

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR FEBRUARY 22, 2016**

BUDGET WORKSHOP MEETING – 6:00 P.M.

In preparation of the 2016 Municipal Budget a third budget workshop meeting was called to order this evening at 6:00 PM.

Mayor Palombo read the Open Public meeting notice into the record.

ROLL CALL

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

Also present were Municipal Clerk Barbara Young, Finance Officer Barbara Spiegel, and Municipal Engineer Paul Dietrich.

The Committee reviewed and discussed at length the capital requests from the Office of Emergency Management, the Beach Patrol, and the Division of EMS. The Street Rehabilitation list and the Strathmere playground project were also discussed.

A special budget workshop meeting was then scheduled for Monday February 29, 2016 at 6:00 p.m. to continue the discussion. Committeemen Barr and Pierson excused themselves before the workshop meeting was adjourned. Motion by Richard Palombo, second by John Coggins, to adjourn the budget workshop. During roll call vote the three Committee members present at the time voted in the affirmative.

There was a brief recess and then the regular meeting convened.

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

CALL TO ORDER

SUNSHINE ANNOUNCEMENT

SALUTE TO THE FLAG

ROLL CALL

Edward Barr	Present
John Coggins	Present
Jeffrey Pierson	Present

Hobart Young	Present
Richard Palombo	Present

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

APPROVAL OF MINUTES - February 8, 2016 Budget Workshop, Regular Meeting, and Closed Session Minutes

Motion by Jeffrey Pierson, second by Edward Barr, to approve the February 8, 2016 Budget Workshop, 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 he recently attended an event with the Upper Township Business Association. He stated that it is a tremendous organization doing good work in the Township.

Hobie Young, Committeeman, gave a brief update on the progress of some of the projects at Amanda's Field. He next reported that they will be having a second planning meeting for the Easter Egg Hunt event. The Easter Egg Hunt has been scheduled for March 19th beginning at 1:00 pm, with a rain date scheduled for the 20th. He encouraged anyone that would like to volunteer to attend the upcoming planning meeting. He stated that it will be a smaller event this year, however they will have some vendors, a petting zoo, small rides, and the egg hunt.

Edward Barr, Committeeman, reported that last week he had the opportunity, along with the Township engineer to meet with General Graham of the Army Corps of Engineers, to check on the progress of the Army Corps beach fill projects.

Jeffrey Pierson, Committeeman, reported that the fire district elections were held this past Saturday and everything went smoothly. He next congratulated OC Sentinel reporter Kristen Kelleher for winning two awards in New Jersey Press Association photography competition.

Richard Palombo, Mayor, reported that a special budget workshop meeting will be held Monday February 29, 2016 at 6:00 pm.

OTHER REPORTS

Daniel Young, Municipal Attorney, reported that there are a number of contract negotiation matters and a personnel matter for closed session.

PRESENTATION

1. Honoring the memory of our friend Daniel Bready. **Mayor Palombo read Resolution No. 48-2016 into the record and presented a copy to Mrs. Bready and the Daniel Bready family.**

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 48-2016

**HONORING THE MEMORY OF OUR FRIEND
DANIEL BREADY**

WHEREAS, the Upper Township Committee was deeply saddened to learn of the death of Daniel Bready, an inspiring individual who has tirelessly served our community for many years by generously donating his time to numerous civic and charitable organizations; and

WHEREAS, Daniel served in the community as a member of the Upper Township School Board for nine years and President of the School Board for three years, Vice-President for Cape May School Board Association, member of the New Jersey School Board Association of Upper Township/Ocean City, Kiwanis Trustee of Upper Township Education Foundation, First Certified Board Member in Cape May County by NJSB, member of the Upper Township Republican County Committee, and member of the Upper Township Planning Board since 2005.

WHEREAS, Daniel was actively involved in his professional community as a member of the Ocean City Hotel/Motel Association, the Ocean City Board of Realtors, NJ Association of Realtors and National Association of Realtors; and

WHEREAS, Daniel's diversity of service included serving his country in the US Army, being a member of the Tuckahoe United Methodist Church, and being a foster parent for ten years; and

WHEREAS, Daniel will always be remembered for his service to others which he undertook with the utmost integrity, fairness and professionalism; and

WHEREAS, it is just and deserving that on behalf of the residents of Upper Township, we honor and celebrate the life of our colleague and friend Daniel; and

NOW THEREFORE BE IT RESOLVED that this Township Committee join with all citizens of our community to pay tribute to the life and service of Daniel Bready, and do hereby extend to Daniel's family our most heartfelt sympathy for their loss and the hope that they will be consoled by the memories of his fine life and achievements.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 8th day of February, 2016.

RESOLUTIONS

2. Appointing Thomas G. Smith, Esquire to act as Special Legal Counsel regarding Tax Court matters and matters in which the regular Township Solicitor may have a conflict of interest.

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

RESOLUTION NO. 51-2016

RE: APPOINTING THOMAS G. SMITH, ESQUIRE TO ACT AS SPECIAL LEGAL COUNSEL REGARDING TAX COURT MATTERS AND MATTERS IN WHICH THE REGULAR TOWNSHIP SOLICITOR MAY HAVE A CONFLICT OF INTEREST

WHEREAS, the Township requires legal counsel to provide legal services for Tax Court matters and in the event a conflict of interest arises in regard to the services provided by the regular Township Solicitor; 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 Thomas G. Smith, Esquire as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-2.05; and

WHEREAS, Thomas G. Smith, Esquire has completed and submitted a Business Entity Disclosure Certification which certifies that Thomas G. Smith, Esquire 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 Thomas G. Smith, Esquire 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. Thomas G. Smith, Esquire with offices at 2106 New Road, Linwood, New Jersey is hereby appointed Special Legal Counsel to handle Tax Court matters and matters in which the regular Township Solicitor has a conflict of interest as well as other matters 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 Thomas G. Smith, Esquire 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-2.05

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 Thomas G. Smith, 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 Thomas G. Smith, 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. 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. 51-2016

Offered by: Palombo

Seconded by: Barr

Adopted: February 22, 2016

Roll Call Vote:

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

3. Authorizing Change Order No. 3F for the NJDOT Municipal Aid Project - Reconstruction of Bayview Drive, from N. of Sumner Ave. to N. of Webster Ave. contract resulting in an increase in the amount of \$2,530.00.

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

RESOLUTION NO. 52-2016

**RE: AUTHORIZING CHANGE ORDER NO. 3F FOR THE NJDOT MUNICIPAL
AID PROJECT - RECONSTRUCTION OF BAYVIEW DRIVE, FROM N. OF
SUMNER AVE. TO N. OF WEBSTER AVE. CONTRACT RESULTING IN AN
INCREASE IN THE AMOUNT OF \$2,530.00**

WHEREAS, the Township of Upper has awarded the NJDOT Municipal Aid Project - Reconstruction of Bayview Drive, from N. of Sumner Ave. to N. of Webster Ave. bid to F.W. Shawl & Sons, Inc., of 5 Delores Avenue, Marmora, NJ 08223, in the original Contract amount of \$337,703.50; and

WHEREAS, the Township wishes to approve a third and final Change Order to the aforesaid Contract as hereinafter provided; and

WHEREAS, the Chief Financial Officer has issued a certification as to the availability of funds for this Change Order No. 3F; and

WHEREAS, the aggregate amount of Change Order No. 3F, comprising of an increase of \$6,000.00 and a decrease of \$3,470.00, together with Change Order No. 1 and Change Order No. 2, does not exceed twenty percent (20%) of the original Contract award; and

WHEREAS, the Township Engineer has requested this Change Order and indicated that it is permitted under the applicable regulations and that, pursuant to N.J.A.C. 5:30-11.8, it is a minor modification to effect economies and improve service; and

WHEREAS, this Change Order is in the best interests of the Township.

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. Change Order No. 3F to the NJDOT Municipal Aid Project - Reconstruction of Bayview Drive, from N. of Sumner Ave. to N. of Webster Ave. contract with FW Shawl & Sons, Inc. is hereby authorized as follows:

Increases.....\$ 6,000.00
Decreases.....\$ 3,470.00
Extra Work.....\$ 0.00
TOTAL.....\$ 2,530.00

3. A copy of the Change Order detailing the nature and the extent of the work to be done, together with all other prior Change Orders, if any, are attached to this Resolution as Exhibit “A”.

4. The Mayor and Municipal Engineer are hereby authorized, directed and empowered to execute the Change Order on behalf of the Township of Upper.

5. All Township officials and officers are hereby authorized and directed to take all action necessary to carry out the intent and purpose of this Resolution.

Resolution No. 52-2016

Offered by: Coggins

Seconded by: Palombo

Adopted: February 22, 2016

Roll Call Vote:

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

4. Authorizing the Township of Upper to enter into a Cooperative Pricing Agreement for participation in the City of Ocean City Cooperative Pricing System #251coccps.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 53-2016

**RE: AUTHORIZING THE TOWNSHIP OF UPPER TO ENTER INTO A
COOPERATIVE PRICING AGREEMENT FOR PARTICIPATION IN
THE CITY OF OCEAN CITY COOPERATIVE PRICING SYSTEM #251COCCPS**

WHEREAS, authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the City of Ocean City, hereinafter referred to as the “Lead Agency” has offered voluntary participation in a Cooperative Pricing System and established #251COCCPS for the purchase of goods and services; and

WHEREAS, the Township of Upper wishes to participate with the Lead Agency in a Cooperative Pricing System #251COCC for the provision and performance of goods and services; and

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Upper, Cape May County, that this resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Upper, pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor and Qualified Purchasing Agent are hereby authorized to enter into a Cooperative Pricing Agreement #251COCC with the Lead Agency; and

BE IT FURTHER RESOLVED that the Lead Agency shall be responsible for complying with the provisions of the Local Public Contract Law, N.J.S.A. 40A:11-1 et seq. and all other provisions of the revised statutes of the State of New Jersey.

Resolution No. 53-2016

Offered by: Coggins

Seconded by: Pierson

Adopted: February 22, 2016

Roll Call Vote:

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

ORDINANCES

- 5. Public hearing and final adoption of Ordinance No. 001-2016 RE: AN ORDINANCE AMENDING REVISED GENERAL ORDINANCE CHAPTER VII OF THE CODE OF UPPER TOWNSHIP.** The Municipal Attorney reported

that the County has adopted an authorizing resolution in support of the adoption of this Ordinance. Mayor Palombo then opened up the public hearing. During the public hearing portion there were no speakers. Motion by Jeffrey Pierson, second by Hobie Young, to adopt Ordinance No. 001-2016. During roll call vote all five Committeemen voted in the affirmative.

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

ORDINANCE NO. 001-2016

**RE: AN ORDINANCE AMENDING REVISED GENERAL ORDINANCE
CHAPTER VII OF THE CODE OF UPPER TOWNSHIP**

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 7, Schedule I (entitled “No Parking”) of the Revised General Ordinance of the Township of Upper, also known as the Code of Upper Township, shall be amended as hereinafter provided:

SCHEDULE I – NO PARKING

Add the following:

<i>Street</i>	<i>Location</i>
<i>Mosquito Landing Rd</i>	Both sides of Mosquito Landing Road a distance of one thousand (1,000’) feet easterly from the curbline of State Highway Rt-50.
<i>Tuckahoe Road*</i> (CR 631)	North side of Tuckahoe Road a distance of five hundred sixty (560’) feet westerly from Stagecoach Road (CR667).
<i>Tuckahoe Road*</i> (CR 631)	South side of Tuckahoe Road a distance of three hundred seventy five (375’) feet westerly from Stagecoach Road (CR667).
<i>Tuckahoe Road*</i> hundred (CR 631)	Both sides of Tuckahoe Road a distance of three (300’) feet easterly from Stagecoach Road (CR 667).

* No-Parking restriction was approved and authorized by the Cape May County Board of Chosen Freeholders pursuant to Resolution No. 159-16 and may be enforced by this Township ordinance.

SECTION 2: REPEALER: All Ordinances or parts of Ordinances which are in conflict or inconsistent herewith are hereby repealed to the extent of such inconsistency or conflict only.

SECTION 3: SEVERABILITY: If any section, paragraph, subdivision, subsection, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, subsection, clause or provision declared invalid and the remainder of this Ordinance shall remain in full force and effect and shall be enforceable.

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

SECTION 5: CODIFICATION: This Ordinance shall be codified in the Upper Township Code at the sections referred to above.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR THE FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 11TH DAY OF JANUARY, 2016 AT THE TOWNSHIP HALL, AND WAS TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 22ND DAY OF FEBRUARY, 2016 AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY, AT WHICH TIME SAID ORDINANCE WAS ADOPTED.

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

BARBARA L. YOUNG, TOWNSHIP CLERK
TOWNSHIP OF UPPER

6. **Introduction and first reading of Ordinance No. 004-2016 RE: AN ORDINANCE REVISING JOB CLASSIFICATIONS AND TITLES AND AMENDING CHAPTER V, ENTITLED “PERSONNEL”, OF THE CODE OF UPPER TOWNSHIP.** Motion by Jeffrey Pierson, second by John Coggins, to introduce Ordinance No. 004-2016 with the public hearing and final adoption scheduled for March 21, 2016. During roll call vote all five Committeemen voted in the affirmative.

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

ORDINANCE NO. 004-2016

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

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

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

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

Add The Following Position:

Maintenance Worker 3, Grounds

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

Add The Following Positions:

Passport Acceptance Agent

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

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

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

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE
WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP
COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 22nd DAY OF
FEBRUARY, 2016 AND WILL BE TAKEN UP FOR CONSIDERATION AS TO FINAL
ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF UPPER TO BE HELD ON THE 21st DAY OF MARCH, 2016 AT 7:30
P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY.

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

BARBARA L. YOUNG, TOWNSHIP CLERK
TOWNSHIP OF UPPER

7. **Introduction and first reading of Ordinance No. 005-2016 RE: AN ORDINANCE AMENDING ORDINANCE NO. 015-2015 KNOWN AS THE SALARY ORDINANCE FOR THE CALENDAR YEAR 2016.** Motion by John Coggins, second by Jeffrey Pierson, to introduce Ordinance No. 005-2016 with the public hearing and final adoption scheduled for March 21, 2016. During roll call vote all five Committeemen voted in the affirmative.

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

ORDINANCE NO. 005-2016

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

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

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

SECTION 2: SALARIES:

A. ADMINISTRATIVE/REVENUE AND FINANCE:

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

E. PUBLIC WORKS/SPORTS AND RECREATIONAL PROGRAMS:

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

SECTION 3: SEVERABILITY: If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not

affect, impair or invalidate the remainder of this Ordinance, but shall be confined in its effects to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

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

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

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 22nd DAY OF FEBRUARY, 2016 AND WILL BE TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER TO BE HELD ON THE 21st DAY OF MARCH, 2016 AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY.

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

BARBARA L. YOUNG, TOWNSHIP CLERK
TOWNSHIP OF UPPER

CORRESPONDENCE

8. **2015 JIF Safety Incentive Program Award.** The Township's Claims Coordinator, Teri Smuz, reported that based on the Township's 2015 performance, the Township was awarded \$2,150.00 to be used for the employees to celebrate their commitment to safety. She thanked the Committee for instituting the new programs that encourage a safe work environment. The Committee members commended all employees for the great performance.

NEW BUSINESS

9. **American Cancer Society requests the use of Amanda's Field for the "Relay for Life" event on June 24th, 25th, and 26th, 2016.** Motion by Edward Barr, second by Hobie Young, to approve the request. During roll call vote all five Committeemen voted in the affirmative.
10. **Country Shore Women's Club requests to hold a Bingo BA-457 and a Raffle RA-458 on April 22, 2016 at the Seaville Volunteer Fire Company Hall.** Motion by Jeffrey Pierson, second by Edward Barr, to approve the request. During roll call vote all five Committeemen voted in the affirmative.

11. **Police Unity Tour - Chapter 2 requests use of Amanda's Field parking lot on May 10, 2016 for a rest stop along the tour route.** Motion by Hobie Young, second by Jeffrey Pierson, to approve the request. During roll call vote all five Committeemen voted in the affirmative.
12. **Bid results for Supply of Irrigation Supplies at Amanda's Field.** The Municipal Engineer reported that there was only one bidder for the project. He requested more time to check on alternate pricing through State contract. The matter will be placed on the next agenda.
13. **Bid results for Supply of Infield Mix at Amanda's Field.** The Municipal Engineer reported that there were two bidders for this project. The large discrepancy between the two bids submitted was questioned. It was stated that the one bidder was not able to obtain the warning track material in bulk, and that is why the price for that item was so high. The Engineer also requested more time to go over the figures and quantities needed for this project. The matter will be placed on the next agenda.

UNFINISHED BUSINESS

DISCUSSION

14. **Update to Cape May County Hazard Mitigation Plan - Upper Township Annex.** The Municipal Engineer stated that this plan is a requirement for the Office of Emergency Management as well as the Township' Floodplain Management CRS program. It is a countywide plan with a section pertaining to each Municipality. The plan will be placed on the Township's website for the public's review. He stated that should anyone have questions, comments, or suggestions they can contact either him or Scott Morgan.

PAYMENT OF BILLS

15. "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 Richard Palombo. During roll call vote all five Committeemen voted in the affirmative.**

Bills approved for payment: \$125,077.04

Payroll: \$151,172.13

REPORT OF MUNICIPAL DEPARTMENTS

16. Clerk's Office
17. Tax Assessor
18. Finance Office
19. Municipal Court

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

Kevin Grubb, Greenfield, questioned if the affordable housing units for the Osprey Cove project will be located offsite, and if so, how will the units be assessed. It was stated that per the developer's request, the developer will locate existing structures within the Township which will then be rehabilitated and designated as affordable housing units. The Township's Assessor takes into account deed restrictions and the market value of the property and sets the assessed value as such. Later in the meeting, Mr. Grubb inquired if the Township will be requiring certain residents to place their trash carts on only one side of the road. It was stated that on narrow roads, one way roads, or on cul-de-sacs which are difficult for the trucks to maneuver, the Township will be designating the trash collection area for one side of the road. It was stated that this is an industry safety standard, and is done for the safety of the residents and the drivers.

Lieutenant Pearson, NJSP Station Commander, reported that there is a new class of Troopers out in the Community. He has had several community outreach programs within Upper Township and will be planning more events in the future. Mayor Palombo congratulated Lt. Pearson on his outreach efforts and the success of the Medicine drop program. Committeeman Pierson stated the State Police also attend the fire company meetings and their work and efforts are greatly appreciated.

Ralph Cooper, Gladwynn Drive, gave a brief report on the upcoming activities of the Upper Township Business Association and the Upper Township Green Team. He thanked the Committee for their support and cooperation. Regular meetings of the Green Team are held on the third Thursday of each month at the Upper Township Library at 5:30.

Robert Grimley, Ocean Avenue, requested that the Township offer an additional Pre-K program. Mayor Palombo stated that for that type of request it should be directed to the Upper Township Board of Education. Mr. Grimley also requested that he be given the choice of using an additional trash can, other than the Township issued can, when he has excess trash. He stated that he can purchase an extra can for less than the Township's cost of \$100.00 for an extra can. It was stated that the Township issued cans are under warranty and have been chosen for their durability and wind resistance to help keep the trash from blowing around. It was also stated that the Township issued cans have a tracking chip that can be used to quantify trash and recycling collection data.

CLOSED SESSION

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

**TOWNSHIP OF UPPER
RESOLUTION NO. 54-2016
MOTION GOING INTO CLOSED SESSION
FEBRUARY 22, 2016**

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

MATTERS:

1. Contract negotiation - Fourth of July Fireworks
2. Contract negotiation - Collective Bargaining Agreement
3. Contract negotiation - Shared Services with Dennis Township
4. 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.

Moved by: John Coggins

Motion seconded by: Richard Palombo

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

Motion by John Coggins, second by Edward Barr, to give eligible employees of the Department of Public Works step increases retroactive to January 1, 2016. During roll call vote all five Committeemen voted in the affirmative.

ADJOURNMENT

There being no further business this evening the meeting was adjourned at 9:13 P.M., with a motion by John Coggins, second by Edward Barr to adjourn and all members voting in the affirmative. A Special Budget Workshop is scheduled for February 29, 2016 at 6:00 P.M. The next regular meeting is scheduled for March 7, 2016, at 7:30 P.M.

Minutes prepared by

Barbara L. Young, RMC

Bill List

66661 02/22/16 A0018 ACTION SUPPLY INC. 214.97 2912
66662 02/22/16 A0025 ADVANTAGE RENTAL ACE HARDWARE 594.00 2912
66663 02/22/16 A0060 ALL INDUSTRIAL-SAFETY PRODUCTS 299.93 2912

66664 02/22/16 A0091 ATLANTIC CITY ELECTRIC 17,560.51 2912
66665 02/22/16 A0134 ANSELL GRIMM & AARON, PC 2,552.50 2912
66666 02/22/16 A0175 Adams Rehmann & Haggan Assoc 415.00 2912
66667 02/22/16 A0203 APPLIQUE TECHNOLOGIES 2,675.00 2912
66668 02/22/16 B0035 BELMONT & CRYSTAL SPRINGS 61.21 2912
66669 02/22/16 B0148 AMERIGAS GAS 1,080.39 2912
66670 02/22/16 B0231 BARKER, GELFAND & JAMES, PC 356.10 2912
66671 02/22/16 C0009 CAPE MAY COUNTY TCTA 100.00 2912
66672 02/22/16 C0048 CAPE MAY COUNTY MUA 35,166.92 2912
66673 02/22/16 C0060 CAPRIONI'S PORTABLE TOILETS 549.00 2912
66674 02/22/16 C0061 CAPRIONI FAMILY SEPTIC 560.00 2912
66675 02/22/16 C0068 COMCAST 412.70 2912
66676 02/22/16 C0143 CODY'S POWER EQUIPMENT 2.38 2912
66677 02/22/16 C0182 CDW GOVERNMENT, INC 500.00 2912
66678 02/22/16 C0201 CRUZAN'S TRUCK SERVICE INC. 109.40 2912
66679 02/22/16 C0223 CASA PAYROLL SERVICE 247.65 2912
66680 02/22/16 C0242 CORE MECHANICAL, INC. 1,334.98 2912
66681 02/22/16 C0247 CMRS-FP 4,000.00 2912
66682 02/22/16 D0016 DALEYS PIT 410.00 2912
66683 02/22/16 D0040 DELTA DENTAL OF N.J. INC. 5,577.70 2912
66684 02/22/16 E0012 EHRlich PEST CONTROL INC 83.00 2912
66685 02/22/16 E0026 ERICH PRINTING INC. 640.00 2912
66686 02/22/16 E0033 EMERGENCY SYSTEMS SERVICE CO 15.09 2912
66687 02/22/16 G0006 GARBUTT,PATRICIA A. 1,258.80 2912
66688 02/22/16 H0018 HAROLD RUBIN L & H SUPPLY 639.04 2912
66689 02/22/16 H0073 HOME DEPOT CRC/GECF 1,645.54 2912
66690 02/22/16 H0148 THOMAS H. HEIST INS AGENCY INC 603.00 2912
66691 02/22/16 I0001 NJ-IAAO 50.00 2912
66692 02/22/16 I0030 IMPERATIVES,INC. 3,120.00 2912
66693 02/22/16 J0040 JOHNSON & TOWERS, INC. 373.00 2912
66694 02/22/16 J0072 JERSEY WEB DESIGNS 1,137.49 2912
66695 02/22/16 L0080 LOWES, INC. 115.19 2912
66696 02/22/16 M0180 MED-TECH RESOURCE,LLC 130.33 2912
66697 02/22/16 M0188 MCCARTHY TIRE SERVICE OF PHILA 2,252.61 2912
66698 02/22/16 N0043 NAPA AUTO PARTS 567.77 2912
66699 02/22/16 N0141 NETCARRIER TELECOM, INC. 1,904.74 2912
66700 02/22/16 O0002 O.C. FIRST NIGHT COMMITTEE 3,934.05 2912
66701 02/22/16 O0012 OCEAN CITY BD. OF EDUCATION 127.71 2912
66702 02/22/16 P0032 PEDRONI FUEL CO. 886.69 2912
66703 02/22/16 P0152 PASHLEY, LOREN 29.90 2912
66704 02/22/16 P0159 PURDY COLLISION, LLC 2,898.01 2912
66705 02/22/16 Q0008 QUILL CORPORATION 1,400.77 2912
66706 02/22/16 R0030 RIGGINS, INC. 3,996.60 2912
66707 02/22/16 R106 RUMER, LISA 207.26 2912
66708 02/22/16 S0018 SUBURBAN PROPANE, LP 700.87 2912
66709 02/22/16 S0035 SCHOPPY WILLIAM TROPHY CO. 59.95 2912
66710 02/22/16 S0056 SEASHORE ASPHALT CORPORATION 137.50 2912
66711 02/22/16 S0108 SOUTHERN NEW JERSEY NIGP 60.00 2912
66712 02/22/16 S0113 SMITH,THOMAS G. 500.60 2912
66713 02/22/16 S0121 SMUZ, THERESE A 35.64 2912
66714 02/22/16 S0134 SO. JERSEY GAS COMPANY 1,403.69 2912
66715 02/22/16 S0153 STERICYCLE, INC. 491.22 2912
66716 02/22/16 S0196 STEWART BUSINESS SYSTEMS LLC 93.00 2912
66717 02/22/16 S0239 SHORE VET. ANIMAL CONTROL LLC 2,450.00 2912
66718 02/22/16 S0301 SPICA STEEL, INC. 9,500.00 2912
66719 02/22/16 T0022 TERMINIX 61.00 2912
66720 02/22/16 T0032 THE PRESS OF ATLANTIC CITY 559.47 2912
66721 02/22/16 T0074 TRANSAXLE LLC 1,474.62 2912
66722 02/22/16 T0131 TROUT, ROSEMARY 30.00 2912
66723 02/22/16 T0166 TREASURER, STATE OF NEW JERSEY 599.50 2912
66724 02/22/16 T0180 TRI-COUNTY PEST CONTROL, INC 25.00 2912
66725 02/22/16 V0001 VCI EMERGENCY VEHICLE 1,356.82 2912
66726 02/22/16 V0005 VAN EMBDEN, NATHAN, ATTORNEY 750.00 2912
66727 02/22/16 V0022 VERIZON 195.58 2912
66728 02/22/16 V0024 VAL-U AUTO PARTS L.L.C. 739.45 2912
66729 02/22/16 V0026 VITAL COMPUTER RESOURCES, INC. 100.00 2912
66730 02/22/16 V0027 VANORDER, ROGER 129.99 2912
66731 02/22/16 W0087 W.B. MASON 132.81 2912
66732 02/22/16 X0008 XEROX FINANCIAL SERVICES 662.40 2912
66733 02/22/16 Y0003 Y-PERS INC 31.00 2912

Total: 125,077.04