TOWNSHIP OF UPPER 2100 TUCKAHOE ROAD PETERSBURG, NJ 08270 CAPE MAY COUNTY AGENDA FOR DECEMBER 7, 2015

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

CALL TO ORDER

SUNSHINE ANNOUNCEMENT

SALUTE TO THE FLAG

ROLL CALL

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

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

<u>APPROVAL OF MINUTES</u> - November 23, 2015 Regular Meeting and Closed Session Minutes

Motion by Jeffrey Pierson, second by Edward Barr, to accept the November 23, 2015 Regular Meeting and Closed Session Minutes as submitted. During roll call vote all five Committeemen voted in the affirmative.

REPORT OF GOVERNING BODY MEMBERS

John Coggins, Committeeman, reported that there is a Resolution for budget transfers on the agenda tonight. The resolution does not increase the budget appropriations; it simply moves funds within the line items.

Hobie Young, Committeeman, reported that the basketball season will commence soon, the Hockey season went very well, and the JV and Pee Wee Football teams both won their Cape Atlantic Championship games. He stated that both football teams played phenomenally and should be congratulated. A resolution congratulating the players and coaches will be adopted tonight and will be presented at the next meeting. Next he clarified some statements from the last meeting regarding the cleaning of the facilities at the Community Center. He stated that the Township does not intend to contract with an outside company to clean the facilities. The schedule for the current employee will just need to be adjusted so that the Community Center can be checked every morning. Last, he gave a brief rundown on the remaining projects at Amanda's Field.

Edward Barr, Committeeman, congratulated the Public Works crews out collecting leaves. Over 700 tons have been collected so far. He cautioned the public to be mindful of the employees while they are out there.

Jeffrey Pierson, Committeeman, reminded everyone that today is Pearl Harbor day and requested that we honor those that were there that day. He next reported that the Township will be holding two free rabies clinics on January 9, 2016 and February 6, 2016 from 1:00 pm to 3:00 pm at Shore Veterinarians.

OTHER REPORTS

Barbara Young, Municipal Clerk, announced that the next Committee meeting will be held on Monday December 14th. Following that will be the Reorganization meeting on January 6, 2016 at 6:30 pm.

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

Barbara Spiegel, Chief Financial Officer, gave a brief report on a few quotes the Township has received for repairs to the Public Works buildings. She requested a motion to approve the purchase of garage doors and openers, and repairs to the columns from the bond. Motion by Edward Barr, second by John Coggins to approve the purchases. During roll call vote all five Committeemen voted in the affirmative. A resolution for formal action will be placed on the next agenda.

RESOLUTIONS

1. Congratulating the Upper Township Indians Pee Wee Football Team on becoming the 2015 Cape Atlantic Junior Football League Champions.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 261-2015

RE: CONGRATULATING THE UPPER TOWNSHIP INDIANS PEE WEE FOOTBALL TEAM ON BECOMING THE 2015 CAPE ATLANTIC JUNIOR FOOTBALL LEAGUE CHAMPIONS

WHEREAS, the Upper Township Indians Pee Wee Football Team has had an outstanding 2015 football season with a 5-3 record in the regular season, and 3-0 in the playoffs; and

WHEREAS, on November 28, 2015, they played in the Cape Atlantic Junior Football League Championship Game against the Galloway Township Renegades, and won the game with a score of 12 to 6; and

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

Mason Afanador	Ryan Baldwin	Braden Brown	Rafe Bruursema
Dino Christensen	Chase Cole	Thomas Cook	Domenico Cuce
Anthony Dietrich	William Ellis	Steven Fanelli, Jr.	Talon Fischer
Aidan Grippo	Luke Holmes	Nicholas Layton	Zack Lex
Aiden Leypoldt	Liam MacDonald	Justin McCormick	Tyler McDaniels
Ty Mercado	Josh Merlino	Matthew Mistic	Jonathan Moyer
Marcus Painter	Noah Quinn	Ian Reed	Thomas Remaley
Anthony Rhubart	Garrett Rowand	Charlie Schutta	Andrew Siteman
Jackson Smith	James Wyers		

WHEREAS, we also extend this recognition and thanks to those that have generously given their personal time and service to coach this team, they being Head Coach Matt Baldwin, Assistant Coaches Larry Cole, Tom Remaley, Tom Schutta, Bill Holmes, Jason Fischer, Joe Moyer, and Randy Mistic; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee on behalf of the citizens of the Township of Upper, to extend to the 2015 Pee Wee Team congratulations on becoming the 2015 Cape Atlantic Junior Football League Champions, and to each coach our heartfelt thanks and gratitude for the generous donation of their time and service to the young people of this community.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 7th day of December, 2015.

Resolution No. 261-2015

Offered by: Young Seconded by: Barr

Adopted: December 7, 2015

Roll Call Vote:

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

2. Congratulating the Upper Township Indians Junior Varsity Football Team on becoming the 2015 Cape Atlantic Junior Football League Champions.

CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 262-2015

RE: CONGRATULATING THE UPPER TOWNSHIP INDIANS JUNIOR VARSITY FOOTBALL TEAM ON BECOMING THE 2015 CAPE ATLANTIC JUNIOR FOOTBALL LEAGUE CHAMPIONS

WHEREAS, the Upper Township Indians Junior Varsity Football Team has had an outstanding 2015 football season with a 7-1 record in the regular season, and 2-0 in the playoffs; and

WHEREAS, on November 28, 2015 they participated in the Cape Atlantic Junior Football League Championship Game against the Egg Harbor Township Eagles; and

WHEREAS, during the final four seconds of the game they clinched the Championship with a 12-7 win over Egg Harbor Township; and

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

Brendan Berns	Bradley Bird	Raymond Bozarth, III	Michael Constantino
CJ Conti	Charley Cossaboone	Ryan Costine	Taylor Eget
Aidan Fisher	Riley Ford	Calvin Gaddy, Jr.	Callil Gaddy
Kyle Hendricks	Jack Hoag	Zach Holt	Ryan McBride
Cohl Mercado	Jimmy Pacifico	Eddie Pearce	James Picinich
Kevin Quinn	Shawn Repetti	Cole Ritter	Mason Romanini
Tommy Schutta	RJ Seib	Justin Senquiz	Zach Sullick

WHEREAS, we also extend this recognition and thanks to those that have generously given their personal time and service to coach this team, they being Head Coach Chic Cossaboone, Assistant Coaches Ralph Holt, Cliff Repetti, Bob DeMari, and Russ Hendricks; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee on behalf of the citizens of the Township of Upper, to extend to the 2015 Junior Varsity Team congratulations on becoming the 2015 Cape Atlantic Junior Football League Champions, and to each coach our heartfelt thanks and gratitude for the generous donation of their time and service to the young people of this community.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 7^{th} day of December, 2015.

Resolution No. 262-2015 Offered by: Young Seconded by: Barr Adopted: December 7, 2015

Roll Call Vote:

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

3. Accepting the 2016 Solid Waste Collection Rules and Regulations Resident Information packet pursuant to Chapter 24 of the Revised General Ordinances of Upper Township.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 263-2015

ACCEPTING THE 2016 SOLID WASTE COLLECTION RULES AND REGULATIONS RESIDENT INFORMATION PACKET PURSUANT TO CHAPTER 24 OF THE REVISED GENERAL ORDINANCES OF UPPER TOWNSHIP

WHEREAS, the Township of Upper has adopted rules and regulations with regards to collection and disposal of solid waste and recyclables pursuant to Chapter 24 of the Revised General Ordinances; and

WHEREAS, the aforesaid rules and regulations are assembled into a summary entitled "*Residents Information-2016*" to be distributed to Township residents and attached hereto as Exhibit "A";

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 has determined that the summary attached as Exhibit "A" is in accordance with Chapter 24 of the Revised General Ordinances of Upper Township and is hereby accepted.

Resolution No. 263-2015

Offered by: Barr Seconded by: Pierson

Adopted: December 7, 2015

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	ABSTAINED	ABSENT
Barr	X			
Coggins	X			
Pierson	_X			
Young	_X			
Palombo	\overline{X}	_ 	<u></u>	

4. Appointing Jeffrey R. Surenian and Associates, LLC to act as Special Legal Counsel in matters involving Affordable Housing obligations.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 264-2015

RE: APPOINTING JEFFREY R. SURENIAN AND ASSOCIATES, LLC TO ACT AS SPECIAL LEGAL COUNSEL IN MATTERS INVOLVING AFFORDABLE HOUSING OBLIGATIONS

WHEREAS, the Township of Upper requires legal counsel to provide legal assistance with respect to the Township's affordable housing obligations involving the New Jersey Council on Affordable Housing (COAH), and/or a New Jersey court of competent jurisdiction; and

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

WHEREAS, the Township has decided to acquire the services of Jeffrey R. Surenian and Associates, LLC as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Jeffrey R. Surenian and Associates, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Jeffrey R. Surenian and Associates,

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 Jeffrey R. Surenian and Associates, 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. Jeffrey R. Surenian and Associates, LLC with offices at 707 Union Avenue, Suite 301, Brielle, New Jersey is hereby appointed Special Legal Counsel to handle legal matters with respect to the Township's affordable housing obligations as directed by the Township Committee.
- 3. This contract shall have a term of one (1) year, commencing January 1, 2016 and expiring December 31, 2016.
- 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 Jeffrey R. Surenian and Associates, LLC has professional knowledge as to legal matters which knowledge is particularly valuable to the Township Committee and this service is acquired as a non-fair and open contract pursuant to N.J.S.A. 19:44A-20.5.

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 Jeffrey R. Surenian and Associates, LLC 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 Jeffrey R. Surenian and Associates, LLC 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. 264-2015

Offered by: Coggins Seconded by: Pierson

Adopted: December 7, 2015

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	ABSENT
Barr	_X			
Coggins	X			
Pierson	X			
Young	\bar{X}			
Palombo	_X			

5. Urging the County of Cape May to install traffic control devices (lights and full signals) at the intersection of County Route 631 (Tuckahoe Road) and County Route 667 (Stagecoach Road).

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 265-2015

RE: URGING THE COUNTY OF CAPE MAY TO INSTALL TRAFFIC CONTROL DEVICES (LIGHTS AND FULL SIGNALS) AT THE INTERSECTION OF COUNTY ROUTE 631 (TUCKAHOE ROAD) AND COUNTY ROUTE 667 (STAGECOACH ROAD)

WHEREAS, the Township Committee of the Township of Upper has recognized for many years that due to increased traffic and development the intersection of County Route 631 (Tuckahoe Road) and County Route 667 (Stagecoach Road) has significant safety issues; and

WHEREAS, to insure the safety of residents and the general public, the Township Committee of the Township of Upper strongly supports the installation of traffic control devices (lights and full signals) at the intersection of County Route 631 (Tuckahoe Road) and County Route 667 (Stagecoach Road); and

WHEREAS, the Township of Upper has previously adopted resolutions in support of the installation of traffic control devices at this intersection, and once again desires to bring attention to the condition of this dangerous intersection; 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 strongly expresses its support for the installation of traffic control devices (lights and full signals) at the intersection of County Route 631 (Tuckahoe Road) and County Route 667 (Stagecoach Road).
- 3. The Township Committee hereby urges the County of Cape May to take the appropriate action forthwith in order to implement the installation of traffic control devices (lights and full signals) at the intersection named above.
- 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. 265-2015

Offered by: Pierson Seconded by: Barr

Adopted: December 7, 2015

Roll Call Vote:

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

6. Authorizing an amendment to the Shared Services Agreements with the Upper Township Fire Districts for website services.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 266-2015

RE: AUTHORIZING AN AMENDMENT TO THE SHARED SERVICES AGREEMENTS WITH THE UPPER TOWNSHIP FIRE DISTRICTS FOR WEBSITE SERVICES

WHEREAS, on December 17, 2012 the Township of Upper and the Board of Fire Commissioners for Upper Township Fire District No. 1, Upper Township Fire District No. 2, Upper Township Fire District No. 3, and Upper Township Fire District No. 4, entered into Shared Services Agreements for the implementation and routine maintenance of a website page for each Fire District, to be linked from the Township's website page, www.uppertownship.com; and

WHEREAS, the Township of Upper desires to amend the term of said Agreements to provide routine maintenance of the established website pages of each Fire District; 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 Amendments to the Shared Services Agreements with the Board of Fire Commissioners for Upper Township Fire Districts 1, 2, 3, & 4 to extend the term of said agreements for an additional one (1) year, commencing January 1, 2016 and expiring on December 31, 2016.
- 3. This Resolution amending the terms of the aforesaid Shared Services Agreements is conditioned upon similar action being taken by each Fire District.
- 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. 266-2015

Offered by: Pierson Seconded by: Barr

Adopted: December 7, 2015

7. Canceling taxes on exempt property Block 558 Lot 52.11.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 267-2015

CANCELING TAXES ON EXEMPT PROPERTY BLOCK 558 LOT 52.11

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 2015; and

WHEREAS, Peter Delpome is a 100% disabled American veteran residing at 11 Huntington Lane, Block 558, Lot 52.11 on the municipal tax map of Upper Township, New Jersey; and

WHEREAS, the Department of Veterans Affairs has determined that Mr.

Delpome's 100% permanent wartime service connected disability was effective November 30, 2001; and

WHEREAS, Peter Delpome made application on September 17, 2015.

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. 267	-2015		
Offered by	: Coggins	3	Secon	ded by: Pierson
Adopted: I	December	7, 201	5	•
Roll Call V	/ote:			
<u>NAME</u>	<u>YES</u>	NO	ABSTAINED	<u>ABSENT</u>
Barr	X			

Pierson	XXXXX		- - - -
BLOCK/LOT	<u>amount</u>	,	NAME
558/52.11	\$1,268.66	-	Peter & Carol Delpome 11 Huntington Lane Seaville, NJ 08230
100% Totally D	isabled Veteran		
8. Tax refu	and Block 558 Lot 52.11.		
	CAPE	SHIP OF UPI MAY COUN O L U T I O	TY
	RESOLUT	ΓΙΟΝ ΝΟ. 26	8-2015
		X REFUND K 558 LOT 52	2.11
	WHEREAS, certain	n corrections h	nave been recommended by the
Upper T	ownship Tax Collector in o	rder to refund	monies; and
	NOW, THEREFO	RE BE IT RE	ESOLVED , by the Township
Commit	ttee of the Township of Upp	per, Cape May	County, that corrections to the
Tax reco	ords are hereby authorized a	and the Tax Co	ollector is hereby directed to
correct s	said records or take such ac	tion as indicat	ed on the attached sheet.
Resolution No. Offered by: Cog Adopted: Decer	ggins Seconded	d by: Pierson	
Roll Call Vote: NAME Barr Coggins Pierson	YES NO ABS _XXX	<u>TAINED</u> 	<u>ABSENT</u>

Young	X	 	
Palombo	X	 	

REFUND 2015

BLOCK/LOT	<u>AMOUNT</u>	<u>NAME</u>
558/52.11	\$1,268.66	Peter & Carol Delpome 11 Huntington Lane Seaville, NJ 08230

^{4&}lt;sup>th</sup> Quarter property taxes were paid by Mortgage Company. Property is exempt as homeowner is a 100% totally disabled veteran.

9. Canceling taxes on exempt property Block 573.01 Lot 34.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 269-2015

CANCELING TAXES ON EXEMPT PROPERTY BLOCK 573.01 LOT 34

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 2015; and

WHEREAS, Joseph Moyer is a 100% disabled American veteran residing at 17 Black Oak Drive, Block 573.01, Lot 34 on the municipal tax map of Upper Township, New Jersey; and

WHEREAS, the Department of Veterans Affairs has determined that Mr. Moyer's 100% permanent wartime service connected disability was effective October 25, 2014; and WHEREAS, Joseph Moyer made application on September 23, 2015.

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. 2	269-2015			
Offered by: Cog	red by: Coggins		Seconded by: Pierson	
Adopted: Decen	nber 7, 20	15		
Roll Call Vote:				
<u>NAME</u>	YES	<u>NO</u>	ABSTAINED	ABSENT
Barr	X			
Coggins	X			
Pierson	X		_	
Young	X			
Palombo	\overline{X}			

CANCEL TAX 2015

BLOCK/LOT	<u>AMOUNT</u>	<u>NAME</u>
573.01/34	\$3,955.04	Joseph & Barbara Moyer 17 Black Oak Drive Marmora, NJ 08223

100% Totally Disabled Veteran

10. Tax refund on exempt property Block 573.01 Lot 34.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 270-2015

TAX REFUND ON EXEMPT PROPERTY BLOCK 573.01 LOT 34

WHEREAS, certain corrections have been recommended by the Upper Township

Tax Collector in order to refund monies; and

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WHEREAS, certain properties became tax exempt for the year 2015; and

WHEREAS, Joseph Moyer is a 100% disabled American veteran residing at 17

Black Oak Drive Block 573.01, Lot 34 on the municipal tax map of Upper Township, New

Jersey; and

WHEREAS, the Department of Veterans Affairs has determined that Mr. Moyer's

100% permanent wartime service connected disability was effective October 25, 2014; and

WHEREAS, Joseph Mover made application on September 23, 2015; and

WHEREAS, Township of Upper Ordinance No. 009-2012 allows for the refund of property taxes paid for the calendar year in which claim is made.

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. 2	70-2015			
Offered by: Cogg	ins	Seconded	by: Pierson	
Adopted: Decemb	per 7, 201	15	•	
Roll Call Vote:				
NAME	YES	<u>NO</u>	ABSTAINED	ABSENT
Barr	X			
Coggins	X			
Pierson	X			
Palombo	X			
Young	X			

REFUND TAX 2015

BLOCK/LOT	AMOUNT	NAME
573.01/34	\$2,831.13	Joseph & Barbara Moyer
		17 Black Oak Drive
		Marmora, NJ 08223

2015 1st, 2nd & 3rd Quarter Taxes 100% Totally Disabled Veteran

11. Cancel Tax Sale Certificate on Block 453 Lot 311.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 271-2015

RE: CANCEL TAX SALE CERTIFICATE ON BLOCK 453 LOT 311

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

WHEREAS, Tax Sale Certificate #10-00028 was sold on Block 453 Lot 311 for \$878.95 to the Township of Upper; and

WHEREAS, the Upper Township Tax Assessor has determined that this property is the common area included in the Windward Shores Homeowners Association; and

WHEREAS, the homeowners in the Association apparently were not aware of the unpaid taxes or the Tax Sale Certificate; and

WHEREAS, the Upper Township Tax Assessor has determined that it is appropriate to assess the aforementioned property, pro rata, to the individual properties that are members of the Windward Shores Homeowners Association.

NOW, THREFORE 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 CANCEL said Tax Sale Certificate #10-00028 in the amount of \$9,269.97.

Resolution No. 271-2015

Offered by: Coggins Seconded by: Pierson

Adopted: December 7, 2015

Roll call vote:

<u>NAME</u>	<u>YES</u>	\underline{NO}	<u>ABSTAINED</u>	ABSENT
Barr	X			
Coggins	X			
Pierson	X			
Young	X			
Palombo	_X_			

12. Budget Transfers.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 272-2015

RE: BUDGET TRANSFERS

WHEREAS, budgetary transfers between line items can be made after November 1^{st} ; and

WHEREAS, it is necessary to make transfers between certain line items of the Municipal Budget of the Township of Upper.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the

FROM

Township of Upper, in the County of Cape May and State of New Jersey, as follows:

The following transfers between line items in the Municipal Budget of the
 Township of Upper shall be made immediately:

DRUG & ALCOHOL TESTING
\$4,000.00
ENGINEER COST O/E
\$2,000.00
PLANNING BOARD O/E
\$1,000.00
CROSSING GUARDS S/W
\$800.00
ROAD REPAIRS MAINT. S/W
\$4,200.00
RECYCLING PROGRAM S/W
\$2,000.00
GARBAGE & TRASH S/W
\$16,000.00
BLDGS. & GRDS. S/W
\$22,000.00
ASSESSMENT OF TAXES O/E
\$5,000.00

Resolution No. 272-2015

TO

Offered By: Coggins Seconded By: Barr

Adopted: December 7, 2015

ROLL CALL VOTE:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Barr	X			
Coggins	X			
Pierson	X			
			1.7	

Young	X	 	
Palombo	X	 	<u></u>

13. Authorizing the Engineer to prepare specifications and solicit bids for Supply of Irrigation and Infield Mix at Amanda's Field. Motion by Hobie Young, second by John Coggins, to adopt this Resolution with the stipulation that these items will be bid separately.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 273-2015

RE: AUTHORIZING THE ENGINEER TO PREPARE SPECIFICATIONS AND SOLICIT BIDS FOR SUPPLY OF IRRIGATION AND INFIELD MIX AT AMANDA'S FIELD

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

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

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

- 1. The allegations of the preamble are incorporated herein by this reference.
- 2. The Township Engineer is hereby authorized and directed to prepare specifications, bid documents and solicit bids for the following project:

SUPPLY OF IRRIGATION SUPPLIES AND INFIELD MIX AT

AMANDA'S FIELD

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

Resolution No. 273-2015

Offered by: Young Seconded by: Coggins

Adopted: December 7, 2015 Roll Call Vote:

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

14. Authorizing additional cash drawer funds in the Upper Township Municipal Court.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 274-2015

RE: AUTHORIZING ADDITIONAL CASH DRAWER FUNDS IN THE UPPER TOWNSHIP MUNICIPAL COURT

WHEREAS, there is a need for the Upper Township Municipal Court to have an additional separate cash drawer fund in the amount of \$100.00 to facilitate day to day minor transactions; and

WHEREAS, the Township Committee has duly considered the matter and has determined to accept and approve the recommendation;

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 authorizes that an additional separate cash drawer fund be maintained in the Municipal Court Offices in the amount of \$100.00 effective immediately.

Resolution No.274-2015

Offered by: Coggins Seconded by: Barr

Adopted: December 7, 2015

Roll Call Vote:

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

15. Authorizing the purchase of a tag shelter with inflator from the 2013 Capital Improvement Bond Ordinance and 2015 Emergency Management Operating Expenses budgetary line in the amount of \$7,425.00.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 275-2015

RE: AUTHORIZING THE PURCHASE OF A TAG SHELTER WITH INFLATOR FROM THE 2013 CAPITAL IMPROVEMENT BOND ORDINANCE AND 2015 EMERGENCY MANAGEMENT OPERATING EXPENSES BUDGETARY LINE IN THE AMOUNT OF \$7,425.00

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

WHEREAS, the Township Committee has adopted the 2013 Capital Improvement Bond Ordinance 05-2013 on April 8, 2013 and subsequently amended on December 16, 2013, April 14, 2014 and again on October 13, 2015; and

WHEREAS, the Township's QPA has reviewed and approved the quote for this tag shelter with inflator; and

WHEREAS, pursuant to N.J.S.A 40A:11-12a, the Township wishes to purchase a tag shelter with inflator for use as an emergency shelter from Aramsco for \$7,425.00.

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. The Township Committee of the Township of Upper, County of Cape May, New Jersey hereby authorizes the purchase of the tag shelter with inflator for use as an emergency shelter from Aramsco for \$7,425.00 from the 2013 Capital Improvement Bond and the 2015 Emergency

Management budgetary line.

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

Resolution No. 275-2015

Offered by: Palombo Seconded by: Pierson

Adopted: December 7, 2015

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Barr	_X			
Coggins	_X			
Pierson	_X			
Young	_X			
Palombo	_X			

16. 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. 276-2015

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 2015 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 2015 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. 276-2015

Offered by: Barr Seconded by: Coggins

Adopted: December 7, 2015

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Barr	X			
Coggins	X			
Pierson	X			
Young	X			
Palombo	X			

ORDINANCES

CORRESPONDENCE

NEW BUSINESS

- 17. Ocean City Crew Boosters request to hold Bingo BA# 453 at the Upper Township Community Center on January 23rd and 30th, February 20th and 27th, and March 5th and 19th 2016. Motion by Jeffrey Pierson, second by Edward Barr, to approve the request. During roll call vote all five Committeemen voted in the affirmative.
- **18. Gypsy Moth Spraying.** The Department of Agriculture has indicated that there are areas in the Township that are expected to have an infestation of gypsy moths next spring. They are offering technical assistance for the gypsy moth spraying and up to a possible 50% reimbursement of the spray costs by the U.S. Forest Service. If the Township wishes to participate, a letter of consent must be returned by December 18th and a Township representative must be appointed to attend a regional meeting in

January. After a brief discussion there was a motion by Richard Palombo, second by Jeffrey Pierson, to direct the Municipal Clerk to send the letter of consent to the Department of Agriculture, and appoint Paul Dietrich as the Township's representative. During roll call vote all five Committeemen voted in the affirmative.

19. RFQ results for Actuarial Services. Barbara Spiegel reported that quotes were requested for Actuarial Services, which are required for the Township's audit. Three firms submitted quotes, with the lowest quote being from Danziger & Markhoff in the amount of \$2,900. She recommended the Township appoint Danziger & Markhoff, and stated that this is the same firm that was used previously. Motion by Jeffrey Pierson, second by John Coggins, to appoint Danziger & Markhoff for Actuarial Services. During roll call vote all five Committeemen voted in the affirmative. A resolution for formal action will be placed on the next agenda.

UNFINISHED BUSINESS

DISCUSSION

PAYMENT OF BILLS

20. "I hereby move that all claims submitted for payment at this meeting be approved and then incorporated in full in the minutes of this meeting." It was requested that the bill for American Shore and Beach be removed from the list and be held for further review. Motion by John Coggins, second by Jeffrey Pierson. During roll call vote all five Committeemen voted in the affirmative.

Bills approved for payment: \$345,272.15

Payroll: \$154,721.43

REPORT OF MUNICIPAL DEPARTMENTS

- 21. Clerk's Office
- 22. Animal Control
- 23. Tax Collector
- 24. MUA Report

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

Due to a conflict, Committeeman Young stepped down during the public comment from Nathalie Neiss

Nathalie Neiss, Route 50 Petersburg, inquired into the status of a complaint she filed in August of this year regarding a neighbor's tree. She submitted a letter dated December 2, 2015 from Parker TreeWorks LLC stating that the tree is dead and poses a threat to her property. It was stated that this letter will be submitted to the Code Enforcement Officer and the matter will be discussed to determine the status.

Committeeman Young then returned for the remainder of the meeting.

CLOSED SESSION

25. 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. 277-2015 MOTION GOING INTO CLOSED SESSION DECEMBER 7, 2015

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

MATTERS:

- 1. Personnel
- 2. Annual Appointments
- 3. Contract negotiation County Fleet Maintenance
- 4. Litigation Lloyd v. Upper Township (Young stepped down from discussion)
- 5. Litigation Affordable Housing

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

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

Moved by: John Coggins

Motion seconded by: Edward Barr

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

Committeeman Young left the meeting during the closed session portion of the meeting.

The executive session portion of the meeting was closed with a motion to go back into open session, motion by John Coggins second by Jeff Pierson with four Committee members present voting in the affirmative.

RECONVENE PUBLIC PORTION OF MEETING

ADJOURNMENT

There being no further business this evening the meeting was adjourned at 9:34 P.M., with a motion by John Coggins, second by Ed Barr to adjourn with all members present voting in favor. The next regular meeting is scheduled for December 14, 2015 at 7:30 P.M.

Minutes prepared by

Barbara L. Young, RMC

Bill List

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66223 12/07/15 A0025 ADVANTAGE RENTAL ACE HARDWARE 510.52 2902
66224 12/07/15 A0026 ALERT GRAPHICS 751.00 2902
66225 12/07/15 A0081 ARMSTRONG, RALON I. 109.05 2902
66226 12/07/15 A0091 ATLANTIC CITY ELECTRIC 6,553.06 2902
66227 12/07/15 A0099 ATLANTIC TIME SYSTEMS, INC. 649.26 2902
66228 12/07/15 A0175 Adams Rehmann & Haggan Assoc 4,740.00 2902
66229 12/07/15 A0191 ACTION UNIFORM CO. LLC 1,240.00 2902
66230 12/07/15 A0193 ATLANTIC INVESTIGATIONS, LLC 273.00 2902
66231 12/07/15 B0035 BELMONT & CRYSTAL SPRINGS 18.19 2902
66232 12/07/15 B0178 BUGANSKI, PETER R. 148.75 2902
66233 12/07/15 B0228 BACH ASSOCIATES, P.C. 2,160.00 2902
66234 12/07/15 C0068 COMCAST 385.37 2902
66235 12/07/15 C0140 CODED SYSTEMS 5,927.90 2902
66236 12/07/15 C0223 CASA PAYROLL SERVICE 247.65 2902
66237 12/07/15 C0230 CATAMARAN MEDIA COMPANY 72.00 2902
66238 12/07/15 C0242 CORE MECHANICAL, INC. 411.95 2902
66239 12/07/15 D0077 DIETRICH, PAUL 2,020.00 2902
66240 12/07/15 E0003 EASTERN SIGN CO. 830.75 2902
66241 12/07/15 E0012 EHRLICH PEST CONTROL INC 83.00 2902
66242 12/07/15 G0028 GENTILINI FORD 14,628.50 2902
66243 12/07/15 G0086 W.W. GRAINGER, INC. 292.06 2902
66244 12/07/15 G0096 GRUND, GEORGE 2,000.00 2902
66245 12/07/15 G0147 GREATAMERICA FINANCIAL SVCS. 176.97 2902
66246 12/07/15 G0157 GRANTURK EQUIPMENT CO., INC. 13,365.44 2902
66247 12/07/15 H0018 HAROLD RUBIN L & H SUPPLY 166.60 2902
66248 12/07/15 H0073 HOME DEPOT CRC/GECF 623.52 2902
66249 12/07/15 H0095 HORIZON BCBSNJ 146,669.68 2902
66250 12/07/15 10013 IMPACT TECHNOLOGY SOLUTION LLC 1,140.00 2902
66251 12/07/15 10019 INTERNATIONAL CODE COUNCIL, INC 124.00 2902
66252 12/07/15 I0021 INTERSTATE BATTERIES 80.00 2902
66253 12/07/15 J0036 JOHNSON, MICHELLE 661.94 2902
66254 12/07/15 J0072 JERSEY WEB DESIGNS 2,132.50 2902
66255 12/07/15 K0019 KEL TEX IMPRINTS 1,662.00 2902
66256 12/07/15 K0086 K D NATIONAL FORCE SECURITY 1,050.00 2902
66257 12/07/15 L0040 LEA, SHELLEY 126.15 2902
66258 12/07/15 L0080 LOWES, INC. 356.25 2902
66259 12/07/15 L0113 LIBERTY MUTUAL INSURANCE 92,447.00 2902
66260 12/07/15 M0059 MCDANIELS, WILLIAM J. III 106.74 2902
66261 12/07/15 M0121 McCROSSON, JANET 117.45 2902
66262 12/07/15 M0128 MCANJ 175.00 2902
66263 12/07/15 M0188 MCCARTHY TIRE SERVICE OF PHILA 5,519.07 2902
66264 12/07/15 M0224 McBRIDE, JANET E 2,000.00 2902
66265 12/07/15 N0004 NJ-AMERICAN WATER CO. 74.14 2902
66266 12/07/15 N0094 NEW JERSEY PLANNING OFFICIALS 70.00 2902
66267 12/07/15 N0100 N.J. LEAGUE OF MUNICIPALITIES 910.00 2902
66268 12/07/15 N0131 DEFINED CONTRIB RETIRE PROGRAM 118.87 2902
66269 12/07/15 N0134 NJ Assoc for Floodplain Mangmt 20.00 2902
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66270 12/07/15 P0032 PEDRONI FUEL CO. 1,479.42 2902
66271 12/07/15 P0089 PREMIER SCHOOL AGENDAS, INC. 2,287.00 2902
66272 12/07/15 P0120 PULINI PIZZA 150.00 2902
66273 12/07/15 R0030 RIGGINS, INC. 3,117.26 2902
66274 12/07/15 R0045 RAINEAR, SCOT 275.00 2902
66275 12/07/15 R0065 ROBERT BROWN TREE SERVICE 500.00 2902
66276 12/07/15 R106 RUMER, LISA 171.20 2902
66277 12/07/15 S0001 SAM'S CLUB 95.56 2902
66278 12/07/15 S0018 SUBURBAN PROPANE, LP 108.48 2902
66279 12/07/15 S0031 SCHULER SECURITY, INC. 305.00 2902
66280 12/07/15 S0056 SEASHORE ASPHALT CORPORATION 75.00 2902
66281 12/07/15 S0108 SOUTHERN NEW JERSEY NIGP 80.00 2902
66282 12/07/15 S0112 SOUTH JERSEY COURT ADM. ASSOC. 90.00 2902
66283 12/07/15 S0126 SPIEGEL, BARBARA 30.53 2902
66284 12/07/15 S0134 SO. JERSEY GAS COMPANY 689.36 2902
66285 12/07/15 S0196 STEWART BUSINESS SYSTEMS LLC 407.80 2902
66286 12/07/15 S0204 SAFETY DOWN UNDER, INC. 4,700.00 2902
66287 12/07/15 S0253 SAMPLE MEDIA, INC. 186.00 2902
66288 12/07/15 S0254 SHOPRITE 29.90 2902
66289 12/07/15 S0279 SPECTROTEL, INC 1,075.10 2902
66290 12/07/15 T0048 TILL PAINT CO/D. FITZGERALD 397.25 2902
66291 12/07/15 T0067 TOWNSHIP OF UPPER PETTY CASH 89.50 2902
66292 12/07/15 T0168 TOWNSHIP OF UPPER 195.55 2902
66293 12/07/15 T0169 THE LEVINBOOK LAW FIRM P.C. 1,500.00 2902
66294 12/07/15 U0028 UPPER TOWNSHIP BD.OF EDUCATION 695.00 2902
66295 12/07/15 V0013 VERIZON WIRELESS 1,129.50 2902
66296 12/07/15 V0024 VAL-U AUTO PARTS L.L.C. 904.61 2902
66297 12/07/15 W0030 WEST PUBLISHING CO. 433.87 2902
66298 12/07/15 W0031 WESLEY METHODIST CHURCH 300.00 2902
66299 12/07/15 W0087 W.B. MASON 52.90 2902
66300 12/07/15 Y0008 YOUNG, DANIEL J. ESQUIRE PC 9,776.03 2902
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Total: 345,272.15