

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR JANUARY 25, 2016**

*******BUDGET WORKSHOP MEETING - 6:30 P.M.**

In preparation of the 2016 Municipal Budget a budget workshop meeting was called to order this evening at 6:30 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.

Committeeman John Coggins stated that tonight he would like to talk broadly about the overall budget and discuss what the proposed budget, as it stands now, would mean for the Township as well as the affect it may have on the taxpayers. He stated that he would also like to discuss the different options that are available to the Committee.

Committeeman Coggins stated that the proposed budget for salary and operating expenses has increased approximately \$498,000.00 from last year, which would mean a .02 cent tax increase to the local purpose tax. He stated that \$358,000.00 would need to be reduced from the proposed operating expenses to achieve a tax neutral budget. He encouraged all departments to figure out 1% of their proposed budget and try to reduce their department's operating expense line item by that amount.

There followed a brief overview and discussion of each department's capital requests, and then a lengthy discussion regarding the funds available in the current bond and the possibility of adopting a new bond ordinance. It was requested that the Departments submit a new list of requested capital expenditures that have been itemized by priority over 10 years.

A second budget workshop meeting was then scheduled for Monday February 8, 2016 at 6:30 p.m. to continue the discussion. Motion by John Coggins, second by Jeff Pierson, to adjourn the budget workshop. During roll call vote all five Committee members 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 - January 6, 2016 Reorganization Minutes and January 11, 2016 Regular Meeting and Closed Session Minutes

Motion by Jeff Pierson, second by Edward Barr, to approve the January 6, 2016 Reorganization Minutes and January 11, 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, thanked everyone for their participation in the budget workshop meeting tonight, and also congratulated the Public Works Department for the outstanding job they did with the snow removal and storm related issues over the past weekend.

Hobie Young, Committeeman, also thanked the Department of Public Works and stated that he has heard nothing but compliments on the job they did with the storm. He next reported that someone has trespassed into Amanda's Field again and caused some damage to the football and soccer field. He requested that the access point at Sunset Road be gated off and kept closed. Next he stated that a crew has done a nice job of cleaning up the dead trees and brush from Caldwell Park. He next reported that they will be scheduling a meeting soon to discuss the next Spring/Easter event. Later in the meeting he requested that no smoking signs be placed in all the parks and tot lots throughout the Township. The Municipal Attorney stated that Township Code does prohibit smoking in those areas. The Committee directed that signs be placed near the playgrounds and tot lots designating the area as no smoking.

Edward Barr, Committeeman, offered kudos to the Public Works Department, the OEM Office, the EMS Department, Fire Companies, and the State Police for the great work they did over the weekend with the storm. He stated that he believes the message has gotten out to the public with regard to removing vehicles from the side of the road during snow storms. He stated that it makes the plow's job so much easier when the roads are clear of vehicles.

Jeffrey Pierson, Committeeman, also congratulated the first responders and Public Works Department for their excellent storm response. He next reported that 128 animals were vaccinated during the January Rabies Clinic. A second Rabies Clinic will be held on

February 6th from 1:00 to 3:00 at Shore Vets. Lastly, he reported that the Rescue Squad will be selling roses on February 13th and 14th from 8:00 am to 4:00 pm.

Richard Palombo, Mayor, stated that this past weekend's storm was a great way to assess the Township's emergency resources and personnel. There has been a lot of planning and equipment acquisitions over the years and they were both put to good use. He thanked Jay Potter and the rescue squad staff for manning the phones throughout the weekend, Mike Jones for his work through the OEM Office and Public Works, and Chris Thomas and the Public Works staff for the snow removal and debris cleanup.

OTHER REPORTS

Daniel Young, Municipal Attorney, reported that there are a few litigation items and a personnel item for closed session.

Paul Dietrich, Municipal Engineer, reported that he will be meeting with State OEM and FEMA Officials tomorrow morning to assess the damage from the recent storm. He next reported that there is a good likelihood that this week they will be implementing the new traffic changes and the alternating one way traffic signal for the Route 50 Tuckahoe Bridge project. An announcement of the traffic changes will be placed on UTTV.

RESOLUTIONS

1. Congratulating employee Karen Buchanan of the Upper Township Municipal Clerk's Office for her winning entry in the Upper Township Safety Award Program for the 1st Quarter of 2016.

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

RESOLUTION NO. 37-2016

**RE: CONGRATULATING EMPLOYEE KAREN BUCHANAN OF THE UPPER TOWNSHIP
MUNICIPAL CLERK'S OFFICE FOR HER WINNING ENTRY IN
THE UPPER TOWNSHIP SAFETY AWARD PROGRAM
FOR THE 1ST QUARTER OF 2016**

WHEREAS, employee Karen Buchanan, is recognized for her efforts to promote safety for her fellow employees and residents of the Township through her participation in the Upper Township Safety Award Program with the submission of a safety suggestion; and

WHEREAS, Karen's safety suggestion was chosen by the Upper Township Safety Committee from the entries submitted in the first quarter for the promotion of safety for employees and the community; and

WHEREAS, Karen should be publicly recognized for reporting the need for a fire alarm pull station in the Municipal Building; 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. That the Committee extends its appreciation and publicly recognizes Karen Buchanan on her commitment to safety by identifying a potential safety hazard and offering a suggestion through participation in the program.
2. That the Committee, on behalf of our employees and the citizens of the Township of Upper, extend to Karen Buchanan our congratulations and present her with the "Safety Day Award" of one day off with pay.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper the 25th day of January, 2016.

Resolution No. 37-2016

Offered by: Pierson

Seconded by: Young

Adopted: January 25, 2016

ROLL CALL VOTE:

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

2. Refund EMS ambulance billing overpayment to AARP Health Care Options – Medigap.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 38-2016

**RE: REFUND EMS AMBULANCE BILLING OVERPAYMENT
TO AARP HEALTH CARE OPTIONS - MEDIGAP**

WHEREAS, an overpayment has occurred in the account of an EMS ambulance

billing patient, where the monies sent to the Township of Upper by AARP Health Care Options

- Medigap were in excess as evidenced by the attached copy of a letter attached hereto as

Exhibit A.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Upper, Cape May County, that a refund is hereby authorized and the Chief Financial Officer is hereby directed to refund monies as indicated below:

AMOUNT
\$99.03

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

Resolution No. 38-2016

Offered by: Pierson

Seconded by: Coggins

Adopted: January 25, 2016

ROLL CALL VOTE:

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

3. Authorizing a Shared Services Agreement with the County of Cape May for animal sheltering services.

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

RESOLUTION NO. 39-2016

**RE: AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE
COUNTY OF CAPE MAY FOR ANIMAL SHELTERING SERVICES**

WHEREAS, the County of Cape May has indicated a willingness to renew a Shared Services Agreement with the Township of Upper, whereby the County of Cape May will continue to provide animal sheltering services, subject to terms and conditions set forth in said agreement; and

WHEREAS, the Township Committee of the Township of Upper deems that the renewal of a Shared Services Agreement with the County of Cape May for the purposes expressed herein is in the mutual interest of both parties and also is in the public interest and that such program will promote the public health, safety and welfare; 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. **SHARED SERVICES AGREEMENT.** Pursuant to the provisions of the Uniform Shared Services and Consolidation Act, (N.J.S.A. 40A:65-1, et seq.,) the Township of Upper is hereby authorized and empowered to enter into a Shared Services Agreement with the County of Cape May pertaining to animal sheltering services.

2. **SERVICES TO BE PROVIDED; CONTRACT.** The Shared Services Agreement authorized in paragraph 1 hereof shall cover those services, which are enumerated in said Agreement, a copy of which is attached hereto as Exhibit "A".

3. **AUTHORIZATION TO MUNICIPAL OFFICIALS.** The appropriate Township officers and officials are hereby authorized to take any action necessary or advisable to carry out the intent and purpose of this Resolution. Specifically, the Mayor and Township Clerk are hereby authorized and directed to execute such Shared Services Agreement on behalf of the Township of Upper pursuant to the authority conferred by this Resolution. The Township Clerk is further authorized and directed to seal said Agreement with the official seal of the Township of Upper.

4. **COMPLIANCE WITH STATUTORY REQUIREMENTS.** The Shared Services Agreement between the County of Cape May and the Township of Upper shall meet and satisfy the requirements of N.J.S.A. 40A:65-1, et seq., as same may be amended and supplemented.

5. **CONTRACT TERM.** The term of the Agreement shall commence on the date set forth in said Agreement, and shall continue for a term of five (5) years.

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

7. **REPEALER.** All Resolutions or parts of Resolutions inconsistent herewith are hereby repealed to the extent of such inconsistency only.

8. **EFFECTIVE DATE:** This Resolution shall take effect immediately upon final adoption and publication in the manner provided by law.

Resolution No. 39-2016

Offered by: Pierson

Seconded by: Barr

Adopted: January 25, 2016

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Barr	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Coggins	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Pierson	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Young	<u> 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 contract with Better Hearing, Inc. to provide hearing examinations.

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

RESOLUTION NO. 40-2016

**RE: AUTHORIZING THE TOWNSHIP OF UPPER TO ENTER INTO A
CONTRACT WITH BETTER HEARING, INC. TO PROVIDE HEARING
EXAMINATIONS**

WHEREAS, the Township of Upper from time to time provides hearing examinations for certain employees; and

WHEREAS, Better Hearing, Inc. possesses the requisite skill and knowledge to perform these services; and

WHEREAS, a Resolution is required authorizing the award of a contract for professional services to Better Hearing, Inc. as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the proposed contract has been reviewed and approved by the Municipal Attorney and will be on record in the office of the Township Clerk and available for public inspection and is attached hereto as Exhibit “A”; and

WHEREAS, Better Hearing, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Better Hearing, Inc. has not made any contributions to a political or candidate committee in the Township that would bar the award of this contract and that the contract will prohibit Better Hearing, 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 Better Hearing, Inc. to provide hearing examinations.
3. Better Hearing, Inc. has registered with the State of New Jersey pursuant to c.57, Laws of 2004 and has provided proof of that registration to the Township of Upper.
4. 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 Better Hearing, Inc. has professional knowledge which is particularly valuable

to the Township Committee and this service is acquired as a non-fair and open contract pursuant to N.J.S.A. 19:44A-2.05.

NOTICE OF CONTRACT AWARD

5. The Township Committee of the Township of Upper, State of New Jersey has awarded the contract without competitive bidding as a professional service pursuant to N.J.S.A. 40A:11-5(1)(a) to Better Hearing, Inc. This contract and the resolution authorizing same shall be available for public inspection in the office of the municipal clerk of the Township of Upper, State of New Jersey.

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

7. 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. 40-2016
Offered by: Coggins
Adopted: January 25, 2016

Seconded by: Pierson

Roll Call Vote:

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

5. Authorizing the Mayor and Township Clerk to sign and submit a Safety Contract for participation in the Atlantic County Municipal Joint Insurance Fund 2016 Safety Incentive Program.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY**

RESOLUTION

RESOLUTION NO. 41-2016

RE: AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO SIGN AND SUBMIT A SAFETY CONTRACT FOR PARTICIPATION IN THE ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND 2016 SAFETY INCENTIVE PROGRAM

WHEREAS, the Atlantic County Municipal Joint Insurance Fund (ACMJIF) has offered a Safety Incentive Program to participating members in order to promote workplace safety and wellness in our community; and

WHEREAS, the goal of the Safety Incentive program is to build a program that will be effective in promoting safe work practices, employee morale and claims management; and

WHEREAS, the Township of Upper wishes to take advantage of the Safety Incentive Program and to authorize the execution and submittal of the 2016 Safety Contract to the ACMJIF; and

WHEREAS, the Safety Contract has been reviewed and approved by the Municipal Attorney and is attached hereto;

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 of the Township of Upper are hereby authorized, directed, and empowered to sign and submit the Atlantic County Municipal Joint Insurance Fund 2016 Safety Contract.
3. All Township officials, officers and employees are empowered to take such action as may be necessary or advisable in order to carry out the intent and purpose of this Resolution.

Resolution No. 41-2016

Offered by: Coggins

Seconded by: Pierson

Adopted: January 25, 2016

Roll Call Vote:

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

6. Renewal of Mining Licenses for the License Year 2016.

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

RESOLUTION NO. 42-2016

RE: RESOLUTION RENEWING MINING LICENSES AS FOLLOWS:

**GEORGE HARMS CONSTRUCTION CO., INC.
CALDWELL PIT
BLOCK 414, LOT 45 AND BLOCK 451, LOT 4
DENNISVILLE/PETERSBURG ROAD
PETERSBURG, NEW JERSEY**

**THOMAS TOWER/ACTION SUPPLY, INC.
BLOCK 565.03, LOT 54
BLOCK 549, LOTS 110, 132, 133, 134, 135 & 136
1413 STAGECOACH ROAD
SEAVILLE, NEW JERSEY**

**THOMAS TOWER/ATLANTIC MASONRY SUPPLY, INC.
BLOCK 565.03, LOTS 55.02, 56 & 57;
BLOCK 549, LOTS 111, 127, 128 & 129
1413 STAGECOACH ROAD
SEAVILLE, NEW JERSEY**

**TUCKAHOE SAND AND GRAVEL
BLOCK 248, LOTS 1, 2, 3, 4, 5, 6, 7 & 8
BLOCK 247, LOTS 4, 9 & 10
BLOCK 453, LOT 2
ROUTE 610
PETERSBURG, NEW JERSEY**

**WINIFRED JOAN DALEY T/A DALEY'S PIT
BLOCK 453, LOT 3
ROUTE 610 DENNISVILLE/PETERSBURG ROAD
PETERSBURG, NEW JERSEY**

**HANSON AGGREGATES, BMC, INC.
UPPER TOWNSHIP SAND & GRAVEL
BLOCK 453, LOT 4
1401 ROUTE 610**

**HANSON AGGREGATES, BMC, INC.
JULIES PIT
BLOCK 414, LOT 44
1401 ROUTE 610
WOODBINE, NJ 08270**

WHEREAS, Chapter XV of the Code of Upper Township requires a license for the excavation or mining of sand, gravel, earth, soil or mineral products which license shall be issued on an annual basis;

WHEREAS, each of the mining operations hereinafter designated has completed the application process in accordance with the Code of Upper Township; and

WHEREAS, the Township Committee has reviewed the recommendation of the Township Engineer after his inspection of said mining facilities and review of each application for license renewal and has determined to renew said licenses in accordance with the terms hereinafter specified;

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The following mining and soil excavation licenses are hereby renewed for a term of one (1) year commencing February 1, 2016:

- A. George Harms Construction Company, Inc., Block 414, Lot 45 and Block 451, Lot 4, Dennisville/Petersburg Road, Petersburg, New Jersey, in accordance with and subject to compliance with all terms, conditions and other approvals as specified in any resolution of the Upper Township Planning Board or Upper Township Zoning Board of Adjustment, as applicable.

- B. Thomas Tower/Action Supply, Inc., Block 565.03, Lot 54; Block 549, Lots 110, 132, 133, 134, 135 & 136, 1413 Stagecoach Road, Seaville, New Jersey, in accordance with and subject to compliance with all terms, conditions and other approvals as specified in any resolution of the Upper Township Planning Board or Upper Township Zoning Board of Adjustment, as applicable.
- C. Thomas Tower/Atlantic Masonry Supply, Inc., Block 565.03, Lots 55.02, 56 & 57; Block 549, Lots 111, 127, 128 & 129, 1413 Stagecoach Road, Seaville, New Jersey, in accordance with and subject to compliance with all terms, conditions and other approvals as specified in any resolution of the Upper Township Planning Board or Upper Township Zoning Board of Adjustment, as applicable.
- D. Tuckahoe Sand and Gravel; Block 248, Lots 1, 2, 3, 4, 5, 6, 7 & 8; Block 247, Lots 4, 9 & 10; Block 453, Lot 2; Route 610; Petersburg, New Jersey, in accordance with and subject to compliance with all terms, conditions and other approvals as specified in any resolution of the Upper Township Planning Board or Upper Township Zoning Board of Adjustment, as applicable.
- E. Winifred Joan Daley, T/A Daley's Pit; Block 453, Lot 3; Route 610 Dennisville/Petersburg Road, Petersburg, New Jersey, in accordance with and subject to compliance with all terms, conditions and other approvals as specified in any resolution of the Upper Township Planning Board or Upper

Township Zoning Board of Adjustment, as applicable.

F. Hanson Aggregates, BMC, Inc./Upper Township Sand & Gravel; Block 453, Lot 4; Route 610 Dennisville/Petersburg Road, Petersburg, New Jersey, in accordance with and subject to compliance with all terms, conditions and other approvals as specified in any resolution of the Upper Township Planning Board or Upper Township Zoning Board of Adjustment, as applicable.

G. Hanson Aggregates, BMC, Inc./Julies Pit; Block 414, Lot 44; Route 610 Dennisville/Petersburg Road, Petersburg, New Jersey, in accordance with and subject to compliance with all terms, conditions and other approvals as specified in any resolution of the Upper Township Planning Board or Upper Township Zoning Board of Adjustment, as applicable.

3. All officials of the Township are hereby authorized to take such action as may be necessary or required to carry out the intent and purpose of this Resolution.

4. This Resolution shall become effective on February 1, 2016.

Resolution No. 42-2016

Offered by: Barr

Seconded by: Coggins

Adopted: January 25, 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>	_____	_____	_____

7. Authorizing a contract amendment with Jersey Web Design and Francis E. Corcoran for website services.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY**

RESOLUTION

RESOLUTION NO. 43 -2016

RE: AUTHORIZING A CONTRACT AMENDMENT WITH JERSEY WEB DESIGN AND FRANCIS E. CORCORAN FOR WEBSITE MAINTENANCE SERVICES

WHEREAS, the Township of Upper entered into a contract with Jersey Web Design and Francis E. Corcoran on June 9, 2015, for professional webmaster and computer maintenance services, pursuant to Resolution No. 140-2015; and

WHEREAS, the Township of Upper desires to modify said contract with Jersey Web Design and Francis E. Corcoran; and

WHEREAS, the Municipal Attorney has determined that the proposed amendment to the existing professional services contract may be made without competitive bid pursuant to the provisions of N.J.S.A. 19:44A-2.05; 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 professional services contract between the Township of Upper and Jersey Web Design and Francis E. Corcoran is hereby amended to include a provision for the reimbursement of out-of-pocket costs.
3. A copy of the contract amendment detailing the nature and the extent of the amendment shall be attached to this Resolution.
4. The Mayor and the Township Clerk are hereby authorized, directed and empowered to enter into said amendment to the professional services contract with Jersey Web Design and Francis E. Corcoran.

Resolution No. 43-2016

Offered by: Young

Seconded by: Pierson

Adopted: January 25, 2016

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Barr	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

Coggins	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Pierson	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Young	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Palombo	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

8. Appointment of Lauren Sacs as MAC Coordinator to the Upper Township-Ocean City Municipal Alliance Committee (MAC).

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

RESOLUTION NO. 44-2016

**RE: APPOINTMENT OF LAUREN SACS AS
MAC COORDINATOR TO THE UPPER TOWNSHIP-OCEAN CITY
MUNICIPAL ALLIANCE COMMITTEE (MAC)**

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

WHEREAS, MAC is a committee dedicated to the prevention of drug and alcohol abuse in our community; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. Lauren Sacs is hereby appointed as Keyboarding Clerk 1 (MAC) and will serve as the MAC Coordinator to the Upper Township-Ocean City Municipal Alliance Committee effective January 22, 2016 at an annual salary of \$4,450.00 in accordance with the Salary Ordinance.

Resolution No. 44-2016

Offered by: Barr Seconded by: Young

Adopted: January 25, 2016

Roll Call Vote:

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

Pierson	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Young	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Palombo	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

9. Authorizing the purchase of certain items from the 2013 Capital Improvement Bond Ordinance in the amount of \$42,310.92.

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

RESOLUTION NO. 45-2016

**RE: AUTHORIZING THE PURCHASE OF CERTAIN ITEMS FROM THE 2013 CAPITAL
IMPROVEMENT BOND ORDINANCE IN THE AMOUNT OF \$42,310.92**

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 and again on April 14, 2014 and again on October 13, 2015; and

WHEREAS, pursuant to N.J.S.A 40A:11-12a, the Township wishes to purchase the vehicle listed on Exhibit A from State Contract; and

WHEREAS, the Township's QPA has reviewed and approved the quote for the power roller from Applique Technologies International, LLC and entrance doors from South Jersey Paint & Glass Co. listed on Exhibit A; 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 of the Township of Upper, County of Cape May, New Jersey hereby authorizes the purchase of the items listed on Exhibit "A" in the amount of **\$42,310.92** from the 2013 Capital Improvement Bond.
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. 45-2016
Offered by: Coggins
Adopted: January 25, 2016
Roll Call Vote:

Seconded by: Pierson

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

Exhibit “A”

2016 Ford F250 Pickup Truck \$33,426.00

Vendor: Winner Ford

State Contract #A88758

HAAP Power Roller

Vendor: Applique Technologies

International, LLC \$2,675.00

3 Metal Doors

Vendor: South Jersey Paint & Glass Co. \$6,209.92

TOTAL \$42,310.92

ORDINANCES

CORRESPONDENCE

NEW BUSINESS

10. **Upper Township PTO request to hold a Raffle RA-454 at the Upper Township Middle School on February 28, 2016.** Motion by John Coggins, second by Jeffrey Pierson, to approve the request. During roll call vote all five Committeemen voted in the affirmative.
11. **Upper Township PTO request to hold a Raffle RA-455 at the Upper Township Middle School on March 15, 2016.** Motion by John Coggins, second by Edward Barr, to approve the request. During roll call vote all five Committeemen voted in the affirmative.
12. **Ocean City Crew Boosters request to hold Raffles RA-456 at the Tuckahoe Inn on Fridays beginning April 1, 2016 through May 20, 2016.** Motion by John Coggins, second by Jeffrey Pierson, to approve the request. During roll call vote all five Committeemen voted in the affirmative.

UNFINISHED BUSINESS

DISCUSSION

13. **Proposed Accessory Apartment Ordinance.** The Municipal Attorney reported that an Accessory Apartment Ordinance had been recommended by the Planning Board as part of the Master Plan re-examination in 2008, and has not been addressed or reviewed since then. Given that the Township is currently going through a court supervised review of its Affordable Housing plan, he is recommending that the proposed ordinance be referred to the Planning Board subcommittee that is handling affordable housing issues. After a brief discussion the Committee directed that, per the Municipal Attorney's recommendation, the proposed ordinance be referred to the Planning Board affordable housing subcommittee for their review.

14. **Possible Invasive Plant Ordinance.** The Municipal Attorney provided several sample ordinances for the Committee's review. After a brief discussion, the Municipal Attorney was directed to prepare an Ordinance which will regulate the planting and containment of invasive plant species. An Ordinance will be placed on the next agenda for introduction.

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 Jeffrey Pierson. During roll call vote all five Committeemen voted in the affirmative.

Bills approved for payment: \$306,377.85
Payroll: \$156,975.23

REPORT OF MUNICIPAL DEPARTMENTS

PUBLIC COMMENT

There was no public comment.

CLOSED SESSION

16. 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. 46-2016 MOTION GOING INTO CLOSED SESSION JANUARY 25, 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. Litigation – Tax Court Appeals
2. Litigation – McCardell v. Upper Township
3. Litigation – DEP BPU Appeals re: South Jersey Gas
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 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 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 present voted in the affirmative.

RECONVENE PUBLIC PORTION OF MEETING

ADJOURNMENT

There being no further business this evening the meeting was adjourned at 8:38 P.M., with a motion by John Coggins, second by Richard Palombo to adjourn. During roll call vote all five Committee members voted in the affirmative. The next regular meeting is scheduled for February 8, 2016. A Budget Workshop Meeting will be held at 6:30 P.M., and the Regular Meeting at 7:30 P.M.

Minutes prepared by

Barbara L. Young, RMC

Bill List

66499 01/25/16 A0017 ATLANTIC CO. MUNICIPAL JIF 104,988.00 2908
66500 01/25/16 A0023 ADAMS, JOHN 329.70 2908
66501 01/25/16 A0025 ADVANTAGE RENTAL ACE HARDWARE 680.94 2908
66502 01/25/16 A0027 ACE PLUMBING SUPPLY, INC 128.97 2908
66503 01/25/16 A0035 AIRLINE HYDRAULIC CORP. 75.63 2908
66504 01/25/16 A0072 AN ENCHANTING FLORIST 228.93 2908
66505 01/25/16 A0091 ATLANTIC CITY ELECTRIC 18,132.61 2908
66506 01/25/16 A0117 AT&T 3.50 2908
66507 01/25/16 A0134 ANSELL GRIMM & AARON, PC 1,476.74 2908
66508 01/25/16 A0175 Adams Rehmann & Haggan Assoc 1,415.00 2908
66509 01/25/16 A0191 ACTION UNIFORM CO. LLC 250.00 2908
66510 01/25/16 A0200 AMERICAN GENERAL LIFE INS CO. 189.38 2908
66511 01/25/16 B0035 BELMONT & CRYSTAL SPRINGS 47.19 2908
66512 01/25/16 B0148 AMERIGAS GAS 882.44 2908
66513 01/25/16 B0196 BRT TECHNOLOGIES LLC 1,405.75 2908
66514 01/25/16 B0231 BARKER, GELFAND & JAMES, PC 245.00 2908
66515 01/25/16 C0019 CITY OF OCEAN CITY 56,811.25 2908
66516 01/25/16 C0031 CAPE ASSIST 1,155.00 2908
66517 01/25/16 C0048 CAPE MAY COUNTY MUA 31,779.52 2908
66518 01/25/16 C0052 CAPE MAY COUNTY TREASURER 9,074.37 2908
66519 01/25/16 C0056 CAPE MEDIATION SERVICE, INC. 2,260.80 2908

66520	01/25/16	C0060	CAPRIONI'S PORTABLE TOILETS	549.00	2908
66521	01/25/16	C0061	CAPRIONI FAMILY SEPTIC	265.00	2908
66522	01/25/16	C0068	COMCAST	408.70	2908
66523	01/25/16	C0101	CHATTEN, LINWOOD R.	69.95	2908
66524	01/25/16	C0124	CMC MUNICIPAL CLERK'S ASSOC.	300.00	2908
66525	01/25/16	C0131	CINTAS FIRST AID & SAFETY	64.61	2908
66526	01/25/16	C0182	CDW GOVERNMENT, INC	507.53	2908
66527	01/25/16	C0201	CRUZAN'S TRUCK SERVICE INC.	560.03	2908
66528	01/25/16	C0223	CASA PAYROLL SERVICE	1,687.10	2908
66529	01/25/16	C0241	COASTAL MECHANICAL T/A	533.75	2908
66530	01/25/16	C0264	CHERRY HILL FIRE DISTRICT	80.00	2908
66531	01/25/16	D0026	DEAUGUSTINE, JOE	448.23	2908
66532	01/25/16	D0040	DELTA DENTAL OF N.J. INC.	5,577.70	2908
66533	01/25/16	D0157	DELL MARKETING LP	321.30	2908
66534	01/25/16	F0053	FORD, SCOTT & ASSOCIATES	4,800.00	2908
66535	01/25/16	G0028	GENTILINI FORD	40.24	2908
66536	01/25/16	G0037	GOVT FINANCE OFFICER ASN OF NJ	90.00	2908
66537	01/25/16	G0141	GENTILINI CHEVROLET	210.91	2908
66538	01/25/16	G0147	GREATAMERICA FINANCIAL SVCS.	176.97	2908
66539	01/25/16	G0157	GRANTURK EQUIPMENT CO., INC.	15,029.30	2908
66540	01/25/16	G0169	GROFF TRACTOR NEW JERSEY LLC	68.25	2908
66541	01/25/16	J0072	JERSEY WEB DESIGNS	1,962.50	2908
66542	01/25/16	K0037	KOHLER, JOHN F	55.64	2908
66543	01/25/16	L0080	LOWES, INC.	37.49	2908
66544	01/25/16	L0081	THE LOMAX CONSULTING GROUP	1,897.50	2908
66545	01/25/16	M0046	MASON, DAVID	1,258.80	2908
66546	01/25/16	M0088	MC SYSTEMS SOFTWARE LLC	400.00	2908
66547	01/25/16	M0180	MED-TECH RESOURCE,LLC	770.59	2908
66548	01/25/16	M0188	MCCARTHY TIRE SERVICE OF PHILA	170.06	2908
66549	01/25/16	M0209	MAYBERRY, JOHN D	254.95	2908
66550	01/25/16	N0004	NJ-AMERICAN WATER CO.	20.23	2908
66551	01/25/16	N0043	NAPA AUTO PARTS	0.00	01/25/16 VOID 0
66552	01/25/16	N0043	NAPA AUTO PARTS	1,028.25	2908
66553	01/25/16	N0141	NETCARRIER TELECOM, INC.	1,907.97	2908
66554	01/25/16	O0014	OCEANPORT LLC	11,441.93	2908
66555	01/25/16	O0025	OLD DOMINION BRUSH	4,571.41	2908
66556	01/25/16	P0032	PEDRONI FUEL CO.	665.18	2908
66557	01/25/16	P0056	TURF EQUIPMENT AND SUPPLY CO	273.90	2908
66558	01/25/16	P0075	POSITIVE PROMOTIONS INC	878.75	2908
66559	01/25/16	P0147	PURDY AUTOMOTIVE, LLC	652.05	2908
66560	01/25/16	R0030	RIGGINS, INC.	3,221.31	2908
66561	01/25/16	R0045	RAINEAR, SCOT	275.00	2908
66562	01/25/16	R0076	REGISTRARS' ASSOCIATION N.J.	75.00	2908
66563	01/25/16	R106	RUMER, LISA	148.73	2908
66564	01/25/16	S0018	SUBURBAN PROPANE, LP	78.91	2908
66565	01/25/16	S0134	SO. JERSEY GAS COMPANY	1,466.20	2908
66566	01/25/16	S0161	SPICA STEEL, INC./J.D.L.GARAGE	175.00	2908
66567	01/25/16	S0279	SPECTROTEL, INC	1,117.41	2908
66568	01/25/16	S0292	JEFFREY SURENIAN & ASSOC. LLC	2,316.32	2908
66569	01/25/16	T0022	TERMINIX	61.00	2908
66570	01/25/16	T0028	TRACTOR SUPPLY COMPANY CREDIT	93.96	2908
66571	01/25/16	T0032	THE PRESS OF ATLANTIC CITY	191.25	2908
66572	01/25/16	T0180	TRI-COUNTY PEST CONTROL, INC	25.00	2908
66573	01/25/16	V0001	VCI EMERGENCY VEHICLE	422.70	2908
66574	01/25/16	V0005	VAN EMBDEN, NATHAN, ATTORNEY	1,695.00	2908
66575	01/25/16	V0022	VERIZON	191.64	2908
66576	01/25/16	V0024	VAL-U AUTO PARTS L.L.C.	106.38	2908
66577	01/25/16	V0025	V.E. RALPH & SON, INC.	864.60	2908
66578	01/25/16	W0085	WOODY, LESTER	402.16	2908
66579	01/25/16	W0087	W.B. MASON	1,191.39	2908
66580	01/25/16	X0008	XEROX FINANCIAL SERVICES	662.40	2908

Total: \$306,377.85