

**TOWNSHIP OF UPPER  
2100 TUCKAHOE ROAD  
PETERSBURG, NJ 08270  
CAPE MAY COUNTY  
MINUTES FOR MAY 13, 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 May 10, 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, Township Engineer Paul Dietrich, Chief Financial Officer Barbara Spiegel, and Township Administrator Scott Morgan.

**APPROVAL OF MINUTES -** April 29, 2019 Regular Meeting and  
Closed Session Minutes

Motion by Edward Barr, second by Hobie Young, to approve the April 29, 2019 Regular Meeting and Closed Session Minutes as submitted. During roll call vote all five Committeemen voted in the affirmative.

**REPORT OF GOVERNING BODY MEMBERS**

**Hobie Young, Committeeman**, reported that the Historical Society will be holding their 30<sup>th</sup> Annual Strawberry Festival on May 25<sup>th</sup> from 10:00 am to 3:00 pm at the Gandy Farmhouse. Committeeman Young next reported that the township will hold a 4<sup>th</sup> of July event at Amanda's Field from 5:00 to 9:00 p.m. on Thursday July 4<sup>th</sup>. He next inquired into and reported on several ongoing projects including field maintenance, landscaping at Town Hall, and the purchase of a digital sign for Amanda's Field. Lastly, he announced that the Pumpkin Classic Car show will be held on September 28, 2019 at Amanda's Field and anyone interested in volunteering to help with the event can contact the Township Clerk's office.

**Edward Barr, Committeeman**, made a motion to prepare a resolution appointing John Mitchell as a full-time laborer to the Department of Public Works. The motion was seconded by Curtis Corson. During roll

call vote all five Committeemen voted in the affirmative. A resolution for formal action will be placed on the next agenda.

**Curtis Corson, Committeeman,** reported that he has one item for discussion in closed session.

**Richard Palombo, Mayor,** reported that Upper Township resident Evan Holmes was chosen as the winner of the Louis Bay 2<sup>nd</sup> Future Municipal Leaders scholarship competition for his excellent essay. He stated that a resolution congratulating Evan is listed on tonight's agenda and will be presented to him at a future meeting, along with his scholarship award in the amount of \$1,000.00.

### **OTHER REPORTS**

**Scott Morgan, Township Administrator,** reported that the Department of Public Works has completed brush and loose leaf collection throughout the Township. He stated that the next brush pickup will be in October, and loose leaf will be in mid-November. More information regarding collection schedules can be found on the Township's website. He next gave a brief update on numerous projects including additional lighting for the flags at Amanda's Field, maintenance of the carpenter shop, street sweeping, summer preparations for Strathmere, grading of Tyler Road, the Webster Avenue playground, roadside mowing, and phase two of the lighting project at the Community Center. Lastly, he reported that the Township's preliminary application for the FY2019 Emergency Management Performance Grant has been accepted, and he hopes to have the next step in the application process ready for the Committee's approval at the next meeting.

**Barbara Young, Municipal Clerk,** reported that the next Committee meeting will be held on Tuesday May 28, 2019. Township Offices will be closed on May 27<sup>th</sup> for the Memorial Day holiday.

**Daniel Young, Municipal Attorney,** reported that there are several items for closed session.

**Paul Dietrich, Township Engineer,** reported that South Jersey Gas and New Jersey American Water will be paving several streets in Strathmere to repair their extensive street opening activities. He provided a map of the streets that will be repaired and stated that they are hoping to have the paving completed by early June. Committeeman Barr inquired into the status of the County's restriping of Commonwealth Avenue project. Mr. Dietrich stated that the County has not posted an award of contract yet for that project. Next, he reported that the State's yearly gypsy moth inspection has found no significant populations in the Township. He stated that there is an informational page on gypsy moths on the Township's website. Last, he recommended partnering with Ocean City and Sea Isle City to apply for a NJDEP Coastal Resiliency Grant.

### **PRESENTATIONS**

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"**

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**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 14<sup>th</sup> day of January, 2019.

### **RESOLUTIONS**

2. Congratulating Evan Michael Holmes on his winning essay in the Louis Bay 2<sup>nd</sup> Future Municipal Leaders Scholarship Competition.

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

#### **RESOLUTION NO. 142-2019**

#### **CONGRATULATING EVAN MICHAEL HOLMES ON HIS WINNING ESSAY IN THE LOUIS BAY 2<sup>ND</sup> FUTURE MUNICIPAL LEADERS SCHOLARSHIP COMPETITION**

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**WHEREAS**, each year the New Jersey State League of Municipalities (NJLM) offers the Louis Bay 2<sup>nd</sup> Future Municipal Leaders Scholarship Competition to all high school juniors and seniors residing in New Jersey planning to continue their education after high school; and

**WHEREAS**, this statewide scholarship program centers on the theme “What My Municipal Government Does Best”; and

**WHEREAS**, one semi-finalist is chosen from each municipality and this entry is reviewed by the NJLM Scholarship Committee who select fifteen finalists and three winners; and

**WHEREAS**, Evan Michael Holmes’ impressive essay was chosen as the Township of Upper’s semi-finalist entry; and

**WHEREAS**, the NJLM Scholarship Committee selected Evan’s winning essay to be awarded one of the three \$1,000 scholarships; and

**WHEREAS**, it is appropriate that on behalf of the citizens of Upper Township we recognize and congratulate Evan on his exceptional achievement and scholarship award.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee, on behalf of the citizens of the Township of Upper, to extend to Evan Michael Holmes congratulations on his winning essay in the 2019 Louis Bay 2<sup>nd</sup> Future Municipal Leaders Scholarship Competition and best wishes on his continuing education.

**GIVEN UNDER OUR HANDS** and the seal of the Township of Upper this 13<sup>th</sup> day of May, 2019.

Resolution No. 142-2019

Offered by: Barr

Seconded by: Palombo

Adopted: May 13, 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. Appointing the Upper Township Green Team Advisory Committee.

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

**RESOLUTION NO. 143-2019**

**RE: APPOINTING THE UPPER TOWNSHIP GREEN TEAM ADVISORY COMMITTEE**

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**WHEREAS**, the Upper Township Green Team Advisory Committee is an established committee consisting of volunteer members who shall meet throughout the year to develop plans, recommend programs, assist with educational opportunities that support the creation of a sustainable community, and advise the Township Committee on ways to improve municipal operations with “Green” initiatives which are economically and environmentally sound; and

**WHEREAS**, Township of Upper hereby acknowledges that the residents of the Township of Upper desire a stable, sustainable future for themselves and future generations; and

**WHEREAS**, as elected representatives of the Township of Upper, we have a significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community. The Attached exhibit shows the Green Team’s activities for last year.

**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 persons are hereby appointed to the Green Team Advisory Committee

of the Township of Upper:

**Wanda Adamson  
Fred Beuttler  
Ralph Cooper  
Harry Young  
Nancy Hannum  
Jane Bebee  
Katelynn Wintz  
Paul Dietrich, Sr., Municipal Engineer  
Hobart Young, Township Committeeperson**

3. The forgoing appointees shall constitute the sole members of the Green Team Advisory Committee, subject to the provision of Paragraph 4 hereof.

4. The Township Committee expressly reserves the right to supplement this Resolution at any time it deems it appropriate to change the membership or policies of the Green Team Advisory Committee.

Resolution No. 143-2019

Offered by: Barr

Seconded by: Coggins

Adopted: May 13, 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>

4. Adopting the Township of Upper Beach Management Plan for the beaches in the Strathmere and Whale Beach section of Upper Township for the protection of federally and state listed species.

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

**RESOLUTION NO. 144-2019**

**RE: ADOPTING THE TOWNSHIP OF UPPER BEACH MANAGEMENT PLAN  
FOR THE BEACHES IN THE STRATHMERE AND WHALE BEACH SECTION  
OF UPPER TOWNSHIP FOR THE PROTECTION OF FEDERALLY  
AND STATE LISTED SPECIES**

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**WHEREAS**, from time to time it is necessary to update the Township's "Beach Management Plan"; and

**WHEREAS**, in cooperation with US Department of the Interior Fish and Wildlife Service and the New Jersey Department of Environmental Protection the Township wishes to adopt the provisions of the Township of Upper Beach Management Plan and authorize the Mayor to sign a Memorandum of Agreement; 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 is hereby authorized to sign the attached Memorandum of Agreement with the U.S. Department of the Interior Fish and Wildlife Service and the New Jersey Department of Environmental Protection.
3. The Beach Management Plan attached hereto is hereby adopted.
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. 144-2019

Offered by: Barr

Seconded by: Coggins

Adopted: May 13, 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>

5. Authorizing the performance of a road condition survey in the amount of \$7,100.00 with funds from the 2018 Capital Improvement Bond Ordinance. **The Municipal Attorney requested that the motion to approve this Resolution include the condition of review and final approval of the contract by the Township Solicitor.**

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

**RESOLUTION NO. 145-2019**

**RE: AUTHORIZING THE PERFORMANCE OF A ROAD CONDITION SURVEY  
IN THE AMOUNT OF \$7,100.00 WITH FUNDS FROM  
THE 2018 CAPITAL IMPROVEMENT BOND ORDINANCE**

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

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

**WHEREAS**, the Township's QPA has reviewed and approved the quote for a road condition survey from RoadBotics, Inc.

**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 RoadBotics, Inc. for the performance of a road condition survey in the amount of \$7,100.00.

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. 145-2019

Offered by: Corson

Seconded by: Barr

Adopted: May 13, 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>	_____	_____	_____

6. Authorizing the award of a contract with Alternative Micrographics, Inc. for document management software and document scanning services.

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

**RESOLUTION NO. 146-2019**

**RE: AUTHORIZING THE AWARD OF A CONTRACT WITH ALTERNATIVE  
MICROGRAPHICS, INC. FOR DOCUMENT MANAGEMENT SOFTWARE AND DOCUMENT  
SCANNING SERVICES**

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**WHEREAS**, the Township of Upper has a need to purchase document management software and document scanning services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, Alternative Micrographics, Inc. has submitted a quote dated April 11, 2019, indicating they will provide document management software and document scanning services for an amount not to exceed \$24,000.00; and

**WHEREAS**, the Qualified Purchasing Agent has determined and certified in writing that the

value of acquisitions with Alternative Micrographics, Inc. for the year 2019 will exceed \$17,500; and

**WHEREAS**, Alternative Micrographics, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Alternative Micrographics, 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 Alternative Micrographics, 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 2019 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 Alternative Micrographics, 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. 146-2019

Offered by: Coggin

Seconded by: Barr

Adopted: May 13, 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>	_____	_____	_____

7. Authorizing the award of a contract with Sanitation Equipment Corp for automotive parts.

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

**RESOLUTION NO. 147-2019**

**RE: AUTHORIZING THE AWARD OF A CONTRACT WITH SANITATION EQUIPMENT CORP  
FOR AUTOMOTIVE PARTS**

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**WHEREAS**, from time to time the Township of Upper has a need to purchase automotive parts from Sanitation Equipment Corp 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 Sanitation Equipment Corp for the year 2019 will exceed \$17,500; and

**WHEREAS**, Sanitation Equipment Corp has completed and submitted a Business Entity Disclosure Certification which certifies that Sanitation Equipment Corp 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 Sanitation Equipment Corp 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 2019 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 Sanitation Equipment Corp 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. 147-2019

Offered by: Barr

Seconded by: Coggins

Adopted: May 13, 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>	_____	_____	_____

8. Authorizing the award of a contract with AccessRec, LLC for mobile beach access mats.

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

**RESOLUTION NO. 148-2019**

**RE: AUTHORIZING THE AWARD OF A CONTRACT WITH ACCESSREC, LLC  
FOR MOBILE BEACH ACCESS MATS**

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**WHEREAS**, the Township of Upper wishes to purchase mobile beach access mats from AccessRec, LLC 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 AccessRec, LLC for the year 2019 will exceed \$17,500; and

**WHEREAS**, AccessRec, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that AccessRec, LLC 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 AccessRec, 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 in the 2019 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 AccessRec, LLC 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. 148-2019

Offered by: Barr

Seconded by: Coggins

Adopted: May 13, 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>	_____	_____	_____

9. Authorizing a contract with Lawrence Trulli for Media Consultant Services.

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

**RESOLUTION NO. 149-2019**

**RE: AUTHORIZING A CONTRACT WITH LAWRENCE TRULLI  
FOR MEDIA CONSULTANT SERVICES**

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**WHEREAS**, there is a need by the Township of Upper to appoint an independent contractor to perform Media Consultant Services on an as needed basis; and

**WHEREAS**, Lawrence Trulli possesses the requisite skills to fill this position; and

**WHEREAS**, a Resolution is required authorizing the award of a contract for Media Consultant Services to Lawrence Trulli; and

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

**WHEREAS**, Lawrence Trulli, as an independent contractor, has completed and submitted a Form W-9 to the Township of Upper; and

**WHEREAS**, Lawrence Trulli has completed and submitted a Business Entity Disclosure Certification which certifies that Lawrence Trulli 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 Lawrence Trulli 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 a contract with Lawrence Trulli for Media Consultant Services as needed.
3. 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.
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. 149-2019

Offered by: Coggins

Seconded by: Barr

Adopted: May 13, 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>      </u>	<u>      </u>	<u>X</u>	<u>      </u>
Palombo	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>

10. Authorizing an Affiliation and Medical Direction Agreement with the AtlantiCare Regional Medical Center for Basic Life Support and Ambulance Services.

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

**RESOLUTION NO. 150-2019**

**RE: AUTHORIZING AN AFFILIATION AND MEDICAL DIRECTION AGREEMENT WITH  
THE ATLANTICARE REGIONAL MEDICAL CENTER FOR BASIC LIFE SUPPORT AND  
AMBULANCE SERVICES**

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**WHEREAS**, the Township of Upper has received a proposal from AtlantiCare Regional Medical Center, a New Jersey non-profit corporation (“AtlantiCare”) for an affiliation and medical direction agreement for basic life support and ambulance services; and

**WHEREAS**, the Township Committee has considered this matter and has determined that it is in the best interest of the Township to authorize said affiliation and medical direction agreement with AtlantiCare; and

**WHEREAS**, the Township Solicitor has determined that the services to be provided are professional services and that the contract may be awarded without competitive bid; and

**WHEREAS**, the Township Chief Financial Officer, to the extent required, has certified the availability of funds to permit the Township to enter into said professional services contract; and

**WHEREAS**, a Business Entity Disclosure Certification is not required since this contract is with a non-profit entity; 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 enter into an affiliation and medical direction agreement for basic life support and ambulance services for a period of one year and thereafter from year to year unless terminated by either party.
3. The Township Clerk shall cause a Notice of Award of this contract to be published in the official newspaper of the Township as required by N.J.S.A 40A:11-5.

4. This Contract is a Professional Services Contract and has been awarded without competitive bidding for the following reasons:

(A) The services required are highly specialized or technical in nature;

(B) The services require peculiar ability or skill, and demand a high degree of specialized knowledge or expertise;

(C) The services required are professional services and/or unspecified extraordinary services within the meaning of N.J.S.A. 40A:11-5(a);

(D) The individual who will provide these services has demonstrated his competence and particular expertise in the services required; and

(E) The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient.

Resolution No. 150-2019

Offered by: Barr

Seconded by: Coggins

Adopted: May 13, 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>	___	___	___

11. Appointing the 2019 Season Boat Ramp Attendants.

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

**RESOLUTION NO. 151-2019**

**RE: APPOINTING THE 2019 SEASON BOAT RAMP ATTENDANTS**

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**WHEREAS**, a need exists to appoint qualified personnel as part-time seasonal employees for the Upper Township Boat Ramp for the 2019 season; 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. Thomas Duffy and Joseph M. Marrongelli are hereby appointed as part-time seasonal Boat Ramp Attendants, pending pre-employment testing, at a salary of \$13.00 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. 151-2019

Offered by: Barr

Seconded by: Young

Adopted: May 13, 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>	_____	_____	_____

12. Amending Resolution No. 132-2019 appointing the 2019 Season Beach Patrol contingent upon background clearance.

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

**RESOLUTION NO. 152-2019**

**RE: AMENDING RESOLUTION NO. 132-2019 APPOINTING  
THE 2019 SEASON BEACH PATROL CONTINGENT UPON BACKGROUND CLEARANCE**

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**WHEREAS**, Resolution No. 132-2019 appointed individuals to the position of lifeguard for the 2019 Season Beach Patrol; and

**WHEREAS**, the Township Committee has determined it is necessary to amend said Resolution No. 132-2019 to amend the position of Ryan Fisher to reflect the title of Senior Guard at an hourly salary of \$17.25.

**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. Resolution No. 132-2019 is amended to reflect the position of Ryan Fisher as Senior Guard at a salary of \$17.25 per hour.

3. This Resolution shall be effective as of April 29, 2019.

Resolution No. 152-2019

Offered by: Barr

Seconded by: Coggins

Adopted: May 13, 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>	_____	_____	_____

13. Authorizing the Upper Township Fourth of July celebration event to be held on July 4, 2019 at Amanda's Field and setting the vendor and participant fees.

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

**RESOLUTION NO. 153-2019**

**RE: AUTHORIZING THE UPPER TOWNSHIP FOURTH OF JULY  
CELEBRATION EVENT TO BE HELD ON JULY 4, 2019 AT AMANDA'S FIELD AND  
SETTING THE VENDOR AND PARTICIPANT FEES**

---

**WHEREAS**, Section 26-2.3 of the Code of Upper Township authorizes the Township to hold and sponsor events at Township facilities and charge fees for vendors or others to participate in the event; and

**WHEREAS**, the Township of Upper desires to hold a Fourth of July Celebration Event on July 4, 2019, (rain date July 5, 2019), at Amanda's Field; and

**WHEREAS**, appropriate advice and approvals from the Township's Risk Management Consultant, the New Jersey State Police, and the Division of EMS shall be obtained prior to the event; and

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

1. The allegations of the preamble are incorporated herein by this reference.

2. The Township Committee does hereby authorize the Upper Township Fourth of July Celebration Event to be held on July 4, 2019, with a rain date scheduled for July 5, 2019, at Amanda's Field.

3. The following fees will be charged for participation in the Upper Township Fourth of July Event:

Food Vendor Fee - \$100.00, per 20 x 15 space

A. Non Food Vendor Fee - \$25.00, per 10 x 10 space

4. All Vendors will be assigned their spaces prior to arrival and will be required to provide their own canopy/tent, table, chairs, electricity, and any other equipment or supplies they may need for their space.

5. All Food Vendors must submit a Certificate of Insurance naming the Township of Upper, its officials, officers and employees as additional insureds. If a Non Food Vendor currently has insurance in place, a Certificate of Insurance shall be requested naming the Township of Upper, its officials, officers, and employees as additional insureds.

6. All Food Vendors shall submit a Temporary Food Vendor Application to the Cape May County Department of Health, and shall follow the "Guidelines for Compliance with Chapter 24, Subchapter 8 Temporary Retail Food Establishments" as established by the Cape May County Department of Health.

7. All Food Vendors shall submit an application for a Temporary Cooking Vendor Permit to the New Jersey Department of Community Affairs, Division of Fire Safety.

8. The Township of Upper reserves the right to limit the size, amount, and type of Vendors that will participate during the event.

9. The Township Administrator shall have the authority to establish such additional rules, terms or conditions relating to the event as may be appropriate due to safety, cost or efficiency reasons, including any such terms or conditions recommended by the New Jersey State Police, the Township Department of EMS or the Township's Risk Management Consultant.

10. 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. 153-2019

Offered by: Young

Seconded by: Barr

Adopted: May 13, 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>

14. Authorizing the Upper Township Pumpkin Classic Car Show and Fall Fest to be held on September 28, 2019 at Amanda's Field and setting the admission, vendor, and participant fees.

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

**RESOLUTION NO. 154-2019**

**RE: AUTHORIZING THE UPPER TOWNSHIP PUMPKIN CLASSIC CAR SHOW AND  
FALL FEST TO BE HELD ON SEPTEMBER 28, 2019 AT AMANDA'S FIELD  
AND SETTING THE ADMISSION, VENDOR, AND PARTICIPANT FEES**

---

**WHEREAS**, Section 26-2.3 of the Code of Upper Township authorizes the Township to hold and sponsor events at Township facilities and charge fees for admission to the event and for vendors or others to participate in the event; and

**WHEREAS**, the Township of Upper desires to hold the Upper Township Pumpkin Classic Car Show and Fall Fest on September 28, 2019, (rain date September 29, 2019), with operational hours being 10:00 am until 4:00 pm, at Amanda's Field; and

**WHEREAS**, appropriate advice and approvals from the Township's Risk Management Consultant, the New Jersey State Police, and the Division of EMS shall be obtained prior to the event; and

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

1. The allegations of the preamble are incorporated herein by this reference.

2. The Township Committee does hereby authorize the Upper Township Pumpkin Classic Car Show and Fall Fest to be held on September 28, 2019, with a rain date scheduled for September 29, 2019, at Amanda's Field.

3. The following fees will be charged for participation/admission to the event:

Food Vendor Fee - \$100.00, per 20 x 15 space

B. Non Food Vendor Fee - \$30.00, per 10 x 15 space

C. Fee for Each Show Car, Motorcycle, Truck or other vehicle – pre-registration of \$15.00 and on day of event \$20.00 at the gate; vehicles participating in a special presentation requested by the Township shall not be charged a fee

Event Parking Admission - \$10.00 per vehicle; no vehicles larger than an SUV; no charge for pedestrians

4. All Vendors will be assigned their spaces prior to arrival and will be required to provide their own canopy/tent, table, chairs, electricity, and any other equipment or supplies they may need for their space.

5. All Food Vendors must submit a Certificate of Insurance naming the Township of Upper, its officials, officers and employees as additional insureds. If a Non Food Vendor currently has insurance in place, a Certificate of Insurance shall be requested naming the Township of Upper, its officials, officers, and employees as additional insureds.

6. All Food Vendors shall submit a Temporary Food Vendor Application to the Cape May County Department of Health, and shall follow the “Guidelines for Compliance with Chapter 24, Subchapter 8 Temporary Retail Food Establishments” as established by the Cape May County Department of Health.

7. Applicable Food Vendors shall obtain a Temporary Cooking Vendor Permit through the New Jersey Department of Community Affairs, Division of Fire Safety.

8. The Township of Upper reserves the right to limit the size, amount, and type of Vendors that will participate during the event.

9. The Township Administrator shall have the authority to establish such additional rules, terms or conditions relating to the event as may be appropriate due to safety, cost or efficiency reasons,

including any such terms or conditions recommended by the New Jersey State Police, the Township Department of EMS or the Township's Risk Management Consultant.

10. 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. 154-2019

Offered by: Young

Seconded by: Barr

Adopted: May 13, 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>

15. Appointing Ronald Reign 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. 155-2019**

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

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**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 \$13.00 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. 155-2019

Offered by: Coggins

Seconded by: Barr

Adopted: May 13, 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>

16. Authorizing the Mayor and Township Engineer to sign and submit a Development Application to the New Jersey Pinelands Commission for the Reconstruction of Iroquois Trail.

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

**RESOLUTION NO. 156-2019**

**RE: AUTHORIZING THE MAYOR AND TOWNSHIP ENGINEER TO SIGN  
AND SUBMIT A DEVELOPMENT APPLICATION TO THE NEW JERSEY  
PINELANDS COMMISSION FOR THE RECONSTRUCTION OF IROQUOIS TRAIL**

**WHEREAS**, the reconstruction of Iroquois Trail project requires the Township to submit an Application for Development to the New Jersey Pinelands Commission, a copy of which is attached hereto as Exhibit "A".

**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 Engineer of the Township of Upper are hereby authorized, directed and empowered to sign and submit the Application for Development and the required fee of \$250.00 to the New Jersey Pinelands Commission on behalf of the Township of Upper.
3. All Township officials, officers and employees are empowered to take such action as may be necessary or advisable in order to carry out the intent and purpose of this Resolution.

Resolution No. 156-2019

Offered by: Corson

Seconded by: Young

Adopted: May 13, 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>	<u>        </u>
Palombo	<u>    X    </u>	<u>        </u>	<u>        </u>	<u>        </u>	<u>        </u>

17. Appointing additional 2019 Season Beach Patrol Personnel.

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

**RESOLUTION NO. 159-2019**

**RE: APPOINTING ADDITIONAL 2019 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:

**LIEUTENANT**

<b>Joseph O'Neil</b>	<b>\$20.50 per hour</b>
----------------------	-------------------------

**SENIOR GUARDS**

<b>Blake Boffa</b>	<b>\$17.25 per hour</b>
<b>James F. Dugan</b>	<b>\$17.25 per hour</b>

**RETURNING GUARDS**

**5<sup>TH</sup> YEAR**

<b>Bruckner Chase</b>	<b>\$15.00 per hour</b>
<b>Jacob Davis</b>	<b>\$15.00 per hour</b>
<b>William Dooner</b>	<b>\$15.00 per hour</b>
<b>James Gibbons</b>	<b>\$15.00 per hour</b>
<b>Anson Hadley</b>	<b>\$15.00 per hour</b>
<b>Aaron Holibaugh</b>	<b>\$15.00 per hour</b>
<b>Joseph LaRosa, Jr.</b>	<b>\$15.00 per hour</b>
<b>Wayne MacMurray</b>	<b>\$15.00 per hour</b>
<b>Kyle Rumaker</b>	<b>\$15.00 per hour</b>
<b>Ian Steele</b>	<b>\$15.00 per hour</b>
<b>Meredith Steele</b>	<b>\$15.00 per hour</b>
<b>Gregory Van Gilder</b>	<b>\$15.00 per hour</b>

**4<sup>TH</sup> YEAR**

Emily Culmone	\$14.70 per hour
Brooke Handley	\$14.70 per hour
Logan Pierpoint	\$14.70 per hour
Grace Steele	\$14.70 per hour

**3<sup>RD</sup> YEAR**

Jane Hadley	\$14.70 per hour
Gregory O'Connell	\$14.70 per hour
Nathaniel Young	\$14.70 per hour

**2<sup>ND</sup> YEAR**

Aiden Blake	\$14.00 per hour
Ian Byerly	\$14.00 per hour
Eve Chiarello	\$14.00 per hour
John Dattalo	\$14.00 per hour
Samuel Gilroy	\$14.00 per hour
Reghan Handley	\$14.00 per hour
Casey McLees	\$14.00 per hour

Resolution No. 157-2019

Offered by: Barr

Seconded by: Palombo

Adopted: May 13, 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>

**ORDINANCES**

**18. Introduction and first reading of Ordinance No. 009-2019 RE: AN ORDINANCE AMENDING ORDINANCE NO. 021-2018 KNOWN AS THE SALARY ORDINANCE FOR THE CALENDAR YEAR 2019.** Motion by John Coggins, second by Edward Barr, to introduce Ordinance 009-2019 with a public hearing and final adoption scheduled for June 10, 2019. During roll call vote all five Committeemen voted in the affirmative.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
O R D I N A N C E**

**ORDINANCE NO. 009-2019**

**RE: AN ORDINANCE AMENDING ORDINANCE NO. 021-2018 KNOWN AS THE SALARY  
ORDINANCE FOR THE CALENDAR YEAR 2019**

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

**SECTION 1:** Ordinance No.021-2018, known as the Salary Ordinance of 2019 is hereby amended as hereinafter provided for the line item as indicated below:

**SECTION 2: SALARIES:**

**A. ADMINISTRATION/REVENUE AND FINANCE:**

<u>POSITIONS</u>	<u>MINIMUM</u>	<u>MAX-2019</u>
<u>Asst. Personnel Officer (P/T)</u>	<u>No Min.</u>	<u>\$ 7,000.00</u>

**E. PUBLIC WORKS/SPORTS AND RECREATION PROGRAMS:**

<u>POSITIONS</u>	<u>MINIMUM</u>	<u>MAX-2019</u>
<u>Equipment Operator (0-9 yrs.)</u>	<u>\$12,500.00</u>	<u>\$ 55,335.00</u>
<u>Truck Driver, Heavy (0-9 yrs.)</u>	<u>\$12,500.00</u>	<u>\$ 55,335.00</u>

**SECTION 3:** Ordinance No.021-2018, known as the Salary Ordinance of 2019 is hereby amended to add the following as hereinafter provided:

**E. PUBLIC WORKS/SPORTS AND RECREATION PROGRAMS:**

<u>POSITIONS</u>	<u>MINIMUM</u>	<u>MAX-2019</u>
<u>Supervising Carpenter</u>	<u>\$12,500.00</u>	<u>\$ 75,000.00</u>

**SECTION 4: SEVERABILITY:** If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance, but shall be confined in its effects to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

**SECTION 5: REPEALER:** All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

**SECTION 6: EFFECTIVE DATE:** This Ordinance shall take effect immediately upon final adoption and publication as required by law.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE **13<sup>TH</sup> OF MAY, 2019** AND WILL BE TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER TO BE HELD ON THE **10<sup>TH</sup> DAY OF JUNE, 2019** AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY.

BY ORDER OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER.

BARBARA L. YOUNG, TOWNSHIP CLERK  
TOWNSHIP OF UPPER

**CORRESPONDENCE**

**NEW BUSINESS**

19. **See the Future Learning Center requests the use of the Upper Township Community Center for a graduation ceremony on June 14, 2019.** Motion by Hobie Young, second by John Coggins, to approve the request. During roll call vote all five Committeemen voted in the affirmative.
20. **The Historical Preservation Society of Upper Township requests the use of Gandy Farm for their annual Strawberry Festival on May 25, 2019, with a rain date of May 26, 2019.** Motion by Hobie Young, second by Edward Barr, to approve the request. During roll call vote all five Committeemen voted in the affirmative.
21. **Dimitrios Georgopoulos request to purchase Township owned land Block 348, Lot 55.** The Township Engineer explained that the Township's standard practice for the sale of property is to require the property to be consolidated with the purchaser's existing adjacent property. Committeeman Young questioned if the lot is used for event parking by the Tuckahoe Volunteer Fire Company. Mr. Dietrich stated that the requested parcel is an undersized lot that is only big enough for a few cars and that the requestor would like to purchase the property to clean it up and add to his property for driveway access. Motion by Curtis Corson, second by Edward Barr, to proceed with the request. During roll call vote all five Committeemen voted in the affirmative.

### **UNFINISHED BUSINESS**

### **DISCUSSION**

22. **NJDOT correspondence regarding pedestrian crossing at Route 50 and Reading Avenue.** The Municipal Engineer reported that the DOT is requesting that the Township commit to paying 25% of the costs associated with project. After a lengthy discussion regarding the safety issues in the area, there was a motion by Edward Barr, second by John Coggins, to commit to sharing the costs of the project with the State. During roll call vote all five Committeemen voted in the affirmative. A resolution for formal action will be placed on the next agenda.

### **PAYMENT OF BILLS**

23. **"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: \$127,775.64**  
**Payroll: \$163,699.20**

### **REPORT OF MUNICIPAL DEPARTMENTS**

24. Animal Control
25. Clerk's Office
26. Construction
27. Division of EMS
28. Finance
29. Municipal Court
30. MUA
31. Tax Collector
32. Upper Township Green Team

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**

**Christine and Ross O'Donald, Tuckahoe**, spoke regarding the pedestrian crosswalk on Route 50 in Tuckahoe, and the traffic and pedestrian safety issues in the area.

**Blanche Adams, Upper Township Business Association**, thanked Paul Dietrich for attending the Business Association meeting last week to update the members on the bike path and Harbor Road improvement projects. She next inquired into several consultant contracts and the services provided by each.

**Janet McMahon, Marmora**, inquired into the plans for the Heritage Acres Mobile Home Park. Mr. Dietrich stated that the site has received approval from the Planning Board for 110 mobile home sites. He stated that Ms. McMahon is welcome to come in to the planning office to view the design plans for the area.

**Larry Trulli, Marmora**, thanked the EMS Department and personnel for the excellent response, care, and services they provide.

## **CLOSED SESSION**

33. 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. 158-2019 MOTION GOING INTO CLOSED SESSION May 13, 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. Personnel
2. Contract negotiation – Cape Physician Associates

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.

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 John Coggins, second by Edward Barr, to reconvene the public portion of the meeting with all five Committeeman voting in the affirmative.

## **ADJOURNMENT**

There being no further business this evening the meeting was adjourned at 9:07 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 28, 2019 at 7:30 P.M.

Minutes prepared by,

Barbara L. Young, RMC  
Municipal Clerk

### **BILL LIST**

73459 05/13/19 A0018 ACTION SUPPLY INC. 711.21 3077  
73460 05/13/19 A0025 ADVANTAGE RENTAL ACE HARDWARE 352.88 3077  
73461 05/13/19 A0028 ADVANTAGE RENTAL CENTER INC. 150.00 3077  
73462 05/13/19 A0091 ATLANTIC CITY ELECTRIC 19,546.23 3077  
73463 05/13/19 A0125 AVALON WEED & INSECT CONTROL 1,994.00 3077  
73464 05/13/19 A0166 Association of NJ Recyclers 45.00 3077  
73465 05/13/19 A0175 Adams Rehmann & Haggan Assoc 792.00 3077  
73466 05/13/19 A0193 ATLANTIC INVESTIGATIONS, LLC 93.00 3077  
73467 05/13/19 A0211 AMANJ C/O LIZ SIMPKINS CTA 325.00 3077  
73468 05/13/19 A0212 ANCERO, LLC 9,974.00 3077  
73469 05/13/19 A0218 ATLANTIC CITY CYCLE CENTER LLC 759.01 3077  
73470 05/13/19 A0219 ALTERNATIVE MICROGRAPHICS, INC 1,994.00 3077  
73471 05/13/19 B0035 BELMONT & CRYSTAL SPRINGS 55.04 3077  
73472 05/13/19 B0178 BUGANSKI, PETER R. 300.00 3077  
73473 05/13/19 B0184 BUSHONG, BRIAN 164.95 3077  
73474 05/13/19 B0220 BERGEY'S TRUCK CENTERS 3,348.97 3077  
73475 05/13/19 B0232 BLUE FLAME GAS 352.07 3077  
73476 05/13/19 B0247 Bickings, Julie 21.91 3077  
73477 05/13/19 C0042 CAMPBELL FREIGHTLINER, LLC 798.62 3077  
73478 05/13/19 C0068 COMCAST 289.82 3077  
73479 05/13/19 C0182 CDW GOVERNMENT, INC 1,495.88 3077  
73480 05/13/19 C0223 CASA PAYROLL SERVICE 227.15 3077  
73481 05/13/19 C0278 TIFFANY A. CUVIELLO, PP, LLC 1,375.00 3077  
73482 05/13/19 C0279 CASA REPORTING SERVICES LLC 144.45 3077  
73483 05/13/19 C0311 Clarke, Raymond 20.00 3077  
73484 05/13/19 D0077 DIETRICH, PAUL 10.00 3077  
73485 05/13/19 E0075 EMERALD BUSINESS INC 1,874.50 3077  
73486 05/13/19 F0048 LESLIE G. FOGG INC 26,256.37 3077  
73487 05/13/19 G0016 GARDNER HARDWARE INC. 15.11 3077  
73488 05/13/19 G0086 W.W. GRAINGER, INC. 85.16 3077  
73489 05/13/19 G0092 GRUND, BARBARA J. 301.46 3077  
73490 05/13/19 G0141 GENTILINI CHEVROLET 234.37 3077  
73491 05/13/19 H0073 HOME DEPOT CRC/GECF 194.44 3077  
73492 05/13/19 H0148 THOMAS H. HEIST INS AGENCY INC 1,649.12 3077  
73493 05/13/19 I0041 POWERDMS, INC. 5,413.50 3077  
73494 05/13/19 J0040 JOHNSON & TOWERS, INC. 8.22 3077  
73495 05/13/19 K0086 K D NATIONAL FORCE SECURITY 1,506.75 3077  
73496 05/13/19 L0135 LOUGHLIN, LINDA 49.53 3077  
73497 05/13/19 M0059 MCDANIELS, WILLIAM J. III 195.91 3077  
73498 05/13/19 M0142 MASON, NICHOLAS 93.58 3077  
73499 05/13/19 M0180 MED-TECH RESOURCE, LLC 2,512.68 3077  
73500 05/13/19 N0004 NJ-AMERICAN WATER CO. 95.63 3077

73501 05/13/19 N0043 NAPA AUTO PARTS 51.99 3077  
 73502 05/13/19 N0052 NATL YOUTH SPORTS COACHED ASSN 640.00 3077  
 73503 05/13/19 N0143 NATIONAL TIME SYSTEMS 347.35 3077  
 73504 05/13/19 N0154 NEW HORIZON COMMUNICATIONS 1,159.45 3077  
 73505 05/13/19 O0041 OGREN FAMILY LLC 248.71 3077  
 73506 05/13/19 P0008 PALMER, NANCY 237.47 3077  
 73507 05/13/19 P0032 PEDRONI FUEL CO. 1,577.87 3077  
 73508 05/13/19 P0056 TURF EQUIPMENT AND SUPPLY CO 1,983.95 3077  
 73509 05/13/19 P0136 POSTNET 32.20 3077  
 73510 05/13/19 P0170 PEACH COUNTRY MULCH 1,800.00 3077  
 73511 05/13/19 P0175 PRIEST JR., ANTHONY 100.00 3077  
 73512 05/13/19 Q0003 EUROFINs, QC INC. 186.35 3077  
 73513 05/13/19 Q0009 QUALITE SPORTS LIGHTING INC. 875.00 3077  
 73514 05/13/19 R0030 RIGGINS, INC. 2,679.49 3077  
 73515 05/13/19 R0100 ROBERTS OXYGEN COMPANY, INC. 111.35 3077  
 73516 05/13/19 R0115 RID PEST CONTROL INC. 55.00 3077  
 73517 05/13/19 R0119 RUDERMAN, ROTH LLC 1,225.00 3077  
 73518 05/13/19 S0015 SMYTH, PATRICIA 300.00 3077  
 73519 05/13/19 S0035 SCHOPPY WILLIAM TROPHY CO. 34.95 3077  
 73520 05/13/19 S0056 SEASHORE ASPHALT CORPORATION 633.12 3077  
 73521 05/13/19 S0057 SERVICE TIRE TRUCK CENTERS 928.75 3077  
 73522 05/13/19 S0122 SOMERS POINT LUMBER INC. 233.60 3077  
 73523 05/13/19 S0153 STERICYCLE, INC. 179.38 3077  
 73524 05/13/19 S0196 STEWART BUSINESS SYSTEMS LLC 579.63 3077  
 73525 05/13/19 S0209 STAPLES ADVANTAGE 96.48 3077  
 73526 05/13/19 S0239 SHORE VET. ANIMAL CONTROL LLC 2,350.00 3077  
 73527 05/13/19 S0249 BSN SPORTS 231.96 3077  
 73528 05/13/19 S0284 SOUTH JERSEY INTERPRETERS 171.13 3077  
 73529 05/13/19 S0329 SERIOUSLY TOTAL VIDEO 500.00 3077  
 73530 05/13/19 T0168 TOWNSHIP OF UPPER 459.11 3077  
 73531 05/13/19 T0192 MARSH & McLENNAN AGENCY/TRION 266.00 3077  
 73532 05/13/19 U0067 UT HEALTH REIMB. ACCOUNT 2,922.62 3077  
 73533 05/13/19 V0013 VERIZON WIRELESS 1,199.26 3077  
 73534 05/13/19 V0020 VINELAND AUTO ELECTRIC INC. 46.91 3077  
 73535 05/13/19 V0022 VERIZON 627.28 3077  
 73536 05/13/19 V0024 VAL-U AUTO PARTS L.L.C. 264.91 3077  
 73537 05/13/19 V0025 V.E. RALPH & SON, INC. 269.91 3077  
 73538 05/13/19 W0030 WEST PUBLISHING CO. 497.81 3077  
 73539 05/13/19 W0092 WTH TECHNOLOGY, INC 1,206.00 3077  
 73540 05/13/19 W0115 WSP USA, INC. 1,527.95 3077  
 73541 05/13/19 X0008 XEROX FINANCIAL SERVICES 662.40 3077  
 73542 05/13/19 Y0008 YOUNG, DANIEL J. ESQUIRE PC 12,381.25 3077  
 73543 05/13/19 Y0020 YOUNG, BARBARA L. 67.53 3077

Total: \$127,775.64