

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR JULY 24, 2017**

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
Curtis Corson	Present
Hobart Young	Absent
Richard Palombo	Present

Also present were Municipal Attorney Daniel Young, Municipal Engineer Paul Dietrich, Chief Financial Officer Barbara Spiegel and Township Administrator Scott Morgan.

APPROVAL OF MINUTES - July 10, 2017 Regular Meeting and
Closed Session Minutes

Motion by Edward Barr, second by John Coggins, to approve the July 10, 2017 Regular Meeting and Closed Session Minutes as submitted. During roll call vote four Committeemen voted in the affirmative. Committeeman Young abstained.

REPORT OF GOVERNING BODY MEMBERS

John Coggins, Committeeman, reported that the Economic Development Commission has been meeting for the past four months during which they have been focusing on a vision plan for the Township to enhance economic development, development of the Town Centers, and to find ways to make the gateway areas more attractive. He requested the Committee to allow the president of the EDC to attend the next Committee meeting to give a brief presentation of the vision plan. The Committee agreed that an update would be a good idea, and directed that the presentation be listed on the next agenda.

Hobie Young, Committeeman, reported that the 4th of July event was a great success, with just a few issues to work on. He thanked Scott Morgan and the Office of Emergency Management for their help with coordinating the safety plan for the event. He next thanked Shawna Mulford for all of her work organizing the event and requested a Resolution honoring her for her hard work. He also requested a resolution thanking Cape Regional for their generous donation. Resolutions for formal action will be placed on the next agenda. Next, he reported on possibly inviting the Fleming Pumpkin Run to hold their annual car show event this year in Upper

Township during the first weekend in November. There was a brief discussion regarding several logistical and administrative issues that will need to be worked out. There was then a motion by Curtis Corson, second by Ed Barr, to approve of Committeeman Young moving forward with organizing the car show as a Township sponsored event. During roll call vote all five Committeemen voted in the affirmative. Lastly, Committeeman Young stated that the irrigation and top soil need to be installed at Caldwell Park. He stated that Tuckahoe Turf Farms has stated that they would donate turf, however the irrigation and top soil project need to be completed first. The Township Administrator stated that he would review the schedule.

OTHER REPORTS

Scott Morgan, Township Administrator, congratulated Public Works on their efforts in being one of two municipalities to reach the Cape May County MUA goal of 50% in Municipal Solid Waste Diversion. The CMC MUA report shows Upper Township reaching 57.02% of diversion. He next reported that the commercial containers from Midlantic will arrive on Friday, and will be dispersed to the commercial properties soon after. He next reported that he and the Township Engineer will soon have a meeting with the MUA to discuss the renewal of the Host Community Benefit Agreement. Lastly, he reported that he and the Township Engineer have been working with Verizon regarding the connectivity issue with Verizon Wireless in Town Hall. Verizon Wireless has provided at no cost to the Township a 4G LTE Network Extender which has been installed and has appeared to help the connectivity issue.

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

Paul Dietrich, Township Engineer, reported that the Coastal Coalition has recently applied for a \$25,000.00 grant to perform a study to rebuild the shoreline in Strathmere near the Bayview Boat Ramp.

Barbara Spiegel, Chief Financial Officer, requested approval for a Public Works employee to attend a 3 day course in Pennsylvania in order to obtain his playground inspection certification. Motion by Ed Barr, second by Hobie Young, to approve the request. During roll call vote all five Committeemen voted in the affirmative.

PRESENTATIONS

1. Honoring Garret Vliet on attaining the designation of "Eagle Scout".

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

RESOLUTION NO. 175-2017

RE: HONORING GARRETT VLIET ON ATTAINING THE DESIGNATION OF "EAGLE SCOUT"

WHEREAS, Garrett Vliet of Troop 79, Upper Township, New Jersey has recently achieved the designation of Eagle Scout in the Boy Scouts of America; and

WHEREAS, the Township of Upper wishes to acknowledge the outstanding accomplishment of this remarkable young man; and

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

RESOLVED THAT the Township Committee extends its sincere congratulations to Garrett on the occasion of his receiving the designation of Eagle Scout and commends him for this outstanding accomplishment and the completion of his Eagle Scout project which consisted of renovating and expanding the memorial at Amanda's Field in Petersburg dedicated to the memory of the Ocean City High School student Amanda Field who was killed in an automobile accident at the corner of the complex. Garrett landscaped the area around the memorial stone and added a 24' x 24' paver patio and two benches to recognize and honor Upper Township First Responders Mort Schmerling, an Upper Township EMT, and Curtis Corson, Sr., a Seaville firefighter; and

BE IT FURTHER RESOLVED that the Township Committee extends its sincere congratulations and best wishes to Garrett's parents, family, and friends on this happy occasion; and it is

FURTHER RESOLVED that the Township Committee also extends its congratulations and appreciation to the Scout Masters and others who give so freely and generously of their time for the benefit of our youth.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 26th day of June, 2017.

RESOLUTIONS

2. Appointing Cara J. Clemens as MAC Coordinator of the Upper Township-Ocean City Municipal Alliance Committee (MAC).

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 212 -2017

**RE: APPOINTING CARA J. CLEMENS AS
MAC COORDINATOR OF THE UPPER TOWNSHIP-OCEAN CITY
MUNICIPAL ALLIANCE COMMITTEE (MAC)**

WHEREAS, a need exists to appoint qualified personnel to the Upper Township-Ocean City Municipal Alliance Committee (also known as MAC) to insure optimal operation; and

WHEREAS, MAC is a committee dedicated to the prevention of drug and alcohol abuse in our community; 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. Cara J. Clemens is hereby appointed as Keyboarding Clerk 1 (MAC) and will serve as the MAC Coordinator to the Upper Township-Ocean City Municipal Alliance Committee effective July 21, 2017 at an annual salary of \$4,450.00 in accordance with the Salary Ordinance.

Resolution No. 212-2017

Offered by: Barr

Seconded by: Young

Adopted: July 24, 2017

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>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Young	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Palombo	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

3. Appointing Michele Previti as a member of the Upper Township-Ocean City Municipal Alliance Committee (MAC).

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

RESOLUTION NO. 213-2017

**RE: APPOINTING MICHELE PREVITI AS A MEMBER OF THE UPPER
TOWNSHIP-OCEAN CITY MUNICIPAL ALLIANCE COMMITTEE (MAC)**

WHEREAS, from time to time a need exists to appoint suitable persons to the Upper Township-Ocean City Municipal Alliance Committee (also known as the MAC), a committee dedicated to the prevention of drug and alcohol abuse in our community; 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. Michele Previti is hereby appointed to the Upper Township-Ocean City MAC Committee, subject to the provision of Paragraph 3 hereof.
3. The Township Committee expressly reserves the right to supplement this Resolution at any time it deems it appropriate to change the membership of the MAC Committee of the Township.

Resolution No. 213-2017

Offered by: Corson Seconded by: Barr

Adopted: July 24, 2017

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>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Young	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Palombo	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

4. Refund EMS Ambulance Billing Overpayment to Cigna Choice Fund HRA.

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

RESOLUTION NO. 214 -2017

**RE: REFUND EMS AMBULANCE BILLING OVERPAYMENT
TO CIGNA CHOICE FUND HRA**

WHEREAS, an overpayment has occurred in the account of an EMS ambulance billing patient, where the monies sent to the Township of Upper by Cigna Choice Fund HRA 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:

<u>AMOUNT</u>	<u>NAME</u>
\$555.69	Conduent Payment Integrity Solutions P.O. Box 3008 Naperville, IL 60566-7008

Resolution No. 214 -2017

Offered by: Coggins

Seconded by: Barr

Adopted: July 24, 2017

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>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Young	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Palombo	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

5. Renewing Mobile Home Park Licenses.

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

RESOLUTION NO. 215 -2017

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, 2017.

**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 SOUTH COMMONWEALTH AVENUE
PO 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. 215 - 2017

Offered by: Barr

Seconded by: Young

Adopted: July 24, 2017

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>
Corson	<u> </u>	<u> </u>	<u> x </u>	<u> </u>
Young	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Palombo	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

6. Renewing Campground Licenses. **The Municipal Attorney reported that one campground, Echo Farms, has not yet obtained a satisfactory inspection from the**

Cape May County Board of Health and are not included in this Resolution. He stated that he has spoken with the Health Department and Echo Farms is expected to pass inspection within the next few days. However, the license term expires on July 31st and the next Committee meeting isn't until August 14th. He recommended that the Township grant Echo Farms additional time to obtain a satisfactory inspection from the Board of Health and withhold any enforcement of operating without a license for Echo Farms until the August 14th Committee meeting. The Manager of Echo Farms, Stephanie Spataro McVeigh, stated that they anticipate having the remaining deficient items completed by the end of the week. After a brief discussion, there was a motion by Edward Barr, second by Hobie Young, to allow Echo Farms additional time to obtain a satisfactory Board of Health inspection. During roll call vote four Committeemen voted in the affirmative. Committeeman Corson abstained.

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

RESOLUTION NO. 216 -2017

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, 2017.

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

**PLANTATION ENTERPRISES, INC.
T/A PLANTATION CAMPGROUND
60 CORSON TAVERN ROAD
SEAVILLE, NJ 08230
223 Sites**

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

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

**ROUTE 50 CAMPGROUND, LLC
T/A OCEAN ISLE CAMPING RESORT
64 ROUTE 50
SEAVILLE, NJ 08230
218 Sites**

**OCEAN SANDS RESORT ASSOCIATION, INC.
56 ROUTE 50
SEAVILLE, NJ 08230
217 Sites**

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

**FRONTIER CAMPGROUND
84 TYLER ROAD
GREENFIELD, NJ 08230
196 Sites**

**SCENIC RIVERVIEW CAMPGROUND
465 ROUTE 49
TUCKAHOE, NJ 08250
125 Sites**

**SHOREBIRDS CAMPGROUND
1314 STAGECOACH ROAD
PALERMO, NJ 08230
100 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. 216 -2017

Offered by: Barr Seconded by: Coggins

Adopted: July 24, 2017

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>
Corson	<u> </u>	<u> </u>	<u> x </u>	<u> </u>
Young	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Palombo	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

7. Appointing Ansell Grimm & Aaron, PC and Lawrence H. Shapiro, Esquire as Special Legal Counsel.

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

RESOLUTION NO. 217 -2017

**RE: APPOINTING ANSELL GRIMM & AARON, PC AND
LAWRENCE H. SHAPIRO, ESQUIRE AS SPECIAL LEGAL COUNSEL**

WHEREAS, the Township requires legal counsel to provide legal services in connection with condemnation, eminent domain and land acquisition services; and

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

WHEREAS, the firm of Ansell Grimm & Aaron, PC and Lawrence H. Shapiro, Esquire have completed and submitted a Business Entity Disclosure Certification which certifies that said firm and said individual have not made any contributions to a political or candidate committee in the Township that would bar the award of this contract and that the contract will prohibit said firm and said individual from making any contributions through the term of the contract; and

WHEREAS, the Township has decided to acquire the services of the firm of Ansell Grimm & Aaron, PC and Lawrence H. Shapiro, Esquire as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; 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. Ansell Grimm & Aaron, PC and Lawrence H. Shapiro, Esquire with offices at 1500 Lawrence Avenue, Ocean, New Jersey are hereby appointed Special Legal Counsel to handle condemnation, eminent domain and land acquisition matters in conjunction with and at the direction of the regular Township Solicitor and as directed by the Township Committee.
3. This contract shall have a term of one (1) year from date of full execution.
4. This Contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the New Jersey Local Public Contract Law because

Ansell Grimm & Aaron, PC and Lawrence H. Shapiro, Esquire have professional knowledge as to legal matters which knowledge is particularly valuable to the Township Committee.

NOTICE OF CONTRACT AWARD

The Township Committee of the Township of Upper, State of New Jersey has awarded the contract without competitive bidding as a professional service pursuant to N.J.S.A. 40A:11-5(1)(a) to Ansell Grimm & Aaron, PC and Lawrence H. Shapiro, Esquire for legal services. This contract and the resolution authorizing same shall be available for public inspection in the office of the municipal clerk of the Township of Upper, State of New Jersey.

5. A certificate from the Chief Financial Officer of Upper Township showing the availability of adequate funds for this contract and showing the line item appropriation of

the official budget to which this contract will be properly charged has been provided to the governing body and shall be attached to this Resolution and kept in the files of the municipal clerk.

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

7. The Mayor and the Township Clerk are hereby authorized and directed to execute, on behalf of the Township of Upper, a Professional Contract with Ansell Grimm & Aaron, PC and Lawrence H. Shapiro, Esquire in accordance with the terms and provisions of the Local Public Contracts Law, subject to and in accordance with the limitations imposed herein. Upon execution of all parties thereto said contract shall become effective.

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

9. This Resolution shall be effective as of adoption.

Resolution No. 217 -2017

Offered by: Barr

Seconded by: Coggins

Adopted: July 24, 2017

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>
Corson	<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>

8. Appointing Dylan B. Siciensky as a seasonal employee to the Upper Township Public Works Department.

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

RESOLUTION NO. 218 - 2017

**RE: APPOINTING DYLAN B. SICIENSKY AS A SEASONAL
EMPLOYEE TO THE UPPER TOWNSHIP PUBLIC WORKS DEPARTMENT**

WHEREAS, a need exists to appoint qualified personnel as a seasonal employee to the Upper Township Public Works Department to insure optimal operation; and

WHEREAS, a recommendation has been made to the Township Committee and duly considered at the meeting of July 10, 2017; and

WHEREAS, this Resolution is intended to ratify the action heretofore taken; 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. Dylan B. Siciensky is hereby appointed to a seasonal position pending successful pre-employment testing at an hourly rate of \$12.50 in accordance with the Salary Ordinance.

3. This Resolution ratifies, confirms and approves action taken by the Township Committee at the meeting of July 10, 2017.

Resolution No.218-2017

Offered by: Barr

Seconded by: Coggins

Adopted: July 24, 2017

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>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Young	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Palombo	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

9. Canceling and refunding taxes on exempt property Block 567, Lot 18.09.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY**

RESOLUTION

RESOLUTION NO. 219 -2017

CANCELING AND REFUNDING TAXES ON EXEMPT PROPERTY BLOCK 567 LOT 18.09

WHEREAS, certain corrections have been recommended by the Upper Township Tax Collector in order to correct tax records; and

WHEREAS, certain properties became tax exempt for the year 2017; and

WHEREAS, Amy Karpathios is a 100% disabled American veteran residing at 26 Crestview Drive, Block 567, Lot 18.09 on the municipal tax map of Upper Township, New Jersey; and

WHEREAS, the Department of Veterans Affairs has determined that Mrs. Karpathios's 100% permanent wartime service connected disability was effective September 28, 2016; and

WHEREAS, Amy Karpathios made application on March 22, 2017; and

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. 219 - 2017

Offered by: Barr

Seconded by: Coggins

Adopted: July 24, 2017

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>
Corson	<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>

CANCEL TAX 2017

<u>BLOCK/LOT</u>	<u>AMOUNT</u>	<u>NAME</u>
567/18.09	\$5,129.03	Nicholas & Amy Karpathios 26 Crestview Dr. Seaville, NJ 08230

REFUND TAX 2017

<u>BLOCK/LOT</u>	<u>AMOUNT</u>	<u>NAME</u>
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567/18.09

\$2,433.68

Nicholas & Amy Karpathios
26 Crestview Dr.
Seaville, NJ 08230

100% Totally Disabled Veteran

10. Canceling and refunding taxes on exempt property Block 687, Lot 14.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 220 -2017

**CANCELING AND REFUNDING TAXES ON EXEMPT PROPERTY
BLOCK 687 LOT 14**

WHEREAS, certain corrections have been recommended by the Upper Township
Tax Collector in order to correct tax records; and

WHEREAS, certain properties became tax exempt for the year 2017; and

WHEREAS, Ralph Fleming is a 100% disabled American veteran residing at 1 Beesleys
Place, Block 687, Lot 14 on the municipal tax map of Upper Township, New Jersey; and

WHEREAS, the Department of Veterans Affairs has determined that Mr. Fleming's 100%
permanent wartime service connected disability was effective February 26, 2013; and

WHEREAS, Ralph Fleming made application on March 1, 2017; and

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. 220 -2017

Offered by: Barr Seconded by: Coggins

Adopted: July 24, 2017

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>
Corson	<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>

CANCEL TAX 2017

<u>BLOCK/LOT</u>	<u>AMOUNT</u>	<u>NAME</u>
687/14	\$3,543.02	Ralph & Wendy Fleming 1 Beesleys Place Beesleys Point, NJ 08223

REFUND TAX 2017

<u>BLOCK/LOT</u>	<u>AMOUNT</u>	<u>NAME</u>
687/14	\$1,124.59	Ralph & Wendy Fleming 1 Beesleys Place Beesleys Point, NJ 08223
100% Totally Disabled Veteran		

11. Authorizing a notice of violation and abatement of nuisance pursuant to Township Code Section 11-1.

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

RESOLUTION NO. 221 - 2017

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

WHEREAS, pursuant to Township Code Section 11-1, the Township Committee is empowered to enforce the removal of public health hazards, safety hazards, fire hazards and nuisances, including the clearing of obnoxious growths, filth, garbage, trash and debris; and

WHEREAS, the Upper Township zoning officer has determined that the properties listed and attached hereto as Exhibit A each contain a public nuisance, obnoxious growths, filth, garbage, trash or debris as indicated which must be removed; and

WHEREAS, pursuant to Upper Township Code Section 11-1 and N.J.S.A. 40:48-2.13, the Township Committee is authorized to cause a Notice of Violation to be sent to each owner and/or

foreclosing lien holder describing the violation and stating that unless the violation is abated, removed and remedied within 10 days from the date of such notice the violation shall be abated, removed and remedied by the Township and the cost thereof shall be assessed as a lien against said land; and

WHEREAS, the Township Committee has determined that said Notice of Violation shall be served upon each owner and/or foreclosing lien holder forthwith; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The zoning officer is hereby directed to serve a Notice of Violation pursuant to Township Code Section 11-1 describing the violation and nuisance upon each owner and/or foreclosing lien holder of the properties listed on Exhibit A, attached hereto.
3. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 221- 2017

Offered by: Barr

Seconded by: Corson

Adopted: June 24, 2017

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>
Corson	<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 Mayor and Township Clerk to sign a contract with K.D. National Force Security & Investigations, LLC for professional security services.

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

RESOLUTION NO. 222 -2017

**RE: AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO SIGN A CONTRACT
WITH K.D. NATIONAL FORCE SECURITY & INVESTIGATIONS, LLC FOR
PROFESSIONAL SECURITY SERVICES**

WHEREAS, the Township of Upper has a need for security services during Municipal Court sessions and other occasions as may be required; and

WHEREAS, K.D. National Force Security & Investigations, LLC has submitted a proposal to the Township to provide said security services; and

WHEREAS, the Township wishes to accept said proposal and to authorize the execution of a contract with K.D. National Force Security & Investigations, LLC; and

WHEREAS, K.D. National Force Security & Investigations, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that K.D. National Force Security & Investigations, LLC 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 K.D. National Force Security & Investigations, LLC from making any contributions through the term of the contract; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Mayor and Township Clerk are hereby authorized, directed and empowered to execute a contract with K.D. National Force Security & Investigations, LLC with offices at Woodstown, New Jersey, 08098, to provide professional security services.
3. This contract shall have a term of one (1) year from date of full execution.
4. This Contract is awarded without competitive bidding as a professional service in accordance with N.J.S.A. 40A:11-5(1)(a) of the New Jersey Local Public Contract Law because K.D. National Force Security & Investigations, LLC has professional knowledge which is particularly valuable to the Township Committee and this service is acquired as a non-fair and open contract pursuant to N.J.S.A. 19:44A-20.5.

NOTICE OF CONTRACT AWARD

5. The Township Committee of the Township of Upper, State of New Jersey has awarded the contract without competitive bidding as a professional service pursuant to N.J.S.A. 40A:11-

5(1)(a) to K.D. National Force Security & Investigations, LLC for professional security services. This contract and the resolution authorizing same shall be available for public inspection in the office of the municipal clerk of the Township of Upper, State of New Jersey.

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

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

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

9. This Resolution shall be effective as of adoption.

Resolution No. 222 -2017

Offered by: Barr

Seconded by: Coggins

Adopted: July 24, 2017

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>
Corson	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Young	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Palombo	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

13. Authorizing a 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. 223 -2017

**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, 2017 through July 31, 2018.
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. 223 -2017

Offered by: Barr Seconded by: Coggins

Adopted: July 24, 2017

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>
Corson	<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. Releasing the Maintenance Bond of Clayton Development Associates, LLC for the Major Subdivision known as Willetts Road & White Oak Drive.

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

RESOLUTION NO. 224 -2017

**RE: RELEASING THE MAINTENANCE BOND OF CLAYTON DEVELOPMENT
ASSOCIATES, LLC FOR THE MAJOR SUBDIVISION KNOWN AS
WILLETTS ROAD & WHITE OAK DRIVE**

WHEREAS, Clayton Development Associates, LLC (hereinafter “Developer”), has completed the work on the project known as “Willetts Road & White Oak Drive Major Subdivision” in Block 573, Lot 26 and has requested final inspection of same by the Municipal Engineer for the Township of Upper; and

WHEREAS, the Municipal Engineer has determined that all improvements have been installed and have been in service in excess of two years and are in satisfactory working condition; and

WHEREAS, the Municipal Engineer, based on the field inspection of the work completed as indicated on Exhibit “A” attached hereto, has recommended a release of the Maintenance Surety Bond No. 5037622, attached hereto as Exhibit “B”, in the amount of \$15,928.33, cash in the amount of \$1,769.81 plus interest, and any unused streetlight and/or inspection escrow in accordance with the municipal ordinances of the Township of Upper;

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

1. The allegations above are incorporated herein by this reference.

2. The original Maintenance Surety Bond posted by the Developer and any unused streetlight and/or inspection escrow shall be released.

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. 224 -2017

Offered by: Corson Seconded by: Barr

Adopted: July 24, 2017

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>
Corson	<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. Establishing the cost for the purchase of additional 3CY Recycling Containers pursuant to Section 24-2.8b of the Code of Upper Township.

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

RESOLUTION NO. 225 -2017

**RE: ESTABLISHING THE COST FOR THE PURCHASE OF ADDITIONAL 3CY
RECYCLING CONTAINERS PURSUANT TO SECTION 24-2.8B
OF THE CODE OF UPPER TOWNSHIP**

WHEREAS, the Township Committee of the Township of Upper recently amended Chapter XXIV (Solid Waste and Recyclables) of the Code of Upper Township to regulate the collection of recyclable material at commercial properties, pursuant to Ordinance 014-2016; and

WHEREAS, Section 24-2.8b of the Code of Upper Township authorizes the purchase, from the Township at a cost set by Township Resolution, a 3CY recycling container provided by the Township; and

WHEREAS, the Township Committee has determined that it is appropriate to provide the first 3CY recycling container free of charge to Commercial properties or businesses that generate more than ninety-six (96) gallons per week of recycling; and

WHEREAS, the Township Committee of the Township of Upper hereby wishes to establish the cost for the purchase of an additional 3CY recycling container pursuant to Section 24-2.8b of the Code of Upper Township; 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, pursuant to Section 24-2.8b of the Code of Upper Township, the cost to purchase an additional 3CY recycling container for use by Commercial properties or businesses that generate more than ninety-six (96) gallons per week of recycling is hereby established at \$750.00.
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. 225 -2017

Offered by: Coggins Seconded by: Barr

Adopted: July 24, 2017

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>	___	___	___
Corson	___	___	<u>x</u>	___
Young	<u>x</u>	___	___	___
Palombo	<u>x</u>	___	___	___

16. Amending Resolution No. 012-2017 that appoints various officers and employees to annual and specified terms.

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

RESOLUTION NO.226 -2017

**RE: AMENDING RESOLUTION NO. 012-2017 THAT APPOINTS VARIOUS OFFICERS
AND EMPLOYEES TO ANNUAL AND SPECIFIED TERMS**

WHEREAS, Resolution No. 012-2017 appoints various officers and employees to annual and specified terms and includes the salary for each; and

WHEREAS, the Township Committee has determined it is necessary to amend said Resolution No. 012-2017 to amend the salary of the Tax Assessor, Megan McAfee, to reflect an annual salary of \$75,000.00.

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. Resolution No. 012-2017 is amended to reflect an annual salary of \$75,000.00 for Megan McAfee, Tax Assessor.

3. This Resolution shall be effective on July 21, 2017.

Resolution No. 226 -2017

Offered by: Coggins Seconded by: Barr

Adopted: July 24, 2017

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>
Corson	<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>

ORDINANCES

17. Introduction and first reading of Ordinance No. 010-2017 RE: AN ORDINANCE UPDATING CHAPTER III POLICE REGULATIONS, WITHIN THE TOWNSHIP OF UPPER, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY. **Motion by John Coggins, second by Edward Barr, to introduce Ordinance 010-2017 with the public hearing and final adoption scheduled for August 28, 2017. During roll call vote all five Committeemen voted in the affirmative.**

TOWNSHIP OF UPPER

**CAPE MAY COUNTY
ORDINANCE**

ORDINANCE NO. 010-2017

**AN ORDINANCE UPDATING CHAPTER III POLICE REGULATIONS, WITHIN THE
TOWNSHIP OF UPPER, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY**

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 III, Section 3-12, of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, shall be amended as follows:

Replace in its entirety Section 3-12.1:

3-12.1 Definitions.

As used in this section, the following terms shall have the meaning indicated:

Certified Coach shall mean a coach of an approved Upper Township Sports Program.

Department Head shall have the meaning of "Supervisor" as defined herein.

Indoor place shall mean a structurally enclosed area.

Public Facility shall mean any municipally owned building and/or property that has a building or other improvements like athletic fields and maintained paths.

Smoking shall mean the burning of a lighted cigar, cigarette, pipe, e-device or any other matter or substance which contains tobacco.

Supervisor shall mean the person who ultimately controls, governs or directs the activities and conduct of employees within a certain department or division.

Replace in its entirety Section 3-12.2:

3-12.2 Smoking Prohibited.

Smoking shall be prohibited at all times at all Township Public Facilities.

Replace in its entirety Section 3-12.3a:

3-12.3a. Violation of Prohibition; Request to Comply; Denial of Services.

- a. Any Certified Coach, Department Head or Supervisor, or their designee, may order any person smoking in violation of this section to comply with the provisions hereof. Thereupon, any member of the public who smokes in the Public Facilities is in violation of this section, shall be subject to a fine as hereinafter provided.

Replace in its entirety Section 3-12.4:

3-12.4 Posting of Signs.

The Township shall install appropriate signs which shall be posted in conspicuous places throughout Public Facilities affected by this section advising the public and employees that smoking is prohibited.

SECTION 2: Chapter III of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, shall be revised to add the following Section 3-18:

3-18 Release of Balloons

3-18.1 Release of Balloons - Purpose and Intent.

The intent of this section is to protect the environment, particularly the wildlife, and the health, safety and well-being of persons and property by prohibiting the release of helium balloons into the atmosphere, including latex and mylar, as it has been determined that the release of balloons inflated with lighter-than-air gases pose a danger and nuisance to the environment, particularly to wildlife and marine animals so as to constitute a public nuisance and may pose a threat to the safety of its inhabitants and their property.

3-18.2 Prohibited Releases.

It shall be unlawful for any person, firm or corporation to intentionally release, organize the release, or intentionally cause to be released balloons inflated with a gas that is lighter than air within the Township of Upper, except for:

- (a) Balloon released by a person on behalf of a governmental agency or pursuant to a governmental contract for scientific or meteorological purposes.
- (b) Hot air balloons that are recovered after launching.
- (c) Balloons released indoors.

3-18.3 Violations and Penalties.

Any person found in violation is guilty of a non-criminal infraction punishable by a fine not to exceed the sum of \$500.00.

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

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

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 24TH DAY OF JULY, 2017 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 28TH DAY OF AUGUST, 2017 AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY.

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

JOANNE R. HERRON, DEPUTY TWP. CLERK
TOWNSHIP OF UPPER

CORRESPONDENCE

NEW BUSINESS

18. **Stockton University Coastal Research Center Municipal Shoreline Report for the 1st and 2nd quarters of 2017.** The Municipal Engineer gave a brief overview of the reports.

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: \$1,603,192.34

Payroll: \$204,012.11

REPORT OF MUNICIPAL DEPARTMENTS

20. Animal Control
21. Department of Public Works
22. Division of EMS
23. Municipal Court
24. Tax Assessor
25. Tax Collector Certification of mailing of 2017 Final / 2018 Preliminary tax bills and advice copies.

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

PUBLIC COMMENT

Nathalie Neiss, Route 50 Petersburg, requested assistance in petitioning the State to lower the speed limit on Route 50 near her property. She stated that there has been numerous accidents, and the intersection of Route 50 and Route 610 is very dangerous with vehicles going at high speed. The Municipal Engineer was directed to send a letter to the NJDOT requesting a study of the area.

CLOSED SESSION

26. 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. 227-2017 MOTION GOING INTO CLOSED SESSION JULY 24, 2017

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

MATTERS:

1. Contract negotiation - Telephone system
2. Contract negotiation - Fixed Asset Inventory
3. Contract negotiation - Cape May County Roads and County Fleet Maintenance
4. Contract negotiation - Asbestos Consultant, Old Town Hall
5. Contract negotiation - Architect Consultant, Old Town Hall
6. Contract negotiation - Arawak Paving
7. Litigation - Holt v. Upper Township Zoning Board of Adjustment, et al.
8. Safety and Security
9. 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: Richard Palombo

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

RECONVENE PUBLIC PORTION OF MEETING

Motion by John Coggins, second by Richard Palombo, to reconvene the public portion of the meeting. During roll call vote all five Committeemen voted in the affirmative.

Motion by John Coggins, second by Hobie Young, to hire Theodore Cooper as a temporary Construction Official and Building Subcode Official at a rate of \$35.00/hour, hire William Hoffman as a temporary Fire Subcode Official at a rate of \$35.00/hour, and hire James Cotton as a temporary Plumbing Subcode Official at a rate of \$35.00/hour. During roll call vote all five Committeemen voted in the affirmative.

ADJOURNMENT

There being no further business this evening the meeting was adjourned at 10:16 P.M., with a motion by John Coggins, second by Hobie Young, and all five Committeemen voting in the affirmative. The next regular meeting is scheduled for Monday August 14, 2017 at 7:30 P.M.

Minutes prepared by,

Joanne R. Herron, RMC
Deputy Municipal Clerk

BILL LIST

69646 07/25/17 A0017 ATLANTIC CO. MUNICIPAL JIF 103,802.00 2979
69647 07/25/17 A0018 ACTION SUPPLY INC. 241.53 2979
69648 07/25/17 A0075 ADAMS, JOSHUA 85.99 2979
69649 07/25/17 A0091 ATLANTIC CITY ELECTRIC 18,459.73 2979
69650 07/25/17 A0175 Adams Rehmann & Haggan Assoc 19,637.00 2979

69651 07/25/17 A0191 ACTION UNIFORM CO. LLC 139.00 2979
69652 07/25/17 A0193 ATLANTIC INVESTIGATIONS, LLC 483.00 2979
69653 07/25/17 A0206 ADVANCE LEARNING 99.00 2979
69654 07/25/17 B0148 AMERIGAS GAS 119.00 2979
69655 07/25/17 B0201 BUCK'S ELECTRICAL SERVICE, INC 954.00 2979
69656 07/25/17 B0239 BAILEY, WILLIAM MICHAEL 791.66 2979
69657 07/25/17 C0042 CAMPBELL FREIGHTLINER, LLC 1,032.88 2979
69658 07/25/17 C0046 CAPE MAY COUNTY CLERK 3,841.09 2979
69659 07/25/17 C0048 CAPE MAY COUNTY MUA 41,656.07 2979
69660 07/25/17 C0052 CAPE MAY COUNTY TREASURER 1,344,483.22 2979
69661 07/25/17 C0060 CAPRIONI'S PORTABLE TOILETS 3,819.00 2979
69662 07/25/17 C0061 CAPRIONI FAMILY SEPTIC 724.64 2979
69663 07/25/17 C0068 COMCAST 285.78 2979
69664 07/25/17 C0081 CAPE MAY COUNTY TECHNICAL HIGH 200.00 2979
69665 07/25/17 C0091 CHISHOLM, JOHN R. 99.99 2979
69666 07/25/17 C0116 CINTAS CORPORATION 20.31 2979
69667 07/25/17 C0143 CODY'S POWER EQUIPMENT 35.61 2979
69668 07/25/17 C0171 COLONIAL ELECTRIC SUPPLY CO. 510.38 2979
69669 07/25/17 C0182 CDW GOVERNMENT, INC 880.00 2979
69670 07/25/17 C0223 CASA PAYROLL SERVICE 287.75 2979
69671 07/25/17 D0016 DALEYS PIT 200.00 2979
69672 07/25/17 D0040 DELTA DENTAL OF N.J. INC. 6,047.65 2979
69673 07/25/17 D0141 DESALIS, MICHAEL 40.69 2979
69674 07/25/17 E0059 TRISTATE EZ DOCK, INC. 165.00 2979
69675 07/25/17 E0071 EPIC SPORTS, INC 90.04 2979
69676 07/25/17 F0188 Franks, Gabrielle 20.00 2979
69677 07/25/17 G0016 GARDNER HARDWARE INC. 7.04 2979
69678 07/25/17 G0035 GENRON FIRE PROTECTION 265.00 2979
69679 07/25/17 G0080 GOVDEALS 1,279.78 2979
69680 07/25/17 G0147 GREATAMERICA FINANCIAL SVCS. 196.00 2979
69681 07/25/17 G0182 GOLDENBERG, MACKLER & SAYEGH 410.77 2979
69682 07/25/17 H0018 HAROLD RUBIN L & H SUPPLY 172.46 2979
69683 07/25/17 H0174 HOFFMAN EQUIPMENT CO. 3,720.32 2979
69684 07/25/17 I0021 INTERSTATE BATTERIES 209.85 2979
69685 07/25/17 J0072 JERSEY WEB DESIGNS 885.00 2979
69686 07/25/17 L0007 LC EQUIPMENT, INC. 276.90 2979
69687 07/25/17 L0031 LORCO PETROLEUM SERVICES 243.00 2979
69688 07/25/17 L0113 LIBERTY MUTUAL INSURANCE 2,678.00 2979
69689 07/25/17 M0180 MED-TECH RESOURCE,LLC 64.12 2979
69690 07/25/17 M0230 MCANJ 200.00 2979
69691 07/25/17 M0269 MULTI-TEMP MECHANICAL, INC. 459.95 2979
69692 07/25/17 M0277 MONY LIFE INSURANCE COMPANY 204.53 2979
69693 07/25/17 N0043 NAPA AUTO PARTS 534.08 2979
69694 07/25/17 N0070 MARSH & MCLENNAN AGENCY, LLC 70.00 2979
69695 07/25/17 N0141 NETCARRIER TELECOM, INC. 1,919.95 2979
69696 07/25/17 N0143 NATIONAL TIME SYSTEMS 369.35 2979
69697 07/25/17 N0154 NEW HORIZON COMMUNICATIONS 1,124.70 2979
69698 07/25/17 N0156 NEWARK BRUSH COMPANY LLC 1,500.00 2979
69699 07/25/17 P0032 PEDRONI FUEL CO. 2,445.85 2979
69700 07/25/17 P0056 TURF EQUIPMENT AND SUPPLY CO 1,587.05 2979
69701 07/25/17 P0075 POSITIVE PROMOTIONS INC 504.93 2979
69702 07/25/17 P0136 POSTNET 284.50 2979
69703 07/25/17 P0140 PIONEER MANUFACTURING CO, INC 212.00 2979
69704 07/25/17 P0170 PEACH COUNTRY MULCH 1,800.00 2979
69705 07/25/17 Q0003 EUROFINS,QC INC. 525.90 2979
69706 07/25/17 R0030 RIGGINS, INC. 4,113.70 2979
69707 07/25/17 R0100 ROBERTS OXYGEN COMPANY, INC. 63.90 2979
69708 07/25/17 R0116 JAMES M. RUTALA ASSOCIATES LLC 2,000.00 2979
69709 07/25/17 R106 RUMER, LISA 506.32 2979
69710 07/25/17 S0034 SCHULER, DANIEL 90.15 2979
69711 07/25/17 S0056 SEASHORE ASPHALT CORPORATION 412.08 2979
69712 07/25/17 S0092 SHONE, LEROY 120.00 2979
69713 07/25/17 S0113 SMITH,THOMAS G. 3,151.72 2979
69714 07/25/17 S0121 SMUZ, THERESE A 33.28 2979
69715 07/25/17 S0134 SO. JERSEY GAS COMPANY 253.31 2979
69716 07/25/17 S0153 STERICYCLE, INC. 171.08 2979

69717 07/25/17 S0239 SHORE VET. ANIMAL CONTROL LLC 2,300.00 2979
69718 07/25/17 S0241 SAFEGUARD BUSINESS SYSTEMS 542.33 2979
69719 07/25/17 S0254 SHOPRITE 22.00 2979
69720 07/25/17 S0292 JEFFREY SURENIAN & ASSOC. LLC 1,142.65 2979
69721 07/25/17 S0303 SITEONE LANDSCAPE SUPPLY, LLC 731.84 2979
69722 07/25/17 S0315 SOLAR CITY 402.00 2979
69723 07/25/17 S0316 Smith Gerard M. 21.44 2979
69724 07/25/17 S0327 SUASION COMMUNICATIONS GROUP 4,000.00 2979
69725 07/25/17 S0328 SJEV 500.00 2979
69726 07/25/17 T0067 TOWNSHIP OF UPPER PETTY CASH 4.17 2979
69727 07/25/17 T0074 TRANSAXLE LLC 142.86 2979
69728 07/25/17 T0076 TREASURER, STATE OF N.J. 85.00 2979
69729 07/25/17 T0180 TRI-COUNTY PEST CONTROL, INC 25.00 2979
69730 07/25/17 T0187 TUCKAHOE VOLUNTEER FIRE CO. 1,600.00 2979
69731 07/25/17 U0003 U.S. MUNICIPAL SUPPLY, INC. 998.49 2979
69732 07/25/17 U0028 UPPER TOWNSHIP BD.OF EDUCATION 237.00 2979
69733 07/25/17 U0066 Urbano, Anthony R. 21.44 2979
69734 07/25/17 V0001 VCI EMERGENCY VEHICLE 1,606.41 2979
69735 07/25/17 V0005 VAN EMBDEN, NATHAN, ATTORNEY 930.00 2979
69736 07/25/17 V0013 VERIZON WIRELESS 1,211.11 2979
69737 07/25/17 V0022 VERIZON 483.63 2979
69738 07/25/17 V0027 VANORDER, ROGER 247.77 2979
69739 07/25/17 W0050 WIRELESS ELECTRONICS, INC. 60.00 2979
69740 07/25/17 W0087 W.B. MASON 496.22 2979
69741 07/25/17 W0100 WALKER, ESQUIRE DOUGLAS 400.00 2979
69742 07/25/17 X0008 XEROX FINANCIAL SERVICES 662.40 2979

Total: \$1,603,192.34