

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR JANUARY 27, 2020**

*******BUDGET WORKSHOP MEETING - 6:00 P.M.**

In preparation of the 2020 Municipal Budget a budget workshop meeting was called to order this evening at 6:00 PM.

Mayor Palombo read the following Open Public meeting notice into the record.

“In compliance with the Open Public Meetings Law, I wish to state that on January 24, 2020 the notice of this Budget workshop 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 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.”

The following were present for the workshop meeting tonight:

Edward Barr	Present
John Coggins	Present
Curtis Corson	Present
Hobart Young	Absent
Richard Palombo	Present

Also present were Municipal Clerk Barbara Young, Municipal Engineer Paul Dietrich, Chief Financial Officer Barbara Ludy and Township Administrator Scott Morgan.

Committeeman Coggins stated that the goals for tonight will be to recap the variances from the 2019 budget to the proposed 2020 budget, then focus on the EMS and Beach Patrol budgets, and then if time allows begin the review of the proposed Public Works budget.

Committeeman Coggins stated that the 2020 proposed budget appropriations, excluding capital, re \$14,364,000.00 as compared to the actual appropriations from 2019 of \$13,541,000.00, for a difference \$643,000.00. The Township’s Registered Municipal Accountant has advised that in order to achieve a 2% cap on the budget, approximately \$320,000.00 to \$350,000.00 will need to be cut from the proposed appropriations. Committeeman Coggins then reviewed the variances of each department and line item from 2019 to the 2020 proposed.

There was then an in-depth discussion regarding the EMS and Beach Patrol proposed budgets.

There being no further discussion, the budget workshop was adjourned with a motion by Richard Palombo and second by Edward Barr. During roll call vote all four Committeemen present voted in the affirmative. The next budget meeting is scheduled for February 10th at 6:00 pm.

The Committee then took a short recess prior to starting the regular meeting at 7:30 pm.

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

CALL TO ORDER

SUNSHINE ANNOUNCEMENT

Mayor Palombo read the following announcement. "In compliance with the Open Public Meetings Law, I wish to state that on January 24, 2020 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	Absent
Richard Palombo	Present

Also present were Municipal Clerk Barbara Young, Municipal Attorney Daniel Young, Township Administrator Scott Morgan, Township Engineer Paul Dietrich, and Chief Financial Officer Barbara Ludy.

APPROVAL OF MINUTES - January 6, 2020 Reorganization Minutes - Motion by Edward Barr, second by John Coggins, to approve the January 6, 2020 Reorganization Meeting Minutes as submitted. During roll call vote all four Committeemen present voted in the affirmative.

REPORT OF GOVERNING BODY MEMBERS

John Coggins, Committeeman, reported that a number of residents have requested that the Township become a second amendment sanctuary. He made a motion to adopt a Resolution declaring the Township a second amendment sanctuary. The motion was seconded by Edward Barr. During roll call vote all four Committeemen present voted in the affirmative. A resolution for formal action will be placed on the next agenda.

Edward Barr, Committeeman, inquired into the status of leaf collection. It was stated that the leaf collection has been completed.

Curtis Corson, Committeeman, reported that 124 dogs and 20 cats were vaccinated at the free rabies clinic held on January 25th. The Township will be holding a second free rabies clinic on February 22nd at Shore Veterinarians from 1:00 pm to 3:00 pm. Next, he reported that the Rescue Squad will have roses for sale on February 12th through Valentine's Day.

Richard Palombo, Mayor, reported that he recently attended the installation meeting for the new officers of the Rescue Squad, and thanked the new Chief for her efforts with reorganization of the squad.

OTHER REPORTS

Scott Morgan, Township Administrator, reported that the fencing project at the Caldwell Park tennis courts started today. There are other projects in the works for Caldwell Park in the coming months.

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

Paul Dietrich, Township Engineer, reported that the contractor for the Putnam and Sumner Ave bulkheads anticipates starting the project in the beginning of March and will take approximately three

weeks to complete the project. He next gave a brief update on the Commonwealth Ave and Bayview Drive projects.

PRESENTATION

1. Honoring Evan Michael Holmes on attaining the designation of “Eagle Scout”. Mayor Palombo read the following Resolution into the record and congratulated Evan for his accomplishments.

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

RESOLUTION NO. 355-2019

RE: HONORING EVAN MICHAEL HOLMES ON ATTAINING THE DESIGNATION OF "EAGLE SCOUT"

WHEREAS, Evan Michael Holmes of Troop 79, Marmora, 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 Evan 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 creating an Outdoor Learning Space and enhancing the existing Garden Club for the Upper Township Elementary School; and

WHEREAS, Evan utilized a vacant courtyard space on the Elementary School playground/blacktop area and designed and supervised the building of a variety of raised and ground level flower beds, four picnic tables with umbrellas and handicapped accessible ramps. This outdoor learning space and garden has created opportunities for teachers, students and the community to connect more with the natural world and learn the importance of agriculture; and

NOW, THEREFORE, BE IT RESOLVED that the Township Committee extends its sincere congratulations and best wishes to Evan’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 9th day of December, 2019.

RESOLUTIONS

2. Accepting a Performance Bond for Affordable Housing Development for Osprey Cove at Block 567, Lot 24.

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

RESOLUTION NO. 39-2020

**RE: ACCEPTING A PERFORMANCE BOND FOR
AFFORDABLE HOUSING DEVELOPMENT FOR OSPREY COVE
AT BLOCK 567, LOT24**

WHEREAS, Harriet Lane LLC and 2058 South Shore Road LLC, (hereinafter referred to as “Developers”), are the owners of Block 567, Lot 24 and Block 561, Lot 25 respectively; and

WHEREAS, in 2016 the development known as Osprey Cove, Block 561, Lot 25 was granted a variance to allow for the construction of their required affordable housing units offsite; and

WHEREAS, Upper Township Zoning Board of Adjustment Resolution No. BA 25-18 granted approval to the Developers to construct those affordable housing units on Harriet Lane, Block 567, Lot 24; and

WHEREAS, pursuant to Chapter 19-8 of the Code of Upper Township, the Developers shall furnish a Performance Guarantee in favor of the Township for improvements which the Upper Township Zoning Board of Adjustment may deem necessary or appropriate; and

WHEREAS, as further required by N.J.S.A. 40:55D-53, the Municipal Engineer shall prepare an Engineer’s Estimate of an itemized cost estimate of the improvements covered by the Performance Guarantee, which itemized cost estimate shall be appended to each Performance Guarantee posted by the Developers and a copy of which is annexed to this Resolution as Exhibit “A”; and

WHEREAS, the Developers have presented to the Township a Performance Guarantee as follows:

Performance Guarantee
Block 567, Lot 24

Principals: Harriet Lane, LLC and 2058 South Shore Road, LLC
PO Box 508
Ocean City, NJ 08223

Issue Date: January 7, 2020

Cash Bond Amount: \$ 500,000.00

WHEREAS, the Municipal Attorney has reviewed the Performance Guarantee and has determined that the same complies with the New Jersey Statutes and Township Ordinances applicable thereto and has recommended acceptance of same by the Township Committee;

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 cost estimate of the Municipal Engineer, which is attached hereto as Exhibit “A”, is hereby accepted and approved.
3. The Performance Guarantee in the form of a Cash Bond described in this Resolution is hereby accepted and approved.
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. 39-2020

Offered by: Barr

Seconded by: Coggins

Adopted: January 27, 2020

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Barr	X			
Coggins	X			
Corson	X			
Young				X
Palombo	X			

3. Appointing Jerry H. Steiner to serve as an additional Municipal Public Defender on an as needed basis.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 40-2020

**RE: APPOINTING JERRY H. STEINER TO SERVE AS AN ADDITIONAL MUNICIPAL
PUBLIC DEFENDER ON AN AS NEEDED BASIS**

WHEREAS, a need exists to appoint an additional municipal public defender to serve on an as needed basis; and

WHEREAS, N.J.S.A. 2B:24-3 allows for the appointment of additional municipal public defenders as necessary to administer justice in a timely and effective manner; and

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

WHEREAS, a resolution is required authorizing the award of such contract for professional services; and

WHEREAS, Jerry H. Steiner has completed and submitted a Business Entity Disclosure Certification which certifies that Jerry H. Steiner 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 Jerry H. Steiner 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. Jerry H. Steiner with offices at 1210 So. Main Street, PO Box 817, Pleasantville, New Jersey is hereby appointed as an additional municipal public defender to serve on an as needed basis.
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 Jerry H. Steiner has professional knowledge as to legal matters and municipal court matters, which knowledge 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

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 Jerry H. Steiner for legal services. This contract and the resolution authorizing same shall be available for public inspection in the office of the municipal clerk of the Township of Upper, State of New Jersey.

5. 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.

6. The contractor 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.

7. The Mayor and the Township Clerk are hereby authorized and directed to execute, on behalf of the Township of Upper, a Professional Contract with Jerry H. Steiner in accordance with the terms and provisions of the Local Public Contracts Law, subject to and in accordance with the limitations imposed herein. Upon execution of all parties thereto said contract shall become effective.

8. 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. 40-2020

Offered by: Corson Seconded by: Barr

Adopted: January 27, 2020

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Barr	X			
Coggins	X			
Corson	X			
Young				X
Palombo	X			

4. Appointing Douglas K. Walker to serve as an additional Municipal Prosecutor on an as needed basis.

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

RESOLUTION NO. 41-2020

**RE: APPOINTING DOUGLAS K. WALKER TO SERVE AS AN ADDITIONAL
MUNICIPAL PROSECUTOR ON AN AS NEEDED BASIS**

WHEREAS, a need exists to appoint an additional municipal prosecutor to serve on an as needed basis; and

WHEREAS, N.J.S.A. 2B:25-4 allows for the appointment of additional municipal prosecutors as necessary to administer justice in a timely and effective manner; and

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

WHEREAS, a resolution is required authorizing the award of such contract for professional services; and

WHEREAS, Douglas K. Walker has completed and submitted a Business Entity Disclosure Certification which certifies that Douglas K. Walker 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 Douglas K. Walker 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. Douglas K. Walker with offices at 15 East 8th Street, Ocean City, New Jersey is hereby appointed as an additional municipal prosecutor to serve on an as needed basis.
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 Douglas K. Walker has professional knowledge as to legal matters and municipal court matters, which knowledge 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

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 Douglas K. Walker for legal services. This contract and the resolution authorizing same shall be available for public inspection in the office of the municipal clerk of the Township of Upper, State of New Jersey.

5. 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.

6. The contractor 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.

7. The Mayor and the Township Clerk are hereby authorized and directed to execute, on behalf of the Township of Upper, a Professional Contract with Douglas K. Walker in accordance with the terms and provisions of the Local Public Contracts Law, subject to and in accordance with the limitations imposed herein. Upon execution of all parties thereto said contract shall become effective.

8. 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. 41-2020

Offered by: Coggins

Seconded by: Barr

Adopted: January 27, 2020

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Barr	X			
Coggins	X			
Corson	X			
Young				X
Palombo	X			

5. Appointing Sockler Realty Services Group, Inc. as an Appraiser for the Township of Upper.

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

RESOLUTION NO. 42-2020

**RE: APPOINTING SOCKLER REALTY SERVICES GROUP, INC.
AS AN APPRAISER FOR THE TOWNSHIP OF UPPER**

WHEREAS, the Township requires an appraiser to provide an appraisal of real property in the Township known as the Beesley's Point Generating Station, Block 479, Lot 76; and

WHEREAS, a resolution is required authorizing the award of such contract for professional services; and

WHEREAS, Sockler Realty Services Group, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Sockler Realty Services Group, Inc. 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 Sockler Realty Services Group, Inc. 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. Sockler Realty Services Group, Inc. with offices at 299 Ward Street, Suite C Hightstown, NJ 08520 is hereby appointed appraiser for the Township of Upper to provide services relating to the appraisal of real property known as the Beesley's Point Generating Station.
3. The 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 Sockler Realty Services Group, Inc. has professional knowledge as to appraisal issues which knowledge 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 Sockler Realty Services Group, Inc. for appraisal services. This contract and the resolution authorizing same shall be available for public inspection in the office of the municipal clerk of the Township of Upper, State of New Jersey.

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

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

8. The Mayor and the Township Clerk are hereby authorized and directed to execute, on behalf of the Township of Upper, a Professional Contract with Sockler Realty Services Group, Inc. in accordance with the terms and provisions of the Local Public Contracts Law, subject to and in accordance with the limitations imposed herein. Upon execution of all parties thereto said contract shall become effective.

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

10. This Resolution shall be effective as of adoption.

Resolution No. 42-2020

Offered by: Coggins

Seconded by: Barr

Adopted: January 27, 2020

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Barr	X			
Coggins	X			
Corson	X			
Young				X
Palombo	X			

6. Authorizing the Mayor and Township Clerk to sign a contract with Phoenix Advisors, LLC for Municipal Advisory Services.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY**

RESOLUTION

RESOLUTION NO. 43-2020

RE: AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO SIGN A CONTRACT WITH PHOENIX ADVISORS, LLC FOR MUNICIPAL ADVISORY SERVICES

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

WHEREAS, Phoenix Advisors, LLC has submitted a proposal to the Township to provide municipal advisory services with regard to permanent financing; and

WHEREAS, the Township wishes to accept said proposal and to authorize the execution of a contract with Phoenix Advisors, LLC; 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

WHEREAS, Phoenix Advisors, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Phoenix Advisors, LLC 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 Phoenix Advisors, LLC 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 Phoenix Advisors, LLC in accordance with the terms and provisions of the Local Public Contracts Law, subject to and in accordance with the limitations imposed herein.
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 Phoenix Advisors, LLC 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 Phoenix Advisors, LLC for municipal advisory services. This contract and the resolution authorizing same shall be available for public inspection in the office of the municipal clerk of the Township of Upper, State of New Jersey.

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

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

8. A copy of this Resolution 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. 43-2020

Offered by: Coggins

Seconded by: Barr

Adopted: January 27, 2020

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Barr	X			
Coggins	X			
Corson	X			
Young				X
Palombo	X			

7. Authorizing the Mayor and Township Clerk to sign and submit a safety contract for participation in the Atlantic County Municipal Joint Insurance Fund 2020 Safety Incentive Program.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 44-2020

**RE: AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO
SIGN AND SUBMIT A SAFETY CONTRACT FOR PARTICIPATION IN THE
ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND
2020 SAFETY INCENTIVE PROGRAM**

WHEREAS, the Atlantic County Municipal Joint Insurance Fund (ACMJIF) has offered a Safety Incentive Program to participating members in order to promote workplace safety and wellness in our community; and

WHEREAS, the goal of the Safety Incentive program is to build a program that will be effective in promoting safe work practices, employee morale and claims management; and

WHEREAS, the Township of Upper wishes to take advantage of the Safety Incentive Program and to authorize the execution and submittal of the 2020 Safety Contract to the ACMJIF; and

WHEREAS, the Safety Contract has been reviewed and approved by the Municipal Attorney and is attached hereto;

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 of the Township of Upper are hereby authorized, directed, and empowered to sign and submit the Atlantic County Municipal Joint Insurance Fund 2020 Safety Contract.
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. 44-2020

Offered by: Barr

Seconded by: Coggins

Adopted: January 27, 2020

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Barr	X			
Coggins	X			
Corson	X			
Young				X
Palombo	X			

8. Authorizing a professional services contract with Cape May County Council on Alcoholism and Drug Abuse, Inc. for an employee assistance program for Township employees.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 45-2020

**RE: AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH CAPE MAY
COUNTY COUNCIL ON ALCOHOLISM AND DRUG ABUSE, INC. FOR AN EMPLOYEE
ASSISTANCE PROGRAM FOR TOWNSHIP EMPLOYEES**

WHEREAS, the Township of Upper wishes to continue its Employee Assistance Program to provide assessment, evaluation intervention, referral and case management services for employees of the Township; and

WHEREAS, the Township of Upper has previously contracted with Cape May County Council on Alcoholism and Drug Abuse, Inc., a New Jersey non-profit corporation (hereinafter referred to as “Cape Assist”) for such services and wishes to continue such relationship by entering into a Professional Services Contract to cover the period from January 1, 2020 to December 31, 2020; and

WHEREAS, Cape Assist has the required expertise to provide and implement the Upper Township Employee Assistance Program; and

WHEREAS, the Township Committee intends to engage the services of Cape Assist under a Professional Services Contract attached hereto as Exhibit A; and

WHEREAS, the Chief Financial Officer has certified the availability of funds to permit said Contract to be entered into;

WHEREAS, Cape Assist has completed and submitted a Business Entity Disclosure Certification which certifies that Cape Assist 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 Assist 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. Cape Assist 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.

3. The proposed Professional Services Contract between the Township of Upper and Cape Assist, a copy of which is on file in the office of the Township Clerk, is hereby approved and the Mayor and the Township Clerk are hereby authorized, directed and empowered to execute said Contract on behalf of the Township of Upper and the Township Clerk is further authorized, directed and empowered to seal said Contract with the seal of the Township of Upper.

4. The Township Clerk shall cause a Notice of Award of this Contract to be published in the official newspaper of the Township of Upper as required by N.J.S.A. 40A:11-5.

5. This Contract has been awarded without competitive bidding for the following reason or reasons:

(A) Professional services of the type herein sought are of such a nature as to require a high degree of trust or confidence in the individual providing the service and, in fact, may require the creation of a confidential or fiduciary relationship between that individual and the municipality;

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

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

(D) The services are such that their relative work must be judged by subjective considerations that are not susceptible of valuation by competitive bidding; and

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

6. This Resolution shall take effect immediately and shall be deemed retroactive to January 1, 2020.

Resolution No. 45-2020

Offered by: Barr

Seconded by: Coggins

Adopted: January 27, 2020

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Barr	X			
Coggins	X			
Corson	X			

Young				X
Palombo	X			

9. Approving the application of the Marmora Volunteer Fire Co. for highway coin drops.

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

RESOLUTION NO. 46-2020

**RE: APPROVING THE APPLICATION OF THE MARMORA
VOLUNTEER FIRE CO. FOR HIGHWAY COIN DROPS**

WHEREAS, the Marmora Volunteer Fire Co., a non-profit corporation providing firefighting services, has made application to the Township Committee to hold coin drop solicitations in Upper Township; and

WHEREAS, the Township Committee has approved the requests; and

WHEREAS, the requests require approval from the County of Cape May and the State of New Jersey;

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 application of the Marmora Volunteer Fire Co. to hold a coin drop within Upper Township at the intersection of Roosevelt Boulevard and the Garden State Parkway from the Garden State Parkway southbound exit (Vernon Road) to the end of the plaza on Roosevelt Boulevard is hereby approved for the following dates:

Saturday, May 23, 2020 from 9:00 am to 3:00 pm;

Saturday, July 18, 2020 from 9:00 am to 3:00 pm;

Saturday, August 8, 2020 from 9:00 am to 3:00 pm

3. Attached to this Resolution is a certified copy of Ordinance No. 7-2001, authorizing coin drops within Upper Township enacted pursuant to N.J.S.A. 39:4-60.

4. A certified copy of this Resolution shall be provided to the State of New Jersey, Department of Transportation and the Board of Chosen Freeholders of the County of Cape May.

Resolution No. 46 -2020

Offered by: Barr

Seconded by: Coggins

Adopted: January 27, 2020

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Barr	X			
Coggins	X			
Corson	X			
Young				X
Palombo	X			

10. Authorizing the Township of Upper to accept an Emergency Management Performance Grant Emergency Management Agency Assistance Subaward from the State of New Jersey Department of Law and Public Safety.

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

RESOLUTION NO. 47-2020

**RE: AUTHORIZING THE TOWNSHIP OF UPPER TO ACCEPT AN EMERGENCY
MANAGEMENT PERFORMANCE GRANT EMERGENCY MANAGEMENT
AGENCY ASSISTANCE SUBAWARD FROM THE STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY**

WHEREAS, the Upper Township Office of Emergency Management has been awarded an Emergency Management Performance Grant (EMPG) Emergency Management Agency Assistance Subaward (EMAA) FY19-EMPG-EMAA-0511, CFDA #97.042, from the State of New Jersey Department of Law and Public Safety for the performance period of July 1, 2019 through June 30, 2020; and

WHEREAS, the Subaward, consisting of a total amount of up to \$20,003.63, including up to \$10,000.00 Federal Award and up to \$10,003.63 Local Matching Funds, is for the purpose of enhancing Upper Township Office of Emergency Management's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the local match in the amount of up to \$10,003.63, will be satisfied from the Township of Upper Office of Emergency Management's salaries, wages and fringe benefits through the 2020 Township of Upper approved budget; and

WHEREAS, the EMPG EMMA Subaward incorporates all conditions and representations contained or made in the application; and

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Upper hereby authorized to accept the Emergency Management Performance Grant Emergency Management Agency Assistance Subaward FY19-EMPG-EMAA-0511, CFDA #97.042, from the State of New Jersey Department of Law and Public Safety for Emergency Management purposes; and

BE IT FURTHER RESOLVED that the Mayor, Chief Financial Officer and the Township Emergency Management Coordinator are authorized to sign the appropriate Subaward documents; and

BE IT FURTHER RESOLVED that the Director of the Division of Local Government Services is requested to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$10,000.00, once approved, from the State of New Jersey Department of Law and Public Safety; and

BE IT FURTHER RESOLVED that the like sum of \$10,000.00 is hereby appropriated under the caption FY 2019 Emergency Management Agency Assistance; and

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded to the New Jersey State Police, Office of Emergency Management; Cape May County Office of Emergency Management; the New Jersey Director of the Division of Local Government Services.

Resolution No. 47-2020

Offered by: Barr

Seconded by: Coggins

Adopted: January 27, 2020

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Barr	X			
Coggins	X			
Corson	X			
Young				X
Palombo	X			

11. Reserve Budget Transfers.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 48-2020

RE: RESERVE BUDGET TRANSFERS

WHEREAS, various 2019 bills have been presented for payment this year, which bills were not covered by order number and/or recorded at the time of transfers between the 2019 budget appropriation reserve in the last two months of 2019; and

WHEREAS, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available until lapsed at the close of the succeeding year to meet specific claims, commitments or contracts incurred during the preceding fiscal year and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding 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, that the transfers in the amount of \$10,000.00 be made between the 2019 budget appropriation reserves as follows:

TO

FROM

INSURANCE PREM. EMPLOYEE
\$10,000.00

ROAD REPAIRS & MAINT. S/W
\$10,000.00

Resolution No. 48-2020

Offered By: Coggins

Seconded By: Barr

Adopted: January 27, 2020

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Barr	X			
Coggins	X			
Corson	X			
Young				X
Palombo	X			

12. Cancel Tax Sale Certificate Block 245, Lot 18.

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

RESOLUTION NO. 49-2020

**CANCEL TAX SALE CERTIFICATE
BLOCK 245, LOT 18**

WHEREAS, certain corrections have been recommended by the Upper Township Tax Collector in order to correct the tax records; and

WHEREAS, Tax Sale Certificate #94010 was sold on Block 245 Lot 18 to John James Germanio on June 7, 1994; and

WHEREAS, John James Germanio became owner of Block 245 Lot 18 by way of deed dated October 6, 1998 and recorded at the Cape May County Clerks Office in Book 2775 at Page 0239; and

WHEREAS, John James Germanio surrendered Tax Sale Certificate #94010 properly endorsed for cancellation and recorded at the Cape May County Clerks Office in Book# X926 at Pages 257 and 258; and

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

Resolution No. 49-2020

Offered by: Coggins

Seconded by: Barr

Adopted: January 27, 2020

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Barr	X			
Coggins	X			
Corson	X			
Young				X
Palombo	X			

CANCEL TSC# 94010

BLOCK/LOT

AMOUNT

NAME

245/18

\$7,407.16

John James Germanio
PO Box 545
Woodbine, NJ 08270

13. Authorizing the purchase of a variable message board in the amount of \$17,745.00 from the 2018 Capital Improvement Bond Ordinance and the 2020 Emergency Management and Road Repairs and Maintenance operating expenses budgetary lines.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 50-2020

**RE: AUTHORIZING THE PURCHASE OF A VARIABLE MESSAGE BOARD IN THE
AMOUNT OF \$17,745.00 FROM THE 2018 CAPITAL IMPROVEMENT BOND
ORDINANCE AND THE 2020 EMERGENCY MANAGEMENT AND ROAD REPAIRS AND
MAINTENANCE OPERATING EXPENSES BUDGETARY LINES**

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 Qualified Purchasing Agent has reviewed and approved the quote for a variable message board provided by Traffic Plan; and

WHEREAS, the Qualified Purchasing Agent has determined and certified in writing that the value of the services with Traffic Plan for the year 2020 will exceed \$17,500; and

WHEREAS, Traffic Plan has completed and submitted a Business Entity Disclosure Certification which certifies that Traffic Plan 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 Traffic Plan from making any reportable contributions through the term of the contract.

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 Traffic Plan to purchase a variable message board in the amount of **\$16,639.00** from the 2018 Capital Improvement Bond, **\$553.00** from the 2020 Emergency Management Operating Expenses budgetary line and **\$553.00** from the 2020 Road Repairs and Maintenance Operating Expenses budgetary line.
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. 50-2020

Offered by: Barr

Seconded by: Coggins

Adopted: January 27, 2020

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Barr	X			
Coggins	X			
Corson	X			
Young				X
Palombo	X			

14. Authorizing the Chief Financial Officer to sign a Spending Account Administration Form with Trion Group, a Marsh & McLennan Agency LLC, T/A MMA MarketLink for a Qualified Transportation Reimbursement Account.

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

RESOLUTION NO. 51-2020

**RE: AUTHORIZING THE CHIEF FINANCIAL OFFICER TO SIGN A SPENDING
ACCOUNT ADMINISTRATION FORM WITH TRION GROUP, A MARSH & MCLENNAN
AGENCY LLC, T/A MMA MARKETLINK FOR A QUALIFIED TRANSPORTATION
REIMBURSEMENT ACCOUNT**

WHEREAS, Senate Bill No. 1567 requires all employers of at least 20 persons who are not covered by a collective bargaining agreement to provide a pre-tax transportation fringe benefit to eligible employees; and

WHEREAS, in order to comply with the newly enacted law, the Township is in need of a plan administrator to implement a Qualified Transportation Reimbursement Account (QTRA); and

WHEREAS, Trion Group, a Marsh & McLennan Agency LLC, T/A MMA MarketLink, hereinafter referred to as “MMA MarketLink”, has submitted a proposal for QTRA Spending Account Administration services; and

WHEREAS, the Township wishes to complete a Spending Account Administration form with MMA MarketLink, attached hereto as Exhibit A, to provide said services for eligible employees effective March 1, 2020; 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 Spending Account Administration form between the Township of Upper and MMA MarketLink is approved and the Chief Financial Officer is hereby authorized, directed and empowered to execute said 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.

Resolution No. 51-2020

Offered by: Coggins Seconded by: Barr

Adopted: January 27, 2020

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Barr	X			
Coggins	X			
Corson	X			
Young				X
Palombo	X			

15. Renewing Mining Licenses for the license year 2020.

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

RESOLUTION NO. 52-2020

**RE: RENEWING MINING LICENSES FOR THE LICENSE YEAR 2020
AS FOLLOWS:**

**GEORGE HARMS CONSTRUCTION CO., INC.
CALDWELL PIT
BLOCK 414, LOT 45 AND BLOCK 451, LOT 4
850 ROUTE 610
PETERSBURG, NEW JERSEY**

**THOMAS TOWER/ACTION SUPPLY, INC.
BLOCK 565.03, LOT 54
BLOCK 549, LOTS 110, 132, 133, 134, 135 & 136
1413 STAGECOACH ROAD
SEAVILLE, NEW JERSEY**

**THOMAS TOWER/ATLANTIC MASONRY SUPPLY, INC.
BLOCK 565.03, LOTS 55.02, 56 & 57;
BLOCK 549, LOTS 111, 127, 128 & 129
1413 STAGECOACH ROAD
SEAVILLE, NEW JERSEY**

**TUCKAHOE SAND AND GRAVEL
BLOCK 248, LOTS 1, 2, 3, 4, 5, 6, 7 & 8
BLOCK 247, LOTS 4, 9 & 10
BLOCK 453, LOT 2
ROUTE 610 & SHARP ROAD
TUCKAHOE, NEW JERSEY**

**WINIFRED JOAN DALEY T/A DALEY'S PIT
BLOCK 453, LOT 3
1701 ROUTE 610
PETERSBURG, NEW JERSEY**

**HANSON AGGREGATES, BMC, INC.
UPPER TOWNSHIP SAND & GRAVEL
BLOCK 453, LOT 4
1401 ROUTE 610
PETERSBURG, NEW JERSEY**

**HANSON AGGREGATES, BMC, INC.
JULIES PIT
BLOCK 414, LOT 44
1100 ROUTE 610
PETERSBURG, NEW JERSEY**

WHEREAS, Chapter XV of the Code of Upper Township requires a license for the excavation or mining of sand, gravel, earth, soil or mineral products which license shall be issued on an annual basis;

WHEREAS, each of the mining operations hereinafter designated has completed the application process in accordance with the Code of Upper Township; and

WHEREAS, the Township Committee has reviewed the recommendation of the Township Engineer after his inspection of said mining facilities and review of each application for license renewal and has determined to renew said licenses in accordance with the terms hereinafter specified;

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 mining and soil excavation licenses are hereby renewed for a term of one (1) year commencing February 1, 2020:

- A. George Harms Construction Company, Inc., Block 414, Lot 45 and Block 451, Lot 4; 850 Route 610, Petersburg, New Jersey, in accordance with and subject to compliance with all terms, conditions and other approvals as specified in any resolution of the Upper Township Planning Board or Upper Township Zoning Board of Adjustment, as applicable.
- B. Thomas Tower/Action Supply, Inc., Block 565.03, Lot 54; Block 549, Lots 110, 132, 133, 134, 135 & 136; 1413 Stagecoach Road, Seaville, New Jersey, in accordance with and subject to compliance with all terms, conditions and other approvals as specified in any resolution of the Upper Township Planning Board or Upper Township Zoning Board of Adjustment, as applicable.
- C. Thomas Tower/Atlantic Masonry Supply, Inc., Block 565.03, Lots 55.02, 56 & 57; Block 549, Lots 111, 127, 128 & 129; 1413 Stagecoach Road, Seaville, New Jersey, in accordance with and subject to compliance with all terms, conditions and other approvals as specified in any resolution of the Upper Township Planning Board or Upper Township Zoning Board of Adjustment, as applicable.
- D. Tuckahoe Sand and Gravel; Block 248, Lots 1, 2, 3, 4, 5, 6, 7 & 8; Block 247, Lots 4, 9 & 10; Block 453, Lot 2; Route 610 & Sharp Road, Tuckahoe, New Jersey, in accordance with and subject to compliance with all terms, conditions and other approvals as specified in any resolution of the Upper Township Planning Board or Upper Township Zoning Board of Adjustment, as applicable.
- E. Winifred Joan Daley, T/A Daley's Pit; Block 453, Lot 3; 1701 Route 610, Petersburg, New Jersey, in accordance with and subject to compliance with all terms, conditions and other approvals as specified in any resolution of the Upper Township Planning Board or Upper Township Zoning Board of Adjustment, as applicable.
- F. Hanson Aggregates, BMC, Inc./Upper Township Sand & Gravel; Block 453, Lot 4; 1401 Route 610, Petersburg, New Jersey, in accordance with and subject to compliance with all terms, conditions and other approvals as specified in any resolution of the Upper Township Planning Board or Upper Township Zoning Board of Adjustment, as applicable.

- G. Hanson Aggregates, BMC, Inc./Julies Pit; Block 414, Lot 44; 100 Route 610, Petersburg, New Jersey, in accordance with and subject to compliance with all terms, conditions and other approvals as specified in any resolution of the Upper Township Planning Board or Upper Township Zoning Board of Adjustment, as applicable.

3. All officials of the Township are hereby authorized to take such action as may be necessary or required to carry out the intent and purpose of this Resolution.

4. This Resolution shall become effective on February 1, 2020.

Resolution No. 52-2020

Offered by: Corson Seconded by: Barr

Adopted: January 27, 2020

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Barr	X			
Coggins	X			
Corson	X			
Young				X
Palombo	X			

ORDINANCES

CORRESPONDENCE

NEW BUSINESS

16. **Country Shore Women's Club request to hold a Bingo #BA-525 and a Raffle #RA-526 at St. Maximilian Kolbe Parish on March 28, 2020.** Motion by Edward Barr, second by John Coggins, to approve the request. During roll call vote all four Committeemen present voted in the affirmative.
17. **Greater Tuckahoe Area Merchants Association request to hold a Bingo #BA-527 at Tuckahoe Volunteer Fire Company on March 7, 2020.** Motion by Curtis Corson, second by Edward Barr, to approve the request. During roll call vote all four Committeemen present voted in the affirmative.
18. **Tuckahoe Sand & Gravel request for extension of Mining License for Block 247, Lots 4, 9, and 10; Block 248, Lots 1-8; and Block 453, Lot 2.** The Municipal Clerk advised that this matter is no longer needed as the requirement for the license was met after the agenda was released.

UNFINISHED BUSINESS

DISCUSSION

PAYMENT OF BILLS

19. **"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 four Committeemen present voted in the affirmative.

Bills approved for payment: \$1,630,236.70
Payroll: \$196,261.20

REPORT OF MUNICIPAL DEPARTMENTS

- 20. Animal Control**
- 21. MUA**
- 22. Tax Collector 2019 Annual Report**

Motion by John Coggins, second by Edward Barr, to accept the reports as submitted. During roll call vote all four Committeemen present voted in the affirmative.

PUBLIC COMMENT

Tom Bader, 20 East Winthrop, spoke regarding his opposition to the proposed pedestrian improvements for Neptune Avenue, which include the installation of a sidewalk. The Township Engineer stated that a grant was obtained to address pedestrian safety on Neptune Avenue after the Township received numerous complaints regarding speeding. He stated that on two occasions a resident installed his own speed bumps on the road. Mayor Palombo stated that the Committee has received numerous emails and letters in opposition to the proposed project. After a lengthy discussion, Committeeman Corson made a motion to withdraw the proposed plans for pedestrian improvements on Neptune Avenue and decline the grant monies from the state. The motion was seconded by Richard Palombo. During roll call vote all four Committeemen present voted in the affirmative.

CLOSED SESSION

- 23. 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. 053-2020 MOTION GOING INTO CLOSED SESSION JANUARY 27, 2020

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 – Special Legal Counsel for In-Rem Foreclosure matters
- 3. Litigation - Tax Appeals BL England
- 4. Potential Litigation – Site Plan Violations

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

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

- D. With respect to litigation matters such discussions will be made public when litigation is complete and the applicable appeal period has expired.

Moved by: John Coggins

Motion seconded by: Richard Palombo

During roll call vote all four Committee members present 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.

During roll call vote all four Committeemen present voted in the affirmative.

Motion by Curtis Corson, second by Richard Palombo, to offer employment to Nick Mancini and Kyle Lindholm as Part-time EMTs pending successful pre-employment testing. During roll call vote all four Committeemen present voted in the affirmative.

Motion by Curtis Corson, second by Richard Palombo, to offer employment to Davida Wines as keyboarding clerk in the Clerk's Office pending successful pre-employment testing. During roll call vote all four Committeemen present voted in the affirmative.

ADJOURNMENT

There being no further business this evening the meeting was adjourned at 9:02 P.M., with a motion by John Coggins, second by Richard Palombo, and all four Committeemen present voting in the affirmative. The next regular meeting is scheduled for February 10, 2020 at 7:30 P.M.

Minutes prepared by,

Barbara L. Young, RMC
Municipal Clerk

Bill List

75126 01/28/20 A0017 ATLANTIC CO. MUNICIPAL JIF 54,252.00 3113
75127 01/28/20 A0027 ACE PLUMBING SUPPLY, INC 276.69 3113
75128 01/28/20 A0091 ATLANTIC CITY ELECTRIC 24,379.95 3113
75129 01/28/20 A0100 ATLANTIC CITY ELECTRIC 1,698.00 3113
75130 01/28/20 A0191 ACTION UNIFORM CO. LLC 182.00 3113
75131 01/28/20 A0193 ATLANTIC INVESTIGATIONS, LLC 186.00 3113
75132 01/28/20 A0212 ANCERO, LLC 7,561.74 3113
75133 01/28/20 B0076 BOND, LAURENCE E. 3,252.00 3113
75134 01/28/20 B0090 BROADLEY'S MDI 125.00 3113
75135 01/28/20 B0093 BARRY, CORRADO, GRASSI & 1,250.00 3113
75136 01/28/20 B0201 BUCK'S ELECTRICAL SERVICE, INC 225.00 3113
75137 01/28/20 B0238 BUSTED KNUCKLE AUTO & TIRE LLC 625.00 3113
75138 01/28/20 B0239 BAILEY, WILLIAM MICHAEL 791.66 3113
75139 01/28/20 B0248 BARNES LAW GROUP LLC 2,166.12 3113
75140 01/28/20 B0272 BJ'S 163.63 3113
75141 01/28/20 C0048 CAPE MAY COUNTY MUA 76,690.03 3113
75142 01/28/20 C0052 CAPE MAY COUNTY TREASURER 1,353,166.73 3113
75143 01/28/20 C0056 CAPE MEDIATION SERVICE, INC. 2,637.60 3113
75144 01/28/20 C0060 CAPRIONI'S PORTABLE TOILETS 274.00 3113
75145 01/28/20 C0068 COMCAST 673.39 3113
75146 01/28/20 C0143 CODY'S POWER EQUIPMENT 299.92 3113
75147 01/28/20 C0182 CDW GOVERNMENT, INC 5,268.27 3113
75148 01/28/20 C0201 CRUZAN'S TRUCK SERVICE INC. 852.99 3113
75149 01/28/20 C0223 CASA PAYROLL SERVICE 1,848.75 3113
75150 01/28/20 C0278 TIFFANY A. CUVIELLO, PP, LLC 1,562.50 3113
75151 01/28/20 C0279 CASA REPORTING SERVICES LLC 303.75 3113
75152 01/28/20 C0296 COMCAST BUSINESS COMMUNICATION 1,386.86 3113
75153 01/28/20 C0307 CNS ACQUISITION CORPORATION 835.00 3113
75154 01/28/20 D0040 DELTA DENTAL OF N.J. INC. 6,246.65 3113

75155 01/28/20 D0077 DIETRICH,PAUL 22.00 3113
75156 01/28/20 D0080 DOWNAM, HARRY J. JR. 57.67 3113
75157 01/28/20 D0159 STATE OF NJ DEP 28,041.25 3113
75158 01/28/20 E0012 EHRLICH PEST CONTROL INC 99.00 3113
75159 01/28/20 E0080 EISELE, LUKE 42.80 3113
75160 01/28/20 F0053 FORD, SCOTT & ASSOCIATES 7,000.00 3113
75161 01/28/20 F0226 FANCHER, SCOTT 42.80 3113
75162 01/28/20 G0002 GAGLIONE, WANDA 3,402.00 3113
75163 01/28/20 G0028 GENTILINI FORD 56.91 3113
75164 01/28/20 G0086 W.W. GRAINGER, INC. 148.58 3113
75165 01/28/20 G0141 GENTILINI CHEVROLET 2,187.02 3113
75166 01/28/20 G0157 GRANTURK EQUIPMENT CO., INC. 725.52 3113
75167 01/28/20 G0180 GRUBB, JOHN 150.00 3113
75168 01/28/20 H0002 H.A. DEHART & SON CORP. 151.16 3113
75169 01/28/20 J0075 JPMONZO MUNICIPAL 50.00 3113
75170 01/28/20 K0020 KENNEY,EDWARD 3,415.20 3113
75171 01/28/20 L0031 LORCO PETROLEUM SERVICES 24.00 3113
75172 01/28/20 L0034 LAYTON, BRENDA 3,252.00 3113
75173 01/28/20 M0019 MAXIMUM MARINE,LLC 990.00 3113
75174 01/28/20 M0046 MASON, DAVID 3,252.00 3113
75175 01/28/20 M0080 McMANIMON, SCOTLAND & BAUMANN 600.00 3113
75176 01/28/20 M0277 MONY LIFE INSURANCE COMPANY 196.95 3113
75177 01/28/20 M0289 MUNCO OF NEW JERSEY 75.00 3113
75178 01/28/20 M0290 MADDEN & MADDEN, PC 2,012.00 3113
75179 01/28/20 M0299 MATHERS, TARA 481.04 3113
75180 01/28/20 N0043 NAPA AUTO PARTS 11.21 3113
75181 01/28/20 N0125 N.J. REGISTRAR'S ASSOCIATION 75.00 3113
75182 01/28/20 O0055 OCEAN COUNTY UTILITIES AUTHORI 1,336.76 3113
75183 01/28/20 O0062 OCEAN CITY FIRE & RESCUE 400.00 3113
75184 01/28/20 P0008 PALMER, NANCY 2,275.20 3113
75185 01/28/20 P0032 PEDRONI FUEL CO. 2,225.84 3113
75186 01/28/20 P0175 PRIEST JR., ANTHONY 125.00 3113
75187 01/28/20 R0030 RIGGINS, INC. 5,219.77 3113
75188 01/28/20 R0100 ROBERTS OXYGEN COMPANY, INC. 292.45 3113
75189 01/28/20 S0001 SAM'S CLUB 23.96 3113
75190 01/28/20 S0018 SUBURBAN PROPANE, LP 108.39 3113
75191 01/28/20 S0020 THE HOME DEPOT PRO 375.14 3113
75192 01/28/20 S0031 SCHULER SECURITY, INC. 542.00 3113
75193 01/28/20 S0057 SERVICE TIRE TRUCK CENTERS 183.43 3113
75194 01/28/20 S0072 SEGIN, STEWART S. 192.10 3113
75195 01/28/20 S0075 SHARP, RHONDA L. 32.07 3113
75196 01/28/20 S0104 SKILLPATH SEMINARS 399.98 3113
75197 01/28/20 S0113 SMITH,THOMAS G. 2,225.20 3113
75198 01/28/20 S0134 SO. JERSEY GAS COMPANY 5,306.85 3113
75199 01/28/20 S0196 STEWART BUSINESS SYSTEMS LLC 274.40 3113
75200 01/28/20 S0209 STAPLES ADVANTAGE 177.76 3113
75201 01/28/20 S0253 SAMPLE MEDIA, INC. 7.14 3113
75202 01/28/20 S0254 SHOPRITE 63.78 3113
75203 01/28/20 S0327 SUASION COMMUNICATIONS GROUP 75.00 3113
75204 01/28/20 T0005 TCTA OF NEW JERSEY 100.00 3113
75205 01/28/20 T0067 TOWNSHIP OF UPPER PETTY CASH 8.50 3113
75206 01/28/20 T0180 TRI-COUNTY PEST CONTROL, INC 25.00 3113
75207 01/28/20 T0203 TAGGART, SHARON 58.14 3113
75208 01/28/20 V0013 VERIZON WIRELESS 567.83 3113
75209 01/28/20 V0022 VERIZON 815.48 3113
75210 01/28/20 V0024 VAL-U AUTO PARTS L.L.C. 505.04 3113
75211 01/28/20 W0087 W.B. MASON EGG HARBOR 84.99 3113
75212 01/28/20 X0008 XEROX FINANCIAL SERVICES 227.16 3113
75213 01/28/20 Y0028 YOUNG's FIBERGLASS SERVICES,LLC 240.00 3113
Total: 1,630,236.70