TOWNSHIP OF UPPER 2100 TUCKAHOE ROAD PETERSBURG, NJ 08270 CAPE MAY COUNTY MINUTES FOR TUESDAY MAY 28, 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 24, 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 – arrived at 7:40 p.m.

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 - May 13, 2019 Regular and Closed Session Minutes

Motion by Edward Barr, second by Curtis Corson, to approve the May 13, 2019 Regular Meeting and Closed Session Minutes as submitted. During roll call vote four Committeemen present voted in the affirmative. John Coggins was absent for the vote.

REPORT OF GOVERNING BODY MEMBERS

Hobie Young, Committeeman, reported that the township will hold a 4th of July event at Amanda's Field from 5:00 to 9:00 p.m. on Thursday July 4th and 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 Municipal Clerk.

John Coggins, Committeeman, thanked the department of public works and state park employees for their help with cleaning up the debris left behind by visitors at the street end near the Corson's Inlet State Park.

Richard Palombo, Mayor, reported that he and the engineer met earlier today in Strathmere with the US Fish & Wildlife to discuss a designated pathway for emergency vehicles and to discuss raking of the beaches in Strathmere. He next reported on a request received from John Brittin of the Village

Pharmacy and the Upper Township Green Team for Upper Township to sponsor a medical disposal drop box at Village Pharmacy. The total cost of the box is \$2,400. They are asking for three sponsors with each contributing \$800.00 to help underwrite the expenses associated with establishing and maintaining the Medical Disposal Drop Box which will be located at the Village Pharmacy in Marmora. Motion by John Coggins, second by Edward Barr, to commit funds in the amount of \$800 for a Medical Disposal Drop Box to be located at the Village Pharmacy in Marmora. During roll call vote all five Committeemen present voted in the affirmative. He next reported that the Historical Society Strawberry Festival was well attended, and that he is thoroughly enjoying the strawberries. Lastly, he thanked the Committee for attending the Memorial Day observances held throughout the township over the weekend.

OTHER REPORTS

Scott Morgan, Township Administrator, reminded residents of the importance of recycling. He stated that the Cape May County single stream recycling rules and regulations are posted on the Upper Township website under the public works page.

Barbara Young, Municipal Clerk, reminded everyone to keep their pets rabies vaccines current and to license their dogs. She next reported that the Primary Election will be held on Tuesday June 4, 2019 from 6:00 a.m. to 8:00 p.m., and for general questions or questions about your election district to call the Clerks office.

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

Paul Dietrich, Township Engineer, reported that he met with the NJDEP Enforcement Bureau who recently conducted a compliance inspection of our storm water collection system and that there were no issues with the overall maintenance of the system or with the collection and documentation provided to the NJDEP for permitting.

PRESENTATION

1. Congratulating Evan Michael Holmes on his winning essay in the Louis Bay 2nd Future Municipal Leaders Scholarship Competition. Mayor Palombo read the following resolution into the record and Evan Holmes read his essay for the audience.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 142-2019

CONGRATULATING EVAN MICHAEL HOLMES ON HIS WINNING ESSAY IN THE LOUIS BAY 2ND FUTURE MUNICIPAL LEADERS SCHOLARSHIP COMPETITION

WHEREAS, each year the New Jersey State League of Municipalities (NJLM) offers the Louis Bay 2nd 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 2nd 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 13th day of May, 2019.

2. Honoring the Upper Township Green Hornets Wrestling Team on becoming the 2018/2019 South Jersey Youth Wrestling League Champions. Mayor Palombo read the following resolution into the record.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 127-2019

RE: CONGRATULATING THE UPPER TOWNSHIP GREEN HORNETS WRESTLING TEAM ON BECOMING THE 2018/2019 SOUTH JERSEY YOUTH WRESTLING LEAGUE CHAMPIONS

WHEREAS, the Upper Township Green Hornets wrestling team, had an outstanding 2018/2019 wrestling season; and

WHEREAS, they recently achieved the South Jersey Youth Wresting League Champions and finished with an 8 win and 1 loss record; and

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

Luke McHale Jackson Smith Aiden McHale Logan Fearnhead Jaxon Picinich Dominic Schultz Gavin Martin Mason Afanador Mason Sampson Mike Young Josh Roman Logan Hayes Nick Layton Bobby Drewnowski Pat Tull Josh Degan James Picinich Andrew Siteman Aiden Leypoldlt Clarence Smith Talon Fischer John Arsenault Luca Tessitore Dillon Singleton Jonah Nugent

WHEREAS, we also extend this recognition and thanks to the coaches listed below, who have generously given their personal time and service to coach these athletes:

Frank Sannino	Bill Lick
Jerry Stroh	Anthony Garreffi
Steve Leypoldt	Anthony Broker
John Temple	Mike Crement
Don Argoe	Mike Cunningham
Dave Schultz	Claudio Pawlus
Anthony Fearnhead	Joe Cunningham
Tyler Sampson	Cameron Andres
Jason Lera	

NOW, THEREFORE, BE IT RESOLVED by the Township Committee on behalf of the citizens of the Township of Upper, to extend to the Upper Township Green Hornets Wrestling Team, congratulations on becoming the 2018/2019 South Jersey Youth Wresting League Champions, and to each coach a heartfelt thanks and gratitude for the generous donation of their time and service to the young peoples of this community.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 29th day of April, 2019.

3. Honoring the Upper Township Green Hornets Wrestlers on becoming USA Wrestling New Jersey State Championship Place Winners. Mayor Palombo read the following resolution into the record.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 128-2019

RE: CONGRATULATING THE UPPER TOWNSHIP GREEN HORNETS WRESTLERS ON BECOMING USA WRESTLING NEW JERSEY STATE CHAMPIONSHIP PLACE WINNERS

WHEREAS, the Upper Township Green Hornets wrestlers, had an outstanding 2018/2019 wrestling season; and

WHEREAS, they recently achieved USA Wrestling of New Jersey State Championship Place
Winners in their respective weight class; and

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

Keira Cunningham placed 5th in the Girls 9U 50lb weight class
Kruize Pawlus placed 4th in the Tot 45 lb. weight class
Luke McHale placed 5th in the Tot 49 lb. weight class
Trent Lera placed 7th in the Tot 57 lb. weight class
Bobby Drewnowski placed 2nd in the Bantam 70 lb. weight class
Dominic Schultz placed 5th in the Mid 100 lb. weight class
Logan Hayes placed 7th in the Mid 110 lb. weight class
Hannah Lick placed 1st in the Girls 9U 100 lb. weight class
Jonah Nugent placed 2nd in the Junior Hwt. weight class
Aiden Leypoldt placed 8th in the Intermediate 80 lb. weight class

WHEREAS, we also extend this recognition and thanks to the coaches listed below, who have generously given their personal time and service to coach these athletes:

Frank Sannino	Jason Lera
Steve Leypoldt	Anthony Garreffi
John Temple	Claudio Pawlus
Dave Schultz	Joe Cunningham

NOW, THERFORE, BE IT RESOLVED by the Township Committee on behalf of the citizens of the Township of Upper, to extend to the Upper Township Green Hornets Wrestlers, congratulations on becoming USA Wrestling New Jersey State Championship Place Winners, and to the coaches a heartfelt thanks and gratitude for their generous donation of their time and service to the young people of this community.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 29th day of April, 2019.

RESOLUTIONS

4. In support of 2019 Miss New Jersey contestant Amy Phillips.

TOWNSHIP OF UPPER COUNTY OF CAPE MAY STATE OF NEW JERSEY

RESOLUTION NO. 159-2019

RE: IN SUPPORT OF 2019 MISS NEW JERSEY CONTESTANT AMY PHILLIPS

WHEREAS, Amy Phillips of Seaville has earned the honor of competing for the title of Miss New Jersey 2019; and

WHEREAS, Amy is currently the reigning Miss Cape May County, attending events throughout the county as an ambassador for our area and a mentor, role model and volunteer in her community; and

WHEREAS, Amy attended Upper Township Schools, Ocean City High School and graduated a year early from Towson University with a Bachelor of Science in Mass Communications with a concentration in Journalism and New Media, a minor in Electronic Media and Film, and currently works as a multimedia editor; and

WHEREAS, it is Amy's passion to promote her social impact platform of Career Kickstart in the role of Miss New Jersey 2019. She has traveled throughout Cape May County spreading the word about career readiness and how to pick a career. Amy is working hard to ensure students of any age or financial background throughout New Jersey have the proper tools to prepare for their future careers; and

WHEREAS, through her hard work and dedication Amy has gracefully accepted the commitment and responsibility of being a role model to her peers, and it is appropriate that she be publicly supported for her many accomplishments and services to the community and as she competes for the title of Miss New Jersey 2019.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey, to support Amy Phillips as she competes for a well-deserved opportunity to become Miss New Jersey 2019 and extend to her best wishes for all her future endeavors.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 28th day of May, 2019.

Resolution No. 159-2019 Offered by: Barr Adopted: May 28, 2019

Roll Call Vote:

Seconded by: Young

<u>NAME</u>	<u>YES</u>	<u>NO</u>	ABSTAINED	ABSENT
Barr	X			
Coggins	X			
Corson	\overline{X}			
Young	\overline{X}			
Palombo	X			

5. Appointing Loren Ready as Municipal Court Administrator.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 160-2019

RE: APPOINTING LOREN READY AS MUNICIPAL COURT ADMINISTRATOR

WHEREAS, a need exists to fill a pending vacancy in the municipal court administrator position in accordance with N.J.S.A. 2B:12-10; and

WHEREAS, the Township Committee has duly considered the matter and has determined that Loren Ready possesses all of the requisite qualifications, and is a competent, fit and suitable person for appointment as municipal court administrator; and

WHEREAS, pursuant to Court Rule 1:34-3, the Assignment Judge has approved Loren Ready for this appointment; 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. Loren Ready is hereby appointed as the Municipal Court Administrator of the Township of Upper effective July 1, 2019 at a salary of \$62,000.00.
- 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. 160-2019

Offered by: Corson Seconded by: Barr

Adopted: May 28, 2019

Roll Call Vote:

<u>NAME</u> <u>YES</u> <u>NO</u> <u>ABSTAINED</u> <u>ABSENT</u>

Barr	X	 	
Coggins	X	 	
Corson	\overline{X}		
Young	X		
Palombo	X		

6. Appointing Michael Linz as an Emergency Medical Technician to the Upper Township Division of Emergency Medical Services.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 161-2019

RE: APPOINTING MICHAEL LINZ AS EMERGENCY MEDICAL TECHNICIAN TO THE UPPER TOWNSHIP DIVISION OF EMERGENCY MEDICAL SERVICES

WHEREAS, there is a need by the Township of Upper to appoint a full-time Emergency Medical Technician to the Division of Emergency Medical Services.

WHEREAS, the Township Committee has duly considered the matter and has determined that Michael Linz possesses all of the requisite qualifications for appointment to said position; and

WHEREAS, the Township Committee is of the further opinion that Michael Linz is a competent, fit and suitable person for appointment to the hereinafter designated position.

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. Michael Linz is hereby appointed to a full-time position as Emergency Medical Technician to the Division of Emergency Medical Services of the Township of Upper effective May 13, 2019 at an annual salary of \$45,000.00.
- 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. 161-2019			
Offered by: Corson	Seconded	by: Barr	
Adopted: May 28, 2019			
Roll Call Vote:			
NAME YES	NO	ABSTAINED	ABSENT
BarrX			

CogginsX
CorsonX
Coggins X Corson X Young X Palombo X
7. Appointing John Mitchell as a full-time employee to the Upper Township Public Works Department.
TOWNSHIP OF UPPER CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 162-2019
RE: APPOINTING JOHN MITCHELL AS A FULL-TIME EMPLOYEE TO THE UPPER
TOWNSHIP PUBLIC WORKS DEPARTMENT
WHEREAS, a need exists to appoint qualified personnel to the Upper Township
Public Works Department to insure optimal operation; and
WHEREAS, this individual's appointment is 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. John Mitchell is hereby conditionally appointed, pending successful completion of
pre-employment testing, as a full-time Laborer to the Department of Public Works at an annual salary
of \$41,975.00, 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. 162-2019 Offered by: Barr Seconded by: Young Adopted: May 28, 2019 Roll Call Vote:
NAME YES NO ABSTAINED ABSENT Barr X Coggins X Corson X
Young _X

8. Appointing Edmund Wood as a Boat Ramp Attendant for the 2019 season.

Palombo

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 163-2019

RE: APPOINTING EDMUND WOOD AS A BOAT RAMP ATTENDANT FOR THE 2019 SEASON

FOR THE 2017 SEASON			
WHEREAS, a need exists to appoint qualified personnel as a part-time seasonal			
employee 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. Edmund Wood is hereby appointed as a part-time seasonal Boat Ramp			
Attendant, 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. 163-2019 Offered by: Barr Seconded by: Coggins Adopted: May 28, 2019 Roll Call Vote:			
NAME YES NO ABSTAINED ABSENT Barr X			
Coggins			
9. Appointing additional 2019 Season Beach Patrol Personnel.			
TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION			

RESOLUTION NO. 164-2019

RE: APPOINTING ADDITIONAL 2019 SEASON BEACH PATROL PERSONNEL

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

RETURNING GUARDS 3rd YEAR

Sean Buckland \$14.70 per hour Kelly McCullough-Beatty \$14.70 per hour

2nd YEAR

Blasé Japzon \$14.00 per hour Gianna Witasick \$14.00 per hour

Resolution No.	164-201	9		
Offered by: Barr			Seconded by: Coggi	ins
Adopted: May	28, 2019			
Roll Call Vote:				
NAME	YES	NO	ABSTAINED ABSE	ENT
Barr	X			
Coggins	X			
Corson	X			
Young	X			
Palombo	X			

10. Authorizing the Township of Upper to enter into a contract with Cape Physicians Associates to provide pre-employment physical examinations.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 165-2019

RE: AUTHORIZING THE TOWNSHIP OF UPPER TO ENTER INTO A CONTRACT WITH CAPE PHYSICIANS ASSOCIATES TO PROVIDE PRE-EMPLOYMENT PHYSICAL EXAMINATIONS

WHEREAS, pursuant to Section 9 of the Supervisor's Personnel Policies and Procedures Manual, the Township of Upper provides for a pre-employment physical examination to a prospective employee in order to insure that they can perform the duties of their position without injury to themselves or others; and

WHEREAS, Cape Physicians Associates possesses the requisite skill and knowledge to perform these services; and

WHEREAS, a Resolution is required authorizing the award of a contract for professional services to Cape Physicians Associates as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the proposed contract has been reviewed and approved by the Township's Legal Counsel 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, Cape Physicians Associates has completed and submitted a Business Entity Disclosure Certification which certifies that Cape Physicians Associates 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 Cape Physicians Associates 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 Cape Physicians Associates to provide hearing examinations.
- 3. Cape Physicians Associates 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. This Contract is awarded without competitive bidding as a professional service in accordance with N.J.S.A. 40A:11-5(1)(a) of the New Jersey Local Public Contract Law because Cape Physicians Associates has professional knowledge which is particularly valuable to the Township

Committee and this service is acquired as a non-fair and open contract pursuant to N.J.S.A. 19:44A-20.5.

NOTICE OF CONTRACT AWARD

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

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

7. 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. 165-2019
Offered by: Young
Adopted: May 28, 2019
Roll Call Vote:
Seconded by: Coggins

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

11. Supporting the installation of flashing road safety lights and highway safety signs along Route 50 at milepost 6.69 and authorizing a cost sharing commitment for the project pursuant to NJDOT Policy 346.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 166-2019

RE: SUPPORTING THE INSTALLATION OF FLASHING ROAD SAFETY LIGHTS AND HIGHWAY SAFETY SIGNS ALONG ROUTE 50 AT MILEPOST 6.69 AND AUTHORIZING A COST SHARING COMMITMENT FOR THE PROJECT PURSUANT TO NJDOT POLICY 346

WHEREAS, to ensure the safe passage for pedestrians along the marked pedestrian

crossing on Route 50 at the intersection of Reading Avenue in Tuckahoe, the Township Committee has requested the NJDOT to install flashing road safety lights and highway safety signs on Route 50 at Milepost 6.69, pursuant to Resolution 97-2019 adopted on March 25, 2019; and

WHEREAS, the NJDOT has advised that Policy 346 requires the Municipality to commit to paying 25% of the costs associated with electrical construction projects; and

WHEREAS, upon receipt of this cost commitment, the NJDOT will initiate the investigation process for the requested installation.

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

- 1. The allegations of the preamble are incorporated herein by this reference.
- 2. The Township of Upper hereby commits to paying 25% of the costs associated with the installation of flashing road safety lights and highway safety signs along Route 50 at Milepost 6.69 as required by NJDOT Policy 346.
- 3. A certified copy of this Resolution shall be provided to Ms. Jaime Oplinger, Executive Manager, Bureau of Traffic Engineering, NJDOT.

Resolution No. 166-2019 Offered by: Corson

Seconded by: Young

Adopted: May 28, 2019

Roll Call Vote:

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

12. Authorizing the Township of Upper to apply for the Fiscal Year 2019 Emergency Management Performance Grant through the State of New Jersey, Division of State Police, Office of Emergency Management Agency Assistance Program.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 167-2019

RE: AUTHORIZING THE TOWNSHIP OF UPPER TO APPLY FOR THE FISCAL YEAR 2019 EMERGENCY MANAGEMENT PERFORMANCE GRANT THROUGH THE STATE OF NEW JERSEY, DIVISION OF STATE POLICE, OFFICE OF EMERGENCY MANAGEMENT AGENCY ASSISTANCE PROGRAM

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

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

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

- 1. The allegations of the preamble are incorporated herein by this reference.
- 2. The Mayor and Municipal Emergency Management Coordinator are hereby authorized, directed and empowered to sign and submit the FY 2019 Emergency Management Performance Grant application through the New Jersey State Police Office of Emergency Management Agency Assistance Program on behalf of the Township of Upper.
- 3. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Palombo

13. Declaration of emergency pursuant to Township Ordinance Section 7-3.2 in order to provide temporary No Parking restrictions during the Upper Township Fourth of July Celebration Event on July 4, 2019 (Rain Date July 5, 2019).

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 168-2019

RE: DECLARATION OF EMERGENCY PURSUANT TO TOWNSHIP ORDINANCE SECTION 7-3.2 IN ORDER TO PROVIDE TEMPORARY NO PARKING RESTRICTIONS DURING THE UPPER TOWNSHIP FOURTH OF JULY CELEBRATION EVENT ON JULY 4, 2019 (RAIN DATE JULY 5, 2019)

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

WHEREAS, the Township of Upper Fourth of July Celebration event scheduled for Thursday, July 4, 2019 (rain date July 5, 2019) requires temporary parking restrictions for this public event consistent with the provisions of said Ordinance Section 7-3.2; and

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

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

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

- 1. The allegations of the preamble are incorporated herein by this reference.
- 2. The Township Committee hereby declares an emergency pursuant to Township Ordinance Section 7-3.2 and directs the posting of "EMERGENCY-NO PARKING" signs on Route 50 between Sunset Road and Perry Road, Sunset Road, and California Road.
- 3. Said no parking restrictions shall be effective on Thursday July 4, 2019, or in the event of inclement weather, July 5, 2019.
- 4. A copy of this resolution shall be provided to the New Jersey State Police and the Cape May County Sheriff's Office.
- 5. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

14. Authorizing the Engineer to prepare specifications and solicit bids for Landscape Services.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 169-2019

RE: AUTHORIZING THE ENGINEER TO PREPARE SPECIFICATIONS AND SOLICIT BIDS FOR LANDSCAPE SERVICES

WHEREAS, the Township Committee of	the Township	of Upper has	determined a
need for Landscape services for various Township propertie	es; and		

WHEREAS, pursuant to the provisions of the Local Public Contracts Law, the Township of Upper intends to solicit bids as herein indicated; 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.
- The Township Engineer is hereby authorized and directed to prepare specifications, bid documents and solicit bids for Landscape services.
- 3. Sealed bids shall be received by the Township of Upper in accordance with the directives contained in the Notice to Bidders.

 Resolution No. 169-2019

 Offered by: Young
 Seconded by: Coggins

 Adopted: May 28, 2019

 Roll Call Vote:

 NAME
 YES
 NO
 ABSENT

 Barr
 X

 Coggins
 X

 Corson
 X

 Young
 X

 Palombo
 X

15. Authorizing the Township of Upper to participate in a regional submission for a Resilient NJ Grant Application.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 170-2019

RE: AUTHORIZING THE TOWNSHIP OF UPPER TO PARTICIPATE IN A REGIONAL SUBMISSION FOR A RESILIENT NJ GRANT APPLICATION

WHEREAS, the Township of Upper wishes to participate in the regional grant application for the Resilient NJ Program through the NJ Department of Environmental Protection Agency; and

WHEREAS, the Township of Upper will work with the City of Ocean City as the prime municipality, and the City of Sea Isle City as a regional team member; and

WHEREAS, the Township of Upper has identified the need to undergo a comprehensive planning approach to identify and address vulnerabilities to increased flood risk, advance regional resilience, and protect environmental resources; and

WHEREAS, the Township of Upper is eligible for New Jersey Department of Environmental Protection (NJDEP) Resilient NJ Program funds; 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, directed and empowered to submit the application and execute the grant agreement 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.
- 4. The Township of Upper will attend and participate at project meetings and events as a member of the Regional Team;

Resolution N	No. 170-2019			
Offered by:	fered by: Barr		led by: Coggins	
Adopted: Ma	ay 28, 2019			
Roll Call Vo	te:			
<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	ABSENT
Barr	X			
Coggins	X			
Corson	X			
Young	X			
Palombo	X			

ORDINANCES

16. Public hearing and final adoption of Ordinance No. 008-2019 RE: AN ORDINANCE AMENDING REVISED GENERAL ORDINANCE CHAPTER XIX (LAND SUBDIVISION AND SITE PLAN) AND CHAPTER XX (ZONING) OF THE CODE OF UPPER TOWNSHIP. Township Attorney Daniel Young explained that this ordinance

includes several things that the Planning Board has been working on and have recommended to the Committee, including changes to the Whale Beach and Strathmere sections of the land use ordinance. He advised that a subcommittee of residents from Strathmere and Whale Beach was assembled by the Planning Board which included civic leaders, a Real Estate Broker and other land owners and interested parties. He indicated they made recommendations to the Planning Board and until today it was the understanding of the Township Committee and of the Planning Board that their recommendations were a consensus of what the residents of Strathmere wanted. He advised that obviously this is not the case since the township has received approximately forty objection letters to the ordinance, mainly objections to the large lot restrictions. He stated that given this situation the Committee could still have the public hearing but that he recommends that the ordinance not be adopted in its present form, that the Strathmere section be referred back to the Planning Board and that they reconstitute a subcommittee and have the Planner review the concerns with, and inconsistencies in, the ordinance. He also recommended that a new ordinance with revisions be introduced at a later date.

Motion by Curtis Corson, second by Hobie Young, to withdraw Ordinance 008-2019 and to refer it back to the Planning Board for further review. During roll call vote all five Committeemen voted in the affirmative.

Public Hearing - the following Strathmere residents spoke regarding Ordinance No. 008-2019:

Nancy Fullam, Seaview Avenue, thanked the Township Committee for withdrawing the ordinance and for listening to her concerns this evening.

Greg Tigani, Commonwealth Ave, voiced his objections to the ordinance.

Eileen Barrett, East Seacliff Ave, spoke in opposition to the ordinance process.

Lisa Gifford, Commonwealth Avenue, questioned how the subcommittee was formed and asked how she could become a member of the subcommittee. It was then explained that the five-member subcommittee was formed by the Planning Board. The subcommittee consisted of members from the Planning Board, the Riordan Real Estate, the Strathmere Improvement Association and an interested resident. It was stated that anyone interested should email a letter of interest with their resume to the Township Clerk or the Township Engineer.

Laurie Edinger, Seaview Avenue, spoke in opposition to the ordinance and asked that the subcommittee be formed of all new members. It was stated that the subcommittee will be chosen by the Planning Board.

Joseph Callahan, Tecumsuh Avenue, asked if the Master Plan will also be revised. The Municipal Attorney explained that only the ordinance will be revised after the review and recommendations of the Planning Board.

Colleen Pond, Seaview Avenue, spoke in opposition to the way information was communicated to the residents of Strathmere.

Ted Kingston, Strathmere, spoke regarding the subcommittee formation. He explained that the Planning Board asked him and Gary Riordan, both Strathmere residents to co-chair the subcommittee. He explained the subcommittee was comprised of a diverse group of people from various professions, including a Realtor, an architect, an engineer and a planner and they reviewed the ordinance and made recommendations which were brought before the board during public meetings several times over a two-year period.

Mike Ricketts, Williams Avenue, questioned the effects of reduced lot sizes with respect to property values and taxes.

Linda Bateman, President Strahmere Improvement Association, stated that she receives the agenda for the Planning and Zoning Boards and the Township Committee and if anyone wants to get on the distribution list they just need to email the township. She also stated that information to join the subcommittee and on the ordinance was posted on the improvement associations website, Facebook page and was emailed out to more than 500 people on their email list. Lastly, she thanked the residents for their input and the Township Committee for listening.

CORRESPONDENCE

NEW BUSINESS

- 17. Upper Township Planning Board Special Resolution 03-2019, Recommendation of Adoption of Ordinance No. 008-2019. The Municipal Attorney recommended that since this was a companion resolution to Ordinance 008-2019 there is no need to discuss this resolution. Motion by Edward Barr, second by Curtis Corson, to table the discussion on Planning Board Special Resolution 03-2019. During roll call vote five Committeemen voted in the affirmative.
- 18. The Greater Tuckahoe Area Merchants' Association request to hold a Raffle RA 518 at the Tuckahoe Beach on August 4, 2019 at 12:30 pm. Motion by John Coggins, second by Hobie Young, to approve the request. During roll call vote all five Committeemen voted in the affirmative.
- 19. Knights of Columbus #9113 Monsignor James Zegers Resurrection Council request to hold a 50/50 Raffle RA 519 at the Tuckahoe Inn on December 14, 2019. The Municipal Attorney explained that under the rule of necessity the Township Committee can act on this request even though several members of the committee are members of the Knights. Motion by Curtis Corson, second by Hobie Young, to approve the request. During roll call vote all five Committeemen voted in the affirmative.
- 20. Upper Township PTO request to hold a Raffle RA 520 at the Upper Township Middle School on June 17, 2019. Motion by Edward Barr, second by Hobie Young, to approve the request. During roll call vote all five Committeemen voted in the affirmative.
- 21. Historical Preservation Society of Upper Township request use of the Tuckahoe Train Station grounds for a Tuckahoe Transportation Heritage Festival on June 15, 2019. Motion by Hobie Young, second by Edward Barr, to approve the request. During roll call vote all five Committeemen voted in the affirmative.
- 22. Global Premier Soccer (GPS) and Neil Holloway request use of Amanda's Field and Tyler Davis Field to hold a soccer tournament on June 29th and 30th, 2019. Motion by Hobie Young, second by John Coggins, to approve the request. During roll call vote all five Committeemen voted in the affirmative.
- 23. Tuckahoe Fire Company request for the installation of warning lights for emergency vehicles on Route 50 in Tuckahoe. Motion by Curtis Corson, second by Hobie Young, to approve the request. During roll call vote all five Committeemen voted in the affirmative. A resolution of support will be placed on a future agenda.

<u>UNFINISHED BUSINESS</u>

DISCUSSION

PAYMENT OF BILLS

24. "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: \$750,079.26

Payroll: \$166,329.36

REPORT OF MUNICIPAL DEPARTMENTS

25. Department of Public Works

26. Tax Assessor

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

PUBLIC COMMENT

Ralph Cooper, UT Green Team, thanked the Township Committee for supporting the medical disposal drop box at the Village Pharmacy. And next reported that the Upper Township Green Team will be submitting their recertification for the Sustainable Jersey program in June and hope to qualify for the Bronze rating and are hopeful to qualify for the Silver rating in the fall.

Linda Bateman, President Strathmere Improvement Association, spoke regarding several matters including an issue with dogs on the beach. Committeeman Corson stated that the Township Clerk will contact Animal Control tomorrow and they will be present on the beach this weekend to issue summonses. She next questioned who she should contact in the event she witnesses bonfires on beach. Mr. Corson responded that she should call 911 to report any fires on the beach.

Larry Trulli, briefly spoke regarding the Garden State Parkway exit 20 interchange in Seaville.

CLOSED SESSION

27. 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. 171-2019 MOTION GOING INTO CLOSED SESSION May 28, 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 Suasion Communications Group
- 3. Contract negotiation Bock 348, Lot 55

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 10:15 P.M., with a motion by John Coggins, second by Edward Barr, and all five Committeemen voting in the affirmative. The next regular meeting is scheduled for June 10, 2019 at 7:30 P.M.

Minutes prepared by,

Barbara L. Young, RMC Municipal Clerk

Bill List 73544 05/28/19 A0018 ACTION SUPPLY INC. 383.77 3078 73545 05/28/19 A0091 ATLANTIC CITY ELECTRIC 5,532.68 3078 73546 05/28/19 A0191 ACTION UNIFORM CO. LLC 226.00 3078 73547 05/28/19 A0193 ATLANTIC INVESTIGATIONS. LLC 347.00 3078 73548 05/28/19 A0212 ANCERO, LLC 12,264.00 3078 73549 05/28/19 A0218 ATLANTIC CITY CYCLE CENTER LLC 944.71 3078 73550 05/28/19 A0226 ACCESSREC, LLC 18,003.90 3078 73551 05/28/19 B0035 BELMONT & CRYSTAL SPRINGS 23.53 3078 73552 05/28/19 B0093 BARRY, CORRADO, GRASSI & 285.00 3078 73553 05/28/19 B0220 BERGEY'S TRUCK CENTERS 2,990.19 3078 73554 05/28/19 B0239 BAILEY, WILLIAM MICHAEL 1,583.32 3078 73555 05/28/19 B0248 BARNES LAW GROUP LLC 2,344.44 3078 73556 05/28/19 B0256 Brown, Harry Kyle 41.41 3078 73557 05/28/19 C0060 CAPRIONI'S PORTABLE TOILETS 1,947.00 3078 73558 05/28/19 C0068 COMCAST 462.84 3078 73559 05/28/19 C0143 CODY'S POWER EQUIPMENT 368.94 3078 73560 05/28/19 C0182 CDW GOVERNMENT, INC 107.44 3078 73561 05/28/19 C0201 CRUZAN'S TRUCK SERVICE INC. 421.87 3078 73562 05/28/19 C0223 CASA PAYROLL SERVICE 254.25 3078 73563 05/28/19 C0230 CATAMARAN MEDIA COMPANY 94.85 3078 73564 05/28/19 C0279 CASA REPORTING SERVICES LLC 144.45 3078 73565 05/28/19 C0296 COMCAST BUSINESS COMMUNICATION 1,386.86 3078 73566 05/28/19 C0307 CNS CLEANING CO 835.00 3078 73567 05/28/19 D0040 DELTA DENTAL OF N.J. INC. 6,474.98 3078 73568 05/28/19 D0165 Davis Lisa 20.00 3078 73569 05/28/19 E0012 EHRLICH PEST CONTROL INC 94.00 3078 73570 05/28/19 E0069 EVERSAN, INC 140.00 3078 73571 05/28/19 G0086 W.W. GRAINGER, INC. 586.84 3078 73572 05/28/19 G0141 GENTILINI CHEVROLET 234.37 3078

```
73573 05/28/19 G0147 GREATAMERICA FINANCIAL SVCS. 170.00 3078
73574 05/28/19 G0157 GRANTURK EQUIPMENT CO., INC. 1,490.78 3078
73575 05/28/19 G0169 GROFF TRACTOR NEW JERSEY LLC 570.56 3078
73576 05/28/19 H0043 HERITAGE SURF & SPORT 1,092.50 3078
73577 05/28/19 H0073 HOME DEPOT CRC/GECF 972.78 3078
73578 05/28/19 H0095 HORIZON BCBSNJ 192,383.82 3078
73579 05/28/19 J0041 JONES, JAMES M. 60.00 3078
73580 05/28/19 K0103 KYOCERA DOCUMENT SOLUTIONS 289.34 3078
73581 05/28/19 L0007 LC EQUIPMENT, INC. 30.00 3078
73582 05/28/19 M0032 MARINE RESCUE PRODUCTS,INC. 2,670.00 3078
73583 05/28/19 M0035 MARMORA FIRE CO. DISTRICT #3 150,838.75 3078
73584 05/28/19 M0080 McMANIMON, SCOTLAND & BAUMANN 126.50 3078
73585 05/28/19 M0081 MID-ATLANTIC WASTE SYSTEMS 1,406.79 3078
73586 05/28/19 M0164 MURPHY FENCE COMPANY. INC. 3,456.92 3078
73587 05/28/19 M0249 MARRONGELLI, JOSEPH 40.66 3078
73588 05/28/19 M0272 MOMENTUM SOLAR 153.60 3078
73589 05/28/19 M0297 Meger, George 21.91 3078
73590 05/28/19 N0100 N.J. LEAGUE OF MUNICIPALITIES 165.00 3078
73591 05/28/19 00006 SJSHORE MARKETING,LLC 1,198.18 3078
73592 05/28/19 P0032 PEDRONI FUEL CO. 2,204.05 3078
73593 05/28/19 P0056 TURF EQUIPMENT AND SUPPLY CO 323.31 3078
73594 05/28/19 P0140 PIONEER MANUFACTURING CO, INC 1,994.00 3078
73595 05/28/19 P0175 PRIEST JR., ANTHONY 100.00 3078
73596 05/28/19 Q0014 QBE SPECIALTY INSURANCE CO. 905.00 3078
73597 05/28/19 R0030 RIGGINS, INC. 8,773.41 3078
73598 05/28/19 S0031 SCHULER SECURITY, INC. 105.00 3078
73599 05/28/19 S0037 SCHNEIDER'S NURSERY LLC 371.00 3078
73600 05/28/19 S0065 SEAVILLE FIRE CO. DISTRICT #4 141,200.50 3078
73601 05/28/19 S0113 SMITH, THOMAS G. 4,423.50 3078
73602 05/28/19 S0126 LUDY, BARBARA 85.00 3078
73603 05/28/19 S0134 SO. JERSEY GAS COMPANY 1,385.19 3078
73604 05/28/19 S0139 SOUTH JERSEY WATER COND SERV 340.50 3078
73605 05/28/19 S0161 SPICA STEEL, INC./J.D.L.GARAGE 1,959.91 3078
73606 05/28/19 S0191 STRATHMERE FIRE CO.DISTRICT #1 22.746.75 3078
73607 05/28/19 S0209 STAPLES ADVANTAGE 94.95 3078
73608 05/28/19 T0032 THE PRESS OF ATLANTIC CITY 215.46 3078
73609 05/28/19 T0080 TREASURER STATE OF N.J. 3,000.00 3078
73610 05/28/19 T0117 TUCKAHOE FIRE DISTRICT #2 130,825.00 3078
73611 05/28/19 T0131 TROUT, ROSEMARY 287.20 3078
73612 05/28/19 T0180 TRI-COUNTY PEST CONTROL, INC 25.00 3078
73613 05/28/19 T0192 MARSH & McLENNAN AGENCY/TRION 275.50 3078
73614 05/28/19 V0013 VERIZON WIRELESS 565.43 3078
73615 05/28/19 V0024 VAL-U AUTO PARTS L.L.C. 352.74 3078
73616 05/28/19 V0025 V.E. RALPH & SON,INC. 434.50 3078
73617 05/28/19 V0041 Vallese, Dianne M. 21.91 3078
73618 05/28/19 V0047 VARIDESK, LLC 295.00 3078
73619 05/28/19 V0049 VACUUM SALES INC 9.870.00 3078
73620 05/28/19 W0038 WILLIAMS, JEREMIAH J. 329.96 3078
73621 05/28/19 W0087 W.B. MASON EGG HARBOR 587.76 3078
73622 05/28/19 Y0010 YOUNG, HOBIE 300.00 3078
Total: $750,079.26
```