

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR JANUARY 14, 2019**

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

CALL TO ORDER

SUNSHINE ANNOUNCEMENT

In compliance with the Open Public Meetings Law, I wish to state that on January 11, 2019 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, Chief Financial Officer Barbara Spiegel, and Township Administrator Scott Morgan.

APPROVAL OF MINUTES - December 17, 2018 Regular Meeting and
Closed Session Minutes and
January 4, 2019 Reorganization Minutes

Motion by Edward Barr, second by Hobie Young, to approve the December 17, 2018 Regular Meeting and Closed Session Minutes and the January 4, 2019 Reorganization Minutes. During roll call vote all five Committeemen voted in the affirmative.

REPORT OF GOVERNING BODY MEMBERS

John Coggins, Committeeman, congratulated Jack Griffin for being chosen as the new president of the Upper Township Business Association. He next requested that budget workshops be scheduled for February 11th and February 25th at 6:00 pm.

Edward Barr, Committeeman, offered kudos to the Public Works Department for their excellent response to the recent snow storm. He next made a motion to have resolutions prepared honoring Christopher Thomas and Duane Terwilliger for their years of service with the Township. The motion was seconded by John Coggins. During roll call vote all five Committeemen voted in the affirmative.

Curtis Corson, Committeeman, reported that the Township will be holding two free rabies clinics on January 19th and February 16th at Shore Veterinarians from 1:00 pm to 3:00 pm. Dog licenses will be available for purchase during the clinics.

OTHER REPORTS

Daniel Young, Municipal Attorney, reported that there are a number of items for closed session.

RESOLUTIONS

1. Honoring Harrison Hepding on attaining the designation of "Eagle Scout".

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

RESOLUTION NO. 25-2019

RE: HONORING HARRISON HEPDING ON ATTAINING THE DESIGNATION OF "EAGLE SCOUT"

WHEREAS, Harrison Hepding of Troop 79, Seaville, New Jersey has recently achieved the designation of Eagle Scout in the Boy Scouts of America; and

WHEREAS, the Township of Upper wishes to acknowledge the outstanding accomplishment of this remarkable young man; and

WHEREAS, the Township Committee extends its sincere congratulations to Harrison on the occasion of his receiving the designation of Eagle Scout and commends him for this outstanding accomplishment and the completion of his Eagle Scout project which consisted of renovating the Beacon Animal Rescue cat room, making it more functional and easier to maintain; and

WHEREAS, with the assistance of fellow Troop members, friends and family, Harrison remodeled the inside cat room by removing the tile floor and painting the underlying concrete floor, painting all the walls, installing a new cabinet with a countertop in the closet, building stackable cat bed boxes and installing paneling in the outdoor section; and

NOW, THEREFORE, BE IT RESOLVED that the Township Committee extends its sincere congratulations and best wishes to Harrison's parents, family, and friends on this happy occasion; and it is

FURTHER RESOLVED that the Township Committee also extends its congratulations and appreciation to the Scout Masters and others who give so freely and generously of their time for the benefit of our youth.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 14th day of January, 2019.

Resolution No. 25-2019

Offered by: Young Seconded by: Barr

Adopted: January 14, 2019

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. Affirming the Township of Upper's Civil Rights Policy with respect to all Officials, Appointees, Employees, Prospective Employees, Volunteers, Independent Contractors, and Members of the Public that come into contact with Municipal Employees, Officials and Volunteers.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 26-2019

**RE: AFFIRMING THE TOWNSHIP OF UPPER'S
CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS,
APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS,
INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO
CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS**

WHEREAS, it is the policy of the Township of Upper to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the of the Township of Upper has determined that certain procedures need to be established to accomplish this policy; and

NOW, THEREFORE BE IT RESOLVED to affirm and adopt the Township of Upper's civil rights policy as follows:

Section 1: No official, employee, appointee or volunteer of the Township of Upper by whatever title known, or any entity that is in any way a part of the Township of Upper shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township of Upper's business or using the facilities or property of the Township of Upper.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township of Upper to provide services that otherwise could be performed by the Township of Upper.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Township Committee shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Personnel Officer shall establish written procedures that require all officials, employees, appointees and volunteers of the Township of Upper as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Personnel Officer shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Municipal Clerk shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township of Upper. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Township of Upper's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Township of Upper in order for the public to be made aware of this policy and the Township of Upper's commitment to the implementation and enforcement of this policy.

Resolution No. 26-2019

Offered by: Barr Seconded by: Coggins

Adopted: January 14, 2019

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>

3. Accepting the Surety Bond from George Harms Construction Co., Inc. for the mining operation known as Caldwell Pit, Blocks 414 & 451, Lots 45 & 4, and authorizing the release of the existing surety.

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

RESOLUTION NO. 27-2019

RE: ACCEPTING THE SURETY BOND FROM GEORGE HARMS CONSTRUCTION CO., INC. FOR THE MINING OPERATION KNOWN AS CALDWELL PIT, BLOCKS 414 & 451, LOTS 45 & 4, AND AUTHORIZING THE RELEASE OF THE EXISTING SURETY

WHEREAS, Chapter XV of the Code of Upper Township requires all mining operations to submit a performance surety in accordance with the requirements of Chapter XIX, Land Subdivision, prior to the issuance of a license; and

WHEREAS, said surety shall guarantee the performance of the requirements of N.J.A.C. 7:50-6.68 and 6.69, and shall be for an amount in accordance with the Municipal Engineer's certified estimate; and

WHEREAS, George Harms Construction Co., Inc. has presented to the Township Surety Bond No. 58726969 for the mining operation known as Caldwell Pit, Blocks 414 & 451, Lots 45 & 4, in the amount of \$25,304.95; and

WHEREAS, the Municipal Attorney has reviewed said Surety Bond and has determined that the same complies with the New Jersey Statutes and the Township Ordinances applicable thereto and has recommended the acceptance of same by the Township Committee; 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. Surety Bond No. 58726969 is hereby accepted and approved.
3. The existing Surety Bond No. 929387049 is hereby released.
4. All Township officials and officers are hereby authorized and empowered to take

all actions deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 27-2019

Offered by: Coggins

Seconded by: Barr

Adopted: January 14, 2019

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>

4. Appointing John Principe, Sean Fenton, Daniel Mathie, Marshall Kohler, and Evan Sheridan as full-time employees to the Upper Township Public Works Department. **The Municipal Attorney requested that this matter be tabled for further review. Motion by Edward Barr, second by Hobie Young, to table this Resolution. During roll call vote all five Committeemen voted in the affirmative.**
5. Appointing Johnathan Carter, Cassandra Rosamond, Robert Palamaro, Jr., and H. Lawrence Dubs, Jr. as part-time employees to the Upper Township Division of Emergency Medical Services.

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

RESOLUTION NO. 28-2019

**RE: APPOINTING JOHNATHAN CARTER, CASSANDRA ROSAMOND,
ROBERT PALAMARO, JR., AND H. LAWRENCE DUBS, JR.
AS PART-TIME EMPLOYEES TO THE UPPER TOWNSHIP DIVISION OF
EMERGENCY MEDICAL SERVICES**

WHEREAS, a need exists to appoint qualified personnel as part-time employees to the Upper Township Division of Emergency Medical Services to insure optimal operation; and

WHEREAS, these individuals' appointments are conditioned upon successful completion of pre-employment testing; 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. Johnathan Carter, Cassandra Rosamond, Robert Palamaro, Jr., and H. Lawrence Dubs, Jr. are hereby conditionally appointed, pending successful completion of pre-employment testing, as members of the Division of Emergency Medical Services in a part-time position at a rate of \$15.50 per hour, in accordance with the Salary Ordinance.
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. 28-2019

Offered by: Corson Seconded by: Barr

Adopted: January 14, 2019

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 X _____

6. Appointing William C. Handley as the Upper Township Representative and Steve C. Eisenhower as the Alternate Upper Township Representative to the Great Egg Harbor National Scenic and Recreational River Council.

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

RESOLUTION NO. 29-2019

**RE: APPOINTING WILLIAM C. HANDLEY AS THE UPPER TOWNSHIP
REPRESENTATIVE AND STEVE C. EISENHAUER AS THE ALTERNATE
UPPER TOWNSHIP REPRESENTATIVE TO THE GREAT EGG HARBOR NATIONAL
SCENIC AND RECREATIONAL RIVER COUNCIL**

WHEREAS, the Great Egg Harbor National Scenic and Recreational River Council (“River Council”) is comprised of one representative from each of the 12 municipalities involved and one representative from the Great Egg Harbor Watershed Association, and Upper Township is one of the municipalities involved; and

WHEREAS, the “River Council” provides input on a wide variety of issues from federal and state permits for construction projects in the river corridor to the expenditure of funds made available through the National Park Service; and

WHEREAS, the present Upper Township Representative to the “River Council”, is William C. Handley; and

WHEREAS, the Township of Upper has determined that William C. Handley should be reappointed as the Representative of the Township of Upper to the “River Council”; and

WHEREAS, from time to time the need for an Alternate Upper Township Representative to the “River Council” has arisen; and

WHEREAS, the present Alternate Upper Township Representative to the “River Council”, is Steve C. Eisenhower; and

WHEREAS, the Township of Upper has determined that Steve C. Eisenhower should be reappointed as the Alternate representative of the Township of Upper to the “River Council”; 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. William C. Handley is hereby reappointed for a two year term commencing on February 1, 2019 and ending on January 31, 2021 to the "River Council" as the Representative of Upper Township, New Jersey.

3. Steve C. Eisenhower is hereby reappointed for a two year term commencing on February 1, 2019 and ending on January 31, 2021 to the "River Council" as the Alternate Representative of Upper Township, New Jersey.

4. A copy of this Resolution shall be forwarded to the Great Egg Harbor Watershed Association, c/o Fred Akers, Administrator, PO Box 109, Newtonville, NJ 08346

Resolution No. 29-2019

Offered by: Corson Seconded by: Barr

Adopted: January 14, 2019

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>

7. Authorizing a one year extension of the contract with Danziger & Markhoff, LLP for Actuarial Services.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 30-2019

**RE: AUTHORIZING A ONE YEAR EXTENSION OF THE CONTRACT WITH DANZIGER
& MARKHOFF, LLP FOR ACTUARIAL SERVICES**

WHEREAS, the Township of Upper and Danziger & Markhoff, LLP, entered into a Contract on January 19, 2018 for GASB Statement Nos. 45 and 75 – Accounting and Financial Reporting by Employers for Post-employment Benefits Other than Pensions, pursuant to Resolution No. 31-2018; and

WHEREAS, the Township of Upper desires to extend the terms of the Contract, as stipulated within, for an additional one year; and

WHEREAS, Danziger & Markhoff, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that Danziger & Markhoff, LLP 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 Danziger & Markhoff, LLP 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 Contract with Danziger & Markhoff, LLP for GASB Statement Nos. 45 and 75 – Accounting and Financial Reporting by Employers for Post-employment Benefits Other than Pensions, is hereby renewed for an additional one year term.
3. Danziger & Markhoff, LLP has registered with the State of New Jersey pursuant to c.57, Laws of 2004 and has provided proof of that registration to the Township of Upper.
4. A certificate from the Chief Financial Officer of Upper Township showing the availability of adequate funds for this contract and showing the line item appropriation of the official budget to which the contract will be properly charged has been provided to the governing body and shall be attached to this Resolution and kept in the files of the municipal clerk.
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. 30-2019

Offered by: Coggins Seconded by: Barr

Adopted: January 14, 2019

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. Tax Refund Block 688, Lot 2.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 31-2019

TAX REFUND - BLOCK 688, LOT 2

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. 31-2019

Offered by: Coggins

Seconded by: Barr

Adopted: January 14, 2019

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

BLOCK/LOT

AMOUNT

NAME

688/2

\$413.00

Jeremy Sissman
4 Point Pleasant Rd
Beesleys Point NJ 08223

4th Quarter Added Assessment Taxes paid by Homeowner and Mortgage Company. Homeowner requesting a refund.

9. Authorizing the purchase of a case 521g ZBAR T4F Wheel Loader and Accessories in the amount of \$149,995.93 through Sourcewell (formerly NJPA) National Cooperative contract with funds from the 2018 Capital Improvement Bond Ordinance.

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

RESOLUTION NO. 32-2019

**RE: AUTHORIZING THE PURCHASE OF A CASE 521G ZBAR T4F WHEEL LOADER
AND ACCESSORIES IN THE AMOUNT OF \$149,995.93 THROUGH SOURCEWELL
(FORMERLY NJPA) NATIONAL COOPERATIVE CONTRACT WITH FUNDS
FROM THE 2018 CAPITAL IMPROVEMENT BOND ORDINANCE**

WHEREAS, it is necessary for the Township of Upper to make certain capital
purchases; and

WHEREAS, the Township Committee has determined that a purchase from the
national cooperative contract will result in cost savings after all factors have been considered; and

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 Township Committee adopted the 2018 Capital Improvement Bond Ordinance 012-2018 on September 24, 2018; and

WHEREAS, the Township of Upper intends to purchase a Case 521G ZBar T4F Wheel Loader from Groff-Tractor New Jersey, LLC through Sourcewell (formerly NJPA) National Cooperative Contract No. #32515-CNH as herein indicated; and

WHEREAS, Groff-Tractor New Jersey, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Groff-Tractor New Jersey, LLC has not made any reportable contributions to a political or candidate committee in the Township in the previous one year, and Groff-Tractor New Jersey, LLC 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 from the 2018 Capital Improvement Bond; and

WHEREAS, the Chief Financial Officer has confirmed that the Township has complied with N.J.S.A. 52:34-6.2 as well as all other legal requirements for this method of procurement.

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 Groff-Tractor New Jersey, LLC for the purchase of a Case 521G ZBar T4F Wheel Loader through Sourcewell (formerly NJPA) National Cooperative Contract No. #32515-CNH in the amount of \$149,995.93.
3. The Chief Financial Officer is hereby authorized, directed and empowered to execute any and all necessary documents in order to implement the intent of this Resolution.

Resolution No.32-2019

Offered by: Barr Seconded by: Young

Adopted: January 14, 2019

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>	_____	_____	_____

10. 2019 Temporary Budget – Debt Service.

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

RESOLUTION NO. 33-2019

RE: 2019 TEMPORARY BUDGET – DEBT SERVICE

WHEREAS, N.J.S.A. 40A:4-19 provides authority for appropriating in a temporary resolution the permanent debt service requirements for the coming fiscal year providing that such resolution is not made earlier than the last ten days of the preceding fiscal year; and

WHEREAS, the date of this resolution is subsequent to that date; and

WHEREAS, principal and interest will be due on various dates from January 1, 2019 to December 31, 2019, inclusive, on sundry bonds issued and outstanding.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Upper, in the County of Cape May, State of New Jersey, that the following appropriations be made to cover the period from January 1, 2019 to December 31, 2019, inclusive:

DEBT SERVICE – TOWNSHIP OF UPPER

Interest on Bond Anticipation Note and Special Emergency Note	\$ 116,562.07
Payment on Bond Anticipation Note and Special Emergency Note	<u>5,210,000.00</u>
	\$5,326,562.07

Resolution No. 33-2019

Offered by: Coggins

Seconded by: Barr

Adopted: January 14, 2019

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>	_____	_____	_____

ORDINANCES

CORRESPONDENCE

NEW BUSINESS

11. **B & K Enterprise request to hold a “Spring in Tuckahoe” craft show on April 6, 2019 at the Upper Township Community Center.** Motion by Hobie Young, second by Edward Barr, 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.
12. **Ocean City Crew Boosters, Inc. request to hold Raffle RA-510 at Seaville Tavern, Upper Township on Thursdays, beginning March 21, 2019 through May 9, 2019.** Motion by Curtis Corson, second by Edward Barr, to approve the request. During roll call vote all five Committeemen voted in the affirmative.
13. **Zoning Board 2018 year-end review.** The Municipal Attorney gave a brief summary of the report and recommended that it be sent to the Planning Board for their review. Motion by Richard Palombo, second by Edward Barr, to accept the report. During roll call vote all five Committeemen voted in the affirmative.
14. **Alexander Grassi request for street light at Mariners Cove and Somers Avenue.** The Township Administrator reported on a request from a resident on Mariners cove who is concerned that the School bus stop at the corner of Mariners and Somers Ave is very dark. He reported that although there is a street light on the corner of Somers and one at the end of the cul-de-sac on Mariners, the area does not get much illumination because of the tree line. There was a motion by Richard Palombo, second by Edward Barr, to approve the request pending review by the Township Engineer. During roll call vote all five Committeemen voted in the affirmative.

UNFINISHED BUSINESS

DISCUSSION

PAYMENT OF BILLS

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

Bills approved for payment: \$459,231.33

Payroll: \$205,235.35

REPORT OF MUNICIPAL DEPARTMENTS

16. **Clerk’s Office**
17. **Construction Code**
18. **Division of EMS**
19. **Finance Office**
20. **Tax Collector**
21. **Municipal Court**
22. **MUA Report**
23. **Department of Public Works**

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

PUBLIC COMMENT

Wanda Adamson, Sunset Acres, inquired about several items including parking and improvements at Caldwell Park, the Parkway Bridge bike plan, the Route 50 bridge replacement, and street light outages in Tuckahoe. Ms. Adamson also requested that a notice of the upcoming NJDOT public meeting regarding the Route 50 bridge replacement project be placed on the Township’s website.

Ralph Cooper, Gladwyn Drive, speaking on behalf of the Upper Township Green Team, Mr. Copper reported that the Green Team has once again obtained Sustainable Jersey Certification for the Township. He thanked the Township Committee for their support and encouraged the public to become involved and join the Green Team. Next, he requested the Township look into installing holiday decorations throughout the township next holiday season. It was stated that the Township should look into decorating all of the entrances to the Township.

Jack Griffin, Marmora, President of the Upper Township Business Association, spoke about the proposed Route 50 bridge replacement project and urged officials to take into consideration the impact a detour will have on area businesses.

CLOSED SESSION

24. 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. 34-2019
MOTION GOING INTO CLOSED SESSION
JANUARY 14, 2019**

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 - Cape Assist
2. Litigation - Holt v. Upper Township Zoning Board of Adjustment
3. Potential litigation - Whippoorwill Campground
4. Personnel

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

- A. It is anticipated that the matters discussed in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.
- B. With respect to employment and personnel matters such discussions will be made public if and when formal action is taken or when the individuals involved consent that it can be made public.
- C. With respect to litigation matters such discussions will be made public when litigation is complete and the applicable appeal period has expired.
- D. With respect to contract negotiations such matters will be made public when negotiations have ceased and there is no longer a reason for confidentiality.

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 with all four Committeemen voting in the affirmative.

ADJOURNMENT

There being no further business this evening the meeting was adjourned at 8:54 P.M., with a motion by John Coggins, second by Hobie Young, and all four Committeemen voting in the affirmative. The next regular meeting is scheduled for January 28, 2019 at 7:30 P.M.

Minutes prepared by,

Barbara L. Young, RMC
Municipal Clerk

Bill List

72774 01/14/19 A0018 ACTION SUPPLY INC. 279.18 3060
72775 01/14/19 A0025 ADVANTAGE RENTAL ACE HARDWARE 235.14 3060
72776 01/14/19 A0091 ATLANTIC CITY ELECTRIC 23,879.28 3060
72777 01/14/19 A0170 ASFPM 80.00 3060
72778 01/14/19 A0212 ANCERO, LLC 0.00 01/14/19 VOID 0
72779 01/14/19 A0212 ANCERO, LLC 14,333.08 3060
72780 01/14/19 B0035 BELMONT & CRYSTAL SPRINGS 32.15 3060
72781 01/14/19 B0039 BEESLEY'S PT. SEA DOO, INC. 344.69 3060
72782 01/14/19 B0093 BARRY, CORRADO, GRASSI & 892.50 3060
72783 01/14/19 B0182 BRIGGS LAW OFFICE, P.C. 315.00 3060
72784 01/14/19 B0232 BLUE FLAME GAS 1,073.70 3060
72785 01/14/19 B0239 BAILEY, WILLIAM MICHAEL 791.66 3060
72786 01/14/19 B0248 BARNES LAW GROUP LLC 2,835.00 3060
72787 01/14/19 B0257 Beisler, Lauren 21.41 3060
72788 01/14/19 B0259 BENCHMARK INSURANCE COMPANY 8,327.00 3060
72789 01/14/19 B0260 BENCHMARK INSURANCE COMPANY 5,235.00 3060
72790 01/14/19 B0261 BENCHMARK INSURANCE COMPANY 5,105.00 3060
72791 01/14/19 B0262 BENCHMARK INSURANCE COMPANY 3,378.00 3060
72792 01/14/19 C0010 CMC MUNICIPAL JUDGES ASSOC 75.00 3060
72793 01/14/19 C0042 CAMPBELL FREIGHTLINER, LLC 983.16 3060
72794 01/14/19 C0048 CAPE MAY COUNTY MUA 34,869.07 3060
72795 01/14/19 C0060 CAPRIONI'S PORTABLE TOILETS 439.00 3060
72796 01/14/19 C0068 COMCAST 1,033.28 3060
72797 01/14/19 C0078 CARTER, EDWARD, SR. 293.19 3060
72798 01/14/19 C0116 CINTAS CORPORATION 91.94 3060
72799 01/14/19 C0143 CODY'S POWER EQUIPMENT 198.96 3060
72800 01/14/19 C0182 CDW GOVERNMENT, INC 852.99 3060
72801 01/14/19 C0218 CITY OF CORBIN CITY 1,182.41 3060
72802 01/14/19 C0223 CASA PAYROLL SERVICE 505.50 3060
72803 01/14/19 C0245 CLEGG'S GARAGE, INC. 2,517.04 3060
72804 01/14/19 C0246 CRAFT OIL CORPORATION 617.70 3060
72805 01/14/19 C0278 TIFFANY A. CUVIELLO, PP, LLC 2,312.50 3060
72806 01/14/19 C0279 CASA REPORTING SERVICES LLC 265.00 3060
72807 01/14/19 C0283 CUSTOM-BANDAG, INC 35.75 3060
72808 01/14/19 C0305 CM3 BUILDING SOLUTIONS, INC. 4,897.00 3060
72809 01/14/19 C0310 Chisholm, Kristie 21.41 3060
72810 01/14/19 D0077 DIETRICH, PAUL 39.99 3060
72811 01/14/19 D0080 DOWNAM, HARRY J. JR. 319.62 3060
72812 01/14/19 E0072 EZ DOCKS SOUTH INC 2,054.14 3060
72813 01/14/19 E0073 Elia Jason T 20.00 3060
72814 01/14/19 G0002 GAGLIONE, WANDA 3,216.00 3060
72815 01/14/19 G0035 GENRON FIRE PROTECTION 1,031.40 3060
72816 01/14/19 G0086 W.W. GRAINGER, INC. 684.39 3060
72817 01/14/19 G0147 GREATAMERICA FINANCIAL SVCS. 170.00 3060
72818 01/14/19 H0095 HORIZON BCBSNJ 185,167.20 3060
72819 01/14/19 H0176 HEILMAN, JAMES 600.00 3060
72820 01/14/19 J0080 JOLA SITE CONTRACTORS LLC 35,940.00 3060
72821 01/14/19 K0007 KACZMARSKI, RICHARD 600.00 3060
72822 01/14/19 K0014 KEENAN, BRIAN 600.00 3060
72823 01/14/19 K0086 K D NATIONAL FORCE SECURITY 1,617.00 3060
72824 01/14/19 K0103 KYOCERA DOCUMENT SOLUTIONS 144.67 3060
72825 01/14/19 K0105 Kelley, Erika 41.41 3060
72826 01/14/19 L0038 LAYTON, WILLIAM 1,608.00 3060
72827 01/14/19 L0135 LOUGHLIN, LINDA 100.00 3060
72828 01/14/19 M0016 McAFEE, MEGAN 290.00 3060
72829 01/14/19 M0055 MAY, JUDITH 2,498.40 3060
72830 01/14/19 M0142 MASON, NICHOLAS 212.80 3060
72831 01/14/19 M0180 MED-TECH RESOURCE, LLC 766.59 3060
72832 01/14/19 M0188 MCCARTHY TIRE SERVICE OF PHILA 2,179.24 3060
72833 01/14/19 M0277 MONY LIFE INSURANCE COMPANY 190.89 3060
72834 01/14/19 M0290 MADDEN & MADDEN, PC 655.00 3060

72835 01/14/19 N0004 NJ-AMERICAN WATER CO. 95.54 3060
72836 01/14/19 N0043 NAPA AUTO PARTS 539.17 3060
72837 01/14/19 N0068 NJ MOTOR VEHICLE COMMISSION 150.00 3060
72838 01/14/19 N0100 N.J. LEAGUE OF MUNICIPALITIES 949.00 3060
72839 01/14/19 N0154 NEW HORIZON COMMUNICATIONS 1,155.91 3060
72840 01/14/19 O0012 OCEAN CITY BD. OF EDUCATION 304.92 3060
72841 01/14/19 P0008 PALMER, NANCY 1,608.00 3060
72842 01/14/19 P0032 PEDRONI FUEL CO. 3,262.26 3060
72843 01/14/19 P0034 PEIFER, SUSAN R. 1,608.00 3060
72844 01/14/19 P0128 JOHN PERONE ELECTRIC, INC. 14,000.00 3060
72845 01/14/19 P0175 PRIEST JR., ANTHONY 200.00 3060
72846 01/14/19 R0030 RIGGINS, INC. 7,403.04 3060
72847 01/14/19 R0100 ROBERTS OXYGEN COMPANY, INC. 111.35 3060
72848 01/14/19 R0101 R.R. DONNELLEY & SONS 147.00 3060
72849 01/14/19 R0115 RID PEST CONTROL INC. 55.00 3060
72850 01/14/19 R0116 JAMES M. RUTALA ASSOIATES LLC 740.00 3060
72851 01/14/19 R0119 RUDERMAN, ROTH LLC 3,312.00 3060
72852 01/14/19 S0018 SUBURBAN PROPANE, LP 193.39 3060
72853 01/14/19 S0113 SMITH,THOMAS G. 2,147.00 3060
72854 01/14/19 S0126 SPIEGEL, BARBARA 9.77 3060
72855 01/14/19 S0134 SO. JERSEY GAS COMPANY 4,665.85 3060
72856 01/14/19 S0153 STERICYCLE, INC. 179.38 3060
72857 01/14/19 S0254 SHOPRITE 299.92 3060
72858 01/14/19 S0284 SOUTH JERSEY INTERPRETERS 171.73 3060
72859 01/14/19 S0292 JEFFREY SURENIAN & ASSOC. LLC 302.00 3060
72860 01/14/19 S0338 SHI INTERNATIONAL CORP. 34,500.00 3060
72861 01/14/19 S0339 SANITATION EQUIPMENT CORP 2,307.71 3060
72862 01/14/19 T0032 THE PRESS OF ATLANTIC CITY 18.48 3060
72863 01/14/19 T0067 TOWNSHIP OF UPPER PETTY CASH 100.00 3060
72864 01/14/19 T0080 TREASURER STATE OF N.J. 1,000.00 3060
72865 01/14/19 T0168 TOWNSHIP OF UPPER 234.79 3060
72866 01/14/19 T0180 TRI-COUNTY PEST CONTROL, INC 25.00 3060
72867 01/14/19 T0192 MARSH & McLENNAN AGENCY/TRION 565.75 3060
72868 01/14/19 U0028 UPPER TOWNSHIP BD.OF EDUCATION 1,060.00 3060
72869 01/14/19 U0067 UT HEALTH REIMB. ACCOUNT 1,999.43 3060
72870 01/14/19 V0001 VCI EMERGENCY VEHICLE 645.16 3060
72871 01/14/19 V0013 VERIZON WIRELESS 1,761.63 3060
72872 01/14/19 V0022 VERIZON 627.28 3060
72873 01/14/19 V0024 VAL-U AUTO PARTS L.L.C. 1,036.58 3060
72874 01/14/19 V0025 V.E. RALPH & SON,INC. 514.15 3060
72875 01/14/19 V0027 VANORDER, ROGER 94.99 3060
72876 01/14/19 W0030 WEST PUBLISHING CO. 483.31 3060
72877 01/14/19 W0038 WILLIAMS, JEREMIAH J. 66.04 3060
72878 01/14/19 W0087 W.B. MASON EGG HARBOR 437.47 3060
72879 01/14/19 W0115 WSP USA, INC. 1,223.25 3060
72880 01/14/19 X0008 XEROX FINANCIAL SERVICES 662.40 3060
72881 01/14/19 Y0003 Y-PERS INC 31.00 3060
72882 01/14/19 Y0008 YOUNG, DANIEL J. ESQUIRE PC 7,131.25 3060
Total: 459,231.33