

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR JUNE 10, 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 June 7, 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 Ludy, and Township Administrator Scott Morgan.

APPROVAL OF MINUTES - May 28, 2019 Regular and Closed Session Minutes

Motion by Edward Barr, second by Hobie Young, to approve the May 28, 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, stated that volunteers are still needed for the 4th of July event as well as the Pumpkin Classic Car Show on September 28th. He next requested the Township Administrator to inquire with the NJ State Police about closing Route 50 from 8:00 am to 12:00 pm during the car show.

Edward Barr, Committeeman, inquired into the status of the beach mats. It was stated that they are all installed in the appropriate locations.

Curtis Corson, Committeeman, stated that the State Park Service patrols the Corson’s Inlet State Park and suggested asking if they would patrol the Strathmere Beach as well to help prevent the reported issue of bonfires on the beach. After a brief discussion, the Township Administrator was instructed to reach out to the State Park Service.

Richard Palombo, Mayor, made a motion to hire the following rookie guards pending successful pre-employment testing: Rebecca Millar, Lindsay Robbins, Mike Dickinson, and Lorna Connell. The motion was seconded by Edward Barr. During roll call vote all five Committeemen voted in the affirmative. A resolution for formal action will be listed on the next agenda.

OTHER REPORTS

Scott Morgan, Township Administrator, thanked the Sea Isle City Public Works Department for their assistance with the improvements to the Strathmere beach project. Mr. Dietrich also thanked the Department of Fish and Wildlife for their assistance with the project as well. Mr. Morgan then reported that at the last meeting there were some concerns raised regarding State Police coverage in Strathmere. He stated that Lt. Henry, NJSP Station Commander Woodbine Barracks, has informed him that the State Police will increase patrols in Strathmere during the summer months. He further urged all residents to call 9-1-1 in an emergency. Next, Mr. Morgan reported that compost collection has been delayed due to some equipment failures. Compost collection has resumed and will be back on schedule soon.

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

Paul Dietrich, Township Engineer, gave a brief update on several County road project. The contractor has started the expanded parking area in Whale Beach and the Commonwealth Ave re-striping project is anticipated to begin next week. A contract for the second phase of the Hope Corson Road project has been awarded and it is anticipated to begin within two to three weeks. The reconstruction of Corson Tavern Road is anticipated to go out to bid in late summer. He next reported that the utility companies are in the process of restoration paving in Strathmere. Last, he reported that the Army Corps of Engineers has submitted the plans for the next beach fill project. It is anticipated that they will be reconstructing the dunes in Strathmere from the Corson’s Inlet State Park to Winthrop Ave and a beach fill from Corson’s Inlet State Park to Hawthorne.

ORDINANCES

1. **Public hearing and final adoption of Ordinance No. 009-2019 RE: AN ORDINANCE AMENDING ORDINANCE NO. 021-2018 KNOWN AS THE SALARY ORDINANCE FOR THE CALENDAR YEAR 2019.** During the public hearing portion there were no speakers. Motion by John Coggins, second by Hobie Young to adopt Ordinance No. 009-2019. 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>
Equipment Operator 0-9 yrs.)	\$12,500.00	\$ 55,335.00
Truck Driver, Heavy (0-9 yrs.)	\$12,500.00	\$ 55,335.00

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 THE FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 13TH DAY OF MAY, 2019 AT THE TOWNSHIP HALL, AND WAS TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 10TH DAY OF JUNE, 2019 AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY, AT WHICH TIME SAID ORDINANCE WAS ADOPTED.

BARBARA L. YOUNG, TOWNSHIP CLERK
TOWNSHIP OF UPPER

RESOLUTIONS

2. Amending Resolution No. 012-2019 that appoints various officers and employees to annual and specified terms.

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

RESOLUTION NO. 172-2019

RE: AMENDING RESOLUTION NO. 012-2019 THAT APPOINTS VARIOUS OFFICERS AND EMPLOYEES TO ANNUAL AND SPECIFIED TERMS

WHEREAS, Resolution No. 012-2019 appoints various officers and employees to annual and specified terms and includes the salary for each; and

WHEREAS, the Township Committee has determined it is necessary to amend said Resolution No. 012-2019 to amend the salaries and certain appointments as contained in said Resolution: 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. Resolution No. 012-2019 is amended to reflect an annual salary and position titles for the

following persons:

ANNUAL APPOINTMENTS-ONE (1) YEAR TERM

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>
Brian Keenan	Truck Driver, Heavy (0-9)	\$55,335.00
Richard McCauley	Truck Driver, Heavy (0-9)	\$55,335.00
John Chisholm	Truck Driver, Heavy (0-9)	\$55,335.00
Brian Bushong	Truck Driver, Heavy (0-9)	\$55,335.00
Anthony Parsio	Truck Driver, Heavy (0-9)	\$55,335.00
Edward Kline	Truck Driver, Heavy (0-9)	\$55,335.00
Ralon Armstrong	Truck Driver, Heavy (0-9)	\$55,335.00
Stewart Segin	Equipment Operator (0-9)	\$55,335.00

3. This Resolution shall be effective on June 7, 2019.

Resolution No. 172-2019

Offered by: Barr

Seconded by: Coggins

Adopted: June 10, 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>	_____	_____	_____

3. Authorizing Upper Township to be a sponsor for the Village Pharmacy Medical Disposal Drop Box project.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 173-2019

**RE: AUTHORIZE UPPER TOWNSHIP TO BE A SPONSOR FOR
THE VILLAGE PHARMACY MEDICAL DISPOSAL DROP BOX PROJECT**

WHEREAS, the Village Pharmacy, Wayside Village, Marmora has registered with the appropriate agencies to be an authorized collector to establish a Medical Disposal Drop Box in Upper Township; and

WHEREAS, this project is being facilitated by the Upper Township Green Team in conjunction with Village Pharmacy; and

WHEREAS, the costs for installing and maintaining the 38-gallon capacity Drop Box is \$2,400.00 which covers the cost of the box, the secure shipment of the collected materials and promotional expenses for the first year; and

WHEREAS, it is beneficial to the residents of Upper Township for the Township of Upper to help underwrite this drop box project by being a sponsor at a cost of \$800.00.

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 being a sponsor at a cost of \$800.00 to help underwrite the expenses associated with establishing and maintaining the Medical Disposal Drop Box to be located at the Village Pharmacy in Marmora.
3. A copy of this Resolution shall be provided to Upper Township Green Team and the Village Pharmacy, Wayside Village, Marmora.

Resolution No. 173-2019

Offered by: Young

Seconded by: Coggins

Adopted: June 10, 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>	_____	_____	_____

4. Renewal of Alcoholic Beverage Licenses for the license year 2019.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 174-2019

**RE: RENEWAL OF ALCOHOLIC BEVERAGE LICENSES
FOR THE LICENSE YEAR 2019**

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

WHEREAS, said holders of alcoholic beverage licenses have complied with all requirements of law and regulations of the Division of Alcoholic Beverage Control (“Division”); and

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Upper in the County of Cape May and State of New Jersey, that the following licenses be authorized for issue for the license year effective July 1, 2019:

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

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

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

UMMAC Corp.
T/A Obadiah's
311-301 & 321 Roosevelt Blvd,
Marmora, NJ 08223

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

- Refund EMS ambulance billing overpayment to Carpenters Health & Welfare Fund.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

**RESOLUTION NO. 175-2019
RE: REFUND EMS AMBULANCE BILLING OVERPAYMENT
TO CARPENTERS HEALTH & WELFARE FUND**

WHEREAS, an overpayment has occurred in the account of an EMS ambulance billing patient, where the monies sent to the Township of Upper by Carpenters Health & Welfare Fund were in excess as evidenced by the attached copy of a letter attached hereto as Exhibit A.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Upper, Cape May County, that the refund is hereby authorized and the Chief Financial Officer is hereby directed to refund monies as indicated below:

<u>AMOUNT</u>	<u>NAME</u>
\$226.26	Carpenters Health & Welfare Fund Local 8 1811 Spring Garden Street Philadelphia, PA 19130

Resolution No. 175-2019

Offered by: Corson

Seconded by: Barr

Adopted: June 10, 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>	_____	_____	_____

- Chapter 159 Resolution for the insertion of a special item of revenue into the 2019 Budget that was not determined at the time of the adoption of the Budget—State of New Jersey 2019 Clean Communities Grant in the amount of \$39,331.00.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 176-2019

**RE: CHAPTER 159 RESOLUTION FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE INTO THE 2019 BUDGET THAT WAS NOT DETERMINED AT THE TIME OF THE ADOPTION OF THE BUDGET—STATE OF NEW JERSEY
2019 CLEAN COMMUNITIES GRANT IN THE AMOUNT OF \$39,331.00**

WHEREAS, N.J.S. 40A:4-87 PROVIDES THAT THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES MAY APPROVE THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY WHEN SUCH ITEM SHALL HAVE BEEN MADE AVAILABLE BY LAW AND THE AMOUNT THEREOF WAS NOT DETERMINED AT THE TIME OF THE ADOPTION OF THE BUDGET; AND

WHEREAS, SAID DIRECTOR MAY ALSO APPROVE THE INSERTION OF AN ITEM OF APPROPRIATION FOR AN EQUAL AMOUNT; AND

WHEREAS, THE TOWNSHIP OF UPPER WILL RECEIVE AN AMOUNT OF \$39,331.00 FROM THE STATE OF NEW JERSEY 2019 CLEAN COMMUNITIES GRANT PROGRAM AND WISHES TO AMEND ITS 2019 BUDGET TO INCLUDE THIS AMOUNT AS A REVENUE.

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HEREBY REQUESTS THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES APPROVE THE INSERTION OF AN ADDITIONAL ITEM OF REVENUE IN THE BUDGET OF THE YEAR 2019 IN THE SUM OF \$39,331.00, WHICH IS NOW AVAILABLE AS A REVENUE FROM:

REVENUE: STATE & FEDERAL REVENUE OFFSET WITH APPROPRIATIONS:
2019 CLEAN COMMUNITIES GRANT PROGRAM, AND

BE IT FURTHER RESOLVED THAT A LIKE SUM OF \$39,331.00 BE AND THE SAME IS HEREBY APPROPRIATED UNDER THE CAPTION OF:

APPROPRIATION: STATE AND FEDERAL PROGRAMS OFFSET BY REVENUE:
2019 CLEAN COMMUNITIES GRANT PROGRAM, AND

BE IT FURTHER RESOLVED, THAT THE TOWNSHIP CLERK FORWARD TWO COPIES OF THIS RESOLUTION TO THE DIRECTOR OF LOCAL GOVERNMENT SERVICES.

Resolution No. 176-2019

Offered by: Coggins

Seconded by: Barr

Adopted: June 10, 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>	_____	_____	_____

- Tax Refunds for Block 549, Lot 15 and Block 562, Lot 30.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 177-2019

**TAX REFUNDS
BLOCK 549, LOT 15 AND BLOCK 562, LOT 30**

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

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

Resolution No. 177-2019

Offered by: Barr

Seconded by: Coggins

Adopted: June 10, 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>	_____	_____	_____

REFUND

<u>BLOCK/LOT</u>	<u>AMOUNT</u>	<u>NAME</u>
549/15	\$ 2622.88	Lereta Tax & Flood Service 7929 Brookriver Dr., Suite 400 Dallas TX 75247

2nd Quarter & Estimated 3rd Quarter Taxes paid by Mortgage Company in error. Homeowner had already paid the taxes due for 41 Tyler Road. Lender is requesting refund.

562/30	\$ 822.55	PENNYMAC Attn: Tax Department 6101 Condor Drive Moorpark CA 93021
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2nd Quarter was paid by Prosperity Home Mortgage and by Corelogic (Pennymac). Pennymac is requesting a refund.

8. Authorizing a professional services contract with Suasion Communications Group for the maintenance of the Upper Township Internet Web Site.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 178-2019

**RE: AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH
SUASION COMMUNICATIONS GROUP FOR THE MAINTENANCE OF**

THE UPPER TOWNSHIP INTERNET WEB SITE

WHEREAS, the Township of Upper maintains an internet web site which requires routine maintenance; and

WHEREAS, the Township has decided to acquire the services of Suasion Communications Group as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Suasion Communications Group has completed and submitted a Business Entity Disclosure Certification which certifies that Suasion Communications Group 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 Suasion Communications Group 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. Suasion Communications Group with offices at 235 Shore Road, Suite B, Somers Point, New Jersey 08244, is hereby appointed by the Township of Upper for the purposes as specified in this Resolution and the attached professional services agreement.
3. This contract shall have a term of one (1) year from date of full execution.
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 Suasion Communications Group 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 Suasion Communications Group for the maintenance of the Upper Township internet web site. This contract and 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. Suasion Communications Group has registered with the State of New Jersey pursuant to c.57, Laws of 2004 and will provide proof of that registration to the Township of Upper.

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

9. This Resolution shall be effective as of adoption.

Resolution No. 178-2019

Offered by: Barr

Seconded by: Coggins

Adopted: June 10, 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>

9. Amending Resolution No. 162-2019 that appointed John Mitchell as full-time employee to the Upper Township Public Works Department.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 179-2019

**RE: AMENDING RESOLUTION NO. 162-2019
THAT APPOINTED JOHN MITCHELL AS A FULL-TIME EMPLOYEE TO THE UPPER
TOWNSHIP PUBLIC WORKS DEPARTMENT**

WHEREAS, Resolution No. 162-2019 appointed John Mitchell as a full-time employee to the Upper Township Public Works Department; and

WHEREAS, the Township Committee has determined it is necessary to amend said Resolution No. 162-2019 to amend the effective date of the appointment of John Mitchell to serve as a as a full-time Laborer to the Department of Public Works to June 4, 2019.

3. A certified copy of this Resolution shall be provided to Ms. Jaime Oplinger, Executive Manager, Bureau of Traffic Engineering, NJDOT.

Resolution No. 180-2019

Offered by: Corson

Seconded by: Young

Adopted: June 10, 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>

11. Authorizing the purchase of certain items and for the Chief Financial Officer to withdraw funds in the amount of \$12,601.24 from the account entitled Recycling Trust Account for such purposes.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 181-2019

RE: AUTHORIZING THE PURCHASE OF CERTAIN ITEMS AND FOR THE CHIEF FINANCIAL OFFICER TO WITHDRAW FUNDS IN THE AMOUNT OF \$12,601.24 FROM THE ACCOUNT ENTITLED RECYCLING TRUST ACCOUNT FOR SUCH PURPOSES

WHEREAS, it is necessary for the Township of Upper to purchase certain recycling advertisements and repair a recycling rear loader truck; and

WHEREAS, the Township has available \$12,601.24 in the Recycling Trust account to make such purchases; and

WHEREAS, the Township's QPA has reviewed and approved the quotes from Sample Media, Inc. of Ocean City, New Jersey; The Press of Atlantic City of Pleasantville, New Jersey, and Dan's Welding of Seaville, New Jersey listed on 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 Township Committee of the Township of Upper, County of Cape May, New Jersey hereby authorizes the purchase of the items listed on Exhibit A in the amount of \$12,601.24 from the Recycling Trust Account.

3. The Chief Financial Officer of the Township of Upper is hereby authorized, directed and

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. 182-2019

Offered by: Barr

Seconded by: Coggins

Adopted: June 10, 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>

13. Authorizing the Deputy Mayor to sign a Deed Restriction for Affordable Rental Properties for the Osprey Cove Project.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 183-2019

RE: AUTHORIZING THE DEPUTY MAYOR TO SIGN A DEED RESTRICTION FOR AFFORDABLE RENTAL PROPERTIES FOR THE OSPREY COVE PROJECT

WHEREAS, in accordance with N.J.A.C. 5:80-26.11 and the Affordable Housing Plan for the Osprey Cove Project, the Township of Upper must approve the deed restrictions for affordable rental properties; and

WHEREAS, the Osprey Cove Project is required to provide affordable housing as part of their site plan approval; and

WHEREAS, pursuant to the Affordable Housing Plan for the Osprey Cove project, Osprey Cove will be providing rental dwelling units for low or moderate income households at the following locations:

- 40 Stagecoach Road, Block 652.01, Lot 14, C001
- 42 Stagecoach Road, Block 652.01, Lot 14, C002
- 135 (Unit A) Stagecoach Road, Block 600, Lot 23, C001
- 135 (Unit B) Stagecoach Road, Block 600, Lot 23, C002
- 151 (Unit A) Stagecoach Road, Block 600, Lot 22, C001
- 151 (Unit B) Stagecoach Road, Block 600, Lot 22, C002

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 Deputy Mayor of the Township of Upper is hereby authorized, directed, and empowered to sign the deed restrictions, attached hereto.

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. 183-2019

Offered by: Young

Seconded by: Barr

Adopted: June 10, 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> </u>	<u> </u>	<u>X</u>	<u> </u>

CORRESPONDENCE

NEW BUSINESS

UNFINISHED BUSINESS

DISCUSSION

PAYMENT OF BILLS

14. **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: \$202,775.21

Payroll: \$167,051.57

REPORT OF MUNICIPAL DEPARTMENTS

- 15. Construction
- 16. Division of EMS
- 17. Municipal Court
- 18. MUA
- 19. Tax Collector

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

PUBLIC COMMENT

CLOSED SESSION

20. 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. 184-2019
MOTION GOING INTO CLOSED SESSION**

June 10, 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. Litigation – Affordable Housing
3. Contract negotiation – Media Consultant

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

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

Moved by: John Coggins

Motion seconded by: Richard Palombo

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

RECONVENE PUBLIC PORTION OF MEETING

Motion by John Coggins, second by Richard Palombo, to reconvene the public portion of the meeting.

During roll call vote all five Committeeman voted in the affirmative.

ADJOURNMENT

There being no further business this evening the meeting was adjourned at 9:15 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 June 24, 2019 at 7:30 P.M.

Minutes prepared by,

Barbara L. Young, RMC
Municipal Clerk

Bill List

73623 06/10/19 A0025 ADVANTAGE RENTAL ACE HARDWARE 1,387.11 3079
73624 06/10/19 A0075 ADAMS, JOSHUA 74.33 3079
73625 06/10/19 A0091 ATLANTIC CITY ELECTRIC 1,108.67 3079
73626 06/10/19 A0191 ACTION UNIFORM CO. LLC 116.00 3079
73627 06/10/19 A0193 ATLANTIC INVESTIGATIONS, LLC 93.00 3079
73628 06/10/19 A0212 ANCERO, LLC 2,510.89 3079
73629 06/10/19 A0227 ADVANCED PAVEMENT GROUP CORP 4,500.00 3079
73630 06/10/19 B0035 BELMONT & CRYSTAL SPRINGS 199.12 3079
73631 06/10/19 B0039 BEESLEY'S PT. SEA DOO, INC. 260.04 3079
73632 06/10/19 B0178 BUGANSKI,PETER R. 480.04 3079
73633 06/10/19 B02054 BILLY PERRYMAN NEW & USED FARM 300.00 3079

73634 06/10/19 B0265 Baldwin, Matthew 41.91 3079
73635 06/10/19 C0048 CAPE MAY COUNTY MUA 38,852.41 3079
73636 06/10/19 C0068 COMCAST 578.57 3079
73637 06/10/19 C0116 CINTAS CORPORATION 163.42 3079
73638 06/10/19 C0201 CRUZAN'S TRUCK SERVICE INC. 4,501.46 3079
73639 06/10/19 C0204 CUMBERLAND INSURANCE GROUP 16.00 3079
73640 06/10/19 C0223 CASA PAYROLL SERVICE 311.25 3079
73641 06/10/19 C0247 CMRS-FP 2,000.00 3079
73642 06/10/19 C0259 CAPE PHYSICIANS ASSOCIATES, PA 2,050.00 3079
73643 06/10/19 C0305 CM3 BUILDING SOLUTIONS, INC. 287.50 3079
73644 06/10/19 D0135 DITROIA, DARYL 21.91 3079
73645 06/10/19 D0160 DOOR JOCKEY, INC. 250.00 3079
73646 06/10/19 E0012 EHRlich PEST CONTROL INC 94.00 3079
73647 06/10/19 F0016 FAZZIO, JOSEPH INC. 143.00 3079
73648 06/10/19 F0053 FORD, SCOTT & ASSOCIATES 4,000.00 3079
73649 06/10/19 F0181 FOR SHORE WEED CONTROL, INC 1,852.00 3079
73650 06/10/19 F0223 Flanigan, Stefanie 41.91 3079
73651 06/10/19 G0014 GARDEN STATE HWY PRODUCTS INC. 4,007.80 3079
73652 06/10/19 G0016 GARDNER HARDWARE INC. 623.29 3079
73653 06/10/19 G0028 GENTILINI FORD 97.65 3079
73654 06/10/19 G0086 W.W. GRAINGER, INC. 383.00 3079
73655 06/10/19 H0148 THOMAS H. HEIST INS AGENCY INC 1,771.20 3079
73656 06/10/19 J0041 JONES, JAMES M. 360.00 3079
73657 06/10/19 J0063 JOHNSON WILSHIRE, INC 279.00 3079
73658 06/10/19 J0084 JAPZON, BLASE 40.66 3079
73659 06/10/19 K0086 K D NATIONAL FORCE SECURITY 2,388.76 3079
73660 06/10/19 K0103 KYOCERA DOCUMENT SOLUTIONS 216.23 3079
73661 06/10/19 K0091 KRISTEES DESIGNS 4,148.21 3079
73662 06/10/19 L0007 LC EQUIPMENT, INC. 472.50 3079
73663 06/10/19 L0040 LEA, SHELLEY 25.00 3079
73664 06/10/19 M0012 McCAULEY, RICHARD 53.61 3079
73665 06/10/19 M0076 MGL PRINTING SOLUTIONS 1,155.00 3079
73666 06/10/19 M0277 MONY LIFE INSURANCE COMPANY 193.92 3079
73667 06/10/19 M0298 MITCHELL, JOHN S. 40.66 3079
73668 06/10/19 N0004 NJ-AMERICAN WATER CO. 200.84 3079
73669 06/10/19 N0143 NATIONAL TIME SYSTEMS 552.35 3079
73670 06/10/19 O0006 SJSHORE MARKETING,LLC 305.86 3079
73671 06/10/19 O0012 OCEAN CITY BD. OF EDUCATION 262.20 3079
73672 06/10/19 P0032 PEDRONI FUEL CO. 2,125.14 3079
73673 06/10/19 P0076 POSTMASTER-TUCKAHOE 248.00 3079
73674 06/10/19 P0136 POSTNET 23.40 3079
73675 06/10/19 P0175 PRIEST JR., ANTHONY 100.00 3079
73676 06/10/19 R0030 RIGGINS, INC. 4,795.37 3079
73677 06/10/19 R0115 RID PEST CONTROL INC. 55.00 3079
73678 06/10/19 R0123 REIGHN, RONALD 40.66 3079
73679 06/10/19 R106 RUMER, LISA 165.99 3079
73680 06/10/19 S0020 THE HOME DEPOT PRO 478.77 3079
73681 06/10/19 S0031 SCHULER SECURITY, INC. 360.00 3079
73682 06/10/19 S0057 SERVICE TIRE TRUCK CENTERS 0.00 06/10/19 VOID 0
73683 06/10/19 S0057 SERVICE TIRE TRUCK CENTERS 7,963.11 3079
73684 06/10/19 S0126 LUDY, BARBARA 30.00 3079
73685 06/10/19 S0209 STAPLES ADVANTAGE 434.78 3079
73686 06/10/19 S0254 SHOPRITE 40.85 3079
73687 06/10/19 S0284 SOUTH JERSEY INTERPRETERS 171.13 3079
73688 06/10/19 S0292 JEFFREY SURENIAN & ASSOC. LLC 156.00 3079
73689 06/10/19 S0344 SIGNARAMA 171.50 3079
73690 06/10/19 S0346 Schuler, Amanda 21.91 3079
73691 06/10/19 T0006 MONMOUTH/OCEAN TCTA 49.00 3079
73692 06/10/19 T0080 TREASURER STATE OF N.J. 3,320.00 3079
73693 06/10/19 T0168 TOWNSHIP OF UPPER 533.72 3079
73694 06/10/19 U0028 UPPER TOWNSHIP BD.OF EDUCATION 695.00 3079
73695 06/10/19 U0067 UT HEALTH REIMB. ACCOUNT 3,017.41 3079
73696 06/10/19 V0001 VCI EMERGENCY VEHICLE 983.03 3079
73697 06/10/19 V0013 VERIZON WIRELESS 1,008.21 3079
73698 06/10/19 V0024 VAL-U AUTO PARTS L.L.C. 2,451.37 3079
73699 06/10/19 V0048 VIVINT SOLAR DEVELOPER, LLC 420.00 3079
73700 06/10/19 W0048 WINNER FORD OF CHERRY HILL 70,927.00 3079
73701 06/10/19 W0100 WALKER, ESQUIRE DOUGLAS 300.00 3079
73702 06/10/19 W0118 WOOD, EDMUND 40.66 3079
73703 06/10/19 X0008 XEROX FINANCIAL SERVICES 662.40 3079
73704 06/10/19 Y0008 YOUNG, DANIEL J. ESQUIRE PC 17,106.25 3079
73705 06/10/19 Y0020 YOUNG, BARBARA L. 26.61 3079
73706 06/10/19 Y0027 YOUNG, NATHANIEL 40.66 3079

Total: \$202,775.21