

**TOWNSHIP OF UPPER  
2100 TUCKAHOE ROAD  
PETERSBURG, NJ 08270  
CAPE MAY COUNTY  
MINUTES FOR JUNE 11, 2018**

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

**CALL TO ORDER**

**SUNSHINE ANNOUNCEMENT**

Mayor Palombo read the following announcement. “In compliance with the Open Public Meetings Law, I wish to state that on June 8, 2018 the notice of this meeting of the Upper Township Committee was posted on the official Township Bulletin Board, mailed to the Cape May County Gazette, the Atlantic City Press, the Ocean City Sentinel-Ledger, the Herald Times and filed with the Township Clerk. Tonight’s meeting is being video recorded up until the closed session portion of this meeting and will be available on UTTV Channel 97 and on the Upper Township website. I hereby direct that this announcement be made a part of the minutes of this meeting.”

**SALUTE TO THE FLAG**

**ROLL CALL**

|                 |         |
|-----------------|---------|
| Edward Barr     | Present |
| John Coggins    | Present |
| Curtis Corson   | Present |
| Hobart Young    | Present |
| Richard Palombo | Present |

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

**APPROVAL OF MINUTES -** May 29, 2018 Regular Meeting and  
Closed Session “A” and “B” Minutes

Motion by John Coggins, second by Edward Barr, to approve the May 29, 2018 Regular Meeting Minutes. During roll call vote four Committeemen voted in the affirmative. Committeeman Young abstained.

Motion by Edward Barr, second by John Coggins, to approve the May 29, 2018 Closed Session “A” Minutes as submitted. During roll call vote three Committeemen voted in the affirmative. Committeemen Corson and Young abstained.

Motion by John Coggins, second by Edward Barr, to approve the May 29, 2018 Closed Session “B” Minutes as submitted. During roll call vote four Committeemen voted in the affirmative. Committeeman Young abstained.

**REPORT OF GOVERNING BODY MEMBERS**

**John Coggins, Committeeman**, congratulated Mayor Palombo and Deputy Mayor Barr on their win in the recent Primary Election.

**Hobie Young, Committeeman**, also congratulated Mayor Palombo and Committeeman Barr. He next inquired into plans for improving the planting in the front of the Municipal Building. Mr. Morgan stated that they are in the process of obtaining quotes from Vendors. Next, Committeeman Young reported that he recently held a planning meeting for the Fourth of July event. He stated that the event will start at 4:00 pm on July 4<sup>th</sup>, and will include vendors, live music, pony rides, numerous activities for kids, and will end with the fireworks. He next reported that plans are underway for the Township to hold a car show in November. He stated that the Township will not be using the Pumpkin Run name this year and requested ideas for a name for the event. Lastly he requested a resolution be placed on the next agenda for the girls softball team for winning their league championship game.

**Edward Barr, Committeeman**, congratulated Mayor Palombo on the Primary win and stated that he looks forward to running with him in the General Election. Next he inquired into the plans for the retention basin along Route 50 at Amanda's Field. He stated that it is overgrown and looks horrible. The Township Engineer stated that the basin is owned by the NJDOT and was part of their bridge project. He stated that he would reach out to them and request maintenance of the area.

**Curtis Corson, Committeeman**, also congratulated Mayor Palombo and Deputy Mayor Barr.

**Richard Palombo, Mayor**, reported that the Clerk's Office mailed out the notice of the Strathmere Bulkhead meeting to all affected residents, which will be held on June 30, 2018 at the Strathmere Firehouse. He requested that the notice be published as well. Next he made a motion to hire the following rookie guards pending successful pre-employment testing: Ian Byerly, Eve Chiarello, John Dattalo, Samuel Gilroy, Blase Japzon, Casey McLees, Gianna Witasick, and Kevin Witasick. The motion was seconded by Edward Barr. During roll call vote all five Committeemen voted in the affirmative.

## **OTHER REPORTS**

**Scott Morgan, Township Administrator**, reported that he received notice that the Cape May County Emergency Management Communications Center has moved to their new facility at the county airport. They have provided their new contact phone numbers and the information has been provided to the Clerk's Office and will be part of the emergency contact distribution list. He next reported that he received a letter from the Attorney General's Office stating that the Township is eligible for a FY18 Emergency Management Agency Assistance Grant in the amount of \$10,000.00. A resolution authorizing the submittal of the grant application is on tonight's agenda.

**Daniel Young, Municipal Attorney**, congratulated the Mayor and Deputy Mayor on their recent Primary Election win.

**Paul Dietrich, Municipal Engineer**, reported that in response to recent public comment regarding ADA access to the beaches, he researched the Township's requirements as set forth by the US Access Board. The Township is required to provide one ADA beach access every half mile. Currently that Township has handicapped beach access at Williams Avenue and at Putnam Avenue and is compliant with Federal regulations. Next, he reported that he recently attended a FEMA meeting in which it was reported that because of the appeal of the Flood Insurance Rate Maps that were released last year, FEMA has commenced the formal restudy of

the maps. Lastly, he reported that the Township has an opportunity to apply for a HUD grant for regional planning to reduce flood risk. A requirement of the grant would involve cooperation from two other adjacent municipalities. He stated that he has reached out to Ocean City and Sea Isle City to see if they are interested in partnering for the grant. The Committee stated their support for moving forward with the grant application process.

## **RESOLUTIONS**

1. Authorizing a professional services agreement with Trion Group, a Marsh & McLennan Agency LLC Company, for Health Reimbursement Account Administrative Services.

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

#### **RESOLUTION NO. 172-2018**

#### **RE: AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH TRION GROUP, A MARSH & MCLENNAN AGENCY LLC COMPANY, FOR HEALTH REIMBURSEMENT ACCOUNT ADMINISTRATIVE SERVICES**

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**WHEREAS**, the Township of Upper offers a Health Reimbursement Account for eligible employees; and

**WHEREAS**, the Township wishes to enter into a Professional Services Agreement with Trion Group, a Marsh & McLennan Agency LLC company, (hereinafter referred to as Trion), for Health Reimbursement Account Administrative Services; and

**WHEREAS**, Trion has completed and submitted a Business Entity Disclosure Certification which certifies that Trion has not made any reportable contributions to a political or candidate committee in the Township that would bar the award of this contract and that the contract will prohibit Trion from making any reportable contributions through the term of the contract; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Mayor and Township Clerk are hereby authorized, directed and empowered to execute an agreement with Trion for Health Reimbursement Account Administrative Services.
3. The term of this contract shall be for a period of one (1) year effective December 1, 2017 through November 31, 2018.

4. This Contract is awarded without competitive bidding as a professional service in accordance with N.J.S.A. 40A:11-5(1)(a) of the New Jersey Local Public Contract Law because Trion has professional knowledge which is particularly valuable to the Township Committee and this service is acquired as a non-fair and open contract pursuant to N.J.S.A. 19:44A-20.5.

#### **NOTICE OF CONTRACT AWARD**

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

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

7. The contractor has registered with the State of New Jersey pursuant to c.57, Laws of 2004 and will provide proof of that registration to the Township of Upper.

8. A notice of this contract award shall be published in the official newspaper of the Township of Upper within ten (10) days from the date of adoption.

9. This Resolution shall be effective as of adoption.

Resolution No. 172-2018

Offered by: Coggins

Seconded by: Barr

Adopted: June 11, 2018

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> |

2. Tax refund Block 12, Lot 29 and Block 12, Lot 30.

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

**RESOLUTION NO. 173-2018**

**TAX REFUND BLOCK 12, LOT 29 AND BLOCK 12, LOT 30**

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

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

Resolution No. 173-2018

Offered by: Coggins

Seconded by: Barr

Adopted: June 11, 2018

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> |

**REFUND**

| <b><u>BLOCK/LOT</u></b> | <b><u>AMOUNT</u></b> | <b><u>NAME</u></b>  |
|-------------------------|----------------------|---|
| 12/29                   | \$525.23             | Edward & Kristen Bixby<br>327 Marshallville Road<br>Woodbine PO, NJ 08270 |
| 12/30                   | \$1,912.51           | Edward & Kristen Bixby<br>327 Marshallville Road<br>Woodbine PO, NJ 08270 |

2nd Quarter 2018 property taxes were paid by Homeowner

3. Tax refund on exempt property Block 574, Lot 17.02.

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

**RESOLUTION NO. 174-2018**

**TAX REFUND ON EXEMPT PROPERTY BLOCK 574, LOT 17.02**

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

**WHEREAS**, certain properties became tax exempt for the year 2018; and

**WHEREAS**, James McAfee is a 100% disabled American veteran residing at 3 Klains Lane Block 574, Lot 17.02 on the municipal tax map of Upper Township, New Jersey; and

**WHEREAS**, the Department of Veterans Affairs has determined that Mr. McAfee's 100% permanent wartime service connected disability was effective August 1, 2008; and

**WHEREAS**, James McAfee made application November 2, 2017 pending a Certificate of Occupancy which was issued January 29, 2018; and

**WHEREAS**, Township of Upper Ordinance No. 009-2012 allows for the refund of property taxes paid for the calendar year in which claim is made.

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

Resolution No. 174-2018

Offered by: Coggins

Seconded by: Corson

Adopted: June 11, 2018

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> | _____ | _____     | _____  |

**REFUND TAX 2018**

| <b><u>BLOCK/LOT</u></b> | <b><u>AMOUNT</u></b> | <b><u>NAME</u></b>  |
|-------------------------|----------------------|---|
| 574/17.02               | \$292.14             | James & Sandra McAfee<br>3 Klains Lane<br>Marmora, NJ 08223 |

2018 1<sup>st</sup> Quarter Prorated Taxes - 100% Totally Disabled Veteran

4. Appointing additional 2018 season Beach Patrol Personnel.

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

**RESOLUTION NO. 175-2018**

**RE: APPOINTING ADDITIONAL 2018 SEASON BEACH PATROL PERSONNEL**

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**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:

**RETURNING GUARDS**

**JAMES DUGAN**                      **\$16.25 per hour**

Resolution No. 175-2018

Offered by: Barr                      Seconded by: Young

Adopted: June 11, 2018

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> ___ | _____     | _____            | _____         |

5. Renewal of Alcoholic Beverage Licenses for the license year 2018.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 176-2018**

**RE: RENEWAL OF ALCOHOLIC BEVERAGE LICENSES  
FOR THE LICENSE YEAR 2018**

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**WHEREAS**, holders of the alcoholic beverage licenses in the Township of Upper have applied for renewal of licenses in the prescribed manner; and

**WHEREAS**, said holders of alcoholic beverage licenses have complied with all requirements of law

and regulations of the Division of Alcoholic Beverage Control (“Division”); and

**WHEREAS**, no objections have been filed with the Township Committee as the issuing authority of the Township of Upper.

**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 following licenses be authorized for issue for the license year effective July 1, 2018:

Twisties, Inc.  
T/A Twisties  
236 Bayview Drive  
Strathmere, NJ 08248  
PO Box 88, Marmora, NJ 08223  
License # 0511-33-001-005  
Plenary Retail Consumption License  
Municipal Fee Paid: \$700.00  
State Fee Paid: \$200.00

Tyan's Inc.  
T/A Tuckahoe Inn  
1 Harbor Rd. and Route 9, Beesleys Point  
Marmora, NJ 08223  
License # 0511-33-004-005  
Plenary Retail Consumption License  
Municipal Fee Paid: \$700.00  
State Fee Paid: \$200.00

SJL Group, LLC  
T/A Yesterdays  
316 Roosevelt Blvd. (Southwest Side)  
Marmora, NJ 08223  
License # 0511-32-005-005  
Plenary Retail Consumption License with  
Broad Package Privilege  
Municipal Fee Paid: \$700.00  
State Fee Paid: \$200.00

UMMAC Corp.  
T/A Obadiah's  
311-301 & 321 Roosevelt Blvd,  
Marmora, NJ 08223  
License # 0511-33-007-008  
Plenary Retail Consumption License  
Municipal Fee Paid: \$700.00  
State Fee Paid: \$200.00

MAH, Inc. a NJ Corp.  
T/A Seaville Tavern  
South Side Route 50 and New Bridge Road  
Ocean View, NJ 08230  
Three Crescent Dr. Philadelphia, PA 19112  
License # 0511-33-008-004



Plenary Retail Consumption License  
Municipal Fee Paid: \$700.00  
State Fee Paid: \$200.00

Deauville Inn, Inc.  
201 Willard Road  
PO Box 40  
Strathmere, NJ 08248  
License # 0511-33-003-006  
Plenary Retail Consumption License  
Municipal Fee Paid: \$700.00  
State Fee Paid: \$200.00

Boulevard Liquor Store, Inc.  
T/A Boulevard Liquor Store  
501 & 503 Roosevelt Boulevard  
Marmora, NJ 08223  
License # 0511-44-002-003  
Plenary Retail Distribution License  
Municipal Fee Paid: \$400.00  
State Fee Paid: \$200.00

**BE IT FURTHER RESOLVED**, that the aforesaid alcoholic beverage licenses which have been authorized to be issued pursuant to this Resolution shall be delivered to the licensee or his authorized agent at such time as the licensee or his authorized agent shall sign an actual receipt therefore in the stub of the license book and otherwise satisfy the requirements of N.J.A.C. 13:2-3.2.

Resolution No. 176-2018

Offered by: Barr

Seconded by: Coggins

Adopted: June 11, 2018

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> | _____ | _____     | _____  |

6. Authorizing the award of a contract with Wireless Electronics, Inc. for electronic equipment.

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

**RESOLUTION NO. 177-2018**

**RE: AUTHORIZING THE AWARD OF A CONTRACT  
WITH WIRELESS ELECTRONICS, INC. FOR ELECTRONIC EQUIPMENT**

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**WHEREAS**, the Township of Upper has a need to acquire various electronic equipment from Wireless Electronics, Inc. as a non-fair and open contract pursuant to the provisions of N.J.S.A.

19:44A-20.5; and

**WHEREAS**, the Qualified Purchasing Agent has determined and certified in writing that the value of acquisitions with Wireless Electronics, Inc. for the year 2018 will exceed \$17,500; and

**WHEREAS**, Wireless Electronics, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Wireless Electronics, Inc. has not made any reportable contributions to a political or candidate committee in the Township in the previous one year, and that the contract will prohibit Wireless Electronics, Inc. from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Chief Financial Officer of the Township has certified the availability of funds to allow the award of contract for the purchase herein authorized and has certified that adequate funds have been appropriated for this purpose in the 2018 Municipal Budget.

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township Committee of the Township of Upper, County of Cape May, New Jersey hereby authorizes the Qualified Purchasing Agent to enter into a contract with Wireless Electronics, Inc. as described herein.
3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
4. The Chief Financial Officer is hereby authorized, directed and empowered to execute any and all necessary documents in order to implement the intent of this Resolution.

Resolution No. 177-2018

Offered by: Corson

Seconded by: Barr

Adopted: June 11, 2018

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> | _____ | _____     | _____  |

7. Declaration of emergency pursuant to Township Ordinance Section 7-3.2 in order to provide temporary No Parking restrictions during the Upper Township Fourth of July Celebration Event on July 4, 2018 (Rain Date July 5, 2018).

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

**RESOLUTION NO. 178-2018**

**RE: DECLARATION OF EMERGENCY PURSUANT TO TOWNSHIP ORDINANCE  
SECTION 7-3.2 IN ORDER TO PROVIDE TEMPORARY NO PARKING RESTRICTIONS  
DURING THE UPPER TOWNSHIP FOURTH OF JULY CELEBRATION EVENT ON  
JULY 4, 2018 (RAIN DATE JULY 5, 2018)**

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**WHEREAS**, Upper Township Ordinance Section 7-3.2 provides that upon the declaration of an emergency temporary no parking restrictions may be instituted; and

**WHEREAS**, the Township of Upper Fourth of July Celebration event scheduled for Wednesday, July 4, 2018 (rain date July 5, 2018) requires temporary parking restrictions for this public event consistent with the provisions of said Ordinance Section 7-3.2; and

**WHEREAS**, the Township Committee deems it appropriate to declare an emergency so as to institute temporary no parking restrictions along the following roads in Upper Township:

Route 50 between Sunset Road and Perry Road  
Sunset Road  
California Road

**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 hereby declares an emergency pursuant to Township Ordinance Section 7-3.2 and directs the posting of “EMERGENCY-NO PARKING” signs on Route 50 between Sunset Road and Perry Road, Sunset Road, and California Road.
3. Said no parking restrictions shall be effective on Wednesday July 4, 2018, or in the event of inclement weather, July 5, 2018.
4. A copy of this resolution shall be provided to the New Jersey State Police and the Cape May County Sheriff’s Office.
5. 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. 178-2018

Offered by: Barr  
Adopted: June 11, 2018  
Roll Call Vote:

Seconded by: Young

| <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> |

8. Authorizing the Township of Upper to apply for the Fiscal Year 2018 Emergency Management Performance Grant through the State of New Jersey, Division of State Police, Office of Emergency Management Agency Assistance Program.

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

**RESOLUTION NO. 179-2018**

**RE: AUTHORIZING THE TOWNSHIP OF UPPER TO APPLY FOR THE FISCAL YEAR  
2018 EMERGENCY MANAGEMENT PERFORMANCE GRANT THROUGH THE  
STATE OF NEW JERSEY, DIVISION OF STATE POLICE, OFFICE OF EMERGENCY  
MANAGEMENT AGENCY ASSISTANCE PROGRAM**

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**WHEREAS**, the Township of Upper, Office of Emergency Management, wishes to file an application for an Emergency Management Performance Grant (EMPG) through the New Jersey State Police Office of Emergency Management Agency Assistance Program (EMAA); and

**WHEREAS**, the EMPG EMMA award is granted for the purpose of enhancing Upper Township's ability to prevent, protect against, respond to, and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Mayor and Municipal Emergency Management Coordinator are hereby authorized, directed and empowered to sign and submit the FY 2018 Emergency Management Performance Grant application through the New Jersey State Police Office of Emergency Management Agency Assistance Program on behalf of the Township of Upper.
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. 179-2018

Offered by: Corson  
Adopted: June 11, 2018  
Roll Call Vote:

Seconded by: Coggins

| 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> | _____ | _____     | _____  |

## **ORDINANCES**

## **CORRESPONDENCE**

## **NEW BUSINESS**

9. **Upper Township Soccer request use of Amanda's Field for a Shore Shoot Out Event on June 29, 30 and July 1, 2018.** Motion by Hobie Young, second by Edward Barr, to approve the request. During roll call vote all five Committeemen voted in the affirmative.
10. **Application for a Temporary Liquor License Permit.** Motion by Hobie Young, second by Richard Palombo, to authorize the Municipal Clerk to sign a Temporary Liquor License Permit if needed. During roll call vote all five Committeemen voted in the affirmative.
11. **Stockton University Coastal Research Center Municipal Shoreline Report for the 1<sup>st</sup> Quarter of 2018.** The Township Engineer gave a brief summary of the report, and stated that the March storms have caused a minor loss to the beach. The Municipal Attorney also stated that a portion of protected barrier off shore is no longer there. Motion by Edward Barr, second by John Coggins, to accept the report. During roll call vote all five Committeemen voted in the affirmative.

## **UNFINISHED BUSINESS**

12. **Ratoskey request to purchase Township owned property Block 735, Lot 21.02.** The Municipal Attorney reported that this matter had been previously discussed in which the Committee approved the purchase contingent upon the requestor consolidating the lot with his existing lots 21.01 and 21.03, as well as deed restricting the lot as an ancillary use to a parcel the requestor owns across the street. He stated that the purchaser has agreed to those conditions. The Committee directed the Clerk to move forward with the matter.

## **DISCUSSION**

## **PAYMENT OF BILLS**

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

**Bills approved for payment: \$102,321.01**

**Payroll: \$163,035.49**

## **REPORT OF MUNICIPAL DEPARTMENTS**

14. Animal Control
15. Clerk's Office
16. Construction Code
17. Division of EMS
18. Finance Office
19. Municipal Court
20. MUA Report
21. Tax Collector

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

## **PUBLIC COMMENT**

**Blanch Adams, Steelmantown Road**, recommended that the proposed plantings at the Municipal building be native plants to encourage sustainability.

## **CLOSED SESSION**

22. 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. 180-2018 MOTION GOING INTO CLOSED SESSION JUNE 11, 2018**

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. Personnel
2. Contract negotiation - Website Services
3. Contract negotiation - Cape May County Shared Services Agreement for Special Event Services
4. Contract negotiation - Collective Bargaining Agreement
5. Litigation - Affordable Housing

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

- A. It is anticipated that the matters discussed in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.
- B. With respect to employment and personnel matters such discussions will be made public if and when formal action is taken or when the individuals involved consent that it can be made public.

- C. With respect to contract negotiations such matters will be made public when negotiations have ceased and there is no longer a reason for confidentiality.
- D. With respect to litigation matters such discussions will be made public when litigation is complete and the applicable appeal period has expired.

Moved by: John Coggins

Motion seconded by: Edward Barr

During roll call vote all five Committee members voted in the affirmative.

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

Motion by Richard Palombo, second by Curtis Corson, to reconvene the public portion of the meeting with all five Committeemen voting in the affirmative.

### **ADJOURNMENT**

There being no further business this evening the meeting was adjourned at 8:45 P.M., with a motion by Richard Palombo, second by Edward Barr, and all five Committeemen voting in the affirmative. The next regular meeting is scheduled for June 25, 2018 at 7:30 P.M.

Minutes prepared by,

Barbara L. Young, RMC  
Municipal Clerk

#### Bill List

71621 06/11/18 A0025 ADVANTAGE RENTAL ACE HARDWARE 653.09 3029  
71622 06/11/18 A0091 ATLANTIC CITY ELECTRIC 18,853.65 3029  
71623 06/11/18 A0100 ATLANTIC CITY ELECTRIC 866.23 3029  
71624 06/11/18 A0168 ATLANTIC CRANKSHAFT 138.00 3029  
71625 06/11/18 A0175 Adams Rehmann & Haggan Assoc 1,980.00 3029  
71626 06/11/18 A0212 ANCERO, LLC 11,478.92 3029  
71627 06/11/18 B0052 BENNETT BATTERIES,LLC. 344.70 3029  
71628 06/11/18 B0093 BARRY,CORRADO,GRASSI & 682.50 3029  
71629 06/11/18 B0184 BUSHONG, BRIAN 136.81 3029  
71630 06/11/18 B0201 BUCK'S ELECTRICAL SERVICE, INC 143.00 3029  
71631 06/11/18 B0220 BERGEY'S TRUCK CENTERS 209.60 3029  
71632 06/11/18 B0242 BELASCO, LOUIS M. 350.00 3029  
71633 06/11/18 C0068 COMCAST 285.69 3029  
71634 06/11/18 C0182 CDW GOVERNMENT, INC 1,599.33 3029  
71635 06/11/18 C0223 CASA PAYROLL SERVICE 318.25 3029  
71636 06/11/18 C0260 COOPER JR., THEODORE F. 134.86 3029  
71637 06/11/18 D0149 DANZIGER & MARKOFF, LLP 3,000.00 3029  
71638 06/11/18 E0012 EHRlich PEST CONTROL INC 89.00 3029  
71639 06/11/18 E0038 EMSAR NEW JERSEY 298.43 3029  
71640 06/11/18 F0181 FOR SHORE WEED CONTROL, INC 493.00 3029  
71641 06/11/18 G0014 GARDEN STATE HWY PRODUCTS INC. 643.70 3029  
71642 06/11/18 G0016 GARDNER HARDWARE INC. 86.47 3029  
71643 06/11/18 G0028 GENTILINI FORD 129.95 3029  
71644 06/11/18 G0086 W.W. GRAINGER, INC. 23.16 3029  
71645 06/11/18 G0183 Godfrey William J. 21.44 3029  
71646 06/11/18 H0002 H.A. DEHART & SON CORP. 101.79 3029  
71647 06/11/18 H0073 HOME DEPOT CRC/GECF 820.68 3029  
71648 06/11/18 H0098 HERITAGE TOWERS, INC. 1,100.00 3029  
71649 06/11/18 J0039 JOHNSON & TOWER INC. 124.00 3029  
71650 06/11/18 K0086 K D NATIONAL FORCE SECURITY 1,837.50 3029  
71651 06/11/18 K0091 KRISTEES DESIGNS 6,141.00 3029  
71652 06/11/18 L0007 LC EQUIPMENT, INC. 34.00 3029  
71653 06/11/18 M0121 McCROSSON, JANET 25.83 3029  
71654 06/11/18 M0142 MASON, NICHOLAS 43.32 3029

71655 06/11/18 N0004 NJ-AMERICAN WATER CO. 83.39 3029  
 71656 06/11/18 N0154 NEW HORIZON COMMUNICATIONS 1,123.74 3029  
 71657 06/11/18 O0012 OCEAN CITY BD. OF EDUCATION 194.19 3029  
 71658 06/11/18 O0057 OHARA, JOHN 40.66 3029  
 71659 06/11/18 P0032 PEDRONI FUEL CO. 2,491.02 3029  
 71660 06/11/18 P0050 PARSIO, ANTHONY 120.83 3029  
 71661 06/11/18 P0076 POSTMASTER-TUCKAHOE 242.00 3029  
 71662 06/11/18 P0140 PIONEER MANUFACTURING CO, INC 1,995.00 3029  
 71663 06/11/18 P0171 PROTECTION ONE 322.00 3029  
 71664 06/11/18 P0175 PRIEST JR., ANTHONY 100.00 3029  
 71665 06/11/18 R0030 RIGGINS, INC. 6,039.21 3029  
 71666 06/11/18 R0115 RID PEST CONTROL INC. 55.00 3029  
 71667 06/11/18 S0031 SCHULER SECURITY, INC. 405.00 3029  
 71668 06/11/18 S0056 SEASHORE ASPHALT CORPORATION 344.92 3029  
 71669 06/11/18 S0139 SO. JERSEY WATER COND. INC. 412.65 3029  
 71670 06/11/18 S0239 SHORE VET. ANIMAL CONTROL LLC 2,500.00 3029  
 71671 06/11/18 S0249 BSN SPORTS 1,950.00 3029  
 71672 06/11/18 S0306 SAFEGUARD PRECISION 496.91 3029  
 71673 06/11/18 S0329 SERIOUSLY TOTAL VIDEO 250.00 3029  
 71674 06/11/18 S8308 Southard Derek T. 41.41 3029  
 71675 06/11/18 T0080 TREASURER STATE OF N.J. 3,365.00 3029  
 71676 06/11/18 T0168 TOWNSHIP OF UPPER 339.37 3029  
 71677 06/11/18 T0192 MARSH & McLENNAN AGENCY/TRION 551.00 3029  
 71678 06/11/18 U0003 U.S. MUNICIPAL SUPPLY, INC. 1,080.79 3029  
 71679 06/11/18 U0037 UPPER TOWNSHIP P.T.O. 647.81 3029  
 71680 06/11/18 U0067 UT HEALTH REIMB. ACCOUNT 2,213.89 3029  
 71681 06/11/18 V0013 VERIZON WIRELESS 1,158.32 3029  
 71682 06/11/18 V0018 VILLAGE PHARMACY, INC. 198.00 3029  
 71683 06/11/18 V0020 VINELAND AUTO ELECTRIC INC. 1,743.12 3029  
 71684 06/11/18 V0024 VAL-U AUTO PARTS L.L.C. 415.31 3029  
 71685 06/11/18 Y0008 YOUNG, DANIEL J. ESQUIRE PC 18,184.56 3029  
 71686 06/11/18 Y0020 YOUNG, BARBARA L. 28.01 3029

Total: \$102,321.01