

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR MAY 9, 2016**

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

CALL TO ORDER

SUNSHINE ANNOUNCEMENT

SALUTE TO THE FLAG

ROLL CALL

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

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

APPROVAL OF MINUTES - April 25, 2016 Regular Meeting and
Closed Session Minutes

Motion by Jeffrey Pierson, second by Edward Barr, to approve the April 25, 2016 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, congratulated Barbara Spiegel regarding the clean audit report.

Hobie Young, Committeeman, gave a brief report on baseball, lacrosse, and wrestling. He next requested an update on the maintenance of the Township's historical sites, as well as the recent paving work at Amanda's Field. Next, Mr. Young thanked the NJSP and Station Commander Lt. Pearson for their quick response to a parking issue on Old Tuckahoe Road. He next stated that the Lacrosse program is growing and the parking conditions at the fields are not adequate. He requested the Engineer to research the possibility of expanding the parking facilities in that area. He next inquired into the status of the replacement of the Town Hall roof. The Engineer stated that he just recently received an estimate from a National Coop vendor and it is under review. Last, Mr. Young requested a meeting be held this week to go over the status of the Strathmere playground.

Edward Barr, Committeeman, inquired into the status of the Beesley's Point boat ramp parking lot. Mr. Dietrich stated that due to the rain Public Works has not been able to grade the area, however, it is on the schedule to be done as soon as weather permits.

Jeffrey Pierson, Committeeman, reported that at the recent Upper Township Chief's meeting there was a consensus to honor Mort Schmerling and Curtis Corson, Sr., who both lost their lives during the line of duty. It was stated that a memorial plaque should also be installed at Town Hall to honor those first responders. He next reported on a recent issue at the Dog Park regarding a violation of the Park's rules and regulations. He recommended that the offending individual's permit be revoked.

Richard Palombo, Mayor, gave a brief update on the safety plans for the 4th of July event. He next requested a motion to appoint the following to the 2016 beach patrol; William Stull, Joseph O'Neil, Joe Larosa III, Blake Boffa, Gage Bobbitt, Jacob Davis, William Dooner, Amanda Eller, Abigail Freitag, Kevin Gill, Griffin Grimes, Anson Hadley, Kristi Hennessy, Aaron Holibaugh, Joseph Larosa, Jr., William Massey, David Neville, Daniel Palombo, Samuel Palombo, Kyle Rumaker, Ian Steele, Meredith Steele, Colin Stewart, and Rodney Tice. Motion by Jeffery Pierson, second by John Coggins. During roll call vote four Committeemen voted in the affirmative. Mayor Palombo abstained. A formal resolution confirming the appointments will be placed on the next agenda.

OTHER REPORTS

Daniel Young, Municipal Attorney, reported that there are several items for closed session.

Paul Dietrich, Municipal Engineer, reported that last year there was a discussion regarding posting signs prohibiting the act of diggings holes on the beach. He stated that currently the Township Code does not prohibit such activity. Mayor Palombo stated that he is not willing to adopt an Ordinance prohibiting digging on the beach. He requested that signs be placed asking visitors to please be courteous and refill any holes. Next, Mr. Dietrich requested clarification regarding a recent discussion to prohibit smoking on public grounds. It was stated that the Township's intent is to restrict smoking on playgrounds, sports fields and the historical sites, and the Township Code can be amended to include those areas. A draft Ordinance will be prepared for further review. He next reported that he has received a Waterfront Development permit from the State for the reconstruction of the boat ramp on Bayview Drive, and requested authorization to prepare bids for the project. Motion by Edward Barr, second by Jeffrey Pierson to authorize the Engineer to prepare and solicit bids for the reconstruction of the boat ramp on Bayview Drive. During roll call vote all five Committeemen voted in the affirmative. Construction on the boat ramp would commence after the summer. Mr. Dietrich next reported that a Treatment Works Permit is required for the transfer of two Township owned lots in the Yank and Sansone matter. Although the authority to obtain the Treatment Works permit had previously been granted pursuant to the Consent Judgment, a Resolution is required as part of the Treatment Works application process. The Municipal Attorney stated that a voice resolution can be adopted tonight using the next available Resolution number. Motion by John Coggins, second by Jeffrey Pierson to authorize the Mayor to sign a NJDEP TWA-1 Application Statements of Consent form regarding Block 839, Lots 8 and 9 pursuant to Resolution No. 118-2016. During roll call vote all five members voted in the affirmative. Lastly, Mr. Dietrich gave a brief update on the Parkway and Rt 50 Bridge construction projects.

PRESENTATIONS

1. Honoring Paul Howell 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. 103-2016

RE: HONORING PAUL HOWELL ON ATTAINING THE DESIGNATION OF "EAGLE SCOUT"

WHEREAS, Paul Howell, a resident of Upper Township and a member of Troop 110, of Egg Harbor 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 this outstanding accomplishment; 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 Paul 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 consisting of using the Billion Graves smart phone app to take pictures of the headstones at the Zion Cemetery on Zion Road in Egg Harbor Township, uploading these pictures to the website www.billiongraves.com, and transcribing all the information on the headstones into the various categories provided by the website. The pictures taken with the smartphones record the location of the headstones. The pictures and transcribed information are now available to the public for family history or genealogy research; and

BE IT FURTHER RESOLVED that the Township Committee extends its sincere congratulations and best wishes to Paul'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 25th day of April, 2016.

RESOLUTIONS

2. Resolution and Certification with respect to the 2015 Annual Audit and in compliance with the Local Finance Board of the State of New Jersey.

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

RESOLUTION NO. 119-2016

**RESOLUTION AND CERTIFICATION WITH RESPECT TO THE 2015 ANNUAL
AUDIT AND IN COMPLIANCE WITH THE LOCAL FINANCE BOARD OF THE
STATE OF NEW JERSEY**

WHEREAS, N.J.S.A. 40A:5-4 required the governing body of every local unit to have made an annual audit of its books, accounts and financial transaction; and

WHEREAS, the Annual Report of Audit for the year **2015** has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

GENERAL COMMENTS

AND

RECOMMENDATIONS

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

GENERAL COMMENTS

AND

RECOMMENDATIONS

as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S.52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE BE IT RESOLVED, that the governing body of the Township of Upper, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a

certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Resolution No. 119-2016

Offered by: Coggins

Seconded by: Pierson

Adopted: May 9, 2016

Roll Call Vote:

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

3. Authorizing the award of a contract with TruGreen, LP for recreation field maintenance.

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

RESOLUTION NO. 120-2016

**RE: AUTHORIZING THE AWARD OF A CONTRACT
WITH TRUGREEN, LP FOR RECREATION FIELD MAINTENANCE**

WHEREAS, the Township of Upper maintains our recreation fields and to do so desires to enter into 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 TruGreen, LP for the year 2016 will exceed \$17,500 and a contract pursuant to N.J.S.A. 19:44A-20.5 is required; and

WHEREAS, TruGreen, LP has completed and submitted a Business Entity Disclosure Certification which certifies that TruGreen, LP 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 TruGreen, LP from making any reportable contributions through the term of the contract; and

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

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

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

2. The Township Committee of the Township of Upper, County of Cape May, New Jersey hereby authorizes the Qualified Purchasing Agent to enter into a contract with TruGreen, LP 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. 120-2016

Offered by: Young

Seconded by: Pierson

Adopted: May 9, 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 execution of a contract with Adams, Rehmann & Heggan Associates, Inc. for the maintenance and conversion of the official tax map to a georeferenced digital format.

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

RESOLUTION NO. 121-2016

**RE: AUTHORIZING THE EXECUTION OF A CONTRACT WITH
ADAMS, REHMANN & HEGGAN ASSOCIATES, INC. FOR THE
MAINTENANCE AND CONVERSION OF THE OFFICIAL TAX MAP
TO A GEOREFERENCED DIGITAL FORMAT**

WHEREAS, the Township requires a professional land surveyor for the maintenance and conversion of the official tax map to a georeferenced digital format; and

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

WHEREAS, the Township has decided to acquire the services of Adams, Rehmann & Heggan Associates, Inc. as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Adams, Rehmann & Heggan Associates, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Adams, Rehmann & Heggan Associates, Inc. has not made any contributions to a political or candidate committee in the Township that would bar the award of the contract and that the contract will prohibit Adams, Rehmann & Heggan Associates, Inc. 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 Adams, Rehmann & Heggan Associates, Inc., of 850 South White Horse Pike, Hammonton, New Jersey 08037, for professional land surveying services for the maintenance and conversion of the official tax map of Upper Township to a georeferenced digital format.

3. The Contract is awarded 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 Adams, Rehmann & Heggan Associates, Inc., has professional knowledge as to land surveying issues which knowledge is particularly valuable to the Township Committee.

4. The contract shall have a term of one (1) year from full execution.

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 the 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. Adams, Rehmann & Heggan Associates, 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.

7. A notice of the contract award shall be published in the official newspaper of the Township of Upper.

8. This Resolution shall be effective as of adoption.

Resolution No. 121-2016

Offered by: Coggins

Seconded by: Pierson

Adopted: May 9, 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> | _____ | _____ | _____ |

5. Tax Refund Block 647 Lot 23.

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

RESOLUTION NO. 122-2016

**TAX REFUND
BLOCK 647 LOT 23**

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

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

Resolution No. 122-2016

Offered by: Young

Seconded by: Pierson

Adopted: May 9, 2016

Roll Call Vote:

| NAME | YES | NO | ABSTAINED | ABSENT |
|---------|--------------|-------|-----------|--------|
| BARR | <u> X </u> | _____ | _____ | _____ |
| COGGINS | <u> X </u> | _____ | _____ | _____ |
| PIERSON | <u> X </u> | _____ | _____ | _____ |
| YOUNG | <u> X </u> | _____ | _____ | _____ |
| PALOMBO | <u> X </u> | _____ | _____ | _____ |

REFUND 2016

| <u>BLOCK/LOT</u> | <u>AMOUNT</u> | <u>NAME</u> |
|-------------------------|----------------------|--|
| 647/23 | \$1,857.52 | Vincent Iannace 325 W. Quail Dr. Marmora, NJ 08223 |

2nd Quarter property taxes where paid by Mortgage Holder and Homeowner.

ORDINANCES

6. Introduction and first reading of Ordinance No. 010-2016 RE: AN ORDINANCE AUTHORIZING THE GRANT OF A DRAINAGE EASEMENT TO THE COUNTY OF CAPE MAY ALONG BELCROFT AVENUE AT THE INTERSECTION OF NEW BRIDGE ROAD, UPPER TOWNSHIP, NEW JERSEY. **Motion by Jeffrey Pierson, second by Edward Barr, to introduce Ordinance No. 010-2016 with a public hearing and final adoption scheduled for June 13, 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. 010-2016

**RE: AN ORDINANCE AUTHORIZING THE GRANT OF
A DRAINAGE EASEMENT TO THE COUNTY OF CAPE MAY ALONG
BELCROFT AVENUE AT THE INTERSECTION OF NEW BRIDGE ROAD, UPPER
TOWNSHIP, NEW JERSEY**

WHEREAS, the County of Cape May with an office at 4 Moore Road, Cape May Court House, New Jersey has submitted a proposed Declaration of Easement (Drainage) to the Township of Upper which provides for a drainage easement along the right of way of an Upper Township road commonly known as Belcroft Avenue, Upper Township, Cape May County, New Jersey; and

WHEREAS, this easement is for the express public purpose of allowing drainage improvements to be constructed, and maintained, by the County to connect to County drainage facilities at New Bridge Road; and

WHEREAS, pursuant to N.J.S.A. 40A:12-13.4 said easement may be granted by the Township for nominal consideration; and

WHEREAS, the Township Committee of the Township of Upper has determined it is in the best interest of the Township to grant said Declaration of Easement for nominal consideration and authorize the execution of same; and

WHEREAS, the Declaration of Easement has been reviewed and approved by the Municipal Attorney and the Municipal Engineer and will be on record in the office of the Township Clerk available for public inspection.

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

SECTION 1. The Township of Upper is hereby authorized to grant to the County of Cape May, for nominal consideration, a drainage easement over the road commonly known as Belcroft Avenue, Upper Township, Cape May County, New Jersey as set forth in the Declaration of Easement attached hereto as Exhibit A.

SECTION 2. The Mayor, Township Clerk and other Township officers and representatives are hereby authorized, directed and empowered to execute the Declaration of Easement on behalf of the Township of Upper along the Township's road commonly known as Belcroft Avenue, Upper Township, Cape May County, New Jersey, as more particularly described in Exhibit A attached hereto.

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 immediately upon 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 9th DAY OF MAY, 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 13th DAY OF JUNE, 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

NEW BUSINESS

7. Upper Township EMS request use of Amanda's Field to host the 2nd Annual EMS Week Barbecue on May 15, 2016. **Motion by Jeffrey Pierson, second by Richard Palombo to approve the request. During roll call vote all five Committeemen voted in the affirmative.**
8. NJ Tar Heels request use of Community Center Gym for War at the Shore Girls Basketball Tournament on June 25 and 26, 2016. **After a brief discussion, it was decided to table the matter until plans for traffic control and safety measures for the event have been submitted.**
9. Parish of Saint Maximilian Kolbe request to hold 50/50 Raffle on August 14, 2016 at Saint Maximilian Kolbe Parish. **Motion by Hobie Young, second by Jeffrey Pierson to approve the request. During roll call vote all five Committeemen voted in the affirmative.**
10. The Greater Tuckahoe Area Merchants Association requests to hold a craft show at the Upper Township Community Center on November 18 and 19, 2016. **Motion by Hobie Young, second by John Coggins to approve the request. During roll call vote all five Committeemen voted in the affirmative.**
11. Corrigan Sports Enterprises requests use of Amanda's Field for a boys lacrosse tournament on July 14, 15 and 16 of 2017. **After a brief discussion, it was decided to table the matter until plans for traffic control and safety measures for the event have been submitted.**

UNFINISHED BUSINESS

12. **Engineer's Stormwater Report.** Municipal Engineer Paul Dietrich gave a brief report on the Township's efforts to ensure any stormwater runoff is as clean as possible. The Township currently has approximately 750 stormwater basins and collection systems throughout the Township that are maintained and inspected on a regular basis. After each rainfall of more than an inch, all of the basins are inspected to ensure optimal operation. During 2015 the Township performed regular street sweeping of 1,640 miles of roads within the Township, collected approximately 180 cubic yards of material and approximately 2 tons of material out of the stormwater

inlets. The DEP is in the process of updating the permit requirements which will require that private facilities also be maintained, including mapping the private facilities and keeping a log of when those areas have been inspected.

DISCUSSION

PAYMENT OF BILLS

13. "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: \$3,815,699.44

Payroll: \$150,684.40

REPORT OF MUNICIPAL DEPARTMENTS

- 14. **Construction Code**
- 15. **Clerk's Office**
- 16. **Tax Office**
- 17. **Department of Public Works**
- 18. **EMS Department**
- 19. **Animal Control**
- 20. **Assessor**

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

PUBLIC COMMENT

Nathalie Neiss, Rt 50, Petersburg, inquired into the safety procedures at BL England. She next made several inquiries into various issues including an inquiry into a personnel issue regarding a Township employee who recently attended an OEM conference at an Atlantic City Casino. Mayor Palombo stated that the employee received approval from the Committee to attend the conference and furthermore does not discuss personnel issues and/or employee performance in a public forum. Lastly, Ms. Neiss presented several documents related to an ongoing neighbor dispute. The documents were accepted by the Clerk and will be distributed to the Committee for their review. Committeeman Hobie Young recused himself from the discussion on Ms. Neiss's neighbor.

Kevin Grubb, Rt 50 Greenfield, made several inquiries regarding the application for Use of Facilities and whether the Township has restrictions on use by outside organizations. It was stated that first priority is always given to approve ongoing Upper Township sports organizations and residents. Fees and other requirements apply to any outside organization that requests the use of Township facilities.

CLOSED SESSION

21. 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. 117-2016
MOTION GOING INTO CLOSED SESSION
May 9, 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:

- Personnel
- Contract negotiation - Collective Bargaining Agreement
- 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 employment and personnel matters such discussions will be made public if and when formal action is taken or when the individuals involved consent that it can be made public.
- C. With respect to contract negotiations such matters will be made public when negotiations have ceased and there is no longer a reason for confidentiality.
- 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 vote all five Committee members voted in the affirmative

RECONVENE PUBLIC PORTION OF MEETING

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

Motion by John Coggins, second by Richard Palombo, to grant the request for a medical leave of absence to George Grund until June 6, 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 9:31 P.M., with a motion by John Coggins, second by Jeffrey Pierson, to adjourn with all five members voting in the affirmative. The next regular meeting is scheduled for May 23, 2016 at 7:30 P.M.

Minutes prepared by

Barbara L. Young, RMC

Bill List

| | | | | | |
|-------|----------|-------|--------------------------------|--------------|-----------------|
| 67066 | 05/09/16 | N0015 | N.J. STATE DEPT. OF HEALTH | 42.00 | 2921 |
| 67067 | 05/09/16 | T0071 | TOWNSHIP OF UPPER DOG ACCOUNT | 214.00 | 2921 |
| 67068 | 05/09/16 | U0028 | UPPER TOWNSHIP BD.OF EDUCATION | 1,933,333.00 | 2921 |
| 67069 | 05/09/16 | A0017 | ATLANTIC CO. MUNICIPAL JIF | 104,988.00 | 2922 |
| 67070 | 05/09/16 | A0018 | ACTION SUPPLY INC. | 13.85 | 2922 |
| 67071 | 05/09/16 | A0025 | ADVANTAGE RENTAL ACE HARDWARE | 586.26 | 2922 |
| 67072 | 05/09/16 | A0091 | ATLANTIC CITY ELECTRIC | 21,842.19 | 2922 |
| 67073 | 05/09/16 | A0177 | ALADTEC, INC | 2,002.00 | 2922 |
| 67074 | 05/09/16 | A0191 | ACTION UNIFORM CO. LLC | 136.00 | 2922 |
| 67075 | 05/09/16 | A0193 | ATLANTIC INVESTIGATIONS, LLC | 273.00 | 2922 |
| 67076 | 05/09/16 | A0200 | AMERICAN GENERAL LIFE INS CO. | 192.41 | 2922 |
| 67077 | 05/09/16 | B0035 | BELMONT & CRYSTAL SPRINGS | 32.89 | 2922 |
| 67078 | 05/09/16 | B0234 | BEACH VIDEO | 1,600.00 | 2922 |
| 67079 | 05/09/16 | C0048 | CAPE MAY COUNTY MUA | 35,434.09 | 2922 |
| 67080 | 05/09/16 | C0052 | CAPE MAY COUNTY TREASURER | 1,232,260.58 | 2922 |
| 67081 | 05/09/16 | C0061 | CAPRIONI FAMILY SEPTIC | 262.50 | 2922 |
| 67082 | 05/09/16 | C0068 | COMCAST | 696.40 | 2922 |
| 67083 | 05/09/16 | C0143 | CODY'S POWER EQUIPMENT | 82.85 | 2922 |
| 67084 | 05/09/16 | C0171 | COLONIAL ELECTRIC SUPPLY CO. | 58.47 | 2922 |
| 67085 | 05/09/16 | C0223 | CASA PAYROLL SERVICE | 249.05 | 2922 |
| 67086 | 05/09/16 | C0230 | CATAMARAN MEDIA COMPANY | 90.00 | 2922 |
| 67087 | 05/09/16 | C0247 | CMRS-FP | 2,000.00 | 2922 |
| 67088 | 05/09/16 | C0261 | CEUNION | 89.00 | 2922 |
| 67089 | 05/09/16 | D0077 | DIETRICH,PAUL | 210.00 | 2922 |
| 67090 | 05/09/16 | D0149 | DANZIGER & MARKOFF, LLP | 2,900.00 | 2922 |
| 67091 | 05/09/16 | D0160 | DOOR JOCKEY, INC. | 3,981.68 | 2922 |
| 67092 | 05/09/16 | E0012 | EHRLICH PEST CONTROL INC | 83.00 | 2922 |
| 67093 | 05/09/16 | F0048 | LESLIE G. FOGG INC | 2,113.02 | 2922 |
| 67094 | 05/09/16 | F0053 | FORD, SCOTT & ASSOCIATES | 16,100.00 | 2922 |
| 67095 | 05/09/16 | F0178 | Fasy Andrew | 24.20 | 2922 |
| 67096 | 05/09/16 | F0179 | Fury Joseph P. | 24.20 | 2922 |
| 67097 | 05/09/16 | F0180 | Foley Brian A. | 24.20 | 2922 |
| 67098 | 05/09/16 | G0014 | GARDEN STATE HWY PRODUCTS INC. | 470.00 | 2922 |
| 67099 | 05/09/16 | G0016 | GARDNER HARDWARE INC. | 24.02 | 2922 |
| 67100 | 05/09/16 | G0028 | GENTILINI FORD | 1,774.83 | 2922 |
| 67101 | 05/09/16 | G0124 | GRIFFIN AUTOMOTIVE INFO SVC | 2,100.00 | 2922 |
| 67102 | 05/09/16 | G0147 | GREATAMERICA FINANCIAL SVCS. | 176.97 | 2922 |
| 67103 | 05/09/16 | G0157 | GRANTURK EQUIPMENT CO., INC. | 1,077.72 | 2922 |
| 67104 | 05/09/16 | G0169 | GROFF TRACTOR NEW JERSEY LLC | 388.74 | 2922 |
| 67105 | 05/09/16 | H0073 | HOME DEPOT CRC/GECE | 1,357.47 | 2922 |
| 67106 | 05/09/16 | H0095 | HORIZON BCBSNJ | 143,266.78 | 2922 |
| 67107 | 05/09/16 | J0072 | JERSEY WEB DESIGNS | 2,104.99 | 2922 |
| 67108 | 05/09/16 | K0037 | KOHLER, JOHN F | 600.00 | 2922 |
| 67109 | 05/09/16 | K0086 | K D NATIONAL FORCE SECURITY | 1,820.00 | 2922 |
| 67110 | 05/09/16 | L0119 | Lonergan Paul | 24.20 | 2922 |
| 67111 | 05/09/16 | M0121 | McCROSSON, JANET | 319.70 | 2922 |
| 67112 | 05/09/16 | N0004 | NJ-AMERICAN WATER CO. | 87.91 | 2922 |
| 67113 | 05/09/16 | N0043 | NAPA AUTO PARTS | 0.00 | 05/09/16 VOID 0 |
| 67114 | 05/09/16 | N0043 | NAPA AUTO PARTS | 986.96 | 2922 |
| 67115 | 05/09/16 | O0006 | SJSHORE MARKETING,LLC | 520.00 | 2922 |
| 67116 | 05/09/16 | O0012 | OCEAN CITY BD. OF EDUCATION | 796.00 | 2922 |
| 67117 | 05/09/16 | O0053 | O C EDUCATION FOUNDATION | 1,315.00 | 2922 |
| 67118 | 05/09/16 | P0032 | PEDRONI FUEL CO. | 776.35 | 2922 |
| 67119 | 05/09/16 | P0140 | PIONEER MANUFACTURING CO, INC | 999.00 | 2922 |
| 67120 | 05/09/16 | P0162 | Phillips Deborah | 44.20 | 2922 |
| 67121 | 05/09/16 | R0030 | RIGGINS, INC. | 3,849.74 | 2922 |

67122 05/09/16 S0018 SUBURBAN PROPANE, LP 369.73 2922
67123 05/09/16 S0075 SHARP, RHONDA L. 15.00 2922
67124 05/09/16 S0134 SO. JERSEY GAS COMPANY 786.12 2922
67125 05/09/16 S0196 STEWART BUSINESS SYSTEMS LLC 269.70 2922
67126 05/09/16 S0204 SAFETY DOWN UNDER, INC. 2,350.00 2922
67127 05/09/16 S0232 SOUTH STATE, INC. 254,275.00 2922
67128 05/09/16 S0279 SPECTROTEL, INC 1,133.92 2922
67129 05/09/16 S0292 JEFFREY SURENIAN & ASSOC. LLC 2,054.33 2922
67130 05/09/16 T0022 TERMINIX 59.00 2922
67131 05/09/16 T0032 THE PRESS OF ATLANTIC CITY 428.40 2922
67132 05/09/16 T0048 TILL PAINT CO/D. FITZGERALD 418.01 2922
67133 05/09/16 T0067 TOWNSHIP OF UPPER PETTY CASH 1.50 2922
67134 05/09/16 T0093 TREASURER, STATE OF N.J. 1,000.00 2922
67135 05/09/16 T0132 TRI STATE EZ DOCK INC 360.00 2922
67136 05/09/16 T0168 TOWNSHIP OF UPPER 207.10 2922
67137 05/09/16 T0180 TRI-COUNTY PEST CONTROL, INC 25.00 2922
67138 05/09/16 U0003 U.S. MUNICIPAL SUPPLY, INC. 2,475.21 2922
67139 05/09/16 U0024 UNIVERSAL COMPUTING SERV. INC. 766.87 2922
67140 05/09/16 V0013 VERIZON WIRELESS 1,151.17 2922
67141 05/09/16 V0024 VAL-U AUTO PARTS L.L.C. 1,069.26 2922
67142 05/09/16 V0025 V.E. RALPH & SON,INC. 784.40 2922
67143 05/09/16 W0030 WEST PUBLISHING CO. 525.56 2922
67144 05/09/16 W0038 WILLIAMS, JEREMIAH J. 150.00 2922
67145 05/09/16 W0087 W.B. MASON 610.99 2922
67146 05/09/16 Y0008 YOUNG, DANIEL J. ESQUIRE PC 17,368.75 2922
67147 05/09/16 Z0001 ZOLL MEDICAL CORPORATION 225.00 2922
Total: 3,815,699.44