

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR JUNE 14, 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 June 11, 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 24, 2021 Regular and Closed Session Minutes

Motion by Edward Barr, second by John Coggins, to approve the May 24, 2021 Regular Meeting and Closed Session Minutes as submitted. During roll call vote all five Committee members voted in the affirmative.

REPORT OF GOVERNING BODY MEMBERS

John Coggins, Committeeman, reported that he has received a lot of positive feedback from residents regarding the planned events for 4th of July.

Kimberly Hayes, Committeewoman, gave an overview of the planned events for the 4th of July celebration. She thanked the Public Works Department and Emergency Management for their help with planning and preparing for the events.

Curtis Corson, Committeeman, reported that the Strathmere parking enforcement is going well, with very few incidents. He also thanked the Department of Public Works for completing the parking striping changes.

Richard Palombo, Mayor, requested that a notification regarding the Juneteenth holiday be sent over Code Red to residents that will be affected by the delay in trash and recycling collection.

OTHER REPORTS

RESOLUTION NO. 164-2021 – Adoption of 2021 Municipal Budget.

Be it Resolved by the Township Committee of the Township of Upper, County of Cape May, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$4,108,933.02 for municipal purposes.

Motion by John Coggins, second by Edward Barr, to adopt the 2021 Budget as amended. During roll call vote all five Committee members voted in the affirmative.

3. Local Unit Budget Examination.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 165-2021

LOCAL UNIT BUDGET EXAMINATION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7 through 7.5 the Township of Upper has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township of Upper meets the necessary conditions to participate in the program for the 2021 budget year.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, County of Cape May, that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officers' certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- a. Payment of interest and debt redemption charges
- b. Deferred charges and statutory expenditures
- c. Cash deficit of preceding year
- d. Reserve for uncollected taxes
- e. Other reserves and non-disbursement items

f. Any inclusions of amount required for school purposes

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with “CAP” law.)

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate, and correctly stated.
- b. Items of appropriation are properly set forth.
- c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provision of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

Resolution No. 165-2021

Offered By: Coggins

Seconded By: Barr

Adopted: June 14, 2021

Roll Call Vote:

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

CERTIFICATION OF APPROVED BUDGET

It is hereby certified that the Approved Budget complies with the requirements of the law and approval is given pursuant to N.J.S.A. 40A: 4-78(b) and N.J.A.C. 5:30-7.

It is further certified that the municipality has met the eligibility requirements of N.J.A.C. 5:30-7.4 and 7.5, and that I, as Chief Financial Officer, have completed the local examination in compliance with N.J.A.C. 5:30-7.6.

This certification form and resolution of the governing body executing such certification should be annexed to the adopted budget (N.J.A.C. 5:30-7.6(e)).

RESOLUTIONS

4. Honoring Myrtle Louise Young on the occasion of her 100th birthday.

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

RESOLUTION NO. 166-2021

**RE: HONORING MYRTLE LOUISE YOUNG
ON THE OCCASION OF HER 100th BIRTHDAY**

WHEREAS, it is a great pleasure and privilege for the Township Committee of the Township of Upper to honor and congratulate Upper Township Resident Myrtle Louise Young on her 100th birthday; and

WHEREAS, Myrtle Louise Young was born on June 16, 1921 to Amasa and Mable (Wriggins) Young in Ocean City, New Jersey before moving to Petersburg as a young child; and

WHEREAS, Myrtle, one of ten children, was raised on the Young family farm in Petersburg. She completed her elementary school education in Upper Township and went on to graduate from Ocean City High School in 1939; and

WHEREAS, Myrtle, along with her 9 siblings, began working at a very young age for her father who taught them to paint, hang wallpaper, and do various construction type work; and

WHEREAS, to the delight of many, Myrtle, along with her siblings, played an instrument and sang in the Young Family Band, traveling from church to church throughout Cape May and Cumberland Counties with their father a traveling Evangelist; and

WHEREAS, Myrtle has been a member of the Goshen Emanuel Baptist Church for over sixty-five years and is a proud member of the Daughters of America; and

WHEREAS, throughout her life Myrtle has worked at many jobs including the Bradstone Rubber Factory, the Book Factory and the Wallpaper Factory in Woodbine, New Jersey; and

WHEREAS, it is most appropriate that Myrtle Louise Young be publicly honored and recognized for her lifelong achievements on the occasion of her 100th birthday.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee on behalf of the citizens of the Township of Upper, in the County of Cape May and State of New Jersey, to extend to Myrtle Louise Young our congratulations on the occasion of her 100th birthday, honor her for her exemplary and inspiring life, and offer her our sincere best wishes for her continued good health and happiness.

2021.

Resolution No. 166-2021

Offered By: Barr

Seconded By: Hayes

Adopted: June 14, 2021

Roll Call Vote:

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

5. Honoring Donald Repici on attaining the designation of “Eagle Scout”.

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

RESOLUTION NO. 167-2021

**RE: HONORING DONALD REPICI ON ATTAINING THE
DESIGNATION OF "EAGLE SCOUT"**

WHEREAS, Donald Repici of Troop 79, 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 Donald on the occasion of his receiving the designation of Eagle Scout and commends him for this outstanding achievement and the completion of his Eagle Scout project which consisted of partnering with Scout James Repici in April 2020 to handmake over 500 masks and donating them to the New Jersey Department of Children and Families and the New Jersey Department of Child Protection and Permanency.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee extends its sincere congratulations and best wishes to Donald’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.

2021.

Resolution No. 167-2021

Offered By: Barr

Seconded By: Coggins

Adopted: June 14, 2021

Roll Call Vote:

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

6. **Honoring James Repici on attaining the designation of “Eagle Scout”.**

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

RESOLUTION NO. 168-2021

**RE: HONORING JAMES REPICI ON ATTAINING THE
DESIGNATION OF "EAGLE SCOUT"**

WHEREAS, James Repici of Troop 79, 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 James on the occasion of his receiving the designation of Eagle Scout and commends him for this outstanding achievement and the completion of his Eagle Scout project which consisted of partnering with Scout Donald Repici in April 2020 to handmade over 500 masks and donating them to the New Jersey Department of Children and Families and the New Jersey Department of Child Protection and Permanency.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee extends its sincere congratulations and best wishes to James’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.

2021.

Resolution No. 168-2021

Offered By: Barr

Seconded By: Coggins

Adopted: June 14, 2021

Roll Call Vote:

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

7. Honoring Matthew Robbins on attaining the designation of “Eagle Scout”.

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

RESOLUTION NO. 169-2021

**RE: HONORING MATTHEW ROBBINS ON ATTAINING THE
DESIGNATION OF "EAGLE SCOUT"**

WHEREAS, Matthew Robbins of Troop 79, 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 Matthew on the occasion of his receiving the designation of Eagle Scout and commends him for this outstanding achievement and the completion of his Eagle Scout project which consisted of improvements to the Upper Township Middle School Cross Country Course. These improvements included installing new directional signage, rerouting the course, repairing the fence, filling in holes, trimming trees and creating a course map for the coaches.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee extends its sincere congratulations and best wishes to Matthews’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 14th day of June, 2021.

Resolution No. 169-2021

Offered By: Barr

Seconded By: Coggins

Adopted: June 14, 2021

Roll Call Vote:

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

8. Honoring Joseph Sharp on attaining the designation of "Eagle Scout".

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

RESOLUTION NO. 170-2021

**RE: HONORING JOSEPH SHARP ON ATTAINING THE
DESIGNATION OF "EAGLE SCOUT"**

WHEREAS, Joseph Sharp of Troop 79, 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 Joseph on the occasion of his receiving the designation of Eagle Scout and commends him for this outstanding achievement and the completion of his Eagle Scout project which consisted of making repairs to the leaking roof of the Seaville United Methodist Church by removing and replacing the damaged wood and shingles.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee extends its sincere congratulations and best wishes to Joseph'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 14th day of June, 2021.

Resolution No. 170-2021

Offered By: Barr

Seconded By: Coggins

Adopted: June 14, 2021

Roll Call Vote:

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

9. **Honoring the Cub Scouts of Pack 79, Michael Halliday, Benjamin McCarthy, Nolan Palombo, Christian Pineo and Ryan Lick on attaining the Arrow of Light Award.**

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

RESOLUTION NO. 171-2021

**RE: HONORING THE CUB SCOUTS OF PACK 79, MICHAEL HALLIDAY, BENJAMIN MCCARTHY, NOLAN PALOMBO, CHRISTIAN PINEO AND RYAN LICK
ON ATTAINING THE ARROW OF LIGHT AWARD**

WHEREAS, the Webelos II Scouts of Cub Scout Pack 79, Michael Halliday, Benjamin McCarthy, Nolan Palombo, Christian Pineo and Ryan Lick, have recently achieved the Arrow of Light Award, which is the highest level of advancement for a Cub Scout; and

WHEREAS, the Scouts of Cub Pack 79 have completed numerous tasks involving citizenship, outdoorsmanship, communication skills and fitness to satisfy the requirements of the Arrow of Light Award; and

WHEREAS, the Township of Upper wishes to acknowledge this outstanding accomplishment; 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:

RESOLVED THAT, this Township Committee extends its sincere congratulations to these graduating Cub Scouts on the occasion of their receiving the Arrow of Light Award and commends them for this outstanding accomplishment; and it is

FURTHER RESOLVED, that the Township Committee extends its congratulations and best wishes to their 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 Den Leaders 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 14th day of June, 2021.

Resolution No. 171-2021

Offered By: Barr

Seconded By: Coggins

Adopted: June 14, 2021

Roll Call Vote:

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

10. **Authorizing the award of a professional services contract with Dr. Stewart C. Farrell of the Coastal Research Center at Stockton University for shoreline monitoring and consulting services for beach related issues.**

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

RESOLUTION NO. 172-2021

**RE: AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT
WITH DR. STEWART C. FARRELL OF THE COASTAL RESEARCH CENTER
AT STOCKTON UNIVERSITY FOR SHORELINE MONITORING AND
CONSULTING SERVICES FOR BEACH RELATED ISSUES**

WHEREAS, the Township of Upper has received a proposal from Dr. Stewart Farrell on behalf of the Coastal Research Center at Stockton University, which outlines shoreline monitoring services to be performed on behalf of the Township during the calendar year 2021 and provides a rate schedule for the services to be provided; and

WHEREAS, the Township Committee has considered this matter and has determined that it is in the best interest of the Township to authorize a Professional Services Contract as hereinafter provided; and

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

WHEREAS, the Chief Financial Officer has certified the availability of funds to permit the Township to enter into a Professional Services Contract; and

WHEREAS, a Business Entity Disclosure Certification is not required since this contract is with an agency of the state government; and

WHEREAS, the Township has decided to acquire the services of Dr. Stewart C. Farrell of the Coastal Research Center at Stockton University as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; 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 proposal of Dr. Stewart Farrell on behalf of the Coastal Research Center at Stockton University (hereinafter collectively referred to as “Contractor”), is hereby accepted, subject to the provisions of this Resolution.
3. The Mayor and Township Clerk are hereby authorized, directed and empowered to enter into a Professional Services Contract with the Contractor aforesaid for a one (1) year term commencing January 1, 2021. Said Agreement shall be prepared or approved by the Municipal Attorney for the Township of Upper. 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 as required by N.J.S.A. 40A:11-5.
5. 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.

6. A certified copy of this Resolution shall be provided to the Contractor.

7. This Resolution shall take effect immediately provided, however, that the Contract awarded herein shall be effective as of January 1, 2021.

Resolution No. 172-2021

Offered by: Corson

Seconded by: Coggins

Adopted: June 14, 2021

Roll Call Vote:

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

11. Authorizing the adoption of the 2021 Cape May County, New Jersey Hazard Mitigation Plan Update.

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

RESOLUTION NO. 173-2021

**RE: AUTHORIZING THE ADOPTION OF THE
2021 CAPE MAY COUNTY, NEW JERSEY HAZARD MITIGATION PLAN UPDATE**

WHEREAS, all jurisdictions within Cape May County have exposure to hazards that increase the risk to life, property, environment, and the County and local economy; and

WHEREAS, pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

WHEREAS, a coalition of Cape May County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Cape May County; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy; and

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

- 1) Adopts in its entirety, the 2021 Cape May County Hazard Mitigation Plan Update (the “Plan”) as the jurisdiction’s Hazard Mitigation Plan and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
- 2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) Will continue its support of the Mitigation Planning Committee as described within the Plan.
- 5) Will help to promote and support the mitigation successes of all participants in this Plan.
- 6) Will incorporate mitigation planning as an integral component of government and partner operations.
- 7) Will provide an update of the Plan in conjunction with the County no less than every five years.

Resolution No. 173-2021

Offered by: Barr

Seconded by: Coggins

Adopted: June 14, 2021

Roll Call Vote:

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

12. Authorizing a contract with Anthony Priest for video recording services.

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

RESOLUTION NO. 174-2021

**RE: AUTHORIZING A CONTRACT WITH ANTHONY PRIEST
FOR VIDEO RECORDING SERVICES**

WHEREAS, there is a need by the Township of Upper to appoint an independent contractor to perform video recording services during Township Committee meetings; and

WHEREAS, Anthony Priest possesses the requisite skills to fill this position; and

WHEREAS, a Resolution is required authorizing the award of a contract for said services to Anthony Priest; and

WHEREAS, the proposed contract, attached hereto as Exhibit A, 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, Anthony Priest, as an independent contractor, has completed and submitted a Form W-9 to the Township of Upper; and

WHEREAS, Anthony Priest has completed and submitted a Business Entity Disclosure Certification which certifies that Anthony Priest 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 Anthony Priest 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 Anthony Priest for video recording services during the regularly scheduled Township Committee meetings.
3. A certificate from the Chief Financial Officer of Upper Township showing the availability of adequate funds for this contract and showing the line item appropriation of the official budget to which this contract will be properly charged has been provided to the governing body and shall be attached to this Resolution and kept in the files of the municipal clerk.
4. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 174-2021

Offered by: Barr

Seconded by: Palombo

Adopted: June 14, 2021

Roll Call Vote:

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

13. Authorizing the execution of a NJDEP TWA-1 Application Statements of Consent form regarding 113 W. Putnam Avenue, Strathmere, Block 827, Lot 1.

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

RESOLUTION NO. 175-2021

**RE: AUTHORIZING THE EXECUTION OF A NJDEP TWA-1 APPLICATION
STATEMENTS OF CONSENT FORM REGARDING 113 W. PUTNAM AVENUE,
STRATHMERE, BLOCK 827, LOT 1**

WHEREAS, Herb Hollinger has or is about to make application to the New Jersey Department of Environmental Protection (hereinafter “DEP”) for Treatment Works Approval for a proposed three bedroom single family dwelling, and has requested that the Township complete a portion of DEP Form No. WQM-003, which merely consents to the submission of the application to the DEP and certifies that the project, as proposed, conforms with the requirements of all municipal Ordinances and does not otherwise impose any obligation or liability on the Township; and

WHEREAS, Herb Hollinger must apply to the New Jersey Department of Environmental Protection for Treatment Works Approval in order to install a Gravity Flow Sewage Disposal System for a three bedroom single family dwelling to be constructed on 113 W. Putnam Avenue, Block 827, Lot 1 of the municipal tax map of Upper Township, New Jersey; and

WHEREAS, the Township Engineer has informed the Township Committee as to the general nature of the project and has indicated that the Township has no ordinance prohibiting the proposed project; and

WHEREAS, the matter has been considered by the Township Committee and it has been determined that the consent by the Governing Body should be granted to this application to permit the application process to go forward; and

WHEREAS, the Township Committee wishes to authorize the Township officials to execute said documentation; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Mayor is hereby authorized to execute on behalf of the Township of Upper a Statements of Consent, Section A-1, in the form attached hereto as Exhibit “A” and said consent shall be completed by inserting therein this Resolution number and the date of its adoption.
3. This Statements of Consent is submitted in conjunction with the application of Herb Hollinger for treatment works approval for the property at Block 827, Lot 1 on the municipal tax map.
4. A certified copy of this Resolution shall be provided to the applicant.

Resolution No. 175-2021

Offered by: Barr

Seconded by: Coggins

Adopted: June 14, 2021

Roll Call:

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

- 14. Authorizing the execution of a NJDEP TWA-1 Application Statements of Consent form regarding 6 East Winthrop Avenue, Strathmere, Block 853, Lot 4.**

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

RESOLUTION NO. 176-2021

**RE: AUTHORIZING THE EXECUTION OF A NJDEP TWA-1 APPLICATION
STATEMENTS OF CONSENT FORM REGARDING 6 EAST WINTHROP AVENUE,
STRATHMERE, BLOCK 853, LOT 4**

WHEREAS, 6 E. Winthrop, LLC has or is about to make application to the New Jersey Department of Environmental Protection (hereinafter “DEP”) for Treatment Works Approval for a proposed two bedroom single family dwelling, and has requested that the Township complete a portion of DEP Form No. WQM-003, which merely consents to the submission of the application to the DEP and certifies that the project, as proposed, conforms with the requirements of all municipal Ordinances and does not otherwise impose any obligation or liability on the Township; and

WHEREAS, 6 E. Winthrop, LLC must apply to the New Jersey Department of Environmental Protection for Treatment Works Approval in order to install a pretreatment system and disposal bed for a proposed two bedroom single family dwelling to be constructed on 6 East Winthrop Avenue, Block 853, Lot 4 of the municipal tax map of Upper Township, New Jersey; and

WHEREAS, the Township Engineer has informed the Township Committee as to the general nature of the project and has indicated that the Township has no ordinance prohibiting the proposed project; and

WHEREAS, the matter has been considered by the Township Committee and it has been determined that the consent by the Governing Body should be granted to this application to permit the application process to go forward; and

WHEREAS, the Township Committee wishes to authorize the Township officials to execute said documentation; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Mayor is hereby authorized to execute on behalf of the Township of Upper a Statements of Consent, Section A-1, in the form attached hereto as Exhibit “A” and said consent shall be completed by inserting therein this Resolution number and the date of its adoption.
3. This Statements of Consent is submitted in conjunction with the application of 6 East Winthrop, LLC for treatment works approval for the property at Block 853, Lot 4 on the municipal tax map.
4. A certified copy of this Resolution shall be provided to the applicant.

Resolution No. 176-2021

Offered by: Barr

Seconded by: Coggins

Adopted: June 14, 2021

Roll Call:

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

15. Authorizing the execution of a NJDEP TWA-1 Application Statements of Consent form regarding 10 East Winthrop Avenue, Strathmere, Block 853, Lot 5.

TOWNSHIP OF UPPER

**CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 177-2021

**RE: AUTHORIZING THE EXECUTION OF A NJDEP TWA-1 APPLICATION
STATEMENTS OF CONSENT FORM REGARDING 10 EAST WINTHROP AVENUE,
STRATHMERE, BLOCK 853, LOT 5**

WHEREAS, 10 E. Winthrop, LLC has or is about to make application to the New Jersey Department of Environmental Protection (hereinafter “DEP”) for Treatment Works Approval for a proposed three bedroom single family dwelling, and has requested that the Township complete a portion of DEP Form No. WQM-003, which merely consents to the submission of the application to the DEP and certifies that the project, as proposed, conforms with the requirements of all municipal Ordinances and does not otherwise impose any obligation or liability on the Township; and

WHEREAS, 10 E. Winthrop, LLC must apply to the New Jersey Department of Environmental Protection for Treatment Works Approval in order to install a septic pretreatment unit and disposal bed for a three bedroom single family dwelling to be constructed on 10 East Winthrop Avenue, Block 853, Lot 5 of the municipal tax map of Upper Township, New Jersey; and

WHEREAS, the Township Engineer has informed the Township Committee as to the general nature of the project and has indicated that the Township has no ordinance prohibiting the proposed project; and

WHEREAS, the matter has been considered by the Township Committee and it has been determined that the consent by the Governing Body should be granted to this application to permit the application process to go forward; and

WHEREAS, the Township Committee wishes to authorize the Township officials to execute said documentation; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Mayor is hereby authorized to execute on behalf of the Township of Upper a Statements of Consent, Section A-1, in the form attached hereto as Exhibit “A” and said consent shall be completed by inserting therein this Resolution number and the date of its adoption.

3. This Statements of Consent is submitted in conjunction with the application of 10 E. Winthrop, LLC for treatment works approval for the property at Block 853, Lot 5 on the municipal tax map.
4. A certified copy of this Resolution shall be provided to the applicant.

Resolution No. 177-2021

Offered by: Barr

Seconded by: Coggins

Adopted: June 14, 2021

Roll Call:

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

16. Declaration of emergency pursuant to Township Ordinance Section 7-3.2 in order to provide temporary no parking restrictions during the Upper Township Fourth of July celebration event on July 4, 2021 (Rain Date July 5, 2021).

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

RESOLUTION NO. 178-2021

**RE: DECLARATION OF EMERGENCY PURSUANT TO TOWNSHIP ORDINANCE
SECTION 7-3.2 IN ORDER TO PROVIDE TEMPORARY NO PARKING RESTRICTIONS
DURING THE UPPER TOWNSHIP FOURTH OF JULY CELEBRATION EVENT ON
JULY 4, 2021 (RAIN DATE JULY 5, 2021)**

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

WHEREAS, the Township of Upper Fourth of July Celebration event scheduled for Sunday, July 4, 2021 (rain date July 5, 2021) requires temporary parking restrictions for this public event consistent with the provisions of said Ordinance Section 7-3.2; and

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

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

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

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

2. The Township Committee hereby declares an emergency pursuant to Township Ordinance Section 7-3.2 and directs the posting of “EMERGENCY-NO PARKING” signs on Route 50 between Sunset Road and Perry Road, Sunset Road, and California Road.

3. Said no parking restrictions shall be effective on Sunday July 4, 2021, or in the event of inclement weather, July 5, 2021.

4. A copy of this resolution shall be provided to the New Jersey State Police and the Cape May County Sheriff’s Office.

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

Resolution No. 178-2021

Offered by: Hayes

Seconded by: Barr

Adopted: June 14, 2021

Roll Call Vote:

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

17. Authorizing the Mayor to sign and submit a Fiscal Year 2022 Municipal Aid Grant application for Roadway Preservation.

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

RESOLUTION NO. 179-2021

**RE: AUTHORIZING THE MAYOR TO SIGN AND SUBMIT A FISCAL YEAR 2022
MUNICIPAL AID GRANT APPLICATION FOR ROADWAY PRESERVATION**

WHEREAS, the Township of Upper wishes to take advantage of Municipal Aid Grants that will be available for Fiscal Year 2022; and

WHEREAS, the Township Committee fully supports and endorses the actions of the Township Engineer in his filing of the grant application for the following grant program:

FY 2022 Municipal Aid for Roadway Preservation

This program provides grants to municipalities for roadway improvements. The project will involve the reconstruction of Prescott Avenue from Bayview Drive to Commonwealth Avenue in the Strathmere section of the Township of Upper; 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, Engineer and Clerk of the Township of Upper are hereby authorized, directed and empowered to submit an electronic grant application to the New Jersey Department of Transportation on behalf of the Township of Upper.
3. All Township officials, officers and employees are empowered to take such action as may be necessary or advisable in order to carry out the intent and purpose of this Resolution.
4. The Mayor and clerk are hereby authorized to sign the grant agreement on behalf of the Township of Upper and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.
5. A certified copy of this Resolution shall be provided to the Township Engineer for insertion into each Municipal Aid Grant Application for Fiscal year 2022.

Resolution No. 179-2021

Offered by: Coggins

Seconded by: Barr

Adopted: June 14, 2021

Roll Call Vote:

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

- 18. Authorizing the Mayor to sign and submit an application to the NJDEP for dredging of Beesley's Point Park Boat Ramp and Pier pursuant to NJDEP rules and authorizing payment of the application from the 2019 Capital Improvement Bond Ordinance.**

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

RESOLUTION NO. 180-2021

**RE: AUTHORIZING THE MAYOR TO SIGN AND SUBMIT AN APPLICATION
TO THE NJDEP FOR DREDGING OF BEESLEY'S POINT PARK BOAT RAMP AND PIER
PURSUANT TO NJDEP RULES AND
AUTHORIZING PAYMENT OF THE APPLICATION FROM THE
2019 CAPITAL IMPROVEMENT BOND ORDINANCE**

WHEREAS, the Township of Upper wishes to make application to the New Jersey

Department of Environmental Protection (NJDEP) for dredging of Beesley's Point Park Boat Ramp and Pier located at 9 Harbor Road in the Township of Upper; and

WHEREAS, Waters Edge Environmental, LLC has prepared the NJDEP application describing the project and wishes to submit it to the NJDEP along with the application fee in the amount of \$3,000.00; and

WHEREAS, the Township Committee adopted the 2019 Capital Improvement Bond Ordinance No. 020-2019 on December 9, 2019 and wishes to use \$3,000.00 from this authorization for the application fee; and

WHEREAS, the Township Committee fully supports and endorses the actions of the Township Engineer in his filing of the NJDEP application for the following project:

Dredging of Beesley's Point Park Boat Ramp and Pier

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 of the Township of Upper is hereby authorized, directed and empowered to sign and submit the permit authorization for the NJDEP application for Dredging of Beesley's Point Park Boat Ramp and Pier, which is attached hereto as Exhibit A.
3. The Township Committee of the Township of Upper, County of Cape May, New Jersey hereby authorizes the reimbursement to Water's Edge Environmental, LLC for the payment of the \$3,000.00 NJDEP application fee for Dredging of Beesley's Point Park Boat Ramp and Pier from the 2019 Capital Improvement Bond.
4. 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.
5. A certified copy of this Resolution shall be provided to the Water's Edge Environmental, LLC.

Resolution No. 180-2021

Offered by: Barr

Seconded by: Coggins

Adopted: June 14, 2021

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Barr	X			
Coggins	X			

Corson	X			
Hayes	X			
Palombo	X			

19. Renewal of Alcoholic Beverage Licenses for the license year 2021.

Municipal Attorney Daniel Young advised Committee that before they act on this resolution they should address correspondence and exhibits objecting to the renewal of the Deauville Inn license from Raymond Went who represents Mark Berger and Victoria Green which was received this afternoon at approximately 2:00 p.m. He explained this resolution was scheduled on this agenda as a routine renewal and that under state regulations if an objection to the renewal is timely received then the Township Committee is required to have a hearing. He indicated the question then becomes was the objection received timely. He stated the Committee has the right to have a hearing whether or not an objection is filed. He advised that one could argue that the objection is not timely but it is up to Committee's discretion whether or not the objection is timely. Committeeman Barr questioned the advertising procedure for renewal of the liquor licenses. The Municipal Attorney explained that the renewals are advertised by the New Jersey Division of Alcoholic Beverage Control beginning on April 1st and running thru the end of May. Attorney Young then explained the hearing procedure and that if the license is not approved the applicants may apply to the state for an Ad-Interim license. The Committee acted on the proposed resolution without any change.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 181-2021

**RE: RENEWAL OF ALCOHOLIC BEVERAGE LICENSES
FOR THE LICENSE YEAR 2021**

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

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

WHEREAS, no timely written objection to the renewal of these licenses has been filed with the Township Committee as the issuing authority of the Township of Upper.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Upper in the County of Cape May and State of New Jersey, that the following licenses be authorized for issue for the license year effective July 1, 2021:

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

State Fee Paid: \$200.00

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

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

UMMAC Corp.
T/A Sketties
311-301 & 321 Roosevelt Blvd,
Marmora, NJ 08223
License # 0511-33-007-008
Plenary Retail Consumption License
Municipal Fee Paid: \$700.00
State Fee Paid: \$200.00

MAH, Inc. a NJ Corp.
T/A Seaville Tavern
South Side Route 50 and New Bridge Road
Ocean View, NJ 08230
Three Crescent Dr. Philadelphia, PA 19112
License # 0511-33-008-004
Plenary Retail Consumption License
Municipal Fee Paid: \$700.00
State Fee Paid: \$200.00

201 Willard Liquor, LLC
Deauville Inn
201 Willard Road
Strathmere, NJ 08248
License # 0511-33-003-008
Plenary Retail Consumption License
Municipal Fee Paid: \$700.00
State Fee Paid: \$200.00

Levariland, Inc.
T/A Levari's Seafood & American Grill
1291 State Highway Route 50
PO Box 17
Tuckahoe, NJ 08250
License # 0511-33-006-005
Plenary Retail Consumption License
Municipal Fee Paid: \$700.00

State Fee Paid: \$200.00

Boulevard Liquor Store, Inc.
T/A Boulevard Liquor Store
501 & 503 Roosevelt Boulevard
Marmora, NJ 08223
License # 0511-44-002-003
Plenary Retail Distribution License
Municipal Fee Paid: \$400.00
State Fee Paid: \$200.00

BE IT FURTHER RESOLVED, that the aforesaid alcoholic beverage licenses which have been authorized to be issued pursuant to this Resolution shall be delivered to the licensee or his authorized agent at such time as the licensee or his authorized agent shall sign an actual receipt therefore in the stub of the license book and otherwise satisfy the requirements of N.J.A.C. 13:2-3.2.

Resolution No. 181-2021

Offered by: Barr

Seconded by: Hayes

Adopted: June 14, 2021

Roll Call Vote:

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

20. Authorizing the Upper Township Tax Collector to extend the 3rd quarter grace period.

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

RESOLUTION NO. 182-2021

**AUTHORIZING THE UPPER TOWNSHIP TAX COLLECTOR
TO EXTEND THE 3RD QUARTER GRACE PERIOD**

WHEREAS, the tax rate or bills were not received in time to meet the statutory mailing and due dates, the grace period for the 3rd quarter of 2021 which is 10 days, will be extended to meet the statutory requirements as per N.J.S.A. 54:4-66.3d . (N.J.S.A.54:4-67) By law, the bills must be mailed 25 days prior to due date.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Upper, Cape May County, that in accordance with the law the third

quarter of 2021 shall not be subject to interest until 25 days after mailing. Anyone

paying after the extended grace period shall pay interest from the due date of August 1st.

Resolution No. 182-2021

Offered by: Coggins

Seconded by: Barr

Adopted: June 14, 2021

Roll Call Vote:

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

21. Authorizing Payment from the Affordable Housing Trust Fund of Upper Township.

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

RESOLUTION NO. 183-2021

**RE: AUTHORIZE PAYMENTS FROM THE
AFFORDABLE HOUSING TRUST FUND OF UPPER TOWNSHIP**

WHEREAS, the Township of Upper adopted an Affordable Housing Trust Fund Spending Plan (hereinafter “Spending Plan”) on April 30, 2012 pursuant to Resolution No. 105-2012; and

WHEREAS, the Township of Upper replaced this Spending Plan pursuant to Resolution No. 167-2020 adopted on May 26, 2020 and consistent with P.L. 2008, c.46 COAH regulations and the Fair Share Housing Center Settlement Agreement, which was subsequently approved by the Court on June 30, 2020 in connection with the Township’s Declaratory Judgment Action; and

WHEREAS, the Township of Upper’s Affordable Housing Trust Fund collects development fee revenues consistent with the Township of Upper’s development fee ordinance for both residential and non-residential developments in accordance with FHAA’s rules and P.L. 2008, c.46, sections 8 (C. 52:27D-329.2) and 32-28 (C. 40:55D-8.1 through 8.7).; and

WHEREAS, pursuant to the terms of the current Spending Plan, the release of funds requires the adoption by the Township Committee of a resolution; and

WHEREAS, the Township Committee has reviewed the requested release of funds from the Affordable Housing Trust Fund for the specific use set forth herein and has determined it is in the best interest of the Township to authorize the release of payment from said fund.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of

1. The allegations of the preamble are incorporated herein by this reference.
2. The Chief Financial Officer is authorized to release the following funds pursuant to the

Township's Market to Affordable Program:

Triad Associates (MTA Technical Assistance)	\$ 75.00
--	----------

Triad Associates	\$ 150.00
(Admin Agent Rentals Wait List)	

Resolution No. 183-2021

Offered By: Coggins

Seconded By: Barr

Adopted: June 14, 2021

Roll Call Vote:

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

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

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 184-2021

**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:

ROOKIE GUARDS

James Nilsen	\$15.00 per hour
Gabriella Culmone	\$15.00 per hour
Mackenzie Blake	\$15.00 per hour
Lauren Kate Barlow	\$15.00 per hour

Resolution No. 184-2021

Offered by: Corson

Seconded by: Barr

Adopted: June 14, 2021

Roll Call Vote:

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

CORRESPONDENCE

NEW BUSINESS

23. **Laura Denneler request to donate a memorial bench for Strathmere.** Motion by Kimberly Hayes, second by Edward Barr, to proceed with the donation of a memorial bench from Laura Denneler. During roll call vote all five Committee members voted in the affirmative. A resolution for formal action will be placed on the next agenda.
24. **Bruckner Chase donation of Beach Surf Chair to Upper Township.** Motion by Curtis Corson, second by Richard Palombo, to accept the donation of a beach surf chair from Bruckner Chase. During roll call vote all five Committee members voted in the affirmative.

UNFINISHED BUSINESS

25. **Anthony Jackson request for speed humps on Stagecoach Road in the vicinity of 1526 Stagecoach Road.** The Township Engineer reported that data collected from a speed study of the area reported that the average speed was 34.69mph, and the high speed was 54mph. There were 118 vehicles that exceeded 45mph out of the 3,450 vehicles during this period or 3.4%. It is his opinion that speed humps are not warranted. He next stated that radar speed notification signs cost approximately \$12,000.00 including installation. After a lengthy discussion, there was a motion by Edward Barr, second by Kimberly Hayes, to deny the request. During roll call vote all five Committee members voted in the affirmative.
26. **Engineer's Traffic Study for St. Andrews.** The Township Engineer reported that data collected from a speed study has shown that the average speed was 24mph, and the high speed was 53mph. There were 62 vehicles that exceeded 25mph out of the 1,064 vehicles during this period or 5.8%. He stated that based on this information traffic calming measures are not warranted. After a lengthy discussion, there was a motion by Richard Palombo, second by Kimberly Hayes, to have the engineer proceed with an additional study to include accident data and report back to the Committee. During roll call vote all five Committee members voted in the affirmative. The matter will be relisted for further discussion on a future agenda.

DISCUSSION

PAYMENT OF BILLS

27. **"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: \$722,356.28
Payroll: \$191,578.82

REPORT OF MUNICIPAL DEPARTMENTS

- 28. Animal Control
- 29. Clerk's Office
- 30. Construction Code
- 31. Finance Office
- 32. Municipal Court
- 33. MUA Report
- 34. Public Works
- 35. Tax Collector

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

PUBLIC COMMENT

Raymond Went, on behalf of Dr. Mark Berger and Victoria Green, Strathmere, spoke in opposition to the Deauville Inn liquor license renewal. He stated that while he respected the decision to renew the license he did not agree with it. He referred to the outstanding site plan complaints and violations and the need for the township to address these issues.

Ted Kingston, Strathmere, spoke in opposition to the Deauville Inn operation, including issues relating to the bandstand, parking and safety.

Cricket Denton, Tuckahoe, spoke in favor of hybrid (in person and electronic) committee meetings.

Colt Sheridan, Strathmere, spoke regarding noise at the Deauville Inn.

Linda Bateman, Strathmere, spoke regarding several topics including lifeguard coverage on the Strathmere beaches, the Deauville Inn and parking in Strathmere.

John Schmelzer, Strathmere, spoke regarding Deauville Inn complaints.

Tom Burke, Seaville, spoke regarding noise and parking in Strathmere and the Deauville Inn.

Scott Buehler, Strathmere, spoke in opposition to the Deauville Inn operation and problems with parking and noise.

Mark Pancoast, Petersburg, thanked the Beach Patrol for their swift action in rescuing a child caught in the surf recently at the Strathmere beach.

Chris Konicki, Strathmere, questioned if a sketch showing the licensed area of the Deauville Inn was available. It was stated that Mr. Konicki may file an OPRA request with the Municipal Clerk for a copy of the sketch.

CLOSED SESSION

- 36. 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. 185-2021
MOTION GOING INTO CLOSED SESSION
JUNE 14, 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

- Contract negotiation - Conflict Engineer
- Litigation - Estate of Zajac v. Upper Township
- Litigation - Township of Upper v. Whippoorwill Campground, LLC
- Litigation - Holt v. Upper Township Zoning Board of Adjustment
- Litigation - Hemby v. Upper Township
- Litigation - EEOC complaint
- Potential litigation - Zoning Permit Denials
- Personnel

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 contract negotiations such matters will be made public when negotiations have ceased and there is no longer a reason for confidentiality.
- C. With respect to this litigation matter such discussions will be made public when litigation is complete and the applicable appeal period has expired.
- D. 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.

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 Richard Palombo, to reconvene the public portion of the meeting. During roll call vote all four Committee members present voted in the affirmative. Committeeman Corson left the meeting during the closed session portion of the meeting.

ADJOURNMENT

There being no further business this evening the meeting was adjourned at 10:30 P.M., with a motion by John Coggins, second by Kimberly Hayes, and all four Committee members present voting in the affirmative. The next regular meeting is scheduled for June 28, 2021 at 7:30 P.M.

Minutes prepared by,

Barbara L. Young, RMC
Municipal Clerk

Bill List

77668 06/14/21 A0025 ADVANTAGE RENTAL & SALES 596.00 3191
77669 06/14/21 A0075 ADAMS, JOSHUA 80.50 3191
77670 06/14/21 A0078 ANCHOR RUBBER STAMP & PRINTING 34.00 3191
77671 06/14/21 A0091 ATLANTIC CITY ELECTRIC 25,849.47 3191
77672 06/14/21 A0175 Adams Rehmann & Haggan Assoc 480.00 3191

77673 06/14/21 A0191 ACTION UNIFORM CO. LLC 61.00 3191
77674 06/14/21 A0193 ATLANTIC INVESTIGATIONS, LLC 186.00 3191
77675 06/14/21 A0212 ANCERO, LLC 8,145.50 3191
77676 06/14/21 A0218 ATLANTIC CITY CYCLE CENTER LLC 950.62 3191
77677 06/14/21 A0225 AUTOZONE NORTHEAST LLC 395.94 3191
77678 06/14/21 B0035 BELMONT & CRYSTAL SPRINGS 133.89 3191
77679 06/14/21 B0039 BEESLEY'S PT. SEA DOO, INC. 132.00 3191
77680 06/14/21 B0090 BROADLEY'S MDI 408.32 3191
77681 06/14/21 B0201 BUCK'S ELECTRICAL SERVICE, INC 95.00 3191
77682 06/14/21 B0220 BERGEY'S TRUCK CENTERS 249.44 3191
77683 06/14/21 B0239 BAILEY, WILLIAM MICHAEL 1,066.66 3191
77684 06/14/21 B0248 BARNES LAW GROUP LLC 2,812.50 3191
77685 06/14/21 C0042 CAMPBELL SUPPLY COMPANY 315.24 3191
77686 06/14/21 C0068 COMCAST 1,328.67 3191
77687 06/14/21 C0118 CLEAN COMMUNITIES COUNCIL 40.00 3191
77688 06/14/21 C0143 CODY'S POWER EQUIPMENT 389.88 3191
77689 06/14/21 C0182 CDW GOVERNMENT, INC 3,234.17 3191
77690 06/14/21 C0223 CASA PAYROLL SERVICE 297.25 3191
77691 06/14/21 C0247 CMRS-FP 5,000.00 3191
77692 06/14/21 C0279 CASA REPORTING SERVICES LLC 134.40 3191
77693 06/14/21 C0307 CNS ACQUISITION CORPORATION 835.00 3191
77694 06/14/21 C0329 COASTAL EMERGENCY MEDICAL 2,500.00 3191
77695 06/14/21 D0149 DANZIGER & MARKOFF, LLP 3,120.00 3191
77696 06/14/21 D2001 DEJANA TRUCK & UTILITY EQUIP 1,206.84 3191
77697 06/14/21 E0094 Elberson, Eric 60.00 3191
77698 06/14/21 F0048 LESLIE G. FOGG INC 192.75 3191
77699 06/14/21 G0009 GAPVAX, INC. 216.10 3191
77700 06/14/21 G0016 GARDNER HARDWARE INC. 269.93 3191
77701 06/14/21 G0028 GENTILINI FORD 32.95 3191
77702 06/14/21 G0086 W.W. GRAINGER, INC. 627.84 3191
77703 06/14/21 G0147 GREATAMERICA FINANCIAL SVCS. 170.00 3191
77704 06/14/21 G0157 GRANTURK EQUIPMENT CO., INC. 422.46 3191
77705 06/14/21 G0169 GROFF TRACTOR MID ATLANTIC LLC 2,312.55 3191
77706 06/14/21 G0182 GOLDENBERG, MACKLER & SAYEGH 185.00 3191
77707 06/14/21 H0073 HOME DEPOT CRC/GECF 1,944.66 3191
77708 06/14/21 H0095 HORIZON BCBSNJ 225,813.33 3191
77709 06/14/21 H0191 HOUPERT FLEET SERVICES, LLC 1,640.50 3191
77710 06/14/21 H0202 HANDLEY, BROOKE 42.00 3191
77711 06/14/21 J0023 JED'S SHEDS, INC. 400.00 3191
77712 06/14/21 J0041 JONES, JAMES M. 72.86 3191
77713 06/14/21 K0103 KYOCERA DOCUMENT SOLUTIONS 224.75 3191
77714 06/14/21 L0031 LORCO PETROLEUM SERVICES 65.00 3191
77715 06/14/21 L0143 Lick, Greg 20.00 3191
77716 06/14/21 M0039 MacMURRAY,WAYNE 42.00 3191
77717 06/14/21 M0076 MGL PRINTING SOLUTIONS 100.00 3191
77718 06/14/21 M0174 MCAFEE MEGAN 23.69 3191
77719 06/14/21 M0247 MORGAN, SCOTT 69.75 3191
77720 06/14/21 M0277 EQUITABLE FINANCIAL LIFE INS. 23.84 3191
77721 06/14/21 N0004 NJ-AMERICAN WATER CO. 188.38 3191
77722 06/14/21 N0100 N.J. LEAGUE OF MUNICIPALITIES 115.00 3191
77723 06/14/21 N0143 NATIONAL TIME SYSTEMS 431.10 3191
77724 06/14/21 N0144 NJ E-ZPASS SERVICE CENTER 100.00 3191
77725 06/14/21 N0165 Nappen, Victor 20.00 3191
77726 06/14/21 O0006 SJSHORE MARKETING,LLC 122.50 3191
77727 06/14/21 O0052 OFFSHORE TRAILER COMPANY LLC 160.00 3191
77728 06/14/21 P0032 PEDRONI FUEL CO. 4,256.74 3191
77729 06/14/21 P0056 TURF EQUIPMENT AND SUPPLY CO 75.58 3191
77730 06/14/21 P0076 POSTMASTER-TUCKAHOE 248.00 3191
77731 06/14/21 P0136 POSTNET 1,120.00 3191
77732 06/14/21 P0152 READY, LOREN 14.65 3191
77733 06/14/21 R0030 RIGGINS, INC. 4,244.95 3191
77734 06/14/21 R0100 ROBERTS OXYGEN COMPANY, INC. 113.35 3191
77735 06/14/21 R0101 R.R. DONNELLEY 147.00 3191
77736 06/14/21 S0001 SAM'S CLUB 42.93 3191
77737 06/14/21 S0031 SCHULER SECURITY, INC. 360.00 3191
77738 06/14/21 S0134 SO. JERSEY GAS COMPANY 129.79 3191
77739 06/14/21 S0196 STEWART BUSINESS SYSTEMS LLC 274.40 3191
77740 06/14/21 S0239 SHORE VET. ANIMAL CONTROL LLC 2,400.00 3191
77741 06/14/21 S0362 FRED M. SCHIAVONE CONSTRUCTION 370,248.49 3191
77742 06/14/21 S0365 Sementa, Katie 24.05 3191

77743 06/14/21 T0080 TREASURER STATE OF N.J. 7,398.00 3191
 77744 06/14/21 T0086 TREASURER, STATE OF NEW JERSEY 178.00 3191
 77745 06/14/21 T0094 TREASURER STATE OF NEW JERSEY 50.00 3191
 77746 06/14/21 T0131 TROUT, ROSEMARY 45.00 3191
 77747 06/14/21 T0168 TOWNSHIP OF UPPER 270.87 3191
 77748 06/14/21 T0180 TRI-COUNTY PEST CONTROL, INC 25.00 3191
 77749 06/14/21 T0192 MARSH & McLENNAN AGENCY/TRION 295.34 3191
 77750 06/14/21 T0211 TRELEASE, BRIAN P., ESQUIRE 64.00 3191
 77751 06/14/21 U0003 U.S. MUNICIPAL SUPPLY, INC. 291.04 3191
 77752 06/14/21 U0043 ULINE, INC. 70.87 3191
 77753 06/14/21 U0067 UT HEALTH REIMB. ACCOUNT 1,863.11 3191
 77754 06/14/21 V0013 VERIZON WIRELESS 1,009.03 3191
 77755 06/14/21 V0020 VINELAND AUTO ELECTRIC INC. 3,317.42 3191
 77756 06/14/21 V0022 VERIZON 111.48 3191
 77757 06/14/21 V0025 V.E. RALPH & SON,INC. 1,947.80 3191
 77758 06/14/21 V0026 VITAL COMMUNICATIONS, INC. 1,392.75 3191
 77759 06/14/21 V0038 VAN GILDER, GREGORY 42.00 3191
 77760 06/14/21 W0030 WEST PUBLISHING CO. 711.40 3191
 77761 06/14/21 W0050 MOTOROLA SOLUTIONS INC. 1,854.40 3191
 77762 06/14/21 W0087 W.B. MASON EGG HARBOR 557.57 3191
 77763 06/14/21 X0008 XEROX FINANCIAL SERVICES 219.04 3191
 77764 06/14/21 Y0008 YOUNG, DANIEL J. ESQUIRE PC 20,755.00 3191
 Total: 722,356.28