

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR MAY 8, 2017**

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
Curtis Corson	Present
Hobart Young	Present
Richard Palombo	Present

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

APPROVAL OF MINUTES - April 24, 2017 Regular Meeting and
Closed Session Minutes

Motion by Edward Barr, second by John Coggins, to approve the April 24, 2017 Regular Meeting and Closed Session Minutes as submitted. During roll call vote four Committeemen voted in the affirmative. Mayor Palombo abstained.

REPORT OF GOVERNING BODY MEMBERS

John Coggins, Committeeman, congratulated the Ocean City High School girls freshman eight for winning a gold medal at the 2017 Philadelphia City Rowing Championships on the Schuylkill River.

Hobie Young, Committeeman, reported that the Upper Township Historical Society will be holding their annual Strawberry Festival on Saturday, May 20th at the Gandy Farmstead from 10:00 am to 3:00 pm.

Curtis Corson, Committeeman, requested that the Township look into adopting a lock box Ordinance for the Township's Commercial establishments in order to enable the Fire Companies to have access during a fire. The Municipal Attorney stated that the matter should be discussed with the Upper Township Business Association.

Richard Palombo, Mayor, reported that he has recently spoken to Barbara Young, the Municipal Clerk. He stated that she is continuing to recover and we all wish her a speedy

return. He next reported the Township held the Day of Prayer Ceremony last Thursday and stated that there was a good turnout and the event went very well.

OTHER REPORTS

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

Paul Dietrich, Municipal Engineer, gave a brief update on the ATV issue at the George Harms Mining Pit and stated that he and Scott Morgan will be looking at ways to control access onto Township property. Mr. Morgan stated that they will be working with Lt. Pearson, of NJSP, and the Upper Township Sentinel to publish an educational insert regarding traffic laws for dirt bikes and ATV's, as well as trespassing issues.

RESOLUTIONS

1. Designating May 21, 2017 through May 27, 2017 as "Emergency Medical Services Week" in Upper Township.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 143-2017

DESIGNATING MAY 21, 2017 THROUGH MAY 27, 2017 AS "EMERGENCY MEDICAL SERVICES WEEK" IN UPPER TOWNSHIP

WHEREAS, Emergency Medical Services are a vital public service; and

WHEREAS, the members of Emergency Medical Services teams are always ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, Emergency Medical Services has grown to fill a gap by providing important out of hospital care, including preventative medicine, follow-up care, and access to telemedicine; and

WHEREAS, the Emergency Medical Services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians,

trained members of the public, and other hospital medical care providers; and

WHEREAS, the members of the Upper Township Emergency Medical Services team, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of the Upper Township Emergency Medical Services providers by designating an Emergency Medical Services week; 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 the week of May 21 through May 27, 2017 is hereby designated as **“EMERGENCY MEDICAL SERVICES WEEK”** in Upper Township, and with the theme, “EMS Strong: Always in Service”, we do hereby encourage the citizens of Upper Township to observe this week with the appropriate programs, ceremonies, and activities.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 8th day of May, 2017.

Resolution No. 143-2017

Offered by: Coggins

Seconded by: Barr

Adopted: May 8, 2017

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Barr	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Coggins	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Corson	<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. Adopting additional Rules and Regulations for operation of Jitneys in the Township of Upper.

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

RESOLUTION NO. 144-2017

**RE: ADOPTING ADDITIONAL RULES AND REGULATIONS FOR OPERATION
OF JITNEYS IN THE TOWNSHIP OF UPPER**

WHEREAS, pursuant to N.J.S.A. 48:16-23, et seq., the Township of Upper is authorized to regulate autobuses, commonly known as Jitneys; and

WHEREAS, the Township of Upper adopted Ordinance 007-2017 entitled “**AN ORDINANCE AMENDING REVISED GENERAL ORDINANCE CHAPTER IV OF THE CODE OF UPPER TOWNSHIP TO ADD SECTION 4-3 ENTITLED JITNEYS**” (Jitney Ordinance) on April 10, 2017; and

WHEREAS, the Jitney Ordinance allows for the adoption of additional rules to establish the approved routes, stops, time of permitted service and fares to be charged to passengers; and

WHEREAS, the Township Committee has determined that the location of stops should reflect the quieter and less commercial neighborhood of Strathmere and Whale Beach; and

WHEREAS, the Township Committee has further determined that the following additional rules and regulations shall apply to jitney operation in the Township:

1. The approved jitney route in Strathmere and Whale Beach is limited to a closed loop to and from Sea Isle City along South Commonwealth Avenue and West Willard Road.
2. The jitney shall stop to pick up or drop off passengers only at the following locations:
 - Deauville Inn - 201 West Willard Road, Strathmere - pick-up and drop off location, driveway is used as turnaround location.
 - LaFontana - Corner of Commonwealth Avenue and Willard Road
 - Mildred's - Corner of Prescott Road and Commonwealth Avenue
 - 1495 South Commonwealth Avenue (Hawthorne Avenue)
 - 2075 South Commonwealth Avenue (Hayes Avenue)
 - 2613 South Commonwealth Avenue (Taylor Avenue)

3. It shall be unlawful and a violation of Upper Township Code Section 4-3 for any jitney to travel on any Township road other than an approved route or to make any stop to pick up or drop off passengers at any location other than those approved herein.
4. The jitneys are authorized to operate on approved routes only between the hours of 12 noon and 4:00 a.m.
5. There shall be charged a cash fare of two dollars (\$2.00) per ride per person between the hours of 12 noon and 11:00 p.m., and a cash fare of four dollars (\$4.00) per ride per person between the hours of 11:00 p.m. and 4:00 a.m. Only one (1) fare can be charged for each seat in the vehicle. Notwithstanding the foregoing, a third party or private entity may financially subsidize jitney service provided such service is in accordance with Township ordinances and rules and regulations.

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 to the preamble are incorporated herein by this reference.
2. The jitney routes, stops, times of service, and fares are established as aforementioned and as set forth on Exhibit A attached hereto as additional rules and regulations in accordance with Upper Township Code Section 4-3.9.
3. The proper officials be and are hereby authorized to do all things necessary to carry out the intent of this Resolution.

Resolution No. 144-2017

Offered by: Coggins

Seconded by: Barr

Adopted: May 8, 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>	<u> </u>	<u> </u>	<u> </u>
Palombo	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

EXHIBIT A

ADDITIONAL RULES AND REGULATIONS FOR THE OPERATION OF JITNEYS IN THE TOWNSHIP OF UPPER PURSUANT TO UPPER TOWNSHIP CODE SECTION 4-3.9

1. The approved jitney route in Strathmere and Whale Beach is limited to a closed loop to and from Sea Isle City along South Commonwealth Avenue and West Willard Road.
2. The jitney shall stop to pick up or drop off passengers only at the following locations:
 - a. Deaville Inn -- 201 West Willard Road, Strathmere – pick up and drop off location; driveway is used as turnaround location.
 - b. LaFontana -- Corner of Commonwealth Avenue and Willard Road
 - c. Mildred's -- Corner of Prescott Road and Commonwealth Avenue
 - d. 1495 South Commonwealth Avenue (Hawthorne Avenue)
 - e. 2075 South Commonwealth Avenue (Hayes Avenue)
 - f. 2613 South Commonwealth Avenue (Taylor Avenue)
3. It shall be unlawful and a violation of Upper Township Code Section 4-3 for any jitney to travel on any Township road other than the approved route or to make any stop to pick up or drop off passengers at any location other than an approved stop under these rules.
4. Jitneys are authorized to operate between the hours of 12 noon and 4:00 a.m. Jitneys are prohibited from providing service to the Township after 4:00 a.m.
5. On an authorized jitney route there shall be charged a cash fare of Two Dollars (\$2.00) per ride per person between the hours of 12 noon and 11:00 p.m. and a cash fare of Four Dollars (\$4.00) per ride per person between the hours of 11:00 p.m. and 4:00 a.m. Only one (1) fare can be charged for each seat in the vehicle. Notwithstanding the foregoing, a third party or private entity may financially subsidize jitney service provided such service is in accordance with Township ordinances and rules and regulations.
3. Accepting the conveyance of real property known as Block 450, Lot 3 on the municipal tax map of the Township of Upper, County of Cape May and State of New Jersey by gift.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 145-2017

**RE: ACCEPTING THE CONVEYANCE OF REAL PROPERTY KNOWN AS
BLOCK 450, LOT 3 ON THE MUNICIPAL TAX MAP OF THE TOWNSHIP OF
UPPER, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY BY GIFT**

WHEREAS, the Township of Upper has received an offer to convey property to the Township by gift from Robert W. Wilsey and Thomas Wilsey; and

WHEREAS, said property is commonly known as Block 450, Lot 3 on the municipal tax map; and

WHEREAS, the Township has received evidence satisfactory to the Township that there are no liens or encumbrances affecting the property except for ad valorem real estate taxes; that the title is marketable; that there are no undisclosed ownership interests; that the property is not subject to any environmental hazards or conditions; and is not subject to any pending or threatened environmental enforcement action; and

WHEREAS, the Township Committee of the Township of Upper pursuant to Township Code Section 2-15 has determined to accept said real property by gift pursuant to its stated policy of acquiring certain properties.

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 is hereby authorized to accept the conveyance of the property, known as Block 450, Lot 3 on the municipal tax map of the Township of Upper, by gift from Robert W. Wilsey and Thomas Wilsey so long as the title at the time of the gift remains as indicated above. In accepting the gift, the Township shall not require the payment of real estate taxes that are unpaid at the time of the gift.
3. The Municipal Attorney is hereby authorized to prepare a Deed of conveyance, and to submit said Deed to the Office of the Clerk of Cape May County to be recorded.

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

Resolution No. 145-2017

Offered by: Coggins

Seconded by: Barr

Adopted: May 8, 2017

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>
Corson	<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 a Shared Services Agreement with the County of Cape May for funding of the project known as “Harbor Road Bike/Pedestrian Gateway”.

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

RESOLUTION NO. 146-2017

**RE: AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE
COUNTY OF CAPE MAY FOR FUNDING OF THE PROJECT KNOWN AS
“HARBOR ROAD BIKE/PEDESTRIAN GATEWAY”**

WHEREAS, the Township of Upper submitted an application for the 2016 Open Space Program Park and Recreation Development grant funding for the project known as “Harbor Road Bike/Pedestrian Gateway”; and

WHEREAS, on April 11, 2017 the Board of Chosen Freeholders, based on the recommendation of the Open Space Review Board, voted to provide funding in an amount not to exceed \$500,000.00 to support the implementation of the aforementioned project; and

WHEREAS, the Township of Upper has determined that it is in the best interest of the Township to enter into a Shared Services Agreement with the County of Cape May; 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 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 for the funding of the project known as “Harbor Road Bike/Pedestrian Gateway”.

2. **SERVICES TO BE PROVIDED; CONTRACT.** The Shared Services Agreement authorized in paragraph 1 hereof shall cover those services, which shall be enumerated in said Agreement.

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 this Agreement is for the period as stipulated in the Shared Service Agreement from the date of full execution of the Shared

Services Agreement. 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.

Resolution No. 146-2017

Offered by: Young

Seconded by: Barr

Adopted: May 8, 2017

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>
Corson	<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>

5. Declaring certain Township property and equipment as surplus and authorizing its disposal by sale on an online auction website.

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

RESOLUTION NO. 147-2017

**RE: DECLARING CERTAIN TOWNSHIP PROPERTY
AND EQUIPMENT AS SURPLUS AND AUTHORIZING ITS DISPOSAL
BY SALE ON AN ONLINE AUCTION WEBSITE**

WHEREAS, N.J.S.A.40A:11-36 authorizes a municipality to sell or dispose of certain personal property or equipment which is not needed for public use; and

WHEREAS, the Township of Upper has determined that the items listed on the attached sheet as Exhibit “A” are not needed for any public purpose and intend to sell these items on an online auction site; and

WHEREAS, the Director of the Division of Local Government Services, a Division of the Department of Community Affairs of the State of New Jersey permits the sale of surplus property no longer needed for public use through the use of online auction services, pursuant to the Local Unit Electronic Technology Pilot Program and Study Act, P.L. 2001, c.30, and has granted approval to Upper Township, copy of approval is attached as Exhibit “B”; 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 property and equipment aforementioned on Exhibit “A” is hereby determined to be useless for any public purpose and is determined to be surplus property and will forthwith be advertised for public sale pursuant to the provision of N.J.S.A. 40A:11-36; and
3. The said material will be sold at a public sale to the highest bidder through a contracted government on-line auction service, that being GovDeals, Inc., Internet web address at www.govdeals.com.
4. The required notice publication will include the following information:
 - a. The dates and times that the auction will take place.
 - b. No minimum bid requirement for an item unless otherwise stated.
 - c. The Township of Upper reserves the right to reject any and all bids.

Resolution No. 147-2017

Offered by: Barr Seconded by: Coggins

Adopted: May 8, 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>	___	___	___

Exhibit “A”

		Min. Bid
1.	2005 Ford F150 Pickup – 1FTRF12255NA63437	\$500.00
2.	2004 Ford F250 4X4 – 1FTNX21P64EC31390	\$500.00
3.	1993 Chevrolet C2500 Utility Body – 1GCFC24HOPE236058	\$500.00

Exhibit "B"



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS

September 7, 2007

JON S. CORZINE
GOVERNOR

CHARLES A. RICHMAN
ACTING COMMISSIONER

Barbara Spiegel, Deputy Municipal Clerk
Township of Upper
P.O. Box 205
Tuckahoe, New Jersey 08250

Dear Ms. Spiegel:

Thank you for your interest in participating in the E-Procurement Pilot Program. The Division has reviewed your application dated August 10, 2007, which sets forth the preliminary plan for the online sale by the Township of Upper of municipal surplus property no longer needed for public use.

It is the Division's understanding that the Township intends to utilize the services of GovDeals, Inc. to conduct the auction. Further, it is our understanding that GovDeals will be paid by the Township a percentage of the sales of the auction for the use of its services.

The application has been approved. Enclosed is a copy of the Township's resolution approving the online sale of the surplus property. As with a traditional auction, the Township must do a newspaper advertisement for the online sale. Please provide the Division with a copy of the newspaper advertisement.

Finally, please be advised that, if the total amount from the sale of surplus property for the year that is due to GovDeals will exceed 15% of the Township's bid threshold, the Township will be required to obtain a Business Registration Certificate (BRC) from GovDeals. It is our understanding that GovDeals has previously acquired a BRC certificate.

The Division appreciates your efforts and cooperation in this program and wishes you well in the endeavor. If you have any questions, please contact Daniel Kaminski at 609-292-9757 or by e-mail at dkaminski@dca.state.nj.us.

Sincerely,

Susan Jacobucci, Director
Division of Local Government Services

SJ:djk
enc.



6. Appointing the 2017 season Beach Patrol Personnel.

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

RESOLUTION NO. 148-2017

RE: APPOINTING THE 2017 SEASON BEACH PATROL PERSONNEL

WHEREAS, the individuals hereinafter named have been determined to possess the requisite skills, training and are otherwise eligible for appointment to the position of lifeguard; 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 following individuals are appointed as lifeguards in the Township of Upper at a salary as stated below in accordance with the Salary Ordinance:

LIEUTENANTS

JOE LAROSA, III	\$19.00 per hour
WILLIAM STULL	\$19.00 per hour

SENIOR GUARDS

BLAKE BOFFA	\$15.75 per hour
JAMES DUGAN	\$15.75 per hour

RETURNING GUARDS

NICOLETTE BRADY	\$13.00 per hour
GAIGE BOBBITT	\$14.00 per hour
EMILY CULMONE	\$13.00 per hour
JACOB DAVIS	\$13.70 per hour
WILLIAM DOONER	\$14.00 per hour
JAMES GIBBONS	\$14.00 per hour
KEVIN GILL	\$14.00 per hour
ANSON HADLEY	\$14.00 per hour
BROOKE HANDLEY	\$13.00 per hour
AARON HOLIBAUGH	\$13.70 per hour
JOSEPH LAROSA, JR.	\$14.00 per hour
MICHAEL MANNING	\$14.00 per hour
JOHN O'HARA	\$14.00 per hour
SAMUEL PALOMBO	\$14.00 per hour
LOGAN PIERPONT	\$13.00 per hour
KYLE RUMAKER	\$13.70 per hour
GRACE STEELE	\$13.00 per hour
IAN STEELE	\$13.70 per hour
MEREDITH STEELE	\$13.70 per hour
COLIN STEWART	\$13.70 per hour

Resolution No. 148-2017

Offered by: Barr

Seconded by: Coggins

Adopted: May 8, 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	

- Appointing the 2017 season Beach Patrol Personnel contingent upon background clearance.

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

RESOLUTION NO. 149-2017

RE: APPOINTING THE 2017 SEASON BEACH PATROL PERSONNEL
CONTINGENT UPON BACKGROUND CLEARANCE

WHEREAS, the individuals hereinafter named have been determined to possess the requisite skills, training and are otherwise eligible for appointment to the position of lifeguard, contingent upon background clearance; 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 following individuals are appointed as lifeguards in the Township of Upper contingent upon background clearance at a salary as stated below in accordance with the Salary Ordinance:

LIEUTENANTS

JOSEPH O'NEIL \$19.00 per hour

SENIOR GUARDS

AMANDA ELLER \$15.75 per hour

RETURNING GUARDS

RYAN FISHER \$13.70 per hour
ABIGAIL FREITAG \$14.00 per hour
THOMAS HENRY \$13.00 per hour

Resolution No. 149-2017

Offered by: Barr Seconded by: Young

Adopted: May 8, 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>			

8. Appointing Ronald Reignn and Erik H. Kjar as part-time seasonal Beach Sweepers for the Upper Township Public Works Department.

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

RESOLUTION NO. 150-2017

**RE: APPOINTING RONALD REIGHN AND ERIK H. KJAR AS PART-TIME SEASONAL
BEACH SWEEPERS FOR THE UPPER TOWNSHIP PUBLIC WORKS DEPARTMENT**

WHEREAS, a need exists to appoint qualified personnel as part-time employees to the Upper Township Public Works Department to insure optimal operation; 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. Ronald Reign and Erik H. Kjar are hereby appointed in part-time seasonal positions as beach sweeper, contingent upon pre-employment testing, at a salary of \$12.50 per hour in accordance with the Salary Ordinance.

3. This Resolution shall be effective immediately and is further intended to ratify, confirm and approve any formal action taken by the Township Committee.

Resolution No. 150-2017

Offered by: Barr Seconded by: Coggins

Adopted: May 8, 2017

Roll Call Vote:

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

ORDINANCES

CORRESPONDENCE

NEW BUSINESS

9. **Cape May County request for an easement for the Corsons Tavern Road Resurfacing Improvements project.** Motion by Richard Palombo, second by Edward Barr, to approve the request. During roll call vote four Committeemen voted in the affirmative. Committeeman Curtis Corson abstained. A Resolution for formal action will be placed on the next agenda.
10. **Patrick Mullen request to vacate a portion of Walton Avenue.** The Municipal Engineer stated that he will need to inspect the requested area to make sure it is not needed for drainage. Motion by Curtis Corson, second by Edward Barr, to move

forward with the request contingent upon no objection from the other affected property owner. During roll call vote all five Committeemen voted in the affirmative.

UNFINISHED BUSINESS

- 11. Installation of flashing road safety lights and highway safety signs on Route 50 between mileposts 5.78 and 5.88.** The Municipal Engineer reported that the DOT is requesting that the Township commit to paying 25% of the costs associated with project. Motion by Edward Barr, second by John Coggins, to approve the request. During roll call vote all five Committeemen voted in the affirmative. A Resolution for formal action will be placed on the next agenda.

DISCUSSION

PAYMENT OF BILLS

- 12. “I hereby move that all claims submitted for payment at this meeting be approved and then incorporated in full in the minutes of this meeting.”** Motion by John Coggins, second by Edward Barr. During roll call vote all five Committeemen voted in the affirmative.

Bills approved for payment: \$1,707,333.23

Payroll: \$153,206.98

REPORT OF MUNICIPAL DEPARTMENTS

- 13. Construction Code
- 14. MUA Report
- 15. Tax Collector

Motion by Richard Palombo, second by Edward Barr, to accept the reports as submitted. During roll call vote all five Committeemen voted in the affirmative.

PUBLIC COMMENT

Tom Henry, 2058 Route 9, urged the Township to join up with the proposed Countywide 911 system. He stated that he recently had a medical emergency, and because of confusion on the part of the 911 dispatcher, the EMTs did not arrive until approximately 50 minutes after 911 was called. Mr. Henry stated that once the EMTs arrived he received first class treatment, however minutes are precious during these situations. It was stated that part of the issue was due to the use of a cell phone which pings the location to the nearest tower instead of the actual physical location. The Township Administrator was directed to look into the issue.

Virginia Malar, Marmora, inquired into the plans for the bike path on Harbor Road. The Municipal Engineer stated that the path is still in the conceptual stages. Future meetings will be held during which the public will be given the opportunity to give input for the project.

Ed Dodge, Bayview Ave, stated that there is a lot of construction happening in Strathmere and requested the Township adopt Ordinances, similar to Ocean City's, which would regulate demolition and construction during the summer months. It was stated that stakeholders in

Strathmere should be contacted for their input. It was also questioned as to the feasibility to enforce such regulations. The Municipal Engineer was directed to send a letter to the Strathmere Improvement Association requesting their feedback on the request for regulations to require notice for the installation of pilings, restrict demolition during the summer months, and regulate the hours of construction.

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. 151-2017
MOTION GOING INTO CLOSED SESSION
MAY 8, 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 - Lease renewal Block 247, Lot 21 and Block 383, Lot 1
2. Litigation - Holt v. Upper Township Zoning Board of Adjustment

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

- A. It is anticipated that the matters discussed in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.
- B. With respect to contract negotiations such matters will be made public when negotiations have ceased and there is no longer a reason for confidentiality.
- C. With respect to 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 five Committee members voted in the affirmative

RECONVENE PUBLIC PORTION OF MEETING

Motion by John Coggins, second by Edward Barr, to reconvene the public portion of the meeting. During roll call vote all five Committeemen voted in the affirmative.

ADJOURNMENT

There being no further business this evening the meeting was adjourned at 8:48 P.M., with a motion by John Coggins, second by Richard Palombo, and all five Committeemen voting in the affirmative. The next regular meeting is scheduled for Tuesday May 30, 2017 at 7:30 P.M.

Minutes prepared by,

Joanne R. Herron, RMC
Deputy Municipal Clerk

Bill List

69127 05/08/17 U0063 UT Green Team 300.00 2944
69128 05/08/17 A0017 ATLANTIC CO. MUNICIPAL JIF 69,802.00 2969
69129 05/08/17 A0025 ADVANTAGE RENTAL ACE HARDWARE 680.31 2969
69130 05/08/17 A0075 ADAMS, JOSHUA 1,200.00 2969
69131 05/08/17 A0081 ARMSTRONG, RALON I. 163.00 2969
69132 05/08/17 A0091 ATLANTIC CITY ELECTRIC 23,692.56 2969
69133 05/08/17 A0212 ANCERO, LLC 21,992.00 2969
69134 05/08/17 B0035 BELMONT & CRYSTAL SPRINGS 19.19 2969
69135 05/08/17 B0184 BUSHONG, BRIAN 57.96 2969
69136 05/08/17 B0232 BLUE FLAME GAS 350.00 2969
69137 05/08/17 C0019 CITY OF OCEAN CITY 57,947.50 2969
69138 05/08/17 C0052 CAPE MAY COUNTY TREASURER 1,255,508.91 2969
69139 05/08/17 C0068 COMCAST 430.63 2969
69140 05/08/17 C0143 CODY'S POWER EQUIPMENT 22.95 2969
69141 05/08/17 C0201 CRUZAN'S TRUCK SERVICE INC. 210.06 2969
69142 05/08/17 C0223 CASA PAYROLL SERVICE 219.25 2969
69143 05/08/17 C0259 CAPE PHYSICIANS ASSOCIATES, PA 880.00 2969
69144 05/08/17 C0283 CUSTOM-BANDAG, INC 257.50 2969
69145 05/08/17 C0290 CUMBERLAND COUNTY DEPARTMENT 100.00 2969
69146 05/08/17 D0045 DEPTCOR 140.00 2969
69147 05/08/17 D0164 DUDE SOLUTIONS, INC. 4,338.75 2969
69148 05/08/17 D0165 Davis Lisa 56.45 2969
69149 05/08/17 D0166 DAVIS, JACOB 40.69 2969
69150 05/08/17 E0018 ECN 7,500.00 2969
69151 05/08/17 F0048 LESLIE G. FOGG INC 617.52 2969
69152 05/08/17 F0053 FORD, SCOTT & ASSOCIATES 16,100.00 2969
69153 05/08/17 G0028 GENTILINI FORD 126.34 2969
69154 05/08/17 G0092 GRUND, BARBARA J. 222.71 2969
69155 05/08/17 G0176 Gardner Joseph 41.44 2969
69156 05/08/17 G0179 Guest, Edward R. 21.44 2969
69157 05/08/17 G0180 GRUBB, JOHN 150.00 2969
69158 05/08/17 H0002 H.A. DEHART & SON CORP. 264.67 2969
69159 05/08/17 H0073 HOME DEPOT CRC/GECF 142.87 2969
69160 05/08/17 H0095 HORIZON BCBSNJ 166,045.84 2969
69161 05/08/17 H0097 HERRON, JOANNE R. 95.39 2969
69162 05/08/17 I0041 POWERDMS, INC. 6,084.00 2969
69163 05/08/17 J0072 JERSEY WEB DESIGNS 1,394.99 2969
69164 05/08/17 J0076 J-DOGS AMUSEMENTS, LLC 1,200.00 2969
69165 05/08/17 K0074 KERWOOD, WILLIAM G 900.00 2969
69166 05/08/17 K0086 K D NATIONAL FORCE SECURITY 1,506.75 2969
69167 05/08/17 K0092 Keich, Jeff 41.44 2969
69168 05/08/17 K0091 KRISTEES DESIGNS 5,381.90 2969
69169 05/08/17 L0007 LC EQUIPMENT, INC. 60.00 2969
69170 05/08/17 L0080 LOWES, INC. 164.08 2969
69171 05/08/17 L0129 Lappin Kevin D 21.44 2969
69172 05/08/17 L0130 Leiser, Paul Randall 21.44 2969
69173 05/08/17 M0012 McCAULEY, RICHARD 147.72 2969
69174 05/08/17 M0016 McAFEE, MEGAN 706.27 2969
69175 05/08/17 M0059 MCDANIELS, WILLIAM J. III 65.68 2969
69176 05/08/17 M0180 MED-TECH RESOURCE,LLC 477.89 2969

69177 05/08/17 M0234 METRO SPORT INC. 935.66 2969
69178 05/08/17 M0247 MORGAN, SCOTT 50.29 2969
69179 05/08/17 N0004 NJ-AMERICAN WATER CO. 97.51 2969
69180 05/08/17 N0131 DEFINED CONTRIB RETIRE PROGRAM 125.29 2969
69181 05/08/17 O0006 SJSHORE MARKETING,LLC 564.27 2969
69182 05/08/17 P0032 PEDRONI FUEL CO. 743.91 2969
69183 05/08/17 P0056 TURF EQUIPMENT AND SUPPLY CO 1,388.11 2969
69184 05/08/17 P0169 PIERPOINT, LOGAN 40.69 2969
69185 05/08/17 Q0008 QUILL CORPORATION 58.49 2969
69186 05/08/17 R0030 RIGGINS, INC. 4,313.81 2969
69187 05/08/17 R0108 RUMAKER, KYLE 40.69 2969
69188 05/08/17 S0001 SAM'S CLUB 92.43 2969
69189 05/08/17 S0021 GANNON, MELLISSA 150.00 2969
69190 05/08/17 S0031 SCHULER SECURITY, INC. 1,231.00 2969
69191 05/08/17 S0056 SEASHORE ASPHALT CORPORATION 272.50 2969
69192 05/08/17 S0113 SMITH,THOMAS G. 3,154.31 2969
69193 05/08/17 S0121 SMUZ, THERESE A 104.50 2969
69194 05/08/17 S0134 SO. JERSEY GAS COMPANY 1,436.52 2969
69195 05/08/17 S0209 STAPLES ADVANTAGE 329.99 2969
69196 05/08/17 S0254 SHOPRITE 440.50 2969
69197 05/08/17 S0301 SPICA STEEL, INC. 1,980.00 2969
69198 05/08/17 T0052 TOWNSHIP OF DENNIS 11,250.00 2969
69199 05/08/17 T0089 TREASURER, STATE OF N.J. 30.00 2969
69200 05/08/17 T0131 TROUT, ROSEMARY 171.62 2969
69201 05/08/17 T0168 TOWNSHIP OF UPPER 289.24 2969
69202 05/08/17 T0180 TRI-COUNTY PEST CONTROL, INC 25.00 2969
69203 05/08/17 T0191 Todd Tara 41.44 2969
69204 05/08/17 T0192 TRION GROUP, LLC 11,088.00 2969
69205 05/08/17 U0029 UPPER TOWNSHIP BD.OF EDUCATION 451.61 2969
69206 05/08/17 V0001 VCI EMERGENCY VEHICLE 81.93 2969
69207 05/08/17 V0005 VAN EMBDEN, NATHAN, ATTORNEY 1,357.50 2969
69208 05/08/17 V0013 VERIZON WIRELESS 1,047.71 2969
69209 05/08/17 V0024 VAL-U AUTO PARTS L.L.C. 16.08 2969
69210 05/08/17 V0025 V.E. RALPH & SON,INC. 174.33 2969
69211 05/08/17 W0030 WEST PUBLISHING CO. 469.23 2969
69212 05/08/17 W0038 WILLIAMS, JEREMIAH J. 410.00 2969
69213 05/08/17 W0087 W.B. MASON 432.44 2969
69214 05/08/17 W0108 Wieand Nicholas 21.44 2969
69215 05/08/17 X0008 XEROX FINANCIAL SERVICES 662.40 2969
69216 05/08/17 Y0008 YOUNG, DANIEL J. ESQUIRE PC 13,782.86 2969
69217 05/08/17 Y0014 YEARSLEY SERVICE LTD. 68.40 2969
69219 05/08/17 0.00 05/09/17 VOID 0

Total: 1,707,333.23