

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR MAY 24, 2021**

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

CALL TO ORDER

SUNSHINE ANNOUNCEMENT

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 May 21, 2021 the notice of this meeting of the Upper Township Committee was posted on the official Township Bulletin Board, the Upper Township Website, and the Town Hall Foyer, 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 audio recorded up until the closed session portion of this meeting and will be available 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
Kimberly Hayes	Present
Richard Palombo	Present

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

APPROVAL OF MINUTES - May 10, 2021 Regular and Closed Session Minutes

Motion by Curtis Corson, second by John Coggins, to approve the May 10, 2021 Regular Meeting and Closed Session Minutes as submitted. During roll call vote four Committee members voted in the affirmative. Committeeman Barr abstained.

REPORT OF GOVERNING BODY MEMBERS

Kimberly Hayes, Committeewoman, reported that the Township will be hosting a Red Cross blood drive on June 9th at the Community Center from 10:00 am to 3:00 pm. She next reported that the Historical Preservation Society will be holding a strawberry sale on May 29th beginning at 10:00 am. She next gave a brief update on the tentative plans for the 4th of July celebration event and stated that more information will be forthcoming.

Edward Barr, Committeeman, praised the Department of Public Works for their efforts in getting the beaches ready for the summer season.

Curtis Corson, Committeeman, also praised the Department of Public Works for their efforts. He next reported on the trash issue at the entrance to Corson’s Inlet State Park. He stated that although the state park policy is for visitors to be responsible for carrying trash out of the park and properly disposing of it, as it stands, they are just dumping the trash at the entrance. He stated that it is necessary for the Township to provide trash carts to help curb the issue. After a brief discussion, there was a motion by Edward Barr,

second by Richard Palombo, to provide trash cans at the entrance to the Corson's Inlet State Park. During roll call vote all five Committee members voted in the affirmative. Committeeman Corson next reported that parking enforcement in Strathmere will begin on Friday May 28th and advised residents to call 609-628-7011 to report parking violations.

Richard Palombo, Mayor, reported on the planned Memorial Day services in Upper Township.

OTHER REPORTS

Scott Morgan, Township Administrator, gave a brief update on the latest information from the CMC Health Department regarding Covid-19. He next reported that the Office of Emergency Management has been authorized to move forward with the Emergency Management Performance Grant Application. A resolution for formal action is listed on tonight's agenda.

Barbara Young, Township Clerk, reported that Township Offices will be closed on Monday May 31st for the Memorial Day holiday. Trash and recycling will be collected on Monday.

Paul Dietrich, Township Engineer, gave a brief update on the Beesley's Point Park project. He stated that the boardwalk area is almost complete, and they have started on the bulkhead for the boat ramp, as well as started paving. He next reported that he has been actively working with Scott Morgan, Public Works, and FEMA to submit the reimbursement for Tropical Storm Isaias.

2021 BUDGET

Mayor Palombo stated that the State has not yet issued guidance on the federal stimulus aid that counties and local governments will receive and how to insert said federal stimulus funds into the budget. He stated that the Township's Registered Municipal Accountant has recommended that the adoption of the budget be tabled to the June 14, 2021 Township Committee meeting.

1. **2021 Budget Adoption.** Motion by John Coggins, second by Edward Barr, to table adoption of the 2021 Budget to the regular Township Committee meeting to be held live at the Upper Township Municipal Building on June 14, 2021 at 7:30 pm, with no further notice given. During roll call vote all five Committee members voted in the affirmative.
2. **Local Unit Budget Examination.** Motion by John Coggins, second by Edward Barr, to table adoption of the Local Unit Budget Examination to the regular Township Committee meeting to be held live at the Upper Township Municipal Building on June 14, 2021 at 7:30 pm, with no further notice given. During roll call vote all five Committee members voted in the affirmative.

RESOLUTIONS

3. **Honoring the Strathmere Improvement Association on the occasion of their 70th Anniversary.**

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

RESOLUTION NO. 146-2021

HONORING THE STRATHMERE IMPROVEMENT ASSOCIATION ON THE OCCASION OF THEIR 70TH ANNIVERSARY

WHEREAS, 2021 marks the 70th Anniversary of the Strathmere Improvement Association;

and

WHEREAS, the Strathmere Improvement Association (SIA) of Upper Township is celebrating its 70th anniversary as a volunteer service organization dedicated to the wellbeing of Strathmere and Whale Beach residents and visitors; and

WHEREAS, the SIA is dedicated to preserving and maintaining the history of Strathmere through the establishment of a video archive of stories and profiles of Strathmere residents and by previously hosting the 2012 Strathmere Centennial Celebration; and

WHEREAS, through the years, our entire community has benefited from the contributions and many facets of outreach, leadership, and service to our community by this organization; and

WHEREAS, throughout its 70 years, members of the SIA have served in various leadership roles for the betterment of the community through advocating for the establishment of Corson's Inlet State Park, forming a coalition of community groups to form a Sandy Relief Fund, co-sponsoring the annual Strathmere July 4th Parade, SIA Christmas Party and various other Community events.

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, this Township Committee expresses its sincere congratulations and best wishes to the members of the Strathmere Improvement Organization on the memorable occasion of this 70th Anniversary.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 24th day of May 2021.

Resolution No. 146-2021

Offered by: Barr Seconded by: Palombo

Adopted: May 24, 2021

Roll Call Vote:

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

Mayor Palombo read Resolution 146-2021 into the record and presented the Resolution to the members of the Strathmere Improvement Association. He and the other Committee members congratulated the SIA and thanked them for their service to the community.

4. Honoring Michael Dickinson on attaining the designation of "Eagle Scout".

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 147-2021

**RE: HONORING MICHAEL DICKINSON ON ATTAINING THE
DESIGNATION OF "EAGLE SCOUT"**

WHEREAS, Michael Dickinson of Troop 1079, Seaville, New Jersey has 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 Michael 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 fully renovating a storage facility at the boatyard of the Ocean City High School Crew Team. The renovation included replacing the roof, siding, windows, and door and constructing shelving for the shed interior.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee extends its sincere congratulations and best wishes to Michael'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 24th day of May, 2021.

Resolution No. 147-2021

Offered by: Barr Seconded by: Hayes

Adopted: May 24, 2021

Roll Call Vote:

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

5. **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. 148-2021

**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. 148-2021

Offered by: Coggins

Seconded by: Barr

Adopted: May 24, 2021

Roll Call Vote:

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

6. **Authorizing a contract with Coastal Emergency Medical Training & Consulting, LLC and Dr. Michael Westrol, M.D. for Medical Director Services.**

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

RESOLUTION NO. 149-2021

**RE: AUTHORIZING A CONTRACT WITH COASTAL EMERGENCY MEDICAL TRAINING
& CONSULTING, LLC AND DR. MICHAEL WESTROL, M.D. FOR
MEDICAL DIRECTOR SERVICES**

WHEREAS, the Township of Upper has received a proposal from Coastal Emergency Medical Training & Consulting, LLC and Dr. Michael Westrol, M.D., (hereinafter collectively referred to as “Coastal”), for Medical Director Services for the Upper Township Division of Emergency Services; and

WHEREAS, the Township Committee has considered this matter and has determined that it is in the best interest of the Township to acquire the services of Coastal 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, Coastal has completed and submitted a Business Entity Disclosure Certification which certifies that Coastal 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 Coastal from making any reportable contributions through the term of the contract; and

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

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Mayor and Township Clerk are hereby authorized, directed and empowered to enter into a contract for Medical Director Services with Coastal.
3. The Township Clerk shall cause a Notice of Award of this contract to be published in the official newspaper of the Township as required by N.J.S.A 40A:11-5.
4. This Contract is a Professional Services Contract and has been awarded without competitive bidding for the following reasons:
 - (A) The services required are highly specialized or technical in nature;
 - (B) The services require peculiar ability or skill, and demand a high degree of specialized knowledge or expertise;
 - (C) The services required are professional services and/or unspecified extraordinary services within the meaning of N.J.S.A. 40A:11-5(a);
 - (D) The individual who will provide these services has demonstrated his competence and particular expertise in the services required; and

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

5. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 149-2021

Offered by: Barr

Seconded by: Hayes

Adopted: May 24, 2021

Roll Call Vote:

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

7. Authorizing institution of In Rem Foreclosure Proceedings Group No. 156.

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

RESOLUTION NO. 150-2021

**RE: AUTHORIZING INSTITUTION OF IN REM FORECLOSURE PROCEEDINGS
GROUP NO. 156**

WHEREAS, the Township Committee has been advised by the Tax Collector that she is in possession of numerous Tax Sale Certificates which are now eligible for foreclosure, in rem, as more particularly described in the Tax Foreclosure List which is attached hereto as Exhibit A; and

WHEREAS, it is the desire of the Township Committee to authorize the institution of in rem foreclosure proceedings against the parcels that are covered by these Tax Sale Certificates; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee in 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. Keith A. Bonchi, Esquire, of the Law Offices of GMS Law, having been duly appointed as Special Counsel for the Township, is hereby authorized and directed to institute In Rem Foreclosure proceedings, pursuant to the provisions of NJSA 54: 5-104.29, et seq., as amended, against the Tax Sales Certificates held by it and described in Exhibit A affixed hereto and made a part hereof.

3. A copy of this Resolution and Exhibit shall be filed with the Tax Collector of the Township of Upper.

4. All appropriate Township officials are hereby directed to take all actions necessary or reasonably required to carry into effect the intent and purpose of this Resolution

Resolution No. 150-2021

Offered by: Coggins

Seconded by: Barr

Adopted: May 24, 2021

Roll Call Vote:

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

Exhibit A

Block	Lot	Cert#	Owner Name	Property Location	Description	Land Value
291	1-14	16-00004	PAYNTER, J W JR ELMA LOU & JW 3D	NORMANDIE AVE	.8457 Acres	6,900
292	1-19	16-00005	PAYNTER, J W JR ELMA LOU & JW 3D	NORMANDIE AVE	1.0877Acres	15,300
295	1,2,5	16-000006	PAYNTER, JOSEPH W & ELMA LOU	MT PLEAS/TUCKA RD	.1800 Acres	3,600
295	8-14	16-00007	PAYNTER, J W JR ELMA LOU & J W 3D	NORMANDIE AVE	.4220 Acres	8,400
296	1	20-00002	PITMAN REALTY LLC	1786 MT PLEAS/TUCKA RD	.6900 Acres	88,800
296	2	18-00002	PAYNTER, JOSEPH & ELMA LOU	1790 MT PLEAS/TUCKA RD	.2560 Acres	80,100
297	1-4	16-00009	PAYNTER, JW ELMA LOU & J W III	CORSON AVE	.2525 Acres	5,100
297	13-19	16-00010	PAYNTER, J W JR ELMA LOU & J W 3D	TEAL AVE	.5051 Acres	10,100

8. **Authorizing Change Order No. 1 and Contract Amendment No. 2F for an increase of \$4,852.56 with Arawak Paving Co. Inc., for the Reconstruction of Commonwealth Avenue Ph2 and 2020 Township Paving Program.**

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

RESOLUTION NO. 151-2021

RE: AUTHORIZING CHANGE ORDER NO. 1 AND CONTRACT AMENDMENT NO. 2F FOR AN INCREASE OF \$4,852.56 WITH ARAWAK PAVING CO. INC., FOR THE RECONSTRUCTION OF COMMONWEALTH AVENUE PH 2 AND 2020 TOWNSHIP PAVING PROGRAM

WHEREAS, the Township of Upper has awarded the Reconstruction of Commonwealth Avenue PH 2 and the 2020 Township Paving Program bid to Arawak Paving Co. Inc., of 7503 Weymouth Rd, Hammonton, NJ 08037; and

WHEREAS, the Township wishes to approve a Change Order and Contract Amendment to the aforesaid Contract as hereinafter provided; and

WHEREAS, the aggregate amount of Change Order No. 1 comprising of a decrease of \$1,659.78 for Reconstruction of Commonwealth Ave, PH2 (Municipal Aid Project - FY 2019 Project: PRO-CMC-Upper Township); and

WHEREAS, the aggregate amount of Contract Amendment No. 2F comprising of an increase of \$6,512.34 for 2020 Township Paving Program; and

WHEREAS, the Chief Financial Officer has issued a certification as to the availability of funds for this amendment; and

WHEREAS, the final adjusted contract amount by Change Order No. 1 and Contract Amendment No. 2F shall be \$1,837,852.56; and

WHEREAS, this Change Order and Contract Amendment are in the best interests of the Township.

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. Change Order No. 1 for Reconstruction of Commonwealth Ave, PH2 (Municipal Aid Project - FY 2019 Project: PRO-CMC-Upper Township); contract with Arawak Paving Co., Inc. is hereby authorized as follows:

Increases.....	\$	2,781.60
Decreases.....	\$	-4,441.38
Extra Work.....	\$	0.00
TOTAL.....	\$	-1,659.78

3. Contract Amendment No. 2F for 2020 Township Paving Program contract with Arawak Paving Co., Inc. is hereby authorized as follows:

Increases.....	\$	47,114.94
Decreases.....	\$	-57,285.50
Homeowner Improvements.....	\$	16,682.90
TOTAL.....	\$	6,512.34

4. A copy of the Change Order and Contract Amendment detailing the nature and the extent of the work to be done, together with all other prior Change Orders and Amendments, if any, are attached to this Resolution as Exhibit "A" and "B".

5. The project is accepted based on the recommendation of the Municipal Engineer.

6. The Mayor and Chief Financial Officer are hereby authorized, directed and empowered to execute the Change Order and Contract Amendment on behalf of the Township of Upper and make the final payment.

7. All Township officials and officers are hereby authorized and directed to take all action necessary to carry out the intent and purpose of this Resolution.

Resolution No. 151-2021

Offered By: Barr

Seconded by: Coggins

Adopted: May 24, 2021

Roll Call Vote:

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

9. **Authorizing final payment and release of retainage to Arawak Paving Co. Inc., for the Reconstruction of Commonwealth Avenue Ph2 and 2020 Township Paving Program.**

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

RESOLUTION NO. 152-2021

**RE: AUTHORIZING FINAL PAYMENT AND RELEASE OF RETAINAGE TO ARAWAK
PAVING CO. INC., FOR THE RECONSTRUCTION OF COMMONWEALTH AVENUE, PH2
AND 2020 TOWNSHIP PAVING PROGRAM**

WHEREAS, the Township of Upper has awarded the Reconstruction of Commonwealth Avenue, PH 2 and the 2020 Township Paving Program bid to Arawak Paving Co. Inc., of 7503 Weymouth Rd, Hammonton, NJ 08037; and

WHEREAS, the Township has previously authorized a Change Order and a Contract Amendment to the aforesaid contract; and

WHEREAS, Arawak Paving Co. Inc. has submitted an Application and Certificate for Payment for the final payment and closeout of the contract with a final payment in the amount of \$36,757.05; and

WHEREAS, the Township Engineer has certified that all work has been completed and is of acceptable quality in accordance with the contract documents such that Arawak Paving Co. Inc. is entitled

to final payment in the amount of \$36,757.05 and

WHEREAS, the Township Chief Financial Officer has examined and approved the Arawak Paving Co. Inc. Application and Certificate for Payment; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township Committee of the Township of Upper, County of Cape May, New Jersey hereby authorizes the final payment to Arawak Paving Co. Inc. in the amount of \$36,757.05.
3. The Chief Financial Officer of the Township of Upper is hereby authorized, directed and empowered to execute any and all necessary documents in order to implement the intent of this Resolution.

Resolution No. 152-2021

Offered By: Hayes Seconded by: Barr

Adopted: May 24, 2021

Roll Call Vote:

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

10. Appointing the 2021 season Beach Patrol Personnel.

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

RESOLUTION NO. 153-2021

RE: APPOINTING THE 2021 SEASON BEACH PATROL PERSONNEL

WHEREAS, the individuals hereinafter named have been determined to possess the requisite skills, training and are otherwise eligible for appointment to the position of lifeguard; and

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

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

2. The following individuals are appointed as lifeguards in the Township of Upper at a salary as stated below in accordance with the Salary Ordinance:

RETURNING GUARDS

Fisher, Aiden	2 nd Yr	\$15.00 per hour
Grimley, Kailey	2 nd Yr	\$15.00 per hour
Millar, Rebecca	3 rd Yr	\$15.70 per hour
Robbins, Lindsay	3 rd Yr	\$15.70 per hour
Blake, Aiden	4 th Yr	\$15.70 per hour
Chiarello, Eve	4 th Yr	\$15.70 per hour
Handley, Reghan	4 th Yr	\$15.70 per hour
Chase, Bruckner	5+	\$16.00 per hour
Culmone, Emily	5+	\$16.00 per hour
Davis, Jacob	5+	\$16.00 per hour
Holibaugh, Aaron	5+	\$16.00 per hour
MacMurray, Wayne	5+	\$16.00 per hour
O'Hara, John	5+	\$16.00 per hour
Pierpoint, Logan	5+	\$16.00 per hour
Rumaker, Kyle	5+	\$16.00 per hour
Steele, Grace	5+	\$16.00 per hour
Steele, Ian	5+	\$16.00 per hour
Steele, Meredith	5+	\$16.00 per hour
Van Gilder, Gregory	5+	\$16.00 per hour
Young, Nathaniel	5+	\$16.00 per hour
Boffa, Blake	Senior	\$19.25 per hour
Fisher, Ryan	Senior	\$19.25 per hour
Dugan, James	Lieutenant	\$22.50 per hour
Eller, Amanda	Lieutenant	\$22.50 per hour
LaRosa III, Joseph	Lieutenant	\$22.50 per hour
O'Neil, Joseph	Lieutenant	\$22.50 per hour
Tobiasen, Andrew	Lieutenant	\$22.50 per hour

Resolution No. 153-2021

Offered by: Corson Seconded by: Coggins

Adopted: May 24, 2021

Roll Call Vote:

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

11. Appointing the 2021 season Beach Patrol Personnel contingent upon background clearance.

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

RESOLUTION NO. 154-2021

**RE: APPOINTING THE 2021 SEASON BEACH PATROL PERSONNEL
CONTINGENT UPON BACKGROUND CLEARANCE**

WHEREAS, the individuals hereinafter named have been determined to possess the requisite skills, training and are otherwise eligible for appointment to the position of lifeguard, contingent upon background clearance; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The following individuals are appointed as lifeguards in the Township of Upper contingent upon background clearance at a salary as stated below in accordance with the Salary Ordinance:

RETURNING GUARDS

Lopacinski, Alex	2nd Yr	\$15.00 per hour
Miner, Nate	2nd Yr	\$15.00 per hour
Connell, Lorna	3rd Yr	\$15.70 per hour
Dickinson, Michael	3rd Yr	\$15.70 per hour
McLees, Casey	4th Yr	\$15.70 per hour
Dooner, William	5+	\$16.00 per hour
Handley, Brooke	5+	\$16.00 per hour

Resolution No. 154-2021

Offered by: Corson

Seconded by: Hayes

Adopted: May 24, 2021

Roll Call Vote:

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

12. **Appointing Ronald Reign as a part-time seasonal Beach Sweeper for the Upper Township Public Works Department.**

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

RESOLUTION NO. 155-2021

RE: APPOINTING RONALD REIGN AS A PART-TIME SEASONAL BEACH SWEEPER FOR THE UPPER TOWNSHIP PUBLIC WORKS DEPARTMENT

WHEREAS, a need exists to appoint qualified personnel as part-time employees to the Upper Township Public Works Department to insure optimal operation; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. Ronald Reign is hereby appointed as a part-time seasonal beach sweeper, contingent upon pre-employment testing, at a salary of \$16.00 per hour in accordance with the Salary Ordinance.
3. This Resolution shall be effective immediately and is further intended to ratify, confirm and approve any formal action taken by the Township Committee.

Resolution No. 155-2021

Offered by: Barr

Seconded by: Coggins

Adopted: May 24, 2021

Roll Call Vote:

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

- 13. Authorizing Second Capital Running, LLC and Andre Rivera to host a quarter marathon at Amanda's Field on July 12, 2021.**

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

RESOLUTION NO. 156-2021

**RE: AUTHORIZING SECOND CAPITAL RUNNING, LLC AND ANDRE RIVERA TO
HOST A QUARTER MARATHON AT AMANDA'S FIELD ON JULY 12, 2021**

WHEREAS, Second Capital Running, LLC, and Andre Rivera, jointly, severally and in the alternative, (hereinafter collectively referred to as SCR) have requested the use of Amanda's Field Bike Path and Center Parking Lot for a quarter marathon, as indicated in their Application for Use of Facilities attached hereto as Exhibit "A"; and

WHEREAS, SCR has provided a Use of Facilities Agreement and an Indemnification and Hold Harmless Agreement in favor of the Township of Upper, its officials, officers and employees in the form attached hereto as Exhibit "B"; and

WHEREAS, a Waiver of Liability Use of Facilities – Event Participant will be received from every participant, after the event, attached hereto as Exhibit "C"; and

WHEREAS, SCR has provided general comprehensive liability insurance coverage to the Township in form and substance which is satisfactory to the Township of Upper's Risk Management Consultant, and which names the Township of Upper, its officials, officers, and employees as an additional insured, attached hereto as Exhibit "D"; and

WHEREAS, SCR has reviewed and accepted the Acknowledgement and Waiver of Liability Use of Facilities – Event Participant Operational Plan Outline, attached hereto as Exhibit "E"; and

WHEREAS, SCR has certified that those having unsupervised direct contact with minor children have undergone a successful criminal history record background check pursuant to N.J.S.A. 15A:3a-1., and said certification is attached hereto as Exhibit "F"; and

WHEREAS, appropriate advice and approvals from the Township's Risk Management Consultant, the New Jersey State Police, and the Division of EMS have been obtained; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township Committee does hereby grant approval to SCR for the use of Amanda's Field Bike Path and Center Parking Lot for a quarter marathon specified in this Resolution and in the accompanying Exhibits subject to and conditioned upon the following:

- (A) The activities described in this Resolution will be carried out by Second Capital Running, LLC, and Andre Rivera, jointly, severally and in the alternative (SCR). SCR has no connection, direct or indirect, with the Township of Upper or any of its officials or employees. SCR shall not, in any way, directly or indirectly, represent that the use of Amanda's Field Bike Path and Center Parking Lot by SCR is, in any way, associated with or affiliated with the Township of Upper and shall make clear that the activities conducted by SCR are carried out with all appropriate governmental and other approvals, including but not limited to all COVID-19 requirements, orders and regulations. Although the Township of Upper has given permission, subject to the terms of this Resolution, to SCR to use

Amanda's Field Bike Path and Center Parking Lot for a quarter marathon, it must be made clear that the activities of SCR are not and shall not be considered a Township of Upper sponsored or sanctioned activity.

- (B) SCR shall remit to the Township the appropriate fee in accordance with Chapter XXVI of the Code of Upper Township. This fee shall include the daily fee per facility for a quarter marathon held at Amanda's Field Bike Path and Center Parking Lot, as well as the fee equal to the costs of Township personnel, services, and materials. Said costs have been determined by the Township and are outlined and attached hereto as Exhibit "G".
- (C) SCR will ensure that the fields and facilities are clean of debris, trash, markings, and other materials immediately following the quarter marathon use, and will immediately report any damage of the fields or facilities to Township personnel. SCR may be held liable for any costs associated with repair or cleanup.
- (D) The Township reserves the right to postpone and/or cancel the use of the facilities by SCR, due to weather and/or damage to the fields or facilities or other governmental requirements.
- (E) The approval granted herein is subject to all conditions and stipulations as may be recommended or imposed by the Township's Risk Management Consultant or Insurance Representatives. The Township may revoke this approval if SCR fails to comply with any said condition or recommendation or any other condition of this Resolution.

3. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 156-2021

Offered by: Hayes

Seconded by: Coggins

Adopted: May 24, 2021

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Barr	X			

Coggins	X			
Corson	X			
Hayes	X			
Palombo	X			

14. Authorizing the award of a contract with CDW Government, LLC for information technology equipment.

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

RESOLUTION NO. 157-2021

**RE: AUTHORIZING THE AWARD OF A CONTRACT
WITH CDW GOVERNMENT, LLC FOR INFORMATION TECHNOLOGY EQUIPMENT**

WHEREAS, from time to time the Township of Upper has a need to purchase IT equipment from CDW Government, LLC as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Qualified Purchasing Agent has determined and certified in writing that the value of acquisitions with CDW Government, LLC for the year 2021 will exceed \$17,500; and

WHEREAS, CDW Government, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that CDW Government, LLC has not made any reportable contributions to a political or candidate committee in the Township in the previous one year, and that the contract will prohibit CDW Government, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Township has certified the availability of funds to allow the award of contract for the purchase herein authorized and has certified that adequate funds have been appropriated for this purpose in the 2021 Municipal Budget.

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township Committee of the Township of Upper, County of Cape May, New Jersey hereby authorizes the Qualified Purchasing Agent to enter into a contract with CDW Government, LLC as described herein.
3. The Business Disclosure Entity Certification and the Determination of Value be placed

on file with this resolution.

4. The Chief Financial Officer is hereby authorized, directed and empowered to execute any and all necessary documents in order to implement the intent of this Resolution.

Resolution No. 157-2021

Offered by: Coggins

Seconded by: Barr

Adopted: May 24, 2021

Roll Call Vote:

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

15. Amending Resolution 144-2021 authorizing the execution of a subcontract with the County of Cape May for the State Fiscal Year 2022 Municipal Alliance Program.

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

RESOLUTION NO. 158-2021

**RE: AMENDING RESOLUTION 144-2021 AUTHORIZING THE EXECUTION OF A
SUBCONTRACT WITH THE COUNTY OF CAPE MAY FOR THE
STATE FISCAL YEAR 2022 MUNICIPAL ALLIANCE PROGRAM**

WHEREAS, Resolution 144-2021, adopted May 10, 2021, authorized the execution of a subcontract with the county of Cape May for the State Fiscal Year 2022 Municipal Alliance Program; and

WHEREAS, it is necessary to amend said Resolution No. 144-2021 to correct the amount of the Local In-Kind Match portion; and

WHEREAS, the Cape May County Division of Community and Behavioral Health Services has informed the Township of Upper/City of Ocean City Municipal Alliance Committee of its eligibility to apply for Municipal Alliance funds in the amount of:

DEDR Funds.....\$18,894.00
Amount of Local Cash Match.....\$ 4,723.50
Amount of Local In-Kind Match.....\$14,170.50
TOTAL AMOUNT OF SUBCONTRACT.....\$37,788.00

WHEREAS, the Township of Upper Cash Match portion will be \$1,889.40; and

WHEREAS, the Township of Upper wishes to apply for said funding; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township as lead agency is hereby authorized to submit an application and strategic plan for Municipal Alliance funding for the Fiscal Grant Cycle July 1, 2021 to June 30, 2022 grant funds in the amount specified in this Resolution or for such other amounts as may become available, and the Mayor and Township Clerk are further authorized and directed to execute a Sub-Contract on behalf of the Township with the County of Cape May for the period of July 1, 2021 to June 30, 2022. Such actions of the Township are contingent upon the proper authorization of the participation of the City of Ocean City.
3. Upon confirmation of such authorization from the City of Ocean City, the Chief Financial Officer, Mayor, or Municipal Clerk of the Township of Upper, as appropriate, is hereby authorized and directed to execute the section of the subcontract entitled "Statement of Assurances".
4. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.
5. A certified copy of this Resolution shall be submitted to the County of Cape May Division of Community and Behavioral Health Services, together with the completed application.
6. All Township officials and officers are hereby authorized and directed to take all action necessary in order to carry out the intent and purpose of this Resolution.

Resolution No. 158-2021

Offered by: Coggins Seconded by: Hayes

Adopted: May 24, 2021

Roll Call Vote:

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

- 16. Authorizing the Township of Upper to apply for the Fiscal Year 2021 Emergency Management Performance Grant through the State of New Jersey, Division of State Police, Office of Emergency Management Agency Assistance Program.**

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

RESOLUTION NO. 159-2021

**RE: AUTHORIZING THE TOWNSHIP OF UPPER TO APPLY FOR THE FISCAL YEAR 2021
EMERGENCY MANAGEMENT PERFORMANCE GRANT THROUGH THE STATE OF
NEW JERSEY, DIVISION OF STATE POLICE, OFFICE OF EMERGENCY
MANAGEMENT AGENCY ASSISTANCE PROGRAM**

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

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

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Mayor, Chief Financial Officer, and Municipal Emergency Management Coordinator are hereby authorized, directed and empowered to sign and submit the FY 2021 Emergency Management Performance Grant application through the New Jersey State Police Office of Emergency Management Agency Assistance Program on behalf of the Township of Upper.
3. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 159-2021

Offered by: Barr

Seconded by: Palombo

Adopted: May 24, 2021

Roll Call Vote:

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

17. Revised 2021 Temporary Budget.

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

RESOLUTION NO. 160-2021

RE: REVISED 2021 TEMPORARY BUDGET

WHEREAS, N.J.S.A. 40A:4-19 provides that the governing body shall by Resolution adopted prior to January 31 of the fiscal year make appropriations to provide for the period between the beginning of the fiscal year and the adoption of the budget; and

WHEREAS, the total of the appropriations so made shall not exceed 26.25% of the total of the appropriations made for all purposes in the Budget for the preceding year excluding public assistance, such amount being **\$3,667,261.96.**

NOW, THEREFORE BE IT RESOLVED, that the following appropriations shall constitute the Temporary Budget for the year 2021:

ADMINISTRATIVE & EXECUTIVE MAYOR AND COMMITTEE			Increase To:
	Salary and Wages	\$19,800.00	\$34,500.00
	Mayor and Committee O/E	\$ 2,000.00	5,000.00
	DCRP-Twp Committee	\$ 2,500.00	5,000.00
	Cape Mediation	\$ 2,800.00	
	Cape Assist EAP	\$ 1,155.00	
MUNICIPAL CLERK			
	Salary and Wages	\$65,200.00	111,500.00
OTHER EXPENSES			
	Miscellaneous O/E	\$ 7,500.00	20,000.00
FINANCIAL ADMINISTRATION			
	Salaries & Wages	\$80,700.00	113,000.00
	Miscellaneous O/E	\$ 2,500.00	8,000.00
	Computer	\$38,000.00	100,000.00
	Hardware/Software		
	Annual Audit	\$20,000.00	30,000.00
ASSESSMENT OF TAXES			
	Salaries & Wages	\$36,900.00	63,100.00
	Miscellaneous O/E	\$ 3,000.00	6,000.00
COLLECTION OF TAXES			
	Salaries & Wages	\$34,200.00	58,600.00
	Miscellaneous O/E	\$ 1,000.00	3,500.00
	Purchase TTL	\$ 0.00	
LEGAL SERVICES AND COSTS			
	Other Expenses	\$40,000.00	110,000.00
MUNICIPAL COURT			
	Salaries & Wages	\$40,000.00	85,000.00
	Miscellaneous O/E	\$ 8,000.00	12,000.00
PUBLIC DEFENDER			
	Salaries & Wages	\$ 8,060.00	12,200.00
MUNICIPAL PROSECUTOR			
	Salaries & Wages	\$12,500.00	21,400.00
ENGINEERING SERVICES & COSTS			
	Salaries & Wages	\$29,900.00	52,100.00
	Other Expenses	\$ 5,000.00	15,000.00
PUBLIC BUILDINGS & GROUNDS			
	Salaries & Wages	\$188,300.00	309,000.00
	Other Expenses	\$ 80,000.00	160,000.00
PLANNING BOARD			
	Salaries & Wages	\$ 11,800.00	19,000.00

BOARD OF ADJUSTMENT	Other Expenses	\$ 2,000.00	12,000.00
	Salaries & Wages	\$ 11,800.00	19,000.00
CONSTRUCTION CODE	Other Expenses	\$ 2,000.00	12,000.00
	Salaries & Wages	\$ 57,500.00	96,200.00
INSURANCE	Other Expenses	\$ 1,000.00	3,500.00
	Group Insurance for Employees	\$669,000.00	1,569,000.00
	Other Insurance Premiums	\$ 65,000.00	100,000.00
SCHOOL TRAFFIC GUARD	Workers Compensation	\$163,000.00	170,000.00
	Salaries & Wages	\$ 3,000.00	4,500.00
	Miscellaneous O/E	\$ 200.00	500.00
BEACH PATROL	Salaries & Wages	\$ 1,000.00	35,000.00
	Other Expenses	\$ 1,000.00	25,000.00
EMERGENCY MANAGEMENT/RTK	Salaries & Wages	\$ 6,500.00	11,500.00
	Miscellaneous O/E	\$ 10,000.00	40,000.00
ROAD REPAIRS & MAINTENANCE	Salaries & Wages	\$205,000.00	347,000.00
	Miscellaneous O/E	\$ 40,000.00	130,000.00
SURFACING OF ROADS CONTRACTUAL		\$ 0.00	
		\$ 90,000.00	150,000.00
GARBAGE & TRASH REMOVAL			
	Salaries & Wages	\$114,200.00	168,000.00
	Miscellaneous O/E	\$ 18,000.00	50,000.00
	Tipping Fees	\$110,000.00	210,000.00
BOARD OF HEALTH	Salaries & Wages	\$ 150.00	300.00
	Miscellaneous O/E	\$ 100.00	
DOG REGULATION	Miscellaneous O/E	\$ 26,300.00	58,000.00
PUBLIC INFORMATION	Miscellaneous O/E	\$ 200.00	0.00
ZONING/CODE OFFICIAL	Salaries & Wages	\$ 4,100.00	7,000.00
	Miscellaneous O/E	\$ 100.00	
SPORTS & RECREATION	Salaries & Wages	\$ 13,800.00	25,000.00
	Miscellaneous O/E	\$ 10,000.00	30,000.00
FIRST AID ORGANIZATION			

	Salaries & Wages	\$191,000.00	339,000.00
	Miscellaneous O/E	\$ 18,000.00	60,000.00
RECYCLING			
	Salaries & Wages	\$ 90,000.00	143,000.00
	Miscellaneous O/E	\$ 18,000.00	60,000.00
AFFORDABLE HOUSING			
	Salaries & Wages	\$ 675.00	1,175.00
	Miscellaneous O/E	\$ 100.00	
COMMUNITY CENTER			
	Miscellaneous O/E	\$ 8,000.00	30,000.00
CELEBRATION OF PUBLIC EVENTS		\$ 2,000.00	10,000.00
SOCIAL SECURITY SYSTEM		\$ 100,000.00	148,000.00
SPECIAL LITIGATION		\$ 40,000.00	120,000.00
SUI CONTRIBUTION		\$ 1,800.00	2,500.00
CENTRAL DISPATCH		\$ 62,725.00	125,450.00
ALCOHOL & DRUG TESTING		\$ 1,000.00	2,500.00
COMP. ABSENCES RESERVES		\$ 100.00	
PERS		\$ 521,124.00	
GYPSY MOTHS		\$ 0.00	7,450.00
	Total	\$3,420,289.00	

Resolution No.160-2021

Offered by: Coggins

Seconded by: Barr

Adopted: May 24, 2021

Roll Call Vote:

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

18. Appointment of Parking Enforcement Officers.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 161-2021

RE: APPOINTMENT OF PARKING ENFORCEMENT OFFICERS

WHEREAS, the Township of Upper has a need to appoint Parking Enforcement Officers pursuant to N.J.S.A.40A:9-154.7; and

WHEREAS, the Township of Upper has a Professional Services Contract with KD National Force Security & Investigations, LLC to provide individuals who will operate in the dual role as a Professional Security Specialist and a Parking Enforcement Officer pursuant to N.J.S.A.40A:9-154.7; and

WHEREAS, the Township Committee of the Township of Upper has determined it is in the best interest of the Township to appoint the following individuals as Parking Enforcement Officers pursuant to its contract with KD National Force Security & Investigations, LLC and N.J.S.A.40A:9-154.7:

Robert Bauers	Badge # 1
Brian Bonsall	Badge # 2
Edward Catts	Badge # 3
Joseph Jasiecki	Badge # 4
Thomas Little	Badge # 5
Joseph Marshello	Badge # 6
Robert Odell	Badge # 7
Belford Rivera	Badge # 8
John Zulawski	Badge # 9

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The following individuals are hereby appointed Parking Enforcement Officers for the

Township of Upper pursuant to N.J.S.A.40A:9-154.7:

Robert Bauers	Badge # 1
Brian Bonsall	Badge # 2
Edward Catts	Badge # 3
Joseph Jasiecki	Badge # 4
Thomas Little	Badge # 5
Joseph Marshello	Badge # 6
Robert Odell	Badge # 7
Belford Rivera	Badge # 8
John Zulawski	Badge # 9

3. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 161-2021

Offered by: Corson Seconded by: Barr

Adopted: May 24, 2021

Roll Call Vote:

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

ORDINANCES

CORRESPONDENCE

NEW BUSINESS

19. **Request to purchase Township owned property Block 848, Lot 3.** Motion by Curtis Corson, second by Edward Barr, to move forward with the request to obtain an appraisal and bring an Ordinance back for introduction at a future meeting. During roll call vote all five Committee members voted in the affirmative.
20. **Upper Township Business Association's Township Beautification project.** Motion by Edward Barr, second by Richard Palombo, to accept the donation from the Upper Township Business Association to purchase planters to be placed in several locations throughout the Township and to direct the Department of Public Works to effectuate the planting and maintenance as needed. During roll call vote all five Committee members voted in the affirmative.
21. **Tuckahoe Volunteer Fire Company requests to hold Raffle RA-539 at 2170 Route 50, Tuckahoe on July 18, 2021.** Motion by Curtis Corson, second by Kimberly Hayes, to approve the request. During roll call vote all five Committee members voted in the affirmative.

UNFINISHED BUSINESS

DISCUSSION

22. **Beesley's Point Park floating dock donation to OC Crew Boosters.** Motion by Kimberly Hayes, second by Richard Palombo, to approve donating the Beesley's Point floating dock to OC Crew Boosters. During roll call vote all five Committee members voted in the affirmative.

PAYMENT OF BILLS

23. "I hereby move that all claims submitted for payment at this meeting be approved and then incorporated in full in the minutes of this meeting." **Motion by John Coggins, second by Edward Barr. During roll call vote all five Committee members voted in the affirmative.**

Bills approved for payment: \$907,716.13
Payroll: \$174,125.19

REPORT OF MUNICIPAL DEPARTMENTS

PUBLIC COMMENT

Ed DiMarcantonio, Putnam Avenue, spoke of his concern regarding the portable toilet facility that is placed on Putnam Avenue near his driveway each summer, and requested that the facility be moved to a different location. After a lengthy discussion, the Engineer was directed to check if portable toilets can be placed on the beach without a DEP permit, and if there is an increased fee to service the portable toilets on the beach.

Steve Zellers, Upper Township Business Association, thanked the Committee for supporting the UTBA's proposed beautification project.

Linda Bateman, Tecumseh Avenue, thanked the Committee for providing the non-emergency number for parking violations and questioned the procedure for towing. It was stated that the towing of vehicles will only take place if it is a life threatening or hazardous condition. Illegally parked vehicles will be ticketed and fined in accordance with the Township code. Mrs. Bateman next inquired as to when the lifeguards will begin guarding the beach. It was stated that lifeguards will begin at a limited number of locations on Saturday. Lastly, Mrs. Bateman thanked the Committee for honoring the Strathmere Improvement Association.

CLOSED SESSION

24. Resolution to conduct a closed meeting pursuant to N.J.S.A. 10:4-12, from which the public shall be excluded.

**TOWNSHIP OF UPPER
RESOLUTION NO. 162-2021
MOTION GOING INTO CLOSED SESSION
MAY 24, 2021**

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

- Personnel
- Contract negotiation - Video Recording Services
- Contract negotiation - Collective Bargaining Agreement
- Potential litigation - Zoning Permit Denials

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 this litigation matter such discussions will be made public when litigation is complete and the applicable appeal period has expired.

Moved by: John Coggins

Motion seconded by: Edward Barr

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

RECONVENE PUBLIC PORTION OF MEETING

Motion by John Coggins, second by Edward Barr, to reconvene the public portion of the meeting. During roll call vote all five Committee members voted in the affirmative.

ADJOURNMENT

There being no further business this evening the meeting was adjourned at 9:37 P.M., with a motion by John Coggins, second by Richard Palombo, and all five Committee members voting in the affirmative. The next regular meeting is scheduled for June 14, 2021 at 7:30 P.M.

Minutes prepared by,

Barbara L. Young, RMC
Municipal Clerk

Bills

77598 05/24/21 A0091 ATLANTIC CITY ELECTRIC 21,788.32 3189
77599 05/24/21 A0113 ARAWAK PAVING CO. INC. 36,757.05 3189
77600 05/24/21 A0193 ATLANTIC INVESTIGATIONS, LLC 93.00 3189
77601 05/24/21 A0212 ANCERO, LLC 400.00 3189

77602 05/24/21 B0093 BARRY,CORRADO & GRASSI,PC 5,960.00 3189
77603 05/24/21 B0160 BONNER, ROSEMARY 1,735.20 3189
77604 05/24/21 B0196 BRT TECHNOLOGIES LLC 750.00 3189
77605 05/24/21 B0220 BERGEY'S TRUCK CENTERS 5,346.84 3189
77606 05/24/21 B0248 BARNES LAW GROUP LLC 2,427.50 3189
77607 05/24/21 C0042 CAMPBELL SUPPLY COMPANY 1,396.90 3189
77608 05/24/21 C0048 CAPE MAY COUNTY MUA 51,630.91 3189
77609 05/24/21 C0068 COMCAST 603.19 3189
77610 05/24/21 C0143 CODY'S POWER EQUIPMENT 143.54 3189
77611 05/24/21 C0171 COLONIAL ELECTRIC SUPPLY CO. 543.95 3189
77612 05/24/21 C0182 CDW GOVERNMENT, INC 1,974.02 3189
77613 05/24/21 C0223 CASA PAYROLL SERVICE 226.75 3189
77614 05/24/21 C0296 COMCAST BUSINESS COMMUNICATION 1,386.86 3189
77615 05/24/21 C0307 CNS ACQUISITION CORPORATION 835.00 3189
77616 05/24/21 C0328 CENTRAL TURF IRRIGATION SUPPLY 3,099.62 3189
77617 05/24/21 D0040 DELTA DENTAL OF N.J. INC. 6,210.66 3189
77618 05/24/21 D0045 DEPTCOR 328.50 3189
77619 05/24/21 D0082 DOWNTOWN AIRPORT INC 7,450.00 3189
77620 05/24/21 D0159 STATE OF NJ DEP 4,138.00 3189
77621 05/24/21 E0069 EVERSAN,INC 158.00 3189
77622 05/24/21 F0048 LESLIE G. FOGG INC 380.46 3189
77623 05/24/21 G0086 W.W. GRAINGER, INC. 749.15 3189
77624 05/24/21 G0147 GREATAMERICA FINANCIAL SVCS. 196.00 3189
77625 05/24/21 H0148 THOMAS H. HEIST INS AGENCY INC 1,786.00 3189
77626 05/24/21 L0135 LOUGHLIN, LINDA 300.00 3189
77627 05/24/21 M0035 MARMORA FIRE CO. DISTRICT #3 161,761.75 3189
77628 05/24/21 M0180 MED-TECH RESOURCE,LLC 41.78 3189
77629 05/24/21 M0193 MAYNE, MICHAEL 159.68 3189
77630 05/24/21 M0235 MODERN GROUP, LTD 415.75 3189
77631 05/24/21 M0290 MADDEN & MADDEN, PC 2,881.40 3189
77632 05/24/21 N0100 N.J. LEAGUE OF MUNICIPALITIES 50.00 3189
77633 05/24/21 N0154 NEW HORIZON COMMUNICATIONS 1,702.07 3189
77634 05/24/21 P0032 PEDRONI FUEL CO. 2,673.79 3189
77635 05/24/21 P0056 TURF EQUIPMENT AND SUPPLY CO 499.78 3189
77636 05/24/21 P0136 POSTNET 35.00 3189
77637 05/24/21 P0170 PEACH COUNTRY MULCH 1,850.00 3189
77638 05/24/21 R0030 RIGGINS, INC. 4,733.79 3189
77639 05/24/21 R0100 ROBERTS OXYGEN COMPANY, INC. 113.35 3189
77640 05/24/21 R0119 RUDERMAN, ROTH LLC 18,487.00 3189
77641 05/24/21 S0020 THE HOME DEPOT PRO 211.14 3189
77642 05/24/21 S0065 SEAVILLE FIRE CO. DISTRICT #4 144,022.25 3189
77643 05/24/21 S0113 SMITH,THOMAS G. 3,925.76 3189
77644 05/24/21 S0134 SO. JERSEY GAS COMPANY 2,005.41 3189
77645 05/24/21 S0191 STRATHMERE FIRE CO.DISTRICT #1 23,650.50 3189
77646 05/24/21 S0201 SURRAN'S NURSERY 222.00 3189
77647 05/24/21 S0254 SHOPRITE 28.76 3189
77648 05/24/21 S0284 SOUTH JERSEY INTERPRETERS 150.00 3189
77649 05/24/21 S0330 Schiemer, Crystal A. 24.05 3189
77650 05/24/21 S0362 FRED M. SCHIAVONE CONSTRUCTION 241,113.48 3189
77651 05/24/21 S0363 STARR GENERAL CONTRACTION CORP 590.00 3189
77652 05/24/21 T0032 THE PRESS OF ATLANTIC CITY 1,066.20 3189
77653 05/24/21 T0067 TOWNSHIP OF UPPER PETTY CASH 65.71 3189
77654 05/24/21 T0117 TUCKAHOE FIRE DISTRICT #2 132,075.00 3189
77655 05/24/21 T0180 TRI-COUNTY PEST CONTROL, INC 25.00 3189
77656 05/24/21 T0194 TAG CONSULTING GROUP CORP. 500.00 3189
77657 05/24/21 U0038 UPPER TOWNSHIP RESCUE SQUAD 318.70 3189
77658 05/24/21 V0001 VCI EMERGENCY VEHICLE 1,772.13 3189
77659 05/24/21 V0013 VERIZON WIRELESS 664.63 3189
77660 05/24/21 V0025 V.E. RALPH & SON,INC. 439.26 3189
77661 05/24/21 V0026 VITAL COMMUNICATIONS, INC. 300.00 3189
77662 05/24/21 W0129 WRIGGINS, JESSICA N 42.00 3189
77663 05/24/21 X0008 XEROX FINANCIAL SERVICES 214.60 3189
77664 05/24/21 Z0016 ZERO WASTE USA 88.99 3189
Total: \$907,716.13