

**TOWNSHIP OF UPPER  
2100 TUCKAHOE ROAD  
PETERSBURG, NJ 08270  
CAPE MAY COUNTY  
MINUTES FOR FEBRUARY 27, 2017**

**\*\*\*\*\*BUDGET WORKSHOP MEETING - 6:00 P.M.**

In preparation of the 2017 Municipal Budget a 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	Absent
John Coggins	Present
Curtis Corson	Present
Hobart Young	Absent
Richard Palombo	Present

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

The Chief Financial Officer gave a brief update on the changes to the budget based on decisions made at the last budget workshop. Committeeman Coggins then discussed the changes made to the Capital budget requests. He stated that based on the cuts and decisions made, the 2017 budget will have a zero increase in the local purpose tax rate. There was then a brief discussion regarding the percentage of a resident's tax bill that goes towards the local purpose tax. It was suggested that a pie chart be included with the tax bills so that residents have a better understanding of where their tax dollars are spent between the County, Library, Open Space, School, Municipal, and Fire District taxes.

Motion by Curtis Corson, second by John Coggins, to adjourn the Budget workshop. During roll call vote all three Committee Members present voted in the affirmative.

There was a 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	Absent
John Coggins	Present
Curtis Corson	Present
Hobart Young	Absent
Richard Palombo	Present

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

## **APPROVAL OF MINUTES -** February 13, 2017 Budget Workshop and Regular Meeting Minutes

Motion by Curtis Corson, second by John Coggins, to approve the February 13, 2017 Budget Workshop, Regular Meeting, and Closed Session Minutes as submitted. During roll call vote all three Committeemen present voted in the affirmative.

## **REPORT OF GOVERNING BODY MEMBERS**

**John Coggins, Committeeman**, reported that the budget workshops are now complete, and the budget is scheduled for introduction on March 13, 2017 at 7:30 p.m. He next reported that the Committee recently received a complaint regarding a hazardous structure on Stagecoach Road. The Municipal Attorney stated that the Construction Official and Code Enforcement Officer should be notified so that they can take the appropriate steps to have the situation addressed. The engineer was directed to notify Zoning and Construction of the matter.

**Curtis Corson, Committeeman**, reported that the free Rabies Clinic held this past Saturday was a success with 139 dogs and 25 cats vaccinated. To date the Township has sold 750 dog licenses.

**Richard Palombo, Mayor**, reported that the Pinelands Commission has approved the South Jersey Gas pipeline to BL England. He stated that there will most likely be an appeal, but the Township Committee remains in support of the project.

## **OTHER REPORTS**

**Scott Morgan, Township Administrator**, reported that Atlantic City Electric will be interrupting service to areas in Beesley's Point on March 6<sup>th</sup>, 7<sup>th</sup>, and 9<sup>th</sup>. The information will be posted on the Township's website and a Code Red message will go out to the residents in the affected areas. He next gave an update on some of the preliminary solutions to the parking safety issues at the Community Center as discussed at the last meeting. Lastly, he stated that he was recently notified by the Cape May County Office of Emergency Management that the Township's Emergency Operating Plans have been approved.

**Barbara Young, Municipal Clerk**, requested approval to attend the 2017 New Jersey Municipal Clerks Conference on April 25<sup>th</sup>, 26<sup>th</sup>, and 27<sup>th</sup> in Somerset, NJ at a cost of \$310.00. Motion by Richard Palombo, second by John Coggins, to approve the request. During roll call vote all three Committeemen present voted in the affirmative.

**Daniel Young, Municipal Attorney**, reported that there are numerous contract negotiation, litigation, safety and security, and personnel matters for closed session.

**Paul Dietrich, Municipal Engineer**, gave a brief update on some of the upcoming Green Team Activities. He next reported that once the Bayview Boat Ramp is open there are some concerns that people may try to use the ramp at Taylor Avenue to avoid paying a fee. The Taylor Avenue ramp is in a deteriorated condition and not operational. It was suggested that either a gate or bollards be installed to prevent use of the ramp but still allow use of the area for fishing. Next, Mr. Dietrich reported that he has received a request from a resident to adopt a resolution recommending the DOT install a designated right turn lane South bound on Route 49 at the intersection of Route 49 and (CR 617) Woodbine Road. Motion by Curtis Corson, second by John Coggins, to approve the request. During roll call vote all three Committeemen present voted in the affirmative. A resolution for formal action will be place on a future agenda. Lastly, Mr. Dietrich reported that the US Census Bureau has requested a designated Municipal Contact for the upcoming census. Motion by John Coggins, second by Richard Palombo, to designate Paul Dietrich as the Municipal Contact for the upcoming 2020 census. During roll call vote all three Committeemen present voted in the affirmative.

**Barbara Spiegel, Chief Financial Officer**, reported that the Tax Assessor has organized a Blood Drive for Thursday March 30<sup>th</sup> from 1:00 pm to 6:00 pm at the Upper Township Community Center, and is requesting permission to offer a contest for one day off with pay to employees that donate blood. Motion by John Coggins, second by Richard Palombo, to approve the request. During roll call vote all three Committee members present voted in the affirmative. Mayor Palombo requested that the information for the Blood Drive be posted on UTTV and the website.

## **PRESENTATION**

1. Congratulating the Upper Township Indians Junior Varsity Football Team on becoming the 2016 Cape Atlantic Junior Football League Champions.

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

#### **RESOLUTION NO. 44-2017**

#### **RE: CONGRATULATING THE UPPER TOWNSHIP INDIANS JUNIOR VARSITY FOOTBALL TEAM ON BECOMING THE 2016 CAPE ATLANTIC JUNIOR FOOTBALL LEAGUE CHAMPIONS**

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**WHEREAS**, the Upper Township Indians Junior Varsity Football Team has had an outstanding 2016 football season becoming the 2016 Cape Atlantic Junior Football League Champions; and

**WHEREAS**, on November 26, 2016 the Indians participated in the Cape Atlantic Junior Football League Championship Game held in Hamilton Township winning the final playoff game against the Galloway Renegades with a score of 24-0; and

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

<b>Avin Alexandre</b>	<b>Brendan Berns</b>	<b>Dino Christensen</b>	<b>Ryan Costine</b>
<b>Gavin Curran</b>	<b>Steven Fanelli, Jr.</b>	<b>Talon Fischer</b>	<b>Calvin Gaddy, Jr.</b>
<b>Braeden Gosner</b>	<b>Luke Halbruner</b>	<b>Jack Hoag</b>	<b>Walter Holmes</b>
<b>Nicholas Layton</b>	<b>Aiden Leypoldt</b>	<b>Liam MacDonald</b>	<b>Ryan McBride</b>
<b>Tyler McDaniels</b>	<b>Ty Mercado</b>	<b>Matthew Mistic</b>	<b>Jonathan Moyer</b>
<b>James Picinich</b>	<b>Kevin Quinn</b>	<b>Noah Quinn</b>	<b>Shawn Repetti</b>
<b>Anthony Rhubart</b>	<b>Cole Ritter</b>	<b>Kasey Ruf</b>	<b>Charlie Schutta</b>
<b>RJ Seib</b>	<b>Justin Senquiz</b>	<b>Jackson Smith</b>	<b>Ricky Wetzel</b>
<b>James Wyers, III</b>			

**WHEREAS**, we also extend this recognition and thanks to those that have generously given their personal time and service to coach this team, they being Head Coach Bob Demari, Assistant Coaches Steve Leypoldt, John Curran, Jason Fischer, Tom Schutta, Tim McBride and Joe Moyer; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee on behalf of the citizens of the Township of Upper, to extend to the 2016 Junior Varsity Team congratulations on becoming the 2016 Cape Atlantic Junior Football League Champions, and to each coach our heartfelt thanks and gratitude for the generous donation of their time and service to the young people of this community.

**GIVEN UNDER OUR HANDS** and the seal of the Township of Upper this 23<sup>rd</sup> day of January, 2017.

## **RESOLUTIONS**

2. Congratulating Corville Griner for sixty-five years of service to Upper Township Fire District #2 and the Tuckahoe Volunteer Fire Company.

**TOWNSHIP OF UPPER**

**CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 67-2017**

**RE: CONGRATULATING CORVILLE E. GRINER  
FOR OVER SIXTY-FIVE YEARS OF SERVICE TO UPPER TOWNSHIP FIRE  
DISTRICT #2 AND THE TUCKAHOE VOLUNTEER FIRE COMPANY AND  
EXTENDING TO HIM THANKS AND APPRECIATION**

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**WHEREAS**, Corville E. Griner first joined the Tuckahoe Volunteer Fire Company in 1950 at the age of 15; and

**WHEREAS**, Corville has generously volunteered his personal time and service to the Tuckahoe Volunteer Fire Company and Upper Township Fire District#2 for over sixty-five years; and

**WHEREAS**, during his years with the Fire Company he was first and foremost a fireman dedicated to the safety and well being of the citizens of our community while earning the respect and high regard of his fellow firemen for his valor, strength and compassion whenever called to duty; and

**WHEREAS**, Corville has served the Tuckahoe Volunteer Fire Company in many capacities such as Firefighter, Captain, Secretary, Vice President, President, Deputy Chief, and for over twenty-five (25) years as Fire Chief; and

**WHEREAS**, in addition, Corville has served for many years as a Commissioner on the Upper Township Fire District #2 Board of Fire Commissioners; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee on behalf of the citizens of the Township of Upper, do hereby congratulate Corville E. Griner for over sixty-five years of service to the Tuckahoe Volunteer Fire Company and Fire District #2 and extend our heartfelt thanks and gratitude for the generous donation of his time and service to this community.

**GIVEN UNDER OUR HANDS** and the seal of the Township of Upper this 27<sup>th</sup>

day of February, 2017.

Resolution No. 67-2017

Offered by: Corson

Seconded by: Coggins

Adopted: February 27, 2017

Roll Call Vote:

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

3. Congratulating Edwin G. Kooker, Sr. for over fifty years of service to the Marmora Volunteer Fire Company and extending to him thanks and appreciation.

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

**RESOLUTION NO. 68-2017**

**RE: CONGRATULATING EDWIN G. KOOKER, SR.  
FOR OVER FIFTY YEARS OF SERVICE TO THE MARMORA VOLUNTEER FIRE  
COMPANY AND EXTENDING TO HIM THANKS AND APPRECIATION**

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**WHEREAS**, Edwin G. Kooker, Sr. has generously volunteered his personal time and service to Upper Township Fire District #3, Marmora Volunteer Fire Company for over fifty years; and

**WHEREAS**, during his years with the Fire Company he was first and foremost a fireman dedicated to the safety and well-being of the citizens of our community while earning the respect and high regard of his fellow firemen for his valor, strength and compassion whenever called to duty; and

**WHEREAS**, he also served the Fire Company in many other capacities such as Captain, Communications Officer, member of the Board of Fire Commissioners and was

instrumental in building Tanker 15-95; and

**WHEREAS**, additionally Edwin is a US Air Force Veteran and Veteran of the Korean War, retiree of NJ Bell and Bell Atlantic/Verizon where he worked for more than 36 years. In addition, Edwin served as member and Chairman of the Cape May County Park Commission for many years.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee on behalf of the citizens of the Township of Upper, do hereby congratulate Edwin G. Kooker, Sr. for over fifty years of service to the Marmora Fire Company and extend our heartfelt thanks and gratitude for the generous donation of his time and service to this community.

**GIVEN UNDER OUR HANDS** and the seal of the Township of Upper this 27<sup>th</sup> day of February, 2017.

Resolution No. 68-2017

Offered by: Coggins

Seconded by: Corson

Adopted: February 27, 2017

Roll Call Vote:

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

4. Honoring Nancy Palmer on the occasion of her retirement from the Township of Upper.

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

**RESOLUTION NO. 69-2017**

**HONORING NANCY PALMER ON THE OCCASION OF HER RETIREMENT  
FROM THE TOWNSHIP OF UPPER**

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**WHEREAS**, Nancy Palmer will soon be retiring after more than twenty eight years of

exemplary public service as an employee of the Upper Township Municipal Court, during which time she served as the Deputy Municipal Court Administrator from 1990 to the present; and

**WHEREAS**, since 2009, Nancy has also served as the Deputy Court Administrator for the Township of Dennis and the City of Corbin City, playing an integral role in the successful administration of these two municipal courts together with the Upper Township Municipal Court through a shared services agreement, the first such agreement in the area and which now serves as a model for other Municipalities to follow; and

**WHEREAS**, throughout her tenure in the Municipal Court, Nancy has always executed her duties with dignity, diligence, and great skill; and

**WHEREAS**, it is most appropriate that Nancy be publicly recognized and commended for her tenure of public employment, and years of faithful and dedicated service to this Township; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey, that Nancy Palmer be publicly congratulated on the occasion of her retirement from the Office of the Municipal Court of the Township of Upper and that she be publicly thanked for her many years of dedicated public service to our community; and

**BE IT FURTHER RESOLVED**, that this Committee, on behalf of all the citizens of the Township of Upper extend to our fellow employee and friend, Nancy Palmer, our very best wishes on her retirement and all her future endeavors.

**GIVEN UNDER OUR HANDS** and the seal of the Township of Upper this  
27<sup>th</sup> day of February, 2017.

Resolution No. 69-2017

Offered by: Coggins      Seconded by: Corson

Adopted: February 27, 2017

Roll Call Vote:

NAME      YES   NO   ABSTAINED   ABSENT



Barr	___	___	___	___X___
Coggins	___X___	___	___	___
Corson	___X___	___	___	___
Young	___	___	___	___X___
Palombo	___X___	___	___	___

- Honoring the Cub Scouts of Pack 79 Kyle Blackledge, Aaron Bliss, Simon Davies, Matthew Jefferson, Noah Law, Timothy Palermo, Hunter Repici, Benjamin Robbins, Kasey Ruf, Marcus Tocci-Esher, Kaleb Williams, and Jack Wriggins on attaining the Arrow of Light Award.

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

**RESOLUTION NO. 70-2017**

**RE: HONORING THE CUB SCOUTS OF PACK 79  
KYLE BLACKLEDGE, AARON BLISS, SIMON DAVIES, MATTHEW JEFFERSON, NOAH  
LAW, TIMOTHY PALERMO, HUNTER REPICI, BENJAMIN ROBBINS, KASEY RUF,  
MARCUS TOCCI-ESHER, KALEB WILLIAMS, AND JACK WRIGGINS ON ATTAINING  
THE ARROW OF LIGHT AWARD**

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**WHEREAS**, the Scouts of Cub Scout Pack 79, Kyle Blackledge, Aaron Bliss, Simon Davies, Matthew Jefferson, Noah Law, Timothy Palermo, Hunter Repici, Benjamin Robbins, Kasey Ruf, Marcus Tocci-Esher, Kaleb Williams, and Jack Wriggins have recently achieved the Arrow of Light Award, which is the highest level of advancement for a Cub Scout; 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** this Township Committee extends its sincere congratulations to these graduating Cub Scouts on the occasion of their receiving the Arrow of Light Award and commends them for this outstanding accomplishment; and it is

**FURTHER RESOLVED** that the Township Committee extends its congratulations and best wishes to their parents, family and friends on this happy occasion; and it is

**FURTHER RESOLVED** that the Township Committee also extends its congratulations and appreciation to Den Leader Kelly Jefferson 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 27<sup>th</sup> day of February, 2017.

Resolution No. 70-2017

Offered by: Coggins                      Seconded by: Corson

Adopted: February 27, 2017

Roll Call Vote:

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

6. Authorizing building and electrical permit fee refunds to Trinity Solar for 202 Route 9 in Upper Township.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 71-2017**

**RE: AUTHORIZING BUILDING AND ELECTRICAL PERMIT FEE REFUNDS TO  
TRINITY SOLAR FOR 202 ROUTE 9 IN UPPER TOWNSHIP**

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**WHEREAS**, Trinity Solar applied for a permit to install a roof mounted solar system at 202 Route 9 in Upper Township; and

**WHEREAS**, after the permit was issued, the roof mounted solar system installation was cancelled; and

**WHEREAS**, the Upper Township Construction Official has recommended granting Trinity Solar's request for a refund of the original permit fees for the property as indicated below, minus a 20% plan review cost.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Upper, Cape May County, that the refund is hereby authorized and the Chief Financial Officer is hereby directed to refund monies to Trinity Solar, 2211 Allenwood Road, Wall, NJ 07719 payable to Trinity Heating & Air, as indicated below:

<b>VOIDED PERMIT #</b>	<b>BLOCK / LOT</b>	<b>AMOUNT</b>
2016-0196	661/42	\$ 218.00
	<b>TOTAL REFUND</b>	<b>\$ 218.00</b>

Resolution No. 71-2017

Offered by: Corson                      Seconded by: Coggins

Adopted: February 27, 2017

**ROLL CALL VOTE:**

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

7. Approving the application of the Tuckahoe Volunteer Fire Company for highway coin drops on Friday July 21<sup>st</sup>, Saturday July 22<sup>nd</sup> and Sunday July 23<sup>rd</sup>, 2017.

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

**RESOLUTION NO.72-2017**

**RE: APPROVING THE APPLICATION OF THE TUCKAHOE VOLUNTEER FIRE  
COMPANY FOR HIGHWAY COIN DROPS ON FRIDAY JULY 21<sup>ST</sup>,  
SATURDAY JULY 22<sup>ND</sup> AND SUNDAY JULY 23<sup>RD</sup>, 2017**

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**WHEREAS**, the Tuckahoe Volunteer Fire Co., a non-profit corporation providing firefighting services, has made application

to the Township Committee to hold coin drop solicitations in Upper Township; and

**WHEREAS,** the Township Committee has approved the requests; and

**WHEREAS,** the requests require approval from the County of Cape May and the State of New Jersey;

**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 application of the Tuckahoe Volunteer Fire Co. to hold a coin drop within Upper Township is hereby approved for the following dates and locations:

**Intersection of County Route 631 & State Highway 50:  
Friday, July 21, 2017 from 5:00 p.m. - 9:00 p.m.**

**AND**

**Intersection of County Route 631 & State Highway 50:  
Saturday, July 22, 2017 from 9:00 a.m. to 3:00 p.m.**

**AND**

**Intersection of County Route 617 & State Highway 49:  
Sunday, July 23, 2017 from 3:00 p.m. to 8:00 p.m.**

3. Attached to this Resolution is a certified copy of Ordinance No. 7-2001, authorizing coin drops within Upper Township enacted pursuant to N.J.S.A. 39:4-60.

4. A certified copy of this Resolution shall be provided to the State of New Jersey, Department of Transportation and the Board of Chosen Freeholders of the County of Cape May.

Resolution No.72-2017

Offered by: Coggins                      Seconded by: Palombo

Adopted: February 27, 2017

Roll Call Vote:

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

8. Accepting the donation of a Memorial Bench at the Bayview Drive Boat Ramp in Strathmere.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 73-2017**

**RE: ACCEPTING THE DONATION OF A MEMORIAL BENCH AT THE BAYVIEW DRIVE  
BOAT RAMP IN STRATHMERE**

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**WHEREAS**, the family of Ian Nickelsburg has requested the placement of a memorial bench at the Bayview Drive Boat Ramp in Strathmere; and

**WHEREAS**, the family of Ian Nickelsburg would donate the memorial bench to the Township of Upper; and

**WHEREAS**, the acceptance and installation of the bench will be contingent upon

approval of the bench specifications and location by the Township Engineer, the Township Administrator, and the Committeeman in charge of Public Buildings and Grounds; 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 of Upper hereby accepts the donation of a memorial bench to be placed at the Bayview Drive Boat Ramp in Strathmere in memory of Ian Nickelsburg subject to the following conditions:

1) The Township Engineer, Township Administrator and Township Committeeman in charge of Building and Grounds shall approve the bench specifications and location.

2) The Township shall not be responsible for damage to, destruction of or loss of the bench or memorial plaque. The Township is not responsible for replacement of the bench or plaque for any reason.

3. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 73-2017

Offered by: Corson                      Seconded by: Coggins

Adopted: February 27, 2017

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Barr	_____	_____	_____	___X__
Coggins	___X__	_____	_____	_____
Corson	___X__	_____	_____	_____
Young	_____	_____	_____	___X__
Palombo	___X__	_____	_____	_____

9. Authorizing the execution of a Shared Services Agreement with Corbin City to provide Zoning Officer services in the event of a conflict of interest with the Upper Township Zoning Officer.

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

**RESOLUTION NO. 74-2017**

**RE: AUTHORIZING THE EXECUTION OF A SHARED SERVICES  
AGREEMENT WITH CORBIN CITY TO PROVIDE ZONING OFFICER  
SERVICES IN THE EVENT OF A CONFLICT OF INTEREST WITH  
THE UPPER TOWNSHIP ZONING OFFICER**

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**WHEREAS**, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et. seq., (“Act”) provides that any local governmental unit may enter into a contract with any other local governmental unit to provide or receive any service that each local unit is empowered to provide or receive within its own jurisdiction; and

**WHEREAS**, the Township of Upper has indicated a willingness to enter into a Shared Services Agreement with Corbin City whereby Corbin City will provide Zoning Officer services in the event of a conflict arising with the Upper Township Zoning Officer; and

**WHEREAS**, the Township Committee of the Township of Upper deems that a Shared Services Agreement with Corbin City for the purposes expressed herein is in the public interest such that the sharing of these services will promote the public health, safety and welfare.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of 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 Corbin City pertaining to the provision of municipal services for a Zoning Officer in the event of a conflict of interest.

2. **SERVICES TO BE PROVIDED BY 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 of record in the office of the Township Clerk and is available for public inspection. The Township Committee of the Township of Upper hereby appoints the Corbin City Zoning Officer as substitute Zoning Officer for Upper Township in such instances and such person is authorized to act in said capacity on behalf of the Township of Upper in accordance with state law and municipal ordinances.

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 the Agreement with the official seal of the Township of Upper.

4. **COMPLIANCE WITH STATUTORY REQUIREMENTS.** The Shared Services Agreement between the Township of Upper and Corbin City meets and satisfies the requirements of N.J.S.A. 40A:65-7, as may be amended and supplemented.

5. **CONTRACT TERM.** This Resolution authorizes a Shared Services Agreement for a duration of two (2) years from the date of the Agreement, unless sooner terminated or modified by either of the parties as provided in the Agreement.

6. **SEVERABILITY.** If any action, subsection, paragraph, sentence or other part of this Resolution is adjudged to be 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.

Resolution No. 74-2017

Offered by: Coggins      Seconded by: Corson

Adopted: February 27, 2017

Roll Call Vote:

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

10. Authorizing an Upper Township Lacrosse Tournament at Amanda's Field on June 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup>, 2017.

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

**RESOLUTION NO. 75-2017**

**RE: AUTHORIZING AN UPPER TOWNSHIP LACROSSE TOURNAMENT  
AT AMANDA'S FIELD ON JUNE 2<sup>nd</sup>, 3<sup>rd</sup>, AND 4<sup>th</sup>, 2017**

---

**WHEREAS**, Upper Township Lacrosse and John Inserra, President, jointly, severally and in the alternative, have requested the use of Amanda's Field on June 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup>, 2017 for a Lacrosse Tournament, as indicated in their Application for Use of Facilities attached hereto as Exhibit "A"; and

**WHEREAS**, Upper Township Lacrosse and John Inserra, jointly, severally and in the alternative, have provided a Use of Facilities Agreement and an Indemnification and Hold

Harmless Agreement in favor of the Township of Upper, its officials, officers and employees in the form attached hereto as Exhibit “B”; and

**WHEREAS**, John Insera has certified that those having unsupervised direct contact with minor children have undergone a successful criminal history record background check pursuant to N.J.S.A. 15A:3a-1., and said certification is attached hereto as Exhibit “C”; and

**WHEREAS**, appropriate advice and approvals from the Township’s Risk Management Consultant, the New Jersey State Police, and the Division of EMS have been obtained; 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 does hereby authorize the use of Amanda’s Field on June 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> for an Upper Township Lacrosse Tournament Event.
3. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 75-2017

Offered by: Corson

Seconded by: Coggins

Adopted: February 27, 2017

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Barr	_____	_____	_____	___X___
Coggins	___X___	_____	_____	_____
Corson	___X___	_____	_____	_____
Young	_____	_____	_____	___X___
Palombo	___X___	_____	_____	_____

11. Adopting the 2017 Primary and General Election Emergency Relocation Plan.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY**

# RESOLUTION

## RESOLUTION NO. 76-2017

### RE: ADOPTING THE 2017 PRIMARY AND GENERAL ELECTION EMERGENCY RELOCATION PLAN

---

**WHEREAS**, the Upper Township Office of Emergency Management has created an Emergency Relocation Plan in order to ensure that the June 6, 2017 Primary Election and the November 7, 2017 General Election are conducted unimpeded throughout the course of the day and to safeguard the rights of all qualified voters in the Township; and

**WHEREAS**, the Township Committee has deemed in to be in the best interest of the Township to adopt the Emergency Relocation Plan; 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 of Upper hereby adopts the Upper Township Relocation Plan for the June 6, 2017 Primary Election and the November 7, 2017 General Election.
3. The Township Committee expressly reserves the right to amend or revise said Emergency Relocation Plan at any time it deems it appropriate.

Resolution No. 76-2017

Offered by: Coggins      Seconded by: Corson

Adopted: February 27, 2017

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Barr	_____	_____	_____	__X__
Coggins	__X__	_____	_____	_____
Corson	__X__	_____	_____	_____
Young	_____	_____	_____	__X__
Palombo	__X__	_____	_____	_____

12. Authorizing the Township of Upper to enter into an interlocal contract for cooperative purchasing with Houston-Galveston Area Council.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 77-2017**

**RE: AUTHORIZING THE TOWNSHIP OF UPPER TO ENTER INTO AN  
INTERLOCAL CONTRACT FOR COOPERATIVE PURCHASING WITH  
HOUSTON-GALVESTON AREA COUNCIL**

---

**WHEREAS**, N.J.S.A. 52:34-6.2 allows the Township of Upper to utilize national cooperative contracts as a method of procurement; and

**WHEREAS**, the Houston-Galveston Area Council (hereinafter referred to as H-GAC), is authorized to contract with eligible entities to perform governmental functions and services, including the purchase of goods and services; and

**WHEREAS**, the Township of Upper wishes to contract with the H-GAC for the provision and performance of goods and services.

**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 hereby authorizes the Mayor to execute the Interlocal Contract for Cooperative Purchasing with H-GAC.
3. The Qualified Purchasing Agent is hereby authorized, directed and empowered to execute any and all documents in order to implement the intent of this Resolution.

Resolution No. 77-2017

Offered by: Coggins

Seconded by: Palombo

Adopted: February 27, 2017

Roll Call Vote:

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

13. 2017 Revised Temporary Budget.

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

RESOLUTION NO. 78-2017

RE: 2017 REVISED TEMPORARY BUDGET

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WHEREAS, N.J.S.A. 40A:4-19 provides that the governing body shall by Resolution adopted prior to January 31 of the fiscal year make appropriations to provide for the period between the beginning of the fiscal year and the adoption of the budget; and

WHEREAS, the total of the appropriations so made shall not exceed 26.25% of the total of the appropriations made for all purposes in the Budget for the preceding year excluding public assistance, such amount being **\$2,952,228.47.**

NOW, THEREFORE BE IT RESOLVED, that the following appropriations shall constitute the Temporary Budget for the year 2017:

	<b>Original Approp.:</b>	<b>Increase To:</b>
<b>ADMINISTRATIVE &amp; EXECUTIVE</b>		
<b>Mayor and Committee</b>		
Salary and Wages	<b>\$17,300.00</b>	<b>\$ 21,100.00</b>
<b>Mayor and Committee O/E</b>	<b>\$2,000.00</b>	
<b>DCRP-Township Committee</b>	<b>\$3,000.00</b>	<b>4,000.00</b>
<b>Municipal Clerk</b>		
Salary and Wages	<b>\$52,800.00</b>	<b>68,300.00</b>
<b>OTHER EXPENSES</b>		
<b>Legal Advertising</b>	<b>\$2,000.00</b>	<b>3,000.00</b>
<b>Miscellaneous O/E</b>	<b>\$3,000.00</b>	<b>5,000.00</b>
<b>Purchase of Office Equipment</b>	<b>\$2,000.00</b>	
<b>Codification of Ordinances</b>	<b>\$1,000.00</b>	

Cape Mediation	\$2,300.00	
Cape Assist EAP	\$1,155.00	

#### **FINANCIAL ADMINISTRATION**

Salaries & Wages	\$47,800.00	62,300.00
Miscellaneous O/E	\$3,200.00	5,200.00
Computer Hardware/Software	\$15,000.00	20,000.00
Annual Audit	\$20,000.00	

#### **ASSESSMENT OF TAXES**

Salaries & Wages	\$28,500.00	36,800.00
Miscellaneous O/E	\$2,000.00	4,000.00

#### **COLLECTION OF TAXES**

Salaries & Wages	\$25,800.00	33,200.00
Miscellaneous O/E	\$1,000.00	
Purchase TTL	\$0	
Other Expenses	\$0	

#### **LEGAL SERVICES AND COSTS**

Other Expenses	\$40,000.00	\$ 50,000.00
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#### **MUNICIPAL COURT**

Salaries & Wages	\$55,000.00	65,000.00
Miscellaneous O/E	\$10,000.00	

#### **PUBLIC DEFENDER**

Salaries & Wages	\$6,590.00	
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#### **MUNICIPAL PROSECUTOR**

Salaries & Wages	\$11,200.00	14,400.00
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#### **ENGINEERING SERVICES & COSTS**

Salaries & Wages	\$28,200.00	36,300.00
Other Expenses	\$5,000.00	

#### **PUBLIC BUILDINGS & GROUNDS**

Salaries & Wages	\$178,500.00	228,000.00
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Other Expenses	\$65,000.00	
<b>PLANNING BOARD</b>		
Salaries & Wages	\$9,000.00	12,500.00
Other Expenses	\$2,000.00	4,500.00
<b>BOARD OF ADJUSTMENT</b>		
Salaries & Wages	\$9,000.00	12,500.00
Other Expenses	\$2,000.00	4,500.00
<b>CONSTRUCTION OFFICE &amp; BUILDING INSPECTOR</b>		
Salaries & Wages	\$34,750.00	46,250.00
Other Expenses	\$12,500.00	13,000.00
<b>INSURANCE</b>		
Group Insurance for Employees	\$525,000.00	655,000.00
Other Insurance Premiums	\$65,000.00	85,000.00
Workers Compensation	\$75,000.00	150,000.00
<b>SCHOOL CROSSING GUARD</b>		
Salaries & Wages	\$2,400.00	2,900.00
Miscellaneous O/E	\$200.00	
<b>BEACH PATROL</b>		
Salaries & Wages	\$1,000.00	
Other Expenses	\$1,000.00	
<b>EMERGENCY MANAGEMENT/RTK</b>		
Salaries & Wages	\$6,500.00	\$ 8,600.00
Miscellaneous O/E	\$5,000.00	15,000.00
<b>ROAD REPAIRS &amp; MAINTENANCE</b>		
Salaries & Wages	\$190,000.00	239,500.00
Miscellaneous O/E	\$40,000.00	55,000.00
<b>SURFACING OF ROADS CONTRACTUAL</b>	\$0	
<b>STREET LIGHTING</b>	\$80,000.00	
<b>GARBAGE &amp; TRASH REMOVAL</b>		

Salaries & Wages	\$117,600.00	146,100.00
Miscellaneous O/E	\$20,000.00	25,000.00
Tipping Fees	\$80,000.00	100,000.00
<b>BOARD OF HEALTH</b>		
Salaries & Wages	\$150.00	200.00
Miscellaneous O/E	\$200.00	
<b>DOG REGULATION</b>		
Miscellaneous O/E	\$28,000.00	35,000.00
<b>PUBLIC RELATIONS</b>		
Miscellaneous O/E	\$500.00	
<b>ZONING/CODE OFFICIAL</b>		
Salaries & Wages	\$1,750.00	5,250.00
Miscellaneous O/E	\$200.00	
<b>SPORTS &amp; RECREATION</b>		
Salaries & Wages	\$600.00	800.00
Miscellaneous O/E	\$25,000.00	40,000.00
<b>FIRST AID ORGANIZATION</b>		
Salaries & Wages	\$165,800.00	196,800.00
Miscellaneous O/E	\$20,000.00	
<b>RECYCLING</b>		
Salaries & Wages	\$115,000.00	139,300.00
Miscellaneous O/E	\$20,000.00	25,000.00
<b>AFFORDABLE HOUSING</b>		
Salaries & Wages	\$700.00	900.00
Miscellaneous O/E	\$300.00	
<b>COMMUNITY CENTER</b>		
Miscellaneous O/E	\$8,000.00	13,000.00



<b>CELEBRATION OF PUBLIC EVENTS</b>	<b>\$1,000.00</b>	<b>7,000.00</b>
<b>SOCIAL SECURITY SYSTEM</b>	<b>\$87,500.00</b>	<b>107,500.00</b>
<b>SPECIAL LITIGATION</b>	<b>\$40,000.00</b>	
<b>SUI CONTRIBUTION</b>	<b>\$1,500.00</b>	<b>2,000.00</b>
<b>CENTRAL DISPATCH</b>	<b>\$58,000.00</b>	<b>119,000.00</b>
<b>ALCOHOL &amp; DRUG TESTING</b>	<b>\$6,000.00</b>	<b>7,000.00</b>
<b>COMP. ABSENCES RESERVES</b>	<b>\$100.00</b>	
<b>GYPSY MOTH MISC.</b>	<b>8,800.00</b>	
<b>PERS</b>	<b>\$445,611.00</b>	
<b>Total</b>	<b>\$2,942,006.00</b>	

Resolution No. 78-2017

Offered by: Coggins                      Seconded by: Corson

Adopted: February 27, 2017

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Barr	_____	_____	_____	__X__
Coggins	__X__	_____	_____	_____
Corson	__X__	_____	_____	_____
Young	_____	_____	_____	__X__
Palombo	__X__	_____	_____	_____

14. Authorizing the Mayor to sign an application for Insurance and Group Employee Benefits Form with AXA Equitable Life Insurance Company for employee life insurance.

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

**RESOLUTION NO. 79-2017**

**RE: AUTHORIZING THE MAYOR TO SIGN AN APPLICATION FOR INSURANCE AND  
GROUP EMPLOYEE BENEFITS FORM WITH AXA EQUITABLE LIFE INSURANCE  
COMPANY FOR EMPLOYEE LIFE INSURANCE**

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**WHEREAS**, the Township wishes to complete an Application for Insurance and Employer Verification Information form with AXA Equitable Life Insurance Company, attached hereto as Exhibit A, to provide life insurance coverage for eligible employees effective April 1, 2017; and

**WHEREAS**, said agreements will be for a period from April 1, 2017 to July 1, 2019.

**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 Application for Insurance and Employer Verification Information form between the Township of Upper and AXA Equitable Life Insurance Company are approved and the Mayor is hereby authorized, directed and empowered to execute said agreements on behalf of the Township of Upper.

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. 79-2017

Offered by: Coggins

Seconded by: Corson

Adopted: February 27, 2017

Roll Call Vote:

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

## **ORDINANCES**

- 15. Public hearing and final adoption of Ordinance No. 003-2017 RE: AN ORDINANCE AMENDING REVISED GENERAL ORDINANCE CHAPTER II (ADMINISTRATION) OF THE CODE OF UPPER TOWNSHIP TO ESTABLISH AN ECONOMIC DEVELOPMENT ADVISORY COMMISSION.** During the public hearing portion there were no comments. Motion by Curtis Corson, second by John Coggins, to adopt Ordinance No. 003-2017. During roll call vote all three Committeemen present voted in the affirmative.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY**

# ORDINANCE

## ORDINANCE NO. 003-2017

### RE: AN ORDINANCE AMENDING REVISED GENERAL ORDINANCE CHAPTER II (ADMINISTRATION) OF THE CODE OF UPPER TOWNSHIP TO ESTABLISH AN ECONOMIC DEVELOPMENT ADVISORY COMMISSION

---

**WHEREAS**, the Township Committee of the Township of Upper, in order to promote and encourage appropriate and sufficient economic development throughout the Township, has determined that it is in the best interest of the Township to amend Chapter II (Administration) of the Code of Upper Township to establish an Economic Development Advisory Commission; and

**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.** Chapter II of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, shall be amended and supplemented as hereinafter provided:

Section 2-3.5 is hereby created as follows:

#### **2-3.5 Economic Development Advisory Commission.**

a. **Commission Established.** The Township hereby establishes the Upper Township Economic Development Advisory Commission (hereinafter “Commission”).

b. **Authority, Functions and Objectives.**

1. The primary functions and objectives of the Commission shall be:

(a) To discuss, investigate, study and give written advice and recommendations to the Township Committee as determined by the Commission and/or as may be requested by the Township Committee regarding economic and business

conditions and circumstances best suited for the Township, and the manner and methods by which development of business conditions and circumstances best suited for the Township may evolve and be encouraged.

(b) Promotion of the Township:

(i) To recommend marketing and promotion of the Township's economic and business strengths; and

(ii) To devise methods and propose programs to promote economic investment, commercial development and tourism.

(c) To recommend, in writing, to the Township Committee the means by which stability, growth and increased commercial ratables can best take place.

(d) To work together cooperatively with the State, the County and other local regional and state organizations, divisions or departments having similar goals, in order to be able to recommend to the Township Committee the best and most desirable planning, implementation and courses of action by which the primary functions and objectives of the Township's economic and business interests can be most effectively and efficiently merged and cooperated with those other organizations, divisions or departments having similar goals in furtherance of increased commercial ratables, tourism, business creation and retention and promoting the Township as an attractive place in which to live, work or visit.

2. The Commission shall serve as the liaison between the Township and the business community including coordinating meetings and dialogue between the Township and the Business or Civic Associations and Chamber of Commerce and assisting

the Township in promoting the many advantages to opening and operating a business in the Township.

3. Working in combination with other municipal commissions, committees and in conjunction with public/private partnerships, the Commission shall propose, organize, sponsor, promote and advertise events to improve tourism, merchant trade and commerce in Township business areas and sponsor educational symposiums to improve business knowledge of commercial owners as permitted by budgetary constraints and as authorized by the Township Committee.
4. The Commission shall identify and recommend to the Township Committee the retention of professionals and other experts which the Commission deems necessary or desirable to effectuate the objectives of the Commission, subject to approval of the Township Committee and budgetary constraints.
5. The Commission shall establish annual goals and measurement techniques to gauge success, monitor progress and determine need for adjustments to the plan of action which shall be submitted to the Township Committee for approval. The Commission shall report to the Township Committee at least on a semi-annual basis, or more frequently at the request of the Township Committee, to provide a report on the progress of the objectives and the achievements accomplished and to receive input from the Township Committee and the public.
6. From time to time, but not less than annually, the Commission shall submit to the Township Committee for review and approval, by resolution, the mission statement adopted by the Commission and the methods by which the Commission's objectives will be achieved. No such mission statement shall be amended except upon approval by the Township Committee through a resolution.

7. The Commission shall have such additional primary and lesser authority, functions, purposes and objectives as the Commission may from time to time submit to the Township Committee, subject to the Township Committee's selection and approval, and/or as may, from time to time, be determined by the Township Committee by way of amendments to this ordinance.

**c. Membership, terms, appointments, privileges and duties.**

1. The Commission shall consist of five (5) regular members and two (2) alternates, all appointed by the Township Committee and all members shall have a term of office of three (3) calendar years, or such lesser period of time as may be caused by the date of appointment, with terms expiring at 11:59 p.m., December 31 of each calendar year. Appointments shall be staggered such that two (2) appointments expire in each of the first two calendar years of the Commission and one (1) appointment expires the third initial calendar year of the Commission.
2. The members of the Commission shall be residents or taxpayers of the Township, or his/her designee. In addition, one member shall be a member of the Township Committee.
3. All five (5) regular members of the Commission shall have full voting privileges. Alternate members shall participate in all meetings and discussions but shall only vote in the absence of a regular member.
4. The appointments of members of the Commission shall be made by the Township Committee by resolution as soon as practicable after the establishment of the Commission in this calendar year of its establishment, and in succeeding years at the annual Township Committee reorganization meeting or any subsequent regular meeting of the Township Committee in January of each calendar year.

5. The appointment of any member of the Commission may be rescinded or terminated by the Township Committee with or without cause.
  6. Any vacancy created by any resignation of any member of the Commission during any calendar year may be filled by appointment by the Township Committee by resolution for the remainder of that member's term of office.
- d. **First meeting.** The members of the Commission shall meet within thirty (30) days of their appointment.
- e. **Organization and administration.**
1. At the first meeting in each calendar year the Commission shall:
    - (a) Elect a Chairperson, Vice Chairperson and a Secretary.
    - (b) Establish a schedule of meeting dates for the remainder of the calendar year.
    - (c) Establish a list of primary and lesser objectives and a mission statement for the calendar year.
    - (d) Establish a schedule of performance due dates for reports of any investigation or study to be undertaken by the Commission during the calendar year.
  2. All meetings shall be accurate and sufficient written minutes which shall be promptly prepared, approved and forwarded to the Township Committee. A member shall be elected by the Commission each calendar year to perform the duties of minute taking and preparation and such other clerical tasks as may be necessary or desired, and that member shall be the Secretary.
  3. The product and minutes of the first meeting of the Commission in each calendar year shall promptly be forwarded to the Township Committee, and all products and

minutes of every meeting thereafter shall be promptly prepared and approved by the Commission, and then forwarded to the Township Committee.

4. The Commission may organize its activities, investigations, studies and reports by committee, but no committee action or recommendation shall have status as an action or report by the Commission unless adopted by a majority vote of the Commission and at a meeting on reasonable advance notice to the membership of the Commission.
5. Any and all investigations, studies, calls for action, reports or recommendations for action adopted by a majority vote of the Commission shall be promptly forwarded to the Township Committee and they shall not be published or disseminated in any way whatsoever until that is accomplished and until and unless reviewed, accepted and approved by the Township Committee. Any Commission member violating this section or subsection 6 or 7 may have his/her appointment rescinded and terminated for cause by the Township Committee.
6. No implementation of any call for action, or any report and recommendation by the Commission to the Township Committee shall take place or have any status as action by the Township, or a report of the Township, or a policy of the Township, unless and until accepted and approved by the Township Committee by resolution, and the Township Committee in its discretion may decline to act, accept or approve, or may act upon, accept or approve any portion, or the whole, as it desires and determines.
7. The Commission being an advisory commission of the Township Committee, and being subordinate to the Township Committee and subject to the oversight of the Township Committee, shall conduct its activities and meetings in accord with all



applicable state law, which shall include, may not be limited to, the Open Public Meetings Act and the Open Public Records Act.

8. The Commission's meetings and deliberations shall proceed in accordance with the latest version of Robert's Rules of Order.

**SECTION 2: EFFECTIVE DATE:** This ordinance shall take effect immediately upon adoption and publication as required by law.

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

**SECTION 4: 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 5: CODIFICATION:** This Ordinance shall be codified as indicated in Chapter 2 of the Upper Township Code.

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 23<sup>RD</sup> DAY OF JANUARY, 2017 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 27<sup>TH</sup> DAY OF FEBRUARY, 2017 AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY, AT WHICH TIME SAID ORDINANCE WAS ADOPTED.

BARBARA L. YOUNG, TOWNSHIP CLERK  
TOWNSHIP OF UPPER

## **CORRESPONDENCE**

## **NEW BUSINESS**

16. **Greater Tuckahoe Area Merchants Association request the use of the Community Center for a Craft Show on November 18, 2017.** Motion by Richard Palombo, second

by John Coggins, to approve the request. During roll call vote all three Committeemen present voted in the affirmative.

17. **Edward Bixby-Steelmantown Cemetery request to purchase township owned property Block 11, Lot 4.04.** The Municipal Engineer reported that this request is for a conforming buildable lot. The Municipal Attorney stated that like in previous land sales an appraisal of the land is required, which would set the minimum bid, and if the Township Committee would like to go forward a public auction would be required. However, the Township can put limitations on the use of the property. Motion by Curtis Corson, second by John Coggins, to obtain an appraisal of the property, the cost of which will be paid by the requestor. During roll call vote all three Committeemen present voted in the affirmative.
18. **Girls Scout Troop #44475 request to have a Skate Night at the Community Center on April 15<sup>th</sup> and May 13<sup>th</sup>, 2017.** Motion by Curtis Corson, second by John Coggins, to approve the request. During roll call vote all three Committeemen present voted in the affirmative.
19. **Stockton University Coastal Research Center Final Report for 2016.** The Municipal Engineer gave a brief report on the matter.
20. **Wanda Adamson request for the installation of speed humps on South Sunset Drive in Petersburg.** The Municipal Engineer reported that last year speed humps were installed on North Sunset Drive, and there were plans to install humps on South Sunset Drive. However, a couple of the residents on South Sunset notified him that they were not in favor of the installation. He recommended that Ms. Adamson obtain a consensus from the area residents to see if they are in favor of the speed humps. Motion by Richard Palombo, second by John Coggins, to table the matter pending the receipt of a resident petition by Ms. Adamson. During roll call vote all three Committeemen present voted in the affirmative.

## **UNFINISHED BUSINESS**

## **DISCUSSION**

21. **New Jersey Tree Recovery Campaign.** The Municipal Engineer stated that the Upper Township Green Team is requesting to have a table at the Spring Fling to distribute the tree seedlings. Motion by Richard Palombo, second by Curtis Corson, to approve the request. During roll call vote all three Committeemen present voted in the affirmative.

## **PAYMENT OF BILLS**

22. **“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 three Committeemen present voted in the affirmative.

**Bills approved for payment: \$96,825.24**  
**Payroll: \$154,715.23**

## **REPORT OF MUNICIPAL DEPARTMENTS**

### **PUBLIC COMMENT**

**Merry May, Tuckahoe** spoke regarding the parking at the Community Center and requested that the Committee pursue solutions to the safety issues. She next stated that there used to be a pedestrian walking lane on School House Lane in Tuckahoe, but after the recent paving project the lines are now gone. Mr. Dietrich stated that the project is not complete and the lines will be repainted.

### **CLOSED SESSION**

23. 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. 80-2017 MOTION GOING INTO CLOSED SESSION FEBRUARY 27, 2017**

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

### **MATTERS:**

1. Contract negotiation – Shared Services Agreement with Cape May County for Fleet Maintenance
2. Contract negotiation – Tax Appeals Special Legal Counsel
3. Litigation – Tax Appeals
4. Contract negotiation – Temporary Public Defender
5. Contract negotiation – Grant writer
6. Contract negotiation – Tax Assessment Company
7. Contract negotiation – Fourth of July Fireworks
8. Litigation – Affordable Housing
9. Safety and Security
10. 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 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 call vote all three Committee members present voted in the affirmative

### **RECONVENE PUBLIC PORTION OF MEETING**

Motion by John Coggins, second by Curtis Corson, to reconvene the public portion of the meeting, with all three Committeemen present voting in the affirmative.

### **ADJOURNMENT**

There being no further business this evening the meeting was adjourned at 10:27 P.M., with a motion by John Coggins, second by Richard Palombo, and all three Committeemen present voting in the affirmative. The next regular meeting is scheduled for March 13, 2017 at 7:30 P.M.

Minutes prepared by,

Barbara L. Young, RMC

### **Bill List**

68780 02/27/17 A0091 ATLANTIC CITY ELECTRIC 7,517.35 2958  
68781 02/27/17 A0134 ANSELL GRIMM & AARON, PC 105.00 2958  
68782 02/27/17 A0175 Adams Rehmann & Haggan Assoc 725.00 2958  
68783 02/27/17 A0191 ACTION UNIFORM CO. LLC 1,053.00 2958  
68784 02/27/17 A0198 ALL SERVE OZONE, LLC 352.00 2958  
68785 02/27/17 B0035 BELMONT & CRYSTAL SPRINGS 29.19 2958  
68786 02/27/17 B0148 AMERIGAS GAS 236.92 2958  
68787 02/27/17 C0008 CMC COURT ADMINISTRATORS ASSOC 100.00 2958  
68788 02/27/17 C0027 CAPE INSULATION CO.INC 6,980.00 2958  
68789 02/27/17 C0031 CAPE ASSIST 1,605.00 2958  
68790 02/27/17 C0048 CAPE MAY COUNTY MUA 35,434.66 2958  
68791 02/27/17 C0068 COMCAST 550.13 2958  
68792 02/27/17 C0124 CMC MUNICIPAL CLERK'S ASSOC. 375.00 2958  
68793 02/27/17 C0146 COLLINS IRON WORKS, INC. 60.00 2958  
68794 02/27/17 C0171 COLONIAL ELECTRIC SUPPLY CO. 153.75 2958  
68795 02/27/17 C0223 CASA PAYROLL SERVICE 280.65 2958  
68796 02/27/17 D0016 DALEYS PIT 280.00 2958  
68797 02/27/17 F0048 LESLIE G. FOGG INC 325.36 2958  
68798 02/27/17 G0014 GARDEN STATE HWY PRODUCTS INC. 1,312.00 2958

68799 02/27/17 G0016 GARDNER HARDWARE INC. 18.53 2958  
68800 02/27/17 H0002 H.A. DEHART & SON CORP. 3,431.92 2958  
68801 02/27/17 J0040 JOHNSON & TOWERS, INC. 685.00 2958  
68802 02/27/17 J0072 JERSEY WEB DESIGNS 1,993.28 2958  
68803 02/27/17 K0007 KACZMARSKI, RICHARD 150.00 2958  
68804 02/27/17 L0080 LOWES, INC. 222.69 2958  
68805 02/27/17 L0116 LEA, ANTHONY 203.97 2958  
68806 02/27/17 M0180 MED-TECH RESOURCE,LLC 591.58 2958  
68807 02/27/17 N0043 NAPA AUTO PARTS 0.00 02/27/17 VOID 0  
68808 02/27/17 N0043 NAPA AUTO PARTS 1,193.25 2958  
68809 02/27/17 N0141 NETCARRIER TELECOM, INC. 907.90 2958  
68810 02/27/17 N0143 NATIONAL TIME SYSTEMS 1,310.00 2958  
68811 02/27/17 O0002 O.C. FIRST NIGHT COMMITTEE 3,934.05 2958  
68812 02/27/17 O0006 SJSHORE MARKETING,LLC 60.99 2958  
68813 02/27/17 O0012 OCEAN CITY BD. OF EDUCATION 350.00 2958  
68814 02/27/17 P0032 PEDRONI FUEL CO. 1,378.94 2958  
68815 02/27/17 P0136 POSTNET 342.96 2958  
68816 02/27/17 Q0008 QUILL CORPORATION 55.13 2958  
68817 02/27/17 R0030 RIGGINS, INC. 3,666.39 2958  
68818 02/27/17 R106 RUMER, LISA 177.19 2958  
68819 02/27/17 S0018 SUBURBAN PROPANE, LP 277.65 2958  
68820 02/27/17 S0020 SUPPLY WORKS 1,242.26 2958  
68821 02/27/17 S0031 SCHULER SECURITY, INC. 142.00 2958  
68822 02/27/17 S0035 SCHOPPY WILLIAM TROPHY CO. 129.85 2958  
68823 02/27/17 S0056 SEASHORE ASPHALT CORPORATION 102.50 2958  
68824 02/27/17 S0113 SMITH,THOMAS G. 3,670.85 2958  
68825 02/27/17 S0121 SMUZ, THERESE A 13.70 2958  
68826 02/27/17 S0134 SO. JERSEY GAS COMPANY 4,425.29 2958  
68827 02/27/17 S0196 STEWART BUSINESS SYSTEMS LLC 524.34 2958  
68828 02/27/17 S0292 JEFFREY SURENIAN & ASSOC. LLC 293.75 2958  
68829 02/27/17 T0074 TRANSAXLE LLC 113.78 2958  
68830 02/27/17 T0093 TREASURER, STATE OF N.J. 1,000.00 2958  
68831 02/27/17 U0003 U.S. MUNICIPAL SUPPLY, INC. 334.25 2958  
68832 02/27/17 U0026 UNIVERSAL SUPPLY CO., INC. 5,457.93 2958  
68833 02/27/17 U0065 UPPER TOWNSHIP FISH & WILDLIFE 125.00 2958  
68834 02/27/17 W0030 WEST PUBLISHING CO. 469.23 2958  
68835 02/27/17 W0037 WALLACE REFRIGERATION 250.00 2958  
68836 02/27/17 W0087 W.B. MASON 104.08 2958

Total: \$96,825.24