25 2930
67497 07/11/16 W0030 WEST PUBLISHING CO. 706.56 2930
67498 07/11/16 W0038 WILLIAMS, JEREMIAH J. 172.96 2930
67499 07/11/16 W0087 W.B. MASON 500.84 2930
67500 07/11/16 Y0008 YOUNG, DANIEL J. ESQUIRE PC 12,468.75 2930
67501 07/11/16 Y0012 YOUNG,ROBERT 52.74 2930
67502 07/11/16 Y0020 YOUNG, BARBARA L. 17.89 2930

Total: 268,827.41