

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR MARCH 21, 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
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. Municipal Auditor Leon Costello was also in attendance for the Budget portion of the meeting.

APPROVAL OF MINUTES - February 29, 2016 Special Budget Workshop and March 7, 2016 Regular Meeting and Closed Session Minutes

Motion by Jeffrey Pierson, second by Edward Barr, to approve the February 29, 2016 Special Budget Workshop and March 7, 2016 Regular Meeting, and Closed Session Minutes as submitted. During roll call vote all five Committeemen voted in the affirmative.

2016 BUDGET - CAP Ordinance and Budget Introduction

1. Introduction and First Reading of Ordinance No. 006-2016, RE: CALENDAR YEAR 2016 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14). **Motion by Jeffrey Pierson, second by John Coggins, to introduce Ordinance 006-2016 with the public hearing and final adoption scheduled for April 25, 2016. During roll call vote all five Committeemen voted in the affirmative.**

**TOWNSHIP OF UPPER
CALENDAR YEAR 2016
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

ORDINANCE NO. 006-2016

WHEREAS, the Local Government Cap Law, N.J.S.40A: 4-45.1 et seq., provides that in the preparation of it annual budget, a municipality shall limit any increase in said budget up to 0% unless authorized by ordinance to increase it to 3.5% over the previous' year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between that amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Upper in the County of Cape May finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$346,270.75 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THERETOFORE BE IT ORDAINED, by the Township Committee of the Township of Upper, in the County of Cape May, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Township of Upper shall, in accordance with this ordinance and N.J. S.A. 40A: 4-45.14, be increased by 3.5% amounting to \$346,270.75 and that the CY 2016 municipal budget for the Township of Upper be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced by filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days of such adoption.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE

OF THE TOWNSHIP OF UPPER HELD ON THE 21st DAY OF MARCH, 2016 AND WILL BE TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER TO BE HELD ON THE 25th DAY OF APRIL, 2016 AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY.

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

BARBARA L. YOUNG, MUNICIPAL CLERK
TOWNSHIP OF UPPER

2. Introduction of 2016 Budget.

Municipal Auditor Leon Costello stated that the 2016 Budget represents a 2 cent tax levy increase, and can be modified up until the budget adoption scheduled for April 25th.

Motion by John Coggins, second by Jeffrey Pierson, to introduce the 2016 Budget with a Public Hearing and Final Adoption of the Budget and Resolution for the year 2016 scheduled for April 25, 2016 at 7:30 P.M. During roll call vote all five Committee members voted in the affirmative. The introduced budget is available for public inspection on the Upper Township website, a copy is available at the Upper Township Branch of the Cape May County Public Library, and copies are available at the Clerk's Office.

At this point, Committeeman Hobie Young left the meeting.

REPORT OF GOVERNING BODY MEMBERS

Edward Barr, Committeeman, offered his kudos to Committeeman Young and the volunteers for the recent Spring Fling/Easter Egg Hunt. The day was well organized and a good time was had by all. Special thanks was given to Shawna Mulford, who was the main organizer for the event. Mr. Barr next wished everyone a safe and happy Easter.

Jeffrey Pierson, Committeeman, made a motion to have a resolution prepared honoring the members of Cub Scout Pack 79 who have crossed over to Boy Scouts. The motion was seconded by Edward Barr. During roll call vote all four Committeemen present voted in the affirmative. He next requested and made a motion for a resolution honoring Steven Jefferson for earning the rank of Eagle Scout. The motion was seconded by Edward Barr. During roll call vote all four Committeemen present voted in the affirmative. Resolutions for formal action will be placed on the next agenda. Last, Mr. Pierson also offered his congratulations to the organizers of the Spring Fling and wished everyone a Happy Easter.

Richard Palombo, Mayor, reported on a request he received for installing a golf hitting cage at Amanda's Field. He requested that the matter be looked into to see if funding is available.

OTHER REPORTS

Barbara Young, Municipal Clerk, reminded everyone that the Township offices will be closed on March 25th for the Good Friday holiday.

Daniel Young, Municipal Attorney, reported that there are a number of items for closed session.

Paul Dietrich, Municipal Engineer, reported that the DEP is providing towns with seedlings to replace trees that were lost during Super Storm Sandy. He and the Green Team will be distributing the seedlings to interested residents on Saturday April 9th from 12:30 pm to 2:00 pm at Amanda’s Field. Mr. Dietrich next reported that the President has given a Federal Declaration for Winter Storm Jonas. He will be working with the OEM office to determine what storm preparation, response, and public cleanup assistance will be eligible for reimbursement. Information to homeowners who were affected by the storm will be given out when available. Mr. Dietrich next requested authorization to notify the County of the Township’s intent to participate in the County’s Hazard Mitigation Grant program which will apply for funding to elevate or acquire severe and repetitive loss properties. Motion by Jeffrey Pierson, second by Edward Barr, to approve the request. During roll call vote all four Committeemen present voted in the affirmative. Lastly, he reported that the Public Works Department has been doing some spring cleaning in Strathmere and will continue on to the Beesley’s Point beach and boat ramp to prepare for the summer season.

Barbara Spiegel, Chief Financial Officer, reported on a request from the Deputy Court Administrator to attend a three day conference in Cape May. Motion by Jeffrey Pierson, second by Edward Barr, to approve the request. During roll call vote all four Committeemen present voted in the affirmative. She next reported that the Tax Assessor has organized a Blood Drive for Thursday March 31st from 1:00 pm to 6:00 pm at the Upper Township Community Center, and is requesting permission to offer a raffle for one day off to employees that donate blood. Motion by Jeffrey Pierson, second by Edward Barr, to approve the request. During roll call vote all four Committee members present voted in the affirmative

RESOLUTIONS

- 3. Resolution supporting the use of the Atlantic City Rescue Mission for emergency housing.

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

RESOLUTION NO. 068-2016

**RE: RESOLUTION SUPPORTING THE USE OF THE
ATLANTIC CITY RESCUE MISSION FOR EMERGENCY HOUSING**

WHEREAS there is currently no homeless shelter in Cape May County; and

WHEREAS the Atlantic City Rescue Mission has expressed its interest in providing services to Cape May County’s homeless population; and

WHEREAS, the Atlantic City Rescue Mission currently has memorandums of understanding with Cumberland County, Ocean County and Atlantic County to accept vouchers to house, train and counsel the homeless; and

WHEREAS, there exists a memorandum of understanding which currently remains in the hands of the Department of Human Services and is yet to be approved, all while the homeless population of Cape May County continues to be placed in local motels with no on-site job training or counseling; and

WHEREAS, the Atlantic City Rescue Mission works with over 50 agencies to provide job training, drug and alcohol counseling, spiritual counseling, life skills training and provides a safe and secure temporary housing environment for those in need; and

WHEREAS, it is statistically proven that counseling and job training are necessary to break the cycle of homelessness; and

WHEREAS, the increasing homeless population in Cape May County deserves access to a better life through counseling and training.

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. This Township Committee hereby supports the use of the Atlantic City Rescue Mission to temporarily house homeless individuals and further urges the Department of Human Services to approve the memorandum of understanding between the County of Cape May and the Atlantic City Rescue Mission.

3. A copy of this Resolution shall be provided to the members of the New Jersey Legislature, the Cape May County Board of Chosen Freeholders, all Cape May County Municipalities, the Atlantic City Rescue Mission and the New Jersey Department of Human Services.

Resolution No. 68-2016
Offered by: Pierson Seconded by: Barr
Adopted: March 21, 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> </u>	<u> </u>	<u> </u>	<u> X </u>
Palombo	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

4. Authorizing purchases to be made under State Contract pursuant To N.J.S.A. 40A:11-12.

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

RESOLUTION NO. 69-2016

**RE: AUTHORIZING PURCHASES TO BE MADE UNDER STATE CONTRACT PURSUANT
TO N.J.S.A. 40A:11-12**

WHEREAS, the Township of Upper, as a contracting unit may, without advertising for bids, purchase any materials, supplies, services or equipment under any contract or contracts entered into by the New Jersey Division of Purchase and Property in the Department of Treasury, for such materials, supplies, services or equipment pursuant to N.J.S.A. 40A:11-12; and

WHEREAS, it is desirable for the Township of Upper to utilize these State contracts as needed and when it is in the best interest of the Township to do so; and

WHEREAS, purchases made utilizing State contracts meet the requirements of using a fair and open process; and

WHEREAS, the attached "Schedule A" represents State contract vendors the Township of Upper intends to use in the current year.

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 use of the listed State contract vendors when done so in the best interest of the Township of Upper by way of executing a valid Township of Upper Purchase Order in accordance with proper purchasing procedures and practices.

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

Resolution No. 69-2016
 Offered by: Coggins
 Adopted: March 21, 2016
 Roll Call Vote:

Seconded by: Pierson

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> </u>	<u> </u>	<u> </u>	<u> X </u>
Palombo	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

SCHEDULE A

- Airline Hydraulic Corp.
- Caprioni Portable Toilets
- Craft Oil Corp. t/a Petro Choice
- Dell Marketing, LP
- Edmunds & Associates, Inc.
- GranTurk Equipment Co., LLC
- McCarthy Tire Service
- Napa Auto Parts
- Oceanport, LLC
- Old Dominion Brush
- Orchard Hydraulic Services, Inc.
- Riggins, Inc.
- Steril-Koni USA
- Turf Equipment and Supply Co.
- Verizon Wireless
- W. B. Mason
- Winner Ford of Cherry Hill

5. Authorizing the award of a contract with GranTurk Equipment Co., Inc. for automotive parts and supplies.

**TOWNSHIP OF UPPER
 CAPE MAY COUNTY
 RESOLUTION**

RESOLUTION NO. 70-2016

**RE: AUTHORIZING THE AWARD OF A CONTRACT
WITH GRANTURK EQUIPMENT CO., INC. FOR AUTOMOTIVE PARTS AND SUPPLIES**

WHEREAS, from time to time the Township of Upper has a need to purchase automotive parts and supplies from GranTurk Equipment Co., Inc. as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Qualified Purchasing Agent has determined and certified in writing that the value of acquisitions with GranTurk Equipment Co., Inc. for the year 2016 will exceed \$17,500; and

WHEREAS, GranTurk Equipment Co., Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that GranTurk Equipment Co., Inc. 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 GranTurk Equipment Co., Inc. from making any reportable contributions through the term of the contract; and

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

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township Committee of the Township of Upper, County of Cape May, New Jersey hereby authorizes the Qualified Purchasing Agent to enter into a contract with GranTurk Equipment Co., Inc. as described herein.
3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
4. The Chief Financial Officer is hereby authorized, directed and empowered to execute any and all necessary documents in order to implement the intent of this Resolution.

Resolution No. 70-2016
Offered by: Pierson
Adopted: March 21, 2016
Roll Call Vote:

Seconded by: Barr

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>	_____	_____	_____

6. Authorizing an amendment to the Shared Services Agreement with the Township of Dennis to provide clerical and administrative services for the Construction Code office.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 71-2016

**RE: AUTHORIZING AN AMENDMENT TO THE SHARED SERVICES AGREEMENT
WITH THE TOWNSHIP OF DENNIS TO PROVIDE CLERICAL AND ADMINISTRATIVE
SERVICES FOR THE CONSTRUCTION CODE OFFICE**

WHEREAS, on April 21, 2015 the Township of Upper and the Township of Dennis entered into Shared Services Agreement to provide usual and ordinary clerical and administrative services to the Upper Township Construction Code Office; and

WHEREAS, both parties desire to extend the term of said Agreement for an additional one year term; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township Committee hereby authorizes the Mayor and Township Clerk to sign an Amendment to the Shared Services Agreement with the Township of Dennis to extend the term of said agreement for an additional one (1) year, commencing May 1, 2016 and expiring on April 30, 2017.

3. This Resolution extending the terms of the aforesaid Shared Services Agreement is conditioned upon similar action being taken by the Township of Dennis.

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. 71-2016
Offered by: Pierson
Adopted: March 21, 2016

Seconded by: Barr

Roll Call Vote:

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

7. Refund EMS Ambulance billing overpayment to UnitedHealthcare Insurance Company.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 72-2016

**RE: REFUND EMS AMBULANCE BILLING OVERPAYMENT
TO UNITEDHEALTHCARE INSURANCE COMPANY**

WHEREAS, an overpayment has occurred in the account of an EMS ambulance billing patient, where the monies sent to the Township of Upper by UnitedHealthcare Insurance Company were in excess as evidenced by the attached copy of a letter attached hereto as Exhibit A.

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
\$93.21

NAME
Attn: MSC 410836
P.O. Box 415000
Nashville, TN 37241-0836

Resolution No. 72-2016
Offered by: Pierson
Adopted: March 21, 2016

Seconded by: Barr

ROLL CALL VOTE:

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

8. Appointments to the Upper Township Green Team Advisory Committee.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 73-2016

**RE: APPOINTMENTS TO THE UPPER TOWNSHIP
GREEN TEAM ADVISORY COMMITTEE**

WHEREAS, the Upper Township Green Team Advisory Committee is an established committee consisting of volunteer members who shall meet throughout the year to develop plans, recommend programs, assist with educational opportunities that support the creation of a sustainable community, and advise the Township Committee on ways to improve municipal operations with “Green” initiatives which are economically and environmentally sound; and

WHEREAS, Township of Upper hereby acknowledges that the residents of the Township of Upper desire a stable, sustainable future for themselves and future generations; and

WHEREAS, by endorsing a sustainable path the Township of Upper is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of the Township of Upper, we have a significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community.

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 persons are hereby appointed to the Green Team Advisory Committee of the Township of Upper:

Wanda Adamson
Fred Beuttler
Ralph Cooper
Karen Mitchell
Zachary Nickerson
Rebecca Holden
Katelynn Wintz
Paul Dietrich, Sr., Municipal Engineer
Hobart Young, Township Committeeperson

3. The forgoing appointees shall constitute the sole members of the Green Team Advisory Committee, subject to the provision of Paragraph 4 hereof.

4. The Township Committee expressly reserves the right to supplement this Resolution at any time it deems it appropriate to change the membership or policies of the Green Team Advisory Committee.

Resolution No. 73-2016
Offered by: Barr
Adopted: March 21, 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> </u>	<u> </u>	<u> </u>	<u> X </u>
Palombo	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

9. Authorizing an amendment to the Shared Services Agreement between the Township of Upper and the City of Corbin City for Municipal Court Services.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 74-2016

**RE: AUTHORIZING AN AMENDMENT TO THE SHARED SERVICES
AGREEMENT BETWEEN THE TOWNSHIP OF UPPER AND THE CITY OF
CORBIN CITY FOR MUNICIPAL COURT SERVICES**

WHEREAS, on April 12, 2010 the Township of Upper entered into a Shared Services Agreement with the City of Corbin City to provide municipal court services; and

WHEREAS, pursuant to amendments to the Agreement the parties extended the term of the Agreement which now ends on May 5, 2016; and

WHEREAS, both parties desire to amend the term of said Shared Services Agreement for an additional three (3) years; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township Committee hereby authorizes the Mayor and Township Clerk to sign an Amendment to the Shared Services Agreement with the City of Corbin City to extend the term of said agreement for an additional three years, expiring on May 5, 2019.
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. 74-2016
Offered by: Pierson
Adopted: March 21, 2016

Seconded by: Barr

Roll Call Vote:

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

10. Authorizing the release of a Performance Bond and the Acceptance of a Maintenance Bond from F.W. Shawl & Sons, Inc. for the NJDOT Municipal Aid Project - Reconstruction of Bayview Drive, from N. of Sumner Ave. to N. of Webster Ave.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 75-2016

RE: AUTHORIZING THE RELEASE OF A PERFORMANCE BOND AND THE ACCEPTANCE OF A MAINTENANCE BOND FROM F.W. SHAWL & SONS, INC. FOR THE NJDOT MUNICIPAL AID PROJECT - RECONSTRUCTION OF BAYVIEW DRIVE, FROM N. OF SUMNER AVE. TO N. OF WEBSTER AVE.

WHEREAS, F.W. Shawl & Sons, Inc. has completed all work in conformance with the plans and specifications for the project known as NJDOT Municipal Aid Project - Reconstruction of Bayview Drive, from N. of Sumner Ave. to N. of Webster Ave., as certified and inspected by the Township Engineer, and the Performance Bond now held by the Township should be released; and

WHEREAS, F.W. Shawl & Sons, Inc. has presented a Maintenance Bond for the guarantee of work for the aforesaid project against defective workmanship or faulty materials for a period of one year as follows:

Maintenance Surety Bond

Bond No. B1152165

Principal:	F.W. Shawl & Sons, Inc. 5 Dolores Avenue Marmora, NJ 08223
------------	--

Surety: Selective Insurance Company of America

40 Wantage Avenue
Branchville, NJ 07890

Bond Amount, Surety: \$ 365,816.00

Bond Date: February 24, 2016

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 Maintenance Surety Bond described in this Resolution is hereby accepted and approved.
3. The Performance Bond now held by the Township is hereby released.
4. All Township officials and officers are hereby authorized and empowered to take all actions deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 75-2016
Offered by: Barr
Adopted: March 21, 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>	_____	_____	_____

ORDINANCES

11. Public hearing and final adoption of Ordinance No. 004-2016 RE: AN ORDINANCE REVISING JOB CLASSIFICATIONS AND TITLES AND AMENDING CHAPTER V, ENTITLED "PERSONNEL", OF THE CODE OF UPPER TOWNSHIP. **During the public hearing portion there were no speakers. Motion by John Coggins, second by Jeffrey Pierson, to adopt Ordinance No. 004-2016. During roll call vote all four Committeemen present voted in the affirmative.**

ORDINANCE

ORDINANCE NO. 004-2016

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

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

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

SECTION 1: Chapter V, entitled “Personnel”, of the Code of Upper Township, Section 5-6.2, is hereby amended and supplemented as follows:

Add The Following Position:

Maintenance Worker 3, Grounds

SECTION 2: Chapter V, entitled “Personnel”, of the Code of Upper Township, Section 5-6.5, is hereby amended and supplemented as follows:

Add The Following Positions:

Passport Acceptance Agent

SECTION 3: REPEALER: All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

SECTION 4: SEVERABILITY: This Ordinance shall be subject to the severability provisions set forth in Section 5-15 of Chapter V of the Code of Upper Township.

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

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR THE FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 22ND DAY OF FEBRUARY, 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 21ST DAY OF MARCH, 2016 AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY, AT WHICH TIME SAID ORDINANCE WAS ADOPTED.

BARBARA L. YOUNG, TOWNSHIP CLERK
TOWNSHIP OF UPPER

12. Public hearing and final adoption of Ordinance No. 005-2016 RE: AN ORDINANCE AMENDING ORDINANCE NO. 015-2015 KNOWN AS THE SALARY ORDINANCE FOR THE CALENDAR YEAR 2016. **During the public hearing portion there were no speakers. Motion by Jeffrey Pierson, second by John Coggins, to adopt Ordinance No. 005-2016. During roll call vote all four Committeemen present voted in the affirmative.**

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

ORDINANCE NO. 005-2016

RE: AN ORDINANCE AMENDING ORDINANCE NO. 015-2015 KNOWN AS THE SALARY ORDINANCE FOR THE CALENDAR YEAR 2016

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

SECTION 1: Ordinance No.015-2015, known as the Salary Ordinance of 2016 is hereby amended as hereinafter provided:

SECTION 2: SALARIES:

A. ADMINISTRATIVE/REVENUE AND FINANCE:

<u>Title</u>	<u>Minimum</u>	<u>Maximum-2016</u>
Passport Acceptance Agent	No Min.	\$ 500.00

E. PUBLIC WORKS/SPORTS AND RECREATIONAL PROGRAMS:

<u>Title</u>	<u>Minimum</u>	<u>Maximum-2016</u>
Maintenance Worker 3, Grounds	\$12,500.00	\$70,000.00

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

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

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

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR THE FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 22ND DAY OF FEBRUARY, 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 21ST DAY OF MARCH, 2016 AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY, AT WHICH TIME SAID ORDINANCE WAS ADOPTED.

BARBARA L. YOUNG, TOWNSHIP CLERK
TOWNSHIP OF UPPER

- 13. Introduction and first reading of Ordinance No. 007-2016 RE: AN ORDINANCE AUTHORIZING THE EXCHANGE OF CERTAIN PARCELS OF VACANT GROUND WITHIN THE TOWNSHIP OF UPPER SUBJECT TO CERTAIN TERMS AND CONDITIONS. **Motion by Jeffrey Pierson, second by John Coggins to introduce Ordinance 007-2016 with the public hearing and final adoption scheduled for April 25, 2016. During roll call vote all four Committeemen voted in the affirmative.**

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

ORDINANCE NO. 007-2016

RE: AN ORDINANCE AUTHORIZING THE EXCHANGE OF CERTAIN PARCELS OF VACANT GROUND WITHIN THE TOWNSHIP OF UPPER SUBJECT TO CERTAIN TERMS AND CONDITIONS

WHEREAS, the Township of Upper is the owner, in fee, of a certain parcels of vacant ground located within the Township of Upper, County of Cape May, and State of New Jersey; and

WHEREAS, the Township has received an offer from John James Germanio, President of Belleplain Land, Inc. to exchange certain lands; and

WHEREAS, after discussion and deliberation, the Township Committee is of the opinion that the exchange will be in the best interest of the Township as it will eliminate isolated parcels and will permit the Township, as well as a private party, to aggregate land providing for larger parcels; and

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

SECTION 1: Subject to the provisions hereafter set forth, the Township of Upper is authorized to exchange certain lands owned by it with lands owned by Belleplain Land, Inc. more particularly described as follows:

- (A) The Township of Upper shall convey to Belleplain Land, Inc. Block 332, Lots 18, 19, and 20; and Block 333, Lots 23 and 24.
- (B) Belleplain Land, Inc. shall convey to the Township Block 354, Lots 1, 2, 3, 4, and 5.

SECTION 2: The Upper Township Tax Assessor and independent appraisals prepared by Louis A. Bonato dated December 14, 2015 have determined the full and fair market value of the land pursuant to N.J.S.A. 40A:12-16 and the value of the municipal land to be exchanged does not exceed the value of the land to be received by the municipality. The exchange shall be an even exchange with no additional cash consideration from either party.

SECTION 3: The exchange of lands authorized in Section 1 hereof is expressly conditioned and contingent upon the following:

- (A) The parties shall execute an agreement detailing the specifics of the entire

transaction. Said agreement shall contain the terms and provisions of this Ordinance and such other terms and conditions as the Township deems appropriate to effectuate the purposes of this Ordinance.

- (B) Title reports shall be prepared by a title abstracting company and title underwriter acceptable to the Township and Belleplain Land, Inc. The title reports must, at a minimum, provide evidence that the property to be exchanged is owned, in fee simple, by the parties who shall be conveying same, that title is marketable and insurable at regular rates and that there are no liens, encumbrances or conditions, reservations or restrictions of record which would interfere with the intended use of the property by the Grantees.
- (C) The agreement between the parties shall expressly provide that the exchange of lands and all contingencies and conditions contained in said agreement are inter-dependent and one shall not occur without the other. To that end, the parties agree that the exchange shall occur simultaneously.
- (D) Any property to be conveyed herein shall be conveyed by Bargain and Sale Deed. The Township of Upper shall pay for the cost of the title report and all title company settlement charges for the land to be received by the Township and Belleplain Land, Inc. shall pay the cost of the title report and all title company settlement charges for the land to be received by Belleplain Land, Inc. Each party shall bear the cost of preparation of the deed conveying the property to the other. Each party shall be solely responsible for the cost of title insurance covering the parcels received by such party as a result of the exchange of lands.
- (E) With respect to the property being conveyed by the Township, conveyance

is under and subject to any riparian claim which may affect said property. In addition, the Township makes no representation as to the ability of the property to obtain a building permit or any other governmental approval. Belleplain Land, Inc. is required to comply with all applicable zoning, building and health ordinances, codes and regulations. The property to be transferred by the Township may be situated in a flood hazard zone. The Township of Upper makes no warranties or representations, expressed or implied, as to the property being transferred, the condition or marketability of title or any other matter. The Township of Upper makes no warranties or representations, expressed or implied, as to whether or not the property being transferred contains wetlands anywhere on the property. The Township of Upper makes no warranties or representations, expressed or implied, as to any matter of an environmental nature, or otherwise, which may prevent or limit building or construction or use of the property.

(F) In the event a defect in the title or physical condition of the land to be received by the Township is discovered prior to closing, the Township may cancel this exchange whereupon there shall be no further obligations between the parties.

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

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 21st DAY OF MARCH, 2016 AND WILL BE TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF

UPPER TO BE HELD ON THE 25th DAY OF APRIL, 2016 AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY.

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

BARBARA L. YOUNG, TOWNSHIP CLERK
TOWNSHIP OF UPPER

14. Introduction and first reading of Ordinance No. 008-2016 RE: BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF UPPER, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$2,970,300 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,821,785 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF. **Motion by John Coggins, second by Edward Barr, to introduce Ordinance 008-2016 with the public hearing and final adoption scheduled for April 25, 2016. During roll call vote all four Committeemen present voted in the affirmative.**

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

ORDINANCE NO. 008-2016

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF UPPER, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$2,970,300 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,821,785 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Upper, in the County of Cape May, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$2,970,300, and further including the aggregate sum of \$148,515 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,821,785 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
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a) Department of Public Works:

i) Acquisition of various vehicles, including rear load trash trucks, a service truck, field maintenance equipment, pickup trucks, sports utility vehicle and a dump truck with plow, including all related costs and expenses incidental thereto.

\$614,000 \$583,300 5 years

ii) Various improvements, including upgrades to the door fob systems at all Township facilities and improvements to the Department of Public Works building, including the expansion of the administrative section of the building, the replacement of steel sections (as needed), the addition of a storage section and the installation of garage doors and insulation, including all work and materials necessary therefor and incidental thereto.

\$65,000 \$61,750 10 years

iii) Acquisition of various equipment, including an athletic field mower, a skid steer, a dump truck body and a leaf vacuum, including all related costs and expenses incidental thereto.

\$185,000 \$175,750 15 years

TOTAL:

\$864,000 \$820,800

b) Emergency Medical Services:

i) Acquisition of a beach rescue vehicle/trailer and an ambulance, including all related costs and expenses incidental thereto.

\$325,000 \$308,750 5 years

ii) Acquisition of digital camera systems, including all related costs and expenses incidental thereto.	<u>\$6,300</u>	<u>\$5,985</u>	10 years
TOTAL:	<u>\$331,300</u>	<u>\$314,735</u>	

c) Engineering:

i) Various improvements of Township roads and facilities, including the Webster Avenue playground, bulkhead, road reconstruction and surfacing of playgrounds, including all work and materials necessary therefor and incidental thereto.	\$1,695,000	\$1,610,250	10 years
ii) Repairs to the Seacliff Avenue outfall, including all work and materials necessary therefor and incidental thereto.	<u>\$25,000</u>	<u>\$23,750</u>	40 years
TOTAL:	<u>\$1,720,000</u>	<u>\$1,634,000</u>	

d) Beach Patrol:

Acquisition of lifeguard stands, including all related costs and expenditures incidental thereto.	<u>\$9,000</u>	<u>\$8,550</u>	10 years
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e) Emergency Management:

i) Acquisition of a Computer-Aided Dispatch System, including all related costs and expenditures incidental thereto.	\$30,000	\$28,500	5 years
ii) Acquisition of various equipment, including a trailer for the Community Emergency Response Team and a PodRunner for Shelter Management, including all			

related costs and expenditures
incidental thereto.

	<u>\$16,000</u>	<u>\$15,200</u>	15 years
TOTAL:	<u>\$46,000</u>	<u>\$43,700</u>	
GRAND TOTAL:	<u>\$2,970,300</u>	<u>\$2,821,785</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 8.95 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$2,821,785, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$300,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this

bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

CORRESPONDENCE

NEW BUSINESS

15. **Boy Scout Troop 95 request use of the Upper Township Community Center for Country Shore Women's Club to hold a raffle, application #RA-459 and bingo, application #BA-460, on May 1, 2016.** Motion by John Coggins, second by Jeffrey Pierson, to approve the request. During roll call vote all four Committeemen present voted in the affirmative.

UNFINISHED BUSINESS

DISCUSSION

16. **Proclaiming May 8 through 14, 2016 as Food Allergy week in Upper Township.** Mayor Palombo stated that this proclamation had been requested by Christina Russick in order to raise awareness of food allergies and the dangers they pose, especially to young children. There was a motion by Edward Barr, second by Jeffrey Pierson, to ratify the Food Allergy Proclamation. During roll call vote all four Committeemen present voted in the affirmative. Mayor Palombo then read the Proclamation into the record and presented a copy to Ms. Russick.

PAYMENT OF BILLS

17. "I hereby move that all claims submitted for payment at this meeting be approved and then incorporated in full in the minutes of this meeting." **Motion by John Coggins, second by Edward Barr. During roll call vote all four Committeemen present voted in the affirmative.**

Bills approved for payment: \$227,965.33

Payroll: \$156,854.61

REPORT OF MUNICIPAL DEPARTMENTS

18. Animal Control
19. Municipal Court

Motion by Richard Palombo, second by Jeffrey Pierson, to accept the reports as submitted. During roll call vote all four Committeemen present voted in the affirmative.

PUBLIC COMMENT

There was no public comment.

CLOSED SESSION

20. 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. 76-2016 MOTION GOING INTO CLOSED SESSION MARCH 21, 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:

- Contract negotiation - Sale of Land Block 667, Lot 7
- Contract negotiation - Beach Surveys
- Contract negotiation - Tax Map Maintenance
- Contract negotiation - Collective Bargaining Agreement
- Contract negotiation - Market to Affordable Program Closing Documents
- Potential Litigation - Tax Assessments
- Litigation - Affordable Housing
- Safety and Security
- 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 four Committee members present voted in the affirmative.

RECONVENE PUBLIC PORTION OF MEETING

ADJOURNMENT

There being no further business this evening the meeting was adjourned at 9:28 P.M., with a motion by John Coggins, second by Richard Palombo to adjourn with all four members present voting in the affirmative. The next regular meeting is scheduled for April 11, 2016 at 7:30 P.M.

Minutes prepared by

Barbara L. Young, RMC

Bill List

66816	03/21/16	A0018	ACTION SUPPLY INC.	190.54	2916
66817	03/21/16	A0035	AIRLINE HYDRAULIC CORP.	163.32	2916
66818	03/21/16	A0061	ASSOC. CERT. TAX ASSESSORS CMC	660.00	2916
66819	03/21/16	A0078	ANCHOR RUBBER STAMP & PRINTING	32.00	2916
66820	03/21/16	A0091	ATLANTIC CITY ELECTRIC	20,500.32	2916
66821	03/21/16	A0166	Association of NJ Recyclers	70.00	2916
66822	03/21/16	A0193	ATLANTIC INVESTIGATIONS, LLC	2,196.00	2916
66823	03/21/16	B0035	BELMONT & CRYSTAL SPRINGS	72.53	2916
66824	03/21/16	B0078	BOUND TREE MEDICAL,LLC	109.45	2916
66825	03/21/16	B0201	BUCK'S ELECTRICAL SERVICE, INC	180.00	2916
66826	03/21/16	B0231	BARKER, GELFAND & JAMES, PC	1,156.94	2916
66827	03/21/16	C0048	CAPE MAY COUNTY MUA	30,737.86	2916
66828	03/21/16	C0060	CAPRIONI'S PORTABLE TOILETS	885.00	2916
66829	03/21/16	C0061	CAPRIONI FAMILY SEPTIC	350.00	2916
66830	03/21/16	C0068	COMCAST	410.70	2916
66831	03/21/16	C0078	CARTER, EDWARD, SR.	150.00	2916
66832	03/21/16	C0116	CINTAS CORPORATION	36.58	2916
66833	03/21/16	C0171	COLONIAL ELECTRIC SUPPLY CO.	406.02	2916
66834	03/21/16	C0182	CDW GOVERNMENT, INC	6,540.00	2916
66835	03/21/16	C0201	CRUZAN'S TRUCK SERVICE INC.	2,918.81	2916
66836	03/21/16	C0223	CASA PAYROLL SERVICE	236.25	2916
66837	03/21/16	C0264	CHERRY HILL FIRE DISTRICT	260.00	2916
66838	03/21/16	D0016	DALEYS PIT	700.00	2916
66839	03/21/16	D0040	DELTA DENTAL OF N.J. INC.	5,577.70	2916
66840	03/21/16	E0012	EHRLICH PEST CONTROL INC	251.00	2916
66841	03/21/16	F0048	LESLIE G. FOGG INC	67.04	2916
66842	03/21/16	G0016	GARDNER HARDWARE INC.	27.89	2916
66843	03/21/16	G0092	GRUND, BARBARA J.	149.99	2916
66844	03/21/16	G0141	GENTILINI CHEVROLET	656.61	2916
66845	03/21/16	G0157	GRANTURK EQUIPMENT CO., INC.	5,308.95	2916
66846	03/21/16	H0002	H.A. DEHART & SON CORP.	240.44	2916
66847	03/21/16	H0018	HAROLD RUBIN L & H SUPPLY	575.75	2916
66848	03/21/16	H0037	HENRY SCHEIN	56.48	2916
66849	03/21/16	H0089	HERTZ EQUIPMENT RENTAL CORP.	1,840.00	2916
66850	03/21/16	H0148	THOMAS H. HEIST INS AGENCY INC	2,158.00	2916
66851	03/21/16	J0072	JERSEY WEB DESIGNS	857.50	2916
66852	03/21/16	L0080	LOWES, INC.	118.68	2916
66853	03/21/16	M0080	McMANIMON, SCOTLAND & BAUMANN	2,187.25	2916
66854	03/21/16	M0128	MCANJ	330.00	2916
66855	03/21/16	M0188	MCCARTHY TIRE SERVICE OF PHILA	857.15	2916
66856	03/21/16	M0209	MAYBERRY, JOHN D	87.49	2916
66857	03/21/16	M0247	MORGAN, SCOTT	71.45	2916
66858	03/21/16	N0141	NETCARRIER TELECOM, INC.	1,921.99	2916
66859	03/21/16	O0042	ORCHARD HYDRAULIC SERVICE INC	1,807.19	2916
66860	03/21/16	P0032	PEDRONI FUEL CO.	1,435.25	2916
66861	03/21/16	R0030	RIGGINS, INC.	3,599.20	2916

66862 03/21/16 R0065 ROBERT BROWN TREE SERVICE 400.00 2916
66863 03/21/16 R0100 ROBERTS OXYGEN COMPANY, INC. 37.60 2916
66864 03/21/16 R106 RUMER, LISA 380.68 2916
66865 03/21/16 S0018 SUBURBAN PROPANE, LP 1,106.22 2916
66866 03/21/16 S0056 SEASHORE ASPHALT CORPORATION 248.75 2916
66867 03/21/16 S0112 SOUTH JERSEY COURT ADM. ASSOC. 90.00 2916
66868 03/21/16 S0113 SMITH, THOMAS G. 223.39 2916
66869 03/21/16 S0121 SMUZ, THERESE A 28.51 2916
66870 03/21/16 S0134 SO. JERSEY GAS COMPANY 3,697.51 2916
66871 03/21/16 S0191 STRATHMERE FIRE CO.DISTRICT #1 20,480.50 2916
66872 03/21/16 S0196 STEWART BUSINESS SYSTEMS LLC 162.09 2916
66873 03/21/16 S0239 SHORE VET. ANIMAL CONTROL LLC 2,300.00 2916
66874 03/21/16 S0275 SCHAEFER PYROTECHNICS INC. 4,165.50 2916
66875 03/21/16 S0292 JEFFREY SURENIAN & ASSOC. LLC 12,413.99 2916
66876 03/21/16 T0022 TERMINIX 59.00 2916
66877 03/21/16 T0024 TAYLOR, MATTHEW 489.83 2916
66878 03/21/16 T0032 THE PRESS OF ATLANTIC CITY 526.32 2916
66879 03/21/16 T0067 TOWNSHIP OF UPPER PETTY CASH 60.00 2916
66880 03/21/16 T0180 TRI-COUNTY PEST CONTROL, INC 25.00 2916
66881 03/21/16 U0003 U.S. MUNICIPAL SUPPLY, INC. 660.51 2916
66882 03/21/16 V0001 VCI EMERGENCY VEHICLE 7,209.50 2916
66883 03/21/16 V0005 VAN EMBDEN, NATHAN, ATTORNEY 750.00 2916
66884 03/21/16 V0013 VERIZON WIRELESS 1,132.84 2916
66885 03/21/16 V0022 VERIZON 198.43 2916
66886 03/21/16 V0024 VAL-U AUTO PARTS L.L.C. 0.00 03/21/16 VOID 0
66887 03/21/16 V0024 VAL-U AUTO PARTS L.L.C. 1,264.43 2916
66888 03/21/16 W0030 WEST PUBLISHING CO. 921.12 2916
66889 03/21/16 W0038 WILLIAMS, JEREMIAH J. 419.08 2916
66890 03/21/16 W0048 WINNER FORD OF CHERRY HILL 67,692.00 2916
66891 03/21/16 W0050 WIRELESS ELECTRONICS, INC. 50.00 2916
66892 03/21/16 W0087 W.B. MASON 457.06 2916
66893 03/21/16 W0092 WTH TECHNOLOGY, INC 507.75 2916
66894 03/21/16 X0008 XEROX FINANCIAL SERVICES 662.40 2916

Total: \$227,965.33