

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
AGENDA FOR JUNE 28, 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 25, 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 - June 14, 2021 Regular and Closed Session Minutes

Motion by Edward Barr, second by John Coggins, to approve the June 14, 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, wished everyone a happy and safe Independence Day.

Kimberly Hayes, Committeewoman, invited everyone to attend the township’s 4th of July Celebrations to be held on Sunday July 4th (rain date July 5th) beginning the day at 8:00 a.m. at the Beesley’s Point Boat Park for a model yacht demonstration, followed by a Parade in Strathmere at 10:30 a.m. followed by an awards ceremony at the Deauville Inn. Ms. Hayes thanked Strathmere resident Karen Mitchell for spearheading and organizing the parade. She next announced that we will round out the day’s festivities with a celebration at Amanda’s Field with live music, food vendors, crafts, games and fun for the entire family. Lastly, Ms. Hayes reported that the township will soon launch an arts program for youth and seniors “Upper Township ACT” Arts Culture and Theatre, headed by township resident Dr. Janice Lake Betts. She explained that the nonprofit organization will be similar to the township’s sports organizations. The Municipal Attorney explained that once they’re up and running a review of the organization by-laws and a resolution to officially authorize the organization as a township program will be required.

Edward Barr, Committeeman, wished everyone a safe and enjoyable 4th of July.

Curtis Corson, Committeeman, reported that there will be Lifeguard tryouts on July 17th with anticipated hires at the August 9, 2021 meeting. He also explained that the stand at Seacliff was moved to Vincent Avenue because of the Piping Plovers at Seacliff. He next reported that Lifeguard races will begin on July 6th starting in Longport, with the first race in Upper Township “Bay Race” on July 20th. Lastly, he gave a brief update on the parking enforcement in Strathmere.

Richard Palombo, Mayor, discussed the need to continue approvals for outdoor dining and requested that language be drafted for review to allow outdoor dining on a permanent basis. Motion by Richard Palombo, second by Edward Barr, to direct that the Municipal Attorney draft language to allow administrative approval of outdoor displays and dining. During roll call vote all five Committee members voted in the affirmative.

OTHER REPORTS

Scott Morgan, Township Administrator, gave an update on the latest information from the CMC Health Department regarding Covid-19. Mr. Morgan next reported that he recently received correspondence from the NJ Department of Law and Public Safety Division of State Police that the Township OEM Emergency Operations Plan meets criteria for approval.

Barbara Young, Township Clerk, reported that Township Offices will be closed on Monday July 5th in observance of Independence Day.

Paul Dietrich, Township Engineer, reported that the paperwork has been submitted to FEMA for reimbursement for Tornado Isaias for 670 ton of debris at approximately \$190,000. He next gave an update on the Beesley’s Point Park project. The Committee then discussed opening the Beesley’s Point beach on the weekends beginning on July 4th. There was then a discussion on fees for the ramp and the projected date for opening the boat ramp. It was stated that the anticipated date for the opening is July 15th. There was then a motion by Richard Palombo, second by Edward Barr to sell the seasonal boat ramp permits at a reduced rate of \$50.00 and the daily permits at \$12.00. During roll call vote all five Committee members voted in the affirmative.

RESOLUTIONS

1. Honoring Shelley Lea on the occasion of her retirement from the Township of Upper.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 186-2021

HONORING SHELLEY LEA ON THE OCCASION OF HER RETIREMENT FROM THE TOWNSHIP OF UPPER

WHEREAS, Shelley Lea will soon be retiring after more than thirty years of exemplary public service to this community, during which she has served as Keyboarding Clerk, Recreation Secretary, Deputy Zoning Officer, Planning and Zoning Board Secretary and Zoning and Code Enforcement Official for the Township of Upper; and

WHEREAS, throughout her tenure with the Township of Upper, Shelley has always executed her duties with dignity, diligence, and great skill; and

WHEREAS, it is most appropriate that Shelley be publicly recognized and commended for her tenure of public employment, and years of faithful and dedicated service to this Township; 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. That Shelley Lea be publicly congratulated on the occasion of her retirement as Zoning and Code Enforcement Official of the Township of Upper and Secretary to both the Planning and Zoning Boards.
2. That she be publicly thanked for her many years of dedicated public service to our community.
3. That this Committee, on behalf of all the citizens of the Township of Upper extend to our fellow employee and friend, Shelley Lea, our very best wishes on her retirement and future endeavors.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this

28th day of June, 2021.

Resolution No. 186-2021

Offered by: Barr

Seconded by: Corson

Adopted: June 28, 2021

Roll Call Vote:

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

2. In Support of Miss New Jersey's Outstanding Teen Isabella Freund.
After the adoption the Township Committee presented Resolution 187-2021 to Isabella Freund.

**TOWNSHIP OF UPPER
COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

RESOLUTION NO. 187-2021

**RE: IN SUPPORT OF MISS NEW JERSEY'S OUTSTANDING TEEN
ISABELLA FREUND**

WHEREAS, Isabella Freund of Upper Township has earned the honor of competing with contestants from all 50 states for the title of Miss America's Outstanding Teen 2021 to be held in Orlando, Florida in July; and

WHEREAS, as current reigning Miss New Jersey's Outstanding Teen, Isabella has shown great adaptability during the COVID-19 pandemic by making use of zoom meetings, social media sites and virtual meetings to make appearances and reach audiences and has raised over \$25,000 for her social impact initiative Make-A-Wish as well as over \$2,000 for Children's Miracle Network Hospitals; and

WHEREAS, last year Isabella launched a podcast called "Closer Apart" with Alyssa Sullivan, a former Miss New Jersey's Outstanding Teen, and tackled social issues including mental health awareness during the pandemic; and

WHEREAS, Isabella is an Ocean City High School Junior and has been on the Distinguished Honor Roll all semesters, a member of National Honor Society, Student Council, Key Club, Prom Committee and the Tennis and Golf Teams; and

WHEREAS, Isabella is very active in the community and has helped prepare over 3,000 meals for local missions and collected hundreds of presents for Toys for Tots; and

WHEREAS, Isabella has received many honors including Miss New Jersey's Outstanding Teen Scholarship, Principal's Meritorious Award, Miss America Shore Organization Community Service Award, and the Curtis T. Corson Sr. Memorial Award; and

WHEREAS, through her hard work and dedication Isabella has gracefully accepted the commitment and responsibility of being a role model to her peers, and it is appropriate that she be publicly supported for her many accomplishments and services to the community as she competes for the title of Miss America's Outstanding Teen.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey, to support Isabella Freund as she competes for a well-deserved opportunity to become Miss America's Outstanding Teen 2021 and extend to her best wishes for all her future endeavors.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 28th day of June, 2021.

Resolution No. 187-2021

Offered by: Barr

Seconded by: Coggins

Adopted: June 28, 2021

Roll Call Vote:

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

3. Authorizing a contract with John E. Halbruner and Hyland Design Group, Inc. for engineering consulting services.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 188-2021

**RE: AUTHORIZING A CONTRACT WITH JOHN E. HALBRUNER AND HYLAND DESIGN GROUP,
INC. FOR ENGINEERING CONSULTING SERVICES**

WHEREAS, the Township requires professional engineering consulting services for matters in which the regular Township Engineer has a conflict; and

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

WHEREAS, John E. Halbruner and Hyland Design Group, Inc. have completed and submitted a Business Entity Disclosure Certification which certifies that John E. Halbruner and Hyland Design Group, Inc. have 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 John E. Halbruner and Hyland Design Group, Inc. from making any reportable contributions through the term of the contract; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. John E. Halbruner and Hyland Design Group, Inc. with offices at 701 West Avenue, Suite 301, Ocean City, New Jersey are hereby appointed to provide engineering consultant services for matters in which the Township Engineer has a conflict.
3. The contract shall have a term of one (1) year from date of full execution.
4. This Contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the New Jersey Local Public Contract Law because John E. Halbruner and Hyland Design Group, Inc. have professional knowledge as to engineering issues which knowledge is particularly valuable to the Township Committee and this service is acquired as a non-fair and open contract pursuant to N.J.S.A. 19:44A-20.5.

NOTICE OF CONTRACT AWARD

5. The Township Committee of the Township of Upper, State of New Jersey has awarded the contract without competitive bidding as a professional service pursuant to N.J.S.A. 40A:11-5(1)(a) to John E. Halbruner and Hyland Design Group, Inc. for engineering consultant services. This contract and the resolution authorizing same shall be available for public inspection in the office of the municipal clerk of the Township of Upper, State of New Jersey.

6. A certificate from the Chief Financial Officer of Upper Township showing the availability of adequate funds for this contract and showing the line item appropriation of the official budget to which this contract

will be properly charged has been provided to the governing body and shall be attached to this Resolution and kept in the files of the municipal clerk.

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

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

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

10. This Resolution shall be effective as of adoption.

Resolution No. 188-2021

Offered by: Barr

Seconded by: Coggins

Adopted: June 28, 2021

Roll Call Vote:

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

4. Accepting the donation of a memorial bench in Strathmere.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 189-2021

RE: ACCEPTING THE DONATION OF A MEMORIAL BENCH IN STRATHMERE

WHEREAS, Laura Denneler has requested the placement of a memorial bench in Strathmere; and

WHEREAS, Laura Denneler will donate the memorial bench to the Township of Upper; and

WHEREAS, the acceptance and installation of the bench will be contingent upon approval of the bench specifications and location by the Township Engineer, the Township Administrator, and the Committee member in charge of Public Buildings and Grounds; 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 of Upper hereby accepts the donation of a memorial bench to be placed in Strathmere in memory of Bonnie Lee Giordano subject to the following conditions:

1) The Township Engineer, Township Administrator and Township Committee member in charge of Building and Grounds shall approve the bench specifications and location.

2) The Township shall not be responsible for damage to, destruction of or loss of the bench or memorial plaque. The Township is not responsible for replacement of the bench or plaque for any reason.

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. 189-2021

Offered by: Barr

Seconded by: Corson

Adopted: June 28, 2021

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

5. Authorizing the Upper Township Fourth of July Celebration Event to be held on July 4, 2021 at Amanda's Field.

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

RESOLUTION NO. 190-2021

**RE: AUTHORIZING THE UPPER TOWNSHIP FOURTH OF
JULY CELEBRATION EVENT TO BE HELD ON JULY 4, 2021
AT AMANDA'S FIELD**

WHEREAS, Section 26-2.3 of the Code of Upper Township authorizes the Township to hold and sponsor events at Township facilities and charge fees for vendors or others to participate in the event; and

WHEREAS, the Township of Upper desires to hold a Fourth of July Celebration Event on July 4, 2021, (rain date July 5, 2021), at Amanda's Field; and

WHEREAS, appropriate advice and approvals from the Township's Risk Management Consultant, the New Jersey State Police, and the Division of EMS shall be obtained prior to the event; 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 authorize the Upper Township Fourth of July Celebration Event to be held on July 4, 2021, with a rain date scheduled for July 5, 2021, at Amanda's Field.
3. There will be no fees charged for participation in the 2021 Upper Township Fourth of July Event.
4. All Vendors will be assigned their spaces prior to arrival and will be required to provide their own canopy/tent, table, chairs, electricity, and any other equipment or supplies they may need for their space.
5. All Food Vendors must submit a Certificate of Insurance naming the Township of Upper, its officials, officers and employees as additional insureds. If a Non Food Vendor currently has insurance in place, a Certificate of Insurance shall be requested naming the Township of Upper, its officials, officers, and employees as additional insureds.
6. All Food Vendors shall submit a Temporary Food Vendor Application to the Cape May County Department of Health, and shall follow the "Guidelines for Compliance with Chapter 24, Subchapter 8 Temporary Retail Food Establishments" as established by the Cape May County Department of Health.
7. All Food Vendors shall submit an application for a Temporary Cooking Vendor Permit to the New Jersey Department of Community Affairs, Division of Fire Safety.
8. The Township of Upper reserves the right to limit the size, amount, and type of Vendors that will participate during the event.
9. The Township Administrator shall have the authority to establish such additional rules, terms or conditions relating to the event as may be appropriate due to safety, cost or efficiency reasons, including any such terms or conditions recommended by the New Jersey State Police, the Township Department of EMS or the Township's Risk Management Consultant.
10. 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. 190-2021

Offered by: Hayes

Seconded by: Coggins

Adopted: June 28, 2021

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Barr	X			
Coggins	X			

Corson	X			
Hayes	X			
Palombo	X			

6. Certification of costs for abatement of nuisance on Block 549, Lot 119; Block 453.11, Lot 1.02; and Block 306, Lot 16.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 191-2021

**CERTIFICATION OF COSTS FOR ABATEMENT OF NUISANCE
ON BLOCK 549, LOT 119; BLOCK 453.11, LOT 1.02; AND BLOCK 306, LOT 16**

WHEREAS, pursuant to Township Code Section 11-1, the Code Enforcement Officer is empowered to enforce the Township's Property Maintenance Code; and

WHEREAS, in accordance with Township Code, the Code Enforcement Officer served a notice of violation of Section 11-1.9 (Grass, Weeds and Debris), to the property owner/agent of Block 549, Lot 119; Block 453.11, Lot 1.02 and Block 306, Lot 16; and

WHEREAS, 10 days passed from the date of such notice of violation with no response from the property owner/agent and the Township thereafter remedied the violation; and

WHEREAS, pursuant to Township Code Section 11-1.19(a) and N.J.S.A. 40:48-2.14, the Code Enforcement Officer has certified the costs of remedying the said violations as set forth on the attached list; 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 hereby declares that the costs as set forth on the attached list shall be certified to the Township Tax Collector as a lien against the properties in question which lien shall become and form a part of the taxes assessed and levied upon the properties pursuant to Township Code Section 11-1.19(b) and N.J.S.A. 40:48-2.14.
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. 191-2021

Offered by: Coggins Seconded by: Barr

Adopted: June 28, 2021

Roll Call Vote:

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

ABATEMENT OF GRASS, WEEDS, AND DEBRIS

<u>BLOCK/LOT</u>	<u>LOCATION</u>	<u>COST</u>	<u>ADMIN FEE</u>	<u>TOTAL</u>
549/119	54 Evergreen Dr.	\$150.00	\$30.00	\$180.00
453.11/1.02	12 Wyncroft Dr.	\$150.00	\$30.00	\$180.00
306/16	124 Rt. 49	\$150.00	\$30.00	\$180.00

7. Appointing the 2021 season Boat Ramp Attendants.

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

RESOLUTION NO. 192-2021

RE: APPOINTING THE 2021 SEASON BOAT RAMP ATTENDANTS

WHEREAS, a need exists to appoint qualified personnel as part-time seasonal employees for the Upper Township Boat Ramp for the 2021 season; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. Thomas Duffy, Ronald Boomhower and Donald Polo are hereby appointed as part-time seasonal Boat Ramp Attendants, pending pre-employment testing, at a salary of \$15.00 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. 192-2021

Offered by: Barr

Seconded by: Coggins

Adopted: June 28, 2021

Roll Call Vote:

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

8. A Resolution to authorize participation under the SHBP and/or SEHBP.

Motion by John Coggins, second by Edward Barr, to table the resolutions under No. 8. until after the closed session. During roll call five Committee members voted in the affirmative.

ORDINANCES

CORRESPONDENCE

NEW BUSINESS

9. **Bid results for Towing and Lockout Services.** Barbara Ludy reported no bids were received at June 23, 2021 bid opening for Towing, Storage and Lockout Services. Motion by Curtis Corson, second by John Coggins, to rebid for towing and lockout services. During roll call vote all five Committee members voted in the affirmative.
10. **Planning Board recommendations for Land Use Ordinance revisions.** Township Engineer Paul Dietrich explained the recommendations and proposed revisions to chapter 19 and 20 of the Land Use Ordinance as recommended by the Planning Board at their June 17, 2021 Meeting. Motion by John Coggins, second by Edward Barr, to move forward with a revised Land Use Ordinance to be placed on a future agenda. During roll call vote all five Committee members voted in the affirmative.

UNFINISHED BUSINESS

DISCUSSION

11. **July 4th Event - Recreation Trust Fund.** Motion by John Coggins, second by Kimberly Hayes, to reimburse \$5,000 to the Recreation Trust Fund with funds received from the July 4th event. During roll call vote all five Committee members voted in the affirmative.

PAYMENT OF BILLS

12. **"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: \$302,91.76

Payroll: \$205,460.35

REPORT OF MUNICIPAL DEPARTMENTS

13. Division of EMS

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

PUBLIC COMMENT

Blanch Adams, Steelmantown, on behalf of the Upper Township Business Association, spoke in favor of continuing outdoor dining. UTBA downtown new jersey excited to bring the arts to our downtown areas.

Linda Bateman, President Strathmere Improvement Association, spoke regarding the Strathmere Plover Project. She thanked Township Engineer Paul Dietrich and Mayor Palombo for volunteering their time on the project. She then presented a Strathmere Plover Project t-shirt to Mayor Palombo. He thanked Ms. Bateman and stated that it has been an honor to work with the volunteers on the project and that he will wear the t-shirt with pride.

CLOSED SESSION

14. 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. 195-2021
MOTION GOING INTO CLOSED SESSION
JUNE 28, 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 - Cape Physicians Employee Physicals
- Contract negotiation - Collective Bargaining Agreement
- Contract negotiation - Project Development Agreement/
Redevelopment
- 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 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 Edward Barr, to reconvene the public portion of the meeting. During roll call vote all five Committee members voted in the affirmative.

Motion by John Coggins, second by Edward Barr, to adopt the following resolutions listed under item No. 8. During roll call vote all five Committee members voted in the affirmative.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 193-2021

A Resolution to Authorize Participation Under the SHBP and/or SEHBP.

BE IT RESOLVED:

1. The Township of Upper 53370
Corporate Name of Employer *SHBP/SEHBP Employer Location Number*
hereby elects to participate in the Health Program provided by the New Jersey State Health Benefits Act of the State of New Jersey (N.J.S.A. 52:14-17.26 and N.J.S.A. 52:14-17.46.2) and to authorize coverage for all the employees and their dependents thereunder in accordance with the statute and regulations adopted by the State Health Benefits Commission and/or School Employees' Health Benefits Commission.
2. a. ☒ We elect to participate in the Employee Prescription Drug Plan defined by N.J.S.A. 52:14-17.25 et seq. and authorize coverage for all employees and their dependents in accordance with the statute and regulations adopted by the State Health Benefits Commission and/or School Employees' Health Benefits Commission.
b. ☐ We will be maintaining _____ as our Prescription Drug Plan.¹ This plan is
Name of Plan
comparable in design to the State Employee Prescription Drug Plan.
c. ☐ We will not have a stand-alone prescription drug plan and understand that prescription drug coverage will be provided based on the medical plan chosen by the subscriber.
3. a. ☐ We elect to participate in the Employee Dental Plans defined by N.J.S.A. 52:14-17.25 et seq. and authorize coverage for all employees and their dependents in accordance with the statute and regulations adopted by the State Health Benefits Commission and/or School Employees' Health Benefits Commission.
b. ☒ We will be maintaining Delta Dental PPA Plus Premier as our dental plan.¹
Name of Plan
c. ☐ We will not have a dental plan.
4. We elect 35² hours per week (average) as the minimum requirement for full-time status in accordance with N.J.A.C. 17:9-4.6.
5. As a participating employer we will remit to the State Treasury all charges due on account of employee and dependent coverage and periodic charges in accordance with the requirements of the statute and the rules and regulations duly promulgated thereunder.
6. We hereby appoint Barbara Ludy, Chief Financial Officer to act as Certifying Officer in the administration of this program.
Name/Title

Note: An individual is permitted coverage as an employee, retiree, or dependent. Multiple coverage under the SHBP or SEHBP is prohibited.

¹ If not electing prescription drug coverage and/or dental plan participation through the SHBP or SEHBP, attach copies of the current prescription drug and dental plan contracts.

² May not be less than 25 hours per week for employees, or 35 hours per week for elected or appointed officials.

7. This resolution shall take effect immediately and coverage shall be effective as of 10/01/2021 or as ^{mm/dd/yyyy} soon thereafter as it may be effectuated pursuant to the statutes and regulations (can be no less than 75 or 90 days pursuant to the provisions of N.J.S.A. 17:9-1.4).
8. 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.
9. 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.

I hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the:

Township of Upper 06/28/2021
Corporate Name of Employer mm dd yyyy

2100 Tuckahoe Road Woodbine NJ 08270
Street Address City State Zip Code

(609) 628-2806
Area Code Telephone Number

Signature Official Title

67 21-6001324
Number of Employees Employer's State Employer Identification Number (EIN)

Resolution No. 193-2021

Offered by: Coggins

Seconded by: Barr

Adopted: June 28, 2021

Roll Call Vote:

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

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 194-2021

A Resolution to Adopt the Provisions of Chapter 48 (N.J.S.A. 52:14.17.38) Under Which aPublic Employer May Agree to Pay for the SHBP and/or SEHBP Coverage of Certain Retirees.

BE IT RESOLVED:

The Township of Upper 53370
Corporate Name of Employer SHBPISHEBP Employer Location Number

hereby elects to adopt the provisions of N.J.S.A. 52:14-17.38 and adhere to the rules and regulations promulgated by the State Health Benefits Commission and School Employees' Health Benefits Commission to implement the provisions of that law.

1. This resolution affects employees as shown on the attached *Chapter 48 Resolution Addendum*. It is effective on the 1st day of October 2021
Month Year
2. We are aware that adoption of this resolution does not free us of the obligation to pay for post-retirement medical benefits of retirees or employees who qualified for those payments under any *Chapter 88 Resolution* or *Chapter 48 Resolution* adopted previously by this governing body.
3. We agree that this resolution will remain in effect until properly amended or revoked with the SHBP and/or SEHBP. We recognize that while we participate with the SHBP and/or SEHBP, we are responsible for providing the payment for post-retirement medical coverage as listed in the attached *Chapter 48 Resolution Addendum* for all employees who qualify for this coverage while this resolution is in force.
4. We understand that we are required to provide the New Jersey Division of Pensions & Benefits (NJDPB) complete copies of all contracts, ordinances, and resolutions that detail post-retirement medical payment obligations we undertake. We also recognize that we may be required to provide the NJDPB with information needed to carry out the terms of this resolution.
5. 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.
6. 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.

I hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the:

Township of Upper 06/28/2021
Corporate Name of Employer mm/dd/yyyy

2100 Tuckahoe Road Woodbine NJ 08270
Street Address City State Zip Code

(609) 628-2806
Area Code Telephone Number

Signature

Official Title

28 21-6001324
Number of Employees Employer's State Employer Identification Number (EIN)

Resolution No. 194-2021

Offered by: Coggins

Seconded by: Barr

Adopted: June 28, 2021

Roll Call Vote:

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

ADJOURNMENT

There being no further business this evening the meeting was adjourned at 10:20 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 July 12, 2021 at 7:30 P.M.

Minutes prepared by,

Barbara L. Young, RMC
Municipal Clerk

Bills

77765 06/28/21 A0018 ACTION SUPPLY INC. 670.27 3192
77766 06/28/21 A0030 AFTER-PROM COMMITTEE OCHS 1,124.36 3192
77767 06/28/21 A0078 ANCHOR RUBBER STAMP & PRINTING 34.00 3192
77768 06/28/21 A0091 ATLANTIC CITY ELECTRIC 8,529.54 3192
77769 06/28/21 A0191 ACTION UNIFORM CO. LLC 122.00 3192
77770 06/28/21 A0193 ATLANTIC INVESTIGATIONS, LLC 150.00 3192
77771 06/28/21 A0212 ANCERO, LLC 515.00 3192
77772 06/28/21 B0093 BARRY,CORRADO & GRASSI,PC 892.50 3192
77773 06/28/21 B0184 BUSHONG, BRIAN 140.90 3192
77774 06/28/21 B0220 BERGEY'S TRUCK CENTERS 1,715.92 3192
77775 06/28/21 B0248 BARNES LAW GROUP LLC 6,841.44 3192
77776 06/28/21 B0280 Brown, Megan 44.05 3192
77777 06/28/21 B0281 Bernhardt, Siobahn 44.05 3192
77778 06/28/21 C0048 CAPE MAY COUNTY MUA 43,324.32 3192
77779 06/28/21 C0068 COMCAST 488.79 3192
77780 06/28/21 C0116 CINTAS CORPORATION 28.80 3192
77781 06/28/21 C0143 CODY'S POWER EQUIPMENT 65.81 3192
77782 06/28/21 C0223 CASA PAYROLL SERVICE 291.75 3192
77783 06/28/21 C0259 CAPE PHYSICIANS ASSOCIATES, PA 450.00 3192
77784 06/28/21 C0296 COMCAST BUSINESS COMMUNICATION 1,386.86 3192
77785 06/28/21 C0305 CM3 BUILDING SOLUTIONS, INC. 687.50 3192
77786 06/28/21 C0326 Cozmanis, Tara 44.05 3192
77787 06/28/21 D0040 DELTA DENTAL OF N.J. INC. 6,210.66 3192
77788 06/28/21 E0079 EVANS III, WILLIAM 65.91 3192
77789 06/28/21 F0048 LESLIE G. FOGG INC 212.60 3192
77790 06/28/21 F0053 FORD, SCOTT & ASSOCIATES 7,000.00 3192
77791 06/28/21 F0230 Ferguson, Amanda 44.05 3192
77792 06/28/21 G0006 GARBUTT,PATRICIA A. 150.00 3192
77793 06/28/21 G0092 GRUND, BARBARA J. 240.27 3192
77794 06/28/21 H0002 H.A. DEHART & SON CORP. 282.81 3192
77795 06/28/21 H0203 HOUSE OF GAMEZ 1,910.00 3192
77796 06/28/21 J0079 JAMES WYERS LANDSCAPING, LLC 450.00 3192
77797 06/28/21 L0038 LAYTON, WILLIAM 1,735.20 3192
77798 06/28/21 L0080 LOWES, INC. 387.72 3192
77799 06/28/21 M0076 MGL PRINTING SOLUTIONS 1,614.00 3192
77800 06/28/21 M0235 MODERN GROUP, LTD 741.75 3192
77801 06/28/21 M0277 EQUITABLE FINANCIAL LIFE INS. 195.44 3192
77802 06/28/21 M0290 MADDEN & MADDEN, PC 1,860.91 3192
77803 06/28/21 M0319 MCLEES, CASEY 42.00 3192
77804 06/28/21 N0043 NAPA AUTO PARTS 0.00 06/28/21 VOID 0
77805 06/28/21 N0043 NAPA AUTO PARTS 1,190.88 3192
77806 06/28/21 N0154 NEW HORIZON COMMUNICATIONS 841.71 3192
77807 06/28/21 O0006 SJSHORE MARKETING,LLC 115.00 3192
77808 06/28/21 P0032 PEDRONI FUEL CO. 2,888.04 3192
77809 06/28/21 P0136 POSTNET 150.00 3192
77810 06/28/21 P0175 PRIEST JR., ANTHONY 125.00 3192
77811 06/28/21 R0030 RIGGINS, INC. 7,922.85 3192
77812 06/28/21 R0065 ROBERT BROWN TREE SERVICE 800.00 3192
77813 06/28/21 R0119 RUDERMAN, ROTH LLC 13,946.00 3192
77814 06/28/21 S0031 SCHULER SECURITY, INC. 240.00 3192
77815 06/28/21 S0037 SCHNEIDER'S NURSERY LLC 618.00 3192
77816 06/28/21 S0057 SERVICE TIRE TRUCK CENTERS 1,360.95 3192
77817 06/28/21 S0113 SMITH,THOMAS G. 929.75 3192
77818 06/28/21 S0134 SO. JERSEY GAS COMPANY 428.68 3192
77819 06/28/21 S0196 STEWART BUSINESS SYSTEMS LLC 274.40 3192
77820 06/28/21 S0209 STAPLES ADVANTAGE 60.18 3192

77821 06/28/21 S0253 SAMPLE MEDIA, INC. 6,103.00 3192
77822 06/28/21 S0254 SHOPRITE 86.24 3192
77823 06/28/21 S0275 SCHAEFER FIREWORKS 4,240.00 3192
77824 06/28/21 S0362 FRED M. SCHIAVONE CONSTRUCTION 164,389.86 3192
77825 06/28/21 S0363 STARR GENERAL CONTRACTION CORP 1,596.50 3192
77826 06/28/21 S0364 SAFELITE AUTO GLASS 617.22 3192
77827 06/28/21 T0032 THE PRESS OF ATLANTIC CITY 926.08 3192
77828 06/28/21 T0080 TREASURER STATE OF N.J. 178.00 3192
77829 06/28/21 T0192 MARSH & McLENNAN AGENCY/TRION 270.75 3192
77830 06/28/21 V0013 VERIZON WIRELESS 576.60 3192
77831 06/28/21 V0018 VILLAGE PHARMACY, INC. 342.00 3192
77832 06/28/21 V0026 VITAL COMMUNICATIONS, INC. 79.00 3192
77833 06/28/21 W0087 W.B. MASON EGG HARBOR 678.88 3192
77834 06/28/21 Y0003 Y-PERS INC 50.50 3192
77835 06/28/21 Y0020 YOUNG, BARBARA L. 30.46 3192
Total: \$302,791.76