

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
MINUTES FOR JANUARY 8, 2007**

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

**CALL TO ORDER**

**SUNSHINE ANNOUNCEMENT**

**SALUTE TO THE FLAG**

**ROLL CALL**

|                   |         |
|-------------------|---------|
| Barbara Camp      | Present |
| Frank E. Conrad   | Present |
| Curtis Corson     | Present |
| John “Jay” Newman | Present |
| Richard Palombo   | Present |

Also present were Municipal Clerk Wanda Gaglione, Finance Officer Patricia Garbutt, Municipal Attorney Daniel Young and Municipal Engineer Paul Dietrich.

**APPROVAL OF MINUTES - December 11, 2006 Regular Meeting and  
Closed Session Minutes**

Motion to approve Minutes by Barbara Camp, second by Frank Conrad with all five Committee members voting in the affirmative.

**REPORT OF GOVERNING BODY MEMBERS**

**Curtis Corson, Deputy Mayor**, discussed the preliminary Budget and distributed a copy to each Committee person. He scheduled the first Budget Workshop after the next regular meeting of January 22, 2007 at 4:00 P.M.

**Jay Newman**, reported on the Rescue Squad calls for the months of November and December. He made a motion to hire Deborah Dore and Ronald Hallam, Jr. as part time EMT’s for the Upper Township Rescue Squad. Richard Palombo seconded the motion with all five Committee members present voting in the affirmative. Mr. Newman also reported on the sports in session now. Basketball started this week and the Cheerleaders are in competition at this time. He congratulated our Wrestling teams. They recently competed against Galloway Township, and Upper Township won the majority of the matches against this “powerhouse” team.

**Richard Palombo, Mayor**, discussed two overdue MUA Accounts and asked for motion to close them out. Motion by Curtis Corson, second by Richard Palombo to close out two accounts for nonpayment. Accounts are #34 for W. Gamble in the amount of \$133.03, and W. Marshall account #2847 and in the amount of \$24.67.

He discussed an opinion he received from the Attorney General's Office regarding Civil Unions. Mr. Young advised that the opinion is that if a Mayor, Deputy Mayor, Municipal Judge, etc. performs marriages they cannot refuse to perform a Civil Union Ceremony.

**OTHER REPORTS**

**Paul Dietrich, Municipal Engineer**, discussed three new proposals from our planners, Maser, Inc. to continue doing necessary work into the new year. They have finished their first phase, and will move into additional work such as updating the Housing Plan. They will start work on the numerous ordinances necessary with the Land Use Plan Re-examination as well as continuing with Plan Endorsement and working with the Office of Smart Growth to be able to be ready to go to the Planning Commission in February. The cost is based on time and materials because the work is mostly meetings, (with the Housing Sub-Committee, with the Engineer and the Planning Board Sub-Committee on ordinances). The Mayor wants a ceiling put on the proposals, Mr. Dietrich estimated \$5000 for the Housing Sub-Committee meetings and \$10,000 to prepare the ordinances and finalize Plan Endorsement. The Engineer will circulate the proposals in time for the next meeting.

Mr. Dietrich discussed a request he received from a homeowner wanting to build a new home at the end of a gravel road in a Pinelands zone. Part of the approval required that developer, (Bob Brown), extend road paving another 25 ft. Pinelands approval is necessary. The developer is asking that the Township accept his money in an escrow account, let him build the house and then the Township acquire the Pinelands approval and install the paving at a later time. Mr. Young advised that the Township has no mechanism to hold this type of escrow fund. The Committee recommended that the developer try and obtain the Pinelands approval and if not possible to return to the Zoning Board for a variance.

**Patricia Garbutt, Treasurer**, reported that it was time to work on the 2007 Budget and set up Budget Workshop Meetings. Committeeman Corson will be distributing a draft copy of the Budget later in the meeting .

**RESOLUTIONS**

**1. Tax Refund.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION  
Resolution No. 023- 2007  
REFUND A CREDIT**

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

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee  
of the Township of Upper, Cape May County, that corrections to the Tax records are hereby

authorized and the Tax Collector is hereby directed to correct said records or take such action as indicated:

Refund for 2006 credit on Block 348/ Lot 73 in the amount of \$784.08. Requested by Homeowner: Dimitris Georgopoulos, 2051 Rt. 50, Woodbine, NJ 08270.

Resolution No. 023- 2007

Offered by: Corson, Seconded by: Conrad

Adopted: January 8, 2007

Roll Call Vote:

| <u>NAME</u> | <u>YES</u>   | <u>NO</u>     | <u>ABSTAINED</u> | <u>ABSENT</u> |
|-------------|--------------|---------------|------------------|---------------|
| Camp        | <u>  x  </u> | <u>      </u> | <u>      </u>    | <u>      </u> |
| Conrad      | <u>  x  </u> | <u>      </u> | <u>      </u>    | <u>      </u> |
| Corson      | <u>  x  </u> | <u>      </u> | <u>      </u>    | <u>      </u> |
| Newman      | <u>  x  </u> | <u>      </u> | <u>      </u>    | <u>      </u> |
| Palombo     | <u>  x  </u> | <u>      </u> | <u>      </u>    | <u>      </u> |

**2. Budget Transfers.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION  
RESOLUTION NO. 024-2007  
RE: BUDGET TRANSFERS**

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WHEREAS, various 2006 bills have been presented for payment this year, which bills were not covered by order number and/or recorded at the time of transfers between the 2006 budget appropriation reserve in the last two months of 2006, and

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

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Upper that the transfers in the amount of \$82,564.37 be made between the 2006 budget appropriation reserves as follows:

| TO                   | FROM                |
|----------------------|---------------------|
| SPECIAL LITIGATION   | CLERK'S OFFICE S/W  |
| \$ 58,564.37         | \$ 1,367.36         |
| BUILDING/GROUNDS O/E | FINANCE OFFICER S/W |
| \$ 5,000.00          | \$ 2,197.56         |

RECREATION O/E  
 \$ 6,000.00  
 RECYCLING O/E  
 \$ 6,000.00  
 GARBAGE & TRASH O/E  
 \$ 3,000.00  
 COMMUNITY CENTER O/E  
 \$ 4,000.00

TAX COLLECTION S/W  
 \$ 953.08  
 ASSESSMENT OF TAXES S/W  
 \$ 2,650.81  
 P/B S/W  
 \$ 1,528.70  
 Z/B S/W  
 \$ 1,528.18  
 CONSTRUCTION S/W  
 \$ 2,789.44  
 SUCI ACCOUNT  
 \$ 2,100.01  
 CROSSING GUARD S/W  
 \$ 44.00  
 1<sup>ST</sup> AID S/W  
 \$ 1,282.96  
 RD. REPAIRS/MAINTENANCE S/W  
 \$ 6,303.99  
 RECYCLING S/W  
 \$ 19,444.57  
 GARAGE/TRASH S/W  
 \$ 8,141.29  
 BUILDING/GROUNDS S/W  
 \$ 1,251.12  
 RECREATION S/W  
 \$ 17,814.59  
 COMMUNITY CENTER S/W  
 \$ 600.12  
 SOCIAL SECURITY O/E  
 \$ 12,566.59

Resolution No. 024-2007

OFFERED BY: Corson,      SECONDED BY: Newman

Adopted: January 8, 2007

ROLL CALL VOTE:

| <u>NAME</u> | <u>YES</u>  | <u>NO</u> | <u>ABSTAINED</u> | <u>ABSENT</u> |
|-------------|-------------|-----------|------------------|---------------|
| Camp        | _____x_____ | _____     | _____            | _____         |
| Conrad      | _____x_____ | _____     | _____            | _____         |
| Corson      | _____x_____ | _____     | _____            | _____         |
| Newman      | _____x_____ | _____     | _____            | _____         |
| Palombo     | _____x_____ | _____     | _____            | _____         |

**3. Opposing Senate Bill S-2244 concerning the transfer of certain Municipal responsibilities to the Counties subject to voter approval.**

**TOWNSHIP OF UPPER**

**CAPE MAY COUNTY  
RESOLUTION  
RESOLUTION NO. 025-2007  
RE: OPPOSING SENATE BILL S-2244 CONCERNING THE TRANSFER OF  
CERTAIN MUNICIPAL RESPONSIBILITIES TO THE COUNTIES SUBJECT TO  
VOTER APPROVAL**

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**WHEREAS**, Senate Bill S-2244 is currently pending before the New Jersey Senate; and

**WHEREAS**, the Township of Upper is not opposed to consolidation of services as a way for the State of New Jersey to address taxes in this state; and

**WHEREAS**, S-2244 would transfer municipal services with respect to tax assessment and collection, local animal control and local public health to the county if approved by voters; and

**WHEREAS**, the adoption of S-2244 would create significant problems for the Township and other municipalities resulting in the loss of interest on collected funds, the loss of income with respect to added assessments and the severe inconvenience to the public in that Township residents would no longer be able to deal with local municipal personnel with respect to their questions concerning deductions, payments and other issues with these services; and

**WHEREAS**, there would be a significant hardship to Township residents in the event S-2244 is adopted and these services are transferred to the county; and

**WHEREAS**, the Township of Upper hereby wishes to express its firm opposition to S-2244.

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

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

2. The Township Committee of the Township of Upper hereby expresses its firm opposition to S-2244.

3. A copy of this Resolution shall be forwarded to Governor Jon S. Corzine, Senator Robert G. Smith, Senator Nicholas Asselta, Assemblyman Nelson T. Albano, Assemblyman Jeff Van Drew, Cape May County legislators and Cape May County municipalities.

Resolution No. 025 -2007

Offered by: Corson, Seconded by: Camp

Adopted: January 8, 2007

Roll Call Vote:

| <u>NAME</u> | <u>YES</u> | <u>NO</u> | <u>ABSTAINED</u> | <u>ABSENT</u> |
|-------------|------------|-----------|------------------|---------------|
| Camp        | <u>x</u>   | ___       | ___              |               |
| Conrad      | <u>x</u>   | ___       | ___              |               |
| Corson      | <u>x</u>   | ___       | ___              |               |
| Newman      | <u>x</u>   | ___       | ___              |               |
| Palombo     | <u>x</u>   | ___       | ___              |               |

**4. Requesting participation in a Cape May County-Led records Management needs assessment.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 026-2007**

**RE: RESOLUTION REQUESTING PARTICIPATION IN A CAPE MAY COUNTY-  
LED RECORDS MANAGEMENT NEEDS ASSESSMENT**

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**WHEREAS**, the State of New Jersey has launched its Public Archives and Records Infrastructure Support (“PARIS”) Grant Program to meet the strategic records management, preservation, and storage needs of the county and municipal governments; and

**WHEREAS**, the State Records Committee (“SRC”), New Jersey Division of Archives and Records Management (“DARM”), and Governor Jon S. Corzine have declared shared services of utmost priority and importance with the goal of saving taxpayer dollars; and

**WHEREAS**, the SRC has declared that projects that call for the county government to provide for a records needs assessment, inventory and strategic plan for all constituent municipalities within their jurisdiction (or geographic area) are of high priority for the PARIS Grants Program; and

**WHEREAS**, Upper Township (the “Municipality”) is interested in pursuing records management shared services with Cape May County and acknowledges that a needs assessment, records inventory and strategic plan are essential building blocks for a successful records management program; and

**WHEREAS**, a needs assessment, records inventory and strategic plan will allow Cape May County to pursue an efficient and centralized records management program that will satisfy the Municipality’s records management needs; and

**WHEREAS**, a county-wide records needs assessment will give Cape May County a higher competitive edge during the PARIS Grant Program application process.

**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 encourages the Board of Chosen Freeholders of the County of Cape May to apply for a county-wide needs assessment in their Year 3 PARIS application that will allow all interested municipalities within the county to participate.

Resolution No. 026-2007

Offered by: Newman, Seconded by: Palombo

Adopted: January 8, 2007

Roll Call Vote:

| <u>NAME</u> | <u>YES</u>   | <u>NO</u>     | <u>ABSTAINED</u> | <u>ABSENT</u> |
|-------------|--------------|---------------|------------------|---------------|
| Camp        | <u>  x  </u> | <u>      </u> | <u>      </u>    | <u>      </u> |
| Conrad      | <u>  x  </u> | <u>      </u> | <u>      </u>    | <u>      </u> |
| Corson      | <u>  x  </u> | <u>      </u> | <u>      </u>    | <u>      </u> |
| Newman      | <u>  x  </u> | <u>      </u> | <u>      </u>    | <u>      </u> |
| Palombo     | <u>  x  </u> | <u>      </u> | <u>      </u>    | <u>      </u> |

5. **In support of New Jersey Assembly Bill A-3869 which exempts sales and use tax on initiation fees, certain membership fees and dues and certain parking services.**

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

**RESOLUTION NO. 027 -2007**

**RE: IN SUPPORT OF NEW JERSEY ASSEMBLY BILL A-3869 WHICH EXEMPTS SALES AND USE TAX ON INITIATION FEES, CERTAIN MEMBERSHIP FEES AND DUES AND CERTAIN PARKING SERVICES**

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**WHEREAS**, there is pending before the New Jersey Assembly Bill A-3869 which provides an exemption from the sales and use tax for membership fees and dues charged by municipal, county and nonprofit health and fitness, athletic, sporting and shopping clubs and organizations; and

**WHEREAS**, P.L. 2006, c. 44 broadened the base of the sales and use tax but did not exempt nonprofit, municipal and county clubs and organizations that charge fees and dues for access to their facilities and as a result they are subject to the seven percent sales tax; and

**WHEREAS**, the exemptions provided by A-3869 are retroactive to October 1, 2006 and this Bill establishes a refund process for customers who were charged sales tax on the purchase of services that are now exempt; and

**WHEREAS**, the Township Committee of the Township of Upper hereby wishes to acknowledge its support of A-3869.

**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 expresses its full support of A-3869 which exempts sales and use tax on initiation fees and certain membership fees and dues charged by municipal, county and nonprofit health, fitness, athletic, and sporting clubs and organizations.
3. A copy of this Resolution shall be forwarded to Governor Jon Corzine as well as the Senate and Assembly representatives of the Township of Upper.

Resolution No. 027-2007  
 Offered by: Newman, Seconded by: Camp  
 Adopted: January 8, 2007  
 Roll Call Vote:

| <u>NAME</u> | <u>YES</u> | <u>NO</u> | <u>ABSTAINED</u> | <u>ABSENT</u> |
|-------------|------------|-----------|------------------|---------------|
| Camp        | <u>x</u>   | ___       | ___              |               |
| Conrad      | <u>x</u>   | ___       | ___              |               |
| Corson      | <u>x</u>   | ___       | ___              |               |
| Newman      | <u>x</u>   | ___       | ___              |               |
| Palombo     | <u>x</u>   | ___       | ___              |               |

**ORDINANCES**

**6. Introduction and First Reading of Ordinance No. 001-2007, Re: Amending Ordinance 20-2006 on Growth Based Affordable Housing.**

Motion to introduce ordinance by Curtis Corson, second by Jay Newman with Public Hearing and Final Adoption set for February 13, 2007 at 7:30 P.M. During roll call vote all five Committee members present voted in the affirmative. The amendments were presented for the audience. Ordinance 020-2006 is in effect right now. Discussion regarding the amendment requested at the 12/11/06 meeting included--The purpose of that ordinance is basically to say that any new development (residential or nonresidential) has to pay their obligation in terms of affordable housing. They either have to construct it or provide the financial means so that the Township can construct them. The amendment (Ordinance 001-2007) requires the developer to provide the housing constructed on their site, not offsite.

Other changes include age restricted communities, allowing onsite housing in a commercial zone even though the use is not permitted, (for instance an apartment over a store), and payment in lieu escrow accounts.

**TOWNSHIP OF UPPER  
 CAPE MAY COUNTY  
 O R D I N A N C E  
 ORDINANCE NO. 001 -2007  
 RE: Amending Ordinance 20-2006 on Growth Based Affordable Housing**

WHEREAS, the Township of Upper the New Jersey Supreme Court and New Jersey Legislature have recognized and mandated in So. Burl. Co. NAACP v. Mount Laurel, 92 N.J. 158 (1983) (“Mount Laurel II”) and the Fair Housing Act, N.J.S.A. 52:27D-301, et seq. (“FHA”) that every municipality in New Jersey has an affirmative obligation to facilitate the provision of affordable housing; and

WHEREAS, the New Jersey Council on Affordable Housing (“COAH”) is the State administrative agency created pursuant to the FHA vested with primary jurisdiction for the administration of affordable housing obligations in accordance with sound regional planning considerations in New Jersey; and

WHEREAS, COAH’s Third Round Substantive Rules (NJ.A.C. 5:94-1 et seq.) implement a “growth share” approach to affordable housing production which requires affordable housing to be produced in conjunction with market-priced residential and nonresidential growth and development within the Township of Upper; and

WHEREAS, the Township of Upper desires to implement the “growth share” policies promulgated by COAH in its Third Round Substantive Rules in an effort to foster the production of affordable housing opportunities for qualified low and moderate income households through COAH’s third round, which extends from 1999 to 2014; and

WHEREAS, the Township of Upper previously adopted Ordinance No. 20-2006 amending Zoning Chapter XX of the Township of Upper to implement the growth share policies promulgated by COAH and now desires to amend said ordinance as set forth herein.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Township Committee of the Township of Upper that the Zoning Chapter XX of the Township of Upper be and is hereby amended as follows:

The following Section 20-14 entitled “Growth Based Affordable Housing“ is hereby amended in its entirety to read as follows:

**20-14.1 Applicability**

a. This subsection of the land use regulations of the Township of Upper sets forth mechanisms by which developers shall provide for a fair share of affordable housing

based on growth that is associated with development taking place within the Township of Upper.

b. Residential Development. Except as exempted in §20-14.2, all residential development that results in the construction of new market-priced dwelling units in accordance with N.J.A.C. 5:94-1 et seq., shall be subject to the “growth share” provisions of this ordinance.

c. Nonresidential development. Except as exempted in §20-14.2, all nonresidential development that results in an increase in gross floor area of any existing nonresidential structure or the construction of a new nonresidential structure in accordance with N.J.A.C. 5:94-1 et seq., shall be subject to the “growth share” provisions of this ordinance.

#### **§ 20-14.2 Exemptions**

The following are exempted from the provisions of this Chapter:

a. Developments that received preliminary or final subdivision or site plan approval from the Planning Board and/or Zoning Board of Adjustment, as applicable, prior to the effective date of this ordinance.

b. Residential developments that have been zoned to produce an affordable housing set-aside greater than the growth share requirements of this Article or that are intended to include only low and moderate income housing units.

c. Public facilities and public schools.

d. Not-for-profit facilities including churches and private universities.

e. Existing single family residential lots that have existed prior to the effective date of this ordinance.

#### **§ 20-14.3 Residential Growth Share Provisions**

a. All residential development which results in the construction of one or more new market-priced dwelling units shall provide non-age restricted affordable housing at a ratio of one affordable unit for every eight market-priced units constructed on-site.

b. All residential development consisting of eight or more residential units shall provide one non-age restricted affordable housing unit on-site for every eight market-priced units.

c. An entirely age restricted residential development consisting of eight or more age restricted residential units may provide one age restricted on-site affordable housing unit for every eight market-priced age restricted units to satisfy the growth share provisions of this Ordinance.

d. For developments that result in a number of market-priced residential units not evenly divisible by eight, the developer may construct the additional affordable unit on-site or alternatively, the developer may make a payment in lieu of constructing the additional affordable unit. If the developer selects the latter option, the amount of said payment shall be established by subtracting any whole multiples of eight from the total number of market-priced residential units being created, dividing any remaining number of units by eight and multiplying the resulting fraction by the established cost to construct one affordable residential unit (“Affordable Unit Cost”).

e. All residential development consisting of less than eight residential units may provide one affordable unit on-site or may make a payment in lieu of constructing the proportionate fraction of the affordable housing unit required. If the developer selects the latter option, the amount of said payment shall be established by dividing the number of market-priced units by eight and multiplying the resulting fraction by the Affordable Unit Cost.

f. No density increase shall be permitted for the construction of affordable housing.

#### **§20-14.4 Nonresidential Growth Share Provisions**

a. All nonresidential development that results in an increase in gross floor area of any existing nonresidential building or the construction of a new nonresidential building in the Township of Upper shall provide one non-age restricted affordable unit for every 25 jobs that results from the application of standards adopted by COAH (presently found in Appendix E of N.J.A.C. 5:94-1 et seq.) and based on use groups, as defined by the International Building Code (IBC) which has been incorporated by reference into the Uniform Construction Code (UCC).

b. All nonresidential development shall provide one unit of affordable housing for every 25 jobs created by new or expanded development. Determinations of the number of jobs created shall be based on the new or expanded floor area in the development and the conversion factors, by use group, published by COAH as Appendix E in N.J.A.C. 5:94-1 et seq.

c. Except as set forth in 20-14.4d below, nonresidential developers shall provide for their affordable housing unit obligation on-site. The required affordable housing units to be constructed on-site with the nonresidential development shall be deemed a permitted use notwithstanding any other provision of the zoning ordinance.

d. As an alternative to fulfilling the affordable housing requirements set forth in 20-14.3 and 20-14.4 above, the nonresidential developer may make a payment in lieu of constructing the affordable units. The amount of said payment shall be determined by establishing the number of jobs to be created in a development by using the conversion factors published by COAH as Appendix E in N.J.A.C. 5:94-1 et seq., dividing by 25 to

determine the number of affordable housing units required and multiplying the resulting figure by the Affordable Unit Cost.

e. For developments that result in a number of jobs not evenly divisible by 25, the developer may construct the additional affordable unit on-site in accordance with subsection 20-14.4.c above or alternatively, the developer may make a payment in lieu of constructing an additional affordable unit in accordance with subsection 20-14.4d above. If the developer selects the latter option, the amount of said payment shall be established by subtracting any whole multiples of 25 from the total number of jobs being created, dividing any remaining number of jobs by 25 and multiplying the resulting fraction by the Affordable Unit Cost.

f. All nonresidential development creating less than 25 jobs may provide one affordable unit on-site in accordance with subsection 20-14.4.c above or may make a payment in lieu of constructing an affordable housing unit. If the developer selects the latter option, the amount of said payment shall be established by dividing the number of jobs by 25 and multiplying the resulting fraction by the Affordable Unit Cost.

g. No density increase shall be permitted for the construction of affordable housing.

#### **§ 20-14.5 Mixed Use District Growth Share Provisions**

a. “Mixed Use District” are defined as zoning districts that permit both residential and nonresidential construction.

b. In a Mixed Use District, residential development shall provide one affordable housing unit on-site for every eight market-priced units.

c. In a Mixed Use District, nonresidential development shall provide one affordable housing unit on-site for every 25 jobs created by new or expanded development.

Determinations of the number of jobs created shall be based on the new or expanded floor area in the development and the conversion factors, by use group, published by COAH as Appendix E in N.J.A.C. 5:94-1 et seq. Affordable units may be part of or included within a mixed use structure or may be constructed in a separate building(s) on the same site.

d. For developments in Mixed Use Districts that result in a fractional affordable housing obligation, the developer may construct the additional affordable unit on-site or alternatively, the developer may make a payment in lieu of constructing the additional affordable unit only. The amount of said payment for nonresidential development shall be determined by establishing the number of jobs to be created in a development by using the conversion factors published by COAH as Appendix E in N.J.A.C. 5:94-1 et seq., subtracting any whole multiples of 25 from the total number of jobs being created, dividing any remaining number of units by 25 and multiplying the resulting fraction by affordable unit cost. The amount of said payment for residential development shall be determined by subtracting any whole multiples of eight from the total number of market-priced residential units being created, dividing any remaining number of units by eight and multiplying the resulting fraction by the Affordable Unit Cost.

#### **§ 20-14.6 General Provisions for Constructing Affordable Units**

a. Affordable housing units being constructed shall meet the requirements of Township of Upper affordable housing ordinance then currently in effect, and shall be in conformance with COAH's third round rules at N.J.A.C. 5:94-1 et seq. and the Uniform Housing Affordability Controls at N.J.A.C. 5:80-26.1 et seq., including, but not limited to, requirements regarding phasing schedule, controls on affordability, low/moderate income split, heating source, maximum rent and/or sales prices, affordability average, bedroom distribution, and affirmative marketing.

b. The reconstruction or conversion of any existing dwelling in which all such dwelling units are deed restricted for affordability to and occupancy by low and moderate income households shall be permitted as of right, subject to meeting all other requirements of this Section 20-14 notwithstanding any other provision of this Ordinance to the contrary.

c. To the greatest extent possible, affordable housing units being provided within inclusionary developments shall be disbursed throughout inclusionary developments and shall be located within buildings designed to be architecturally indistinguishable from the market-priced units otherwise being constructed within the development.

d. In single-family residential zones, single-family attached buildings in the form of semi-detached (side-by-side) units or two-family (over and under) units buildings shall be deemed to be permitted uses in the underlying zone when created for the purpose of meeting the growth share obligation on-site. These units shall be constructed within the development. The remaining portion of the project that is not considered to be an affordable housing unit shall conform to the requirements of the underlying zone.

e. All required setbacks, building height and impervious coverage limits for the zone shall be met on the lot except that existing setback deficiencies and other nonconformities of the lot and/or building(s) may be continued, for as long as the buildings remain on the site without the need for additional variances.

#### **§20-14.7 Payment in Lieu Provisions**

a. Payments in lieu of the construction of affordable housing. The Affordable Unit Cost shall be based upon a proportionate share of the total project cost embodied in one or more pro-formas for the construction an affordable housing development elsewhere within the Township of Upper. Said pro-forma(s) shall be on file in the office of the Township Clerk and shall be updated by Resolution by Township Committee at least once per year.

b. The payment in lieu of construction to be made by the developer may be subject to negotiation with the Township based upon the following considerations: the actual cost of buying down or subsidizing an existing or planned market priced dwelling unit to achieve affordability; the actual land cost of site(s) identified for off-site affordable housing construction with the Township or reasonable and acceptable offers to substitute land, site preparation and/or construction services for all or a portion of the monetary payment otherwise required.

c. Regarding of the mechanism selected by the developer for satisfying the required number of affordable housing units, any development or portion thereof that generates a fraction of an affordable housing unit (because the development contains fewer than or more than a number of units that is evenly divisible by eight) shall be required to make a payment in lieu of construction for that fraction of a units based upon the pro-rated cost of constructing an affordable housing unit in the Township of Upper.

d. All payments in lieu of constructing affordable housing shall be deposited by the Township of Upper into an affordable housing trust fund to be established by the Township of Upper in conformance with regulations established by COAH and shall at all times be identifiable from development fees. These funds shall be used in accordance with regulations established by COAH to create new affordable housing opportunities within the physical boundaries of the Township of Upper. These new affordable housing opportunities shall be implemented without unnecessary concentration in any one area of the Township.

e. All payments shall be made to the Township Treasurer before the issuance of the first building permit.

#### **§20-14.8 Other Requirements**

a. A proposed affordable housing plan shall be submitted to the Planning Board/Zoning Board at the time application is made for any development requiring growth share affordable housing pursuant to this Section. The Plan shall be a condition of “completeness” determination. All Plans shall be the subject of review by the Township Affordable Housing Officer or appointee for consistency with COAH’s Rules and with the Town’s third round Housing Element and Fair Share Plan. Compliance with all of the terms of COAH’s Rules and with the approved plan shall be a condition of development plan approval and may be covered by appropriate performance and maintenance guarantees as with any other required improvement.

b. Where an odd number of low and moderate income housing units are required to be provided, the majority of the units shall be low income units. Where there are an insufficient number of affordable units provided to meet the bedroom distribution requirements of COAH’s Rules, the first unit shall be a two bedroom unit, the second unit shall be a one-bedroom unit and third unit shall be a three bedroom unit. Otherwise, the bedroom distribution shall be in strict accordance with COAH’s Rules.

c. It shall be the developer’s responsibility, at its sole cost and expense, to pay the per unit cost of the initial advertising and ongoing administration of the controls on affordability pursuant to the contract between the Township and the experienced administrative entity. The designated administrative entity shall file with the Township Affordable Housing Officer or designee such certification, reports and or monitoring forms as may be required by COAH.

d. The use of any of the foregoing mechanisms for providing affordable housing within the Township of Upper shall be limited to the provision of non-age restricted affordable housing units in compliance with all of the COAH’s Rules set forth at N.J.A.C. 5:94-1 et seq., unless specifically waived by the Township.

REPEAL OF CONFLICTING ORDINANCES

Any ordinances of the Township of Upper that are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

EFFECTIVE DATE

This Ordinance shall take effect upon passage and publication as required by law.

CODIFICATION: This Ordinance shall be codified in Chapter 20 of the Upper Township Code commencing at 20-14.1.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 8th DAY OF JANUARY, 2007 AND WILL BE TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP 13th DAY OF FEBRUARY, 2007 AT 7:30 P.M. AT THE TOWNSHIP HALL, TUCKAHOE, NEW JERSEY. BY ORDER OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER.

WANDA GAGLIONE, TOWNSHIP CLERK  
TOWNSHIP OF UPPER

- 7. Introduction and First Reading of Ordinance No. 002-2007 Re: An Ordinance vacating that portion of First Avenue abutting Block 464, Lots 1 and 2, Block 465, Lots 1 and 2, Block 466, Lots 1 and 2 and Block 467, Lots 1 and 2 as the same appear on the current official tax map of the Township of Upper, Cape May County, New Jersey.**

Ordinance introduction tabled to January 22, 2007 for revision.

CORRESPONDENCE

- 8. Calvin Miller, request to top trees at 206 E. New Jersey Avenue, Woodbine, New Jersey.** Mr. Miller is installing solar panels. There was discussion on liability, that this would be an ongoing event, and that a professional tree surgeon would be required. The Committee needs to know how many trees are involved. The matter will be moved to another agenda with more information is available.

9. **Barbara and George Grund, request to install speed bumps on Ocean Ave.** It was discussed that the traffic travels at excessive speed and that the speed bumps are warranted. Motion by Curtis Corson, second by Barbara Camp to install three speed bumps on Ocean Avenue. During roll call vote all five Committee members voted in the affirmative.
10. **Megan McAfee, request to install streetlight at corner of Oceanwoods and Mistletoe Avenue.** Motion by Barbara Camp, second by Jay Newman to approve. During roll call vote all five Committee members present voted in the affirmative.

### **NEW BUSINESS**

11. **Georgetti Construction, request to install street lights in Queen Anne Court.** The Engineer reported that the subdivision is ready and money is escrowed in the developers account for the lighting. Motion by Jay Newman, second by Barbara Camp to install the lighting. During roll call vote all five Committee members present voted in the affirmative.
12. **SPC#2, LLC t/a Scarborough Properties, request to vacate a portion of Pine Road.** It was discussed that this portion of Pine Road extends into the parking area of the Shop Rite food market plan approved for the site. Motion to approve by Curtis Corson, second by Barbara Camp. During roll call vote all five Committee members present voted in the affirmative. An ordinance will be placed on a future agenda.
13. **Roberta Townsend, request to exchange Township owned Block 625, Lots 1,2,5-8, 26-30, 32-34 for her property at Block 584, Lots 1,4,7,9,32 and 34.** Mrs. Townsend, 801 Chestnut Ave., was present. She plans to sell her present home on Chestnut Ave., and with this land trade proposal build a smaller home on Block 625. It was discussed that the lots she owns in Block 584 are not contiguous to each other. Also, the lots she holds the lien for (Block 584, Lots 5,6,10,11,29-31,33) are not hers to convey. She stated she has made an offer for Lot 31 in Block 625. (see paragraph below for Georgetti). Also, it has been the Township Committee's policy not to sell property to create any additional building lots. Motion made to deny this request by Curtis Corson, second by Frank Conrad. During roll call vote all five Committee members voted in the affirmative. Request denied.

### **UNFINISHED BUSINESS:**

14. **Scott Georgetti, request to purchase Block 625, Lots 5-8, 26-30.** Mr. Georgetti was present. He owns Lots 9-25 in Block 625. He wishes to purchase lots 5-8 and 26-30 and consolidate with his lots and build a garage next to his home situated there. No new building lots would be created. He has an agreement of sale for Lot 31. Lots 3 & 4 are under foreclosure. The Engineer was directed to look into the status of the foreclosure of Block 625, Lots 3 & 4. There was discussion on this proposal and the Townsend proposal in that Mrs. Townsend indicated that she was buying Lot 31. Mr. Georgetti will provide proof when he acquires Lot 31, which is expected to be prior to the next meeting. He will produce a Certificate of Title when the sale is complete. The Clerk was directed to place this item back on the next agenda.

**DISCUSSION**

**PAYMENT OF BILLS:**

**“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.”** moved by Jay Newman, second by Frank Conrad with all five Committee members present voting in the affirmative. Motion also includes bills from December 28, 2006.

|                              |                   |              |
|------------------------------|-------------------|--------------|
| Bills submitted for payment: | December 28, 2006 | \$237,474.86 |
|                              | January 8, 2007   | \$134,427.69 |
| Payroll:                     | December 28, 2006 | \$128,067.57 |
|                              | January 8, 2007   | \$245,666.42 |

**REPORT OF MUNICIPAL DEPARTMENTS:**

- 15. Construction Code**
- 16. Clerk’s Office**
- 17. Finance Office**
- 18. Zoning Office**
- 19. MUA Report**

Reports are available from the Clerk’s Office.

**PUBLIC COMMENT**

**Elizabeth Bergus, Strathmere,** discussed that the recent Bulletin indicated that the storm evacuation route from Strathmere was through Sea Isle City. This was the route during the refurbishment of the Ocean Drive Bridge into Ocean City. The causeway was discussed in that work is ready to proceed except that the NJDEP still has not issued the permit.

**Ruth Wolford, Seaville,** read a prepared statement into the record which included the following: She discussed Smart Growth strategies in that they allow our communities to grow in a way that preserves our open spaces, maximizes economic prosperity, and is equitable to all citizens. She discussed the Affordable Housing Plan and requested that some of this housing be allocated for senior citizens because there is a need for senior housing because some can no longer afford or maintain their properties. (Senior housing is a part of the Housing Plan.) She discussed four bedroom homes. It was explained to her that this type of housing would not be for families. It would be designated as group homes for handicap residents and that four bedrooms would be considered four units. She was concerned with family housing and that a large number of children moving into the Township would adversely affect our schools and our property taxes. She asked if the present roadways could handle the additional traffic generated from the housing; and lastly that the Township keep the public informed.

**CLOSED SESSION**

Motion by Barbara Camp, second by Frank Conrad to close the regular portion of the meeting and go into an executive session.

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

**RECONVENE PUBLIC PORTION OF MEETING**

Motion was made by Jay Newman, second by Frank Conrad to pay the bill for the damaged lawn sprinkler system on Run Creek. During roll call vote four Committee members voted in the affirmative, Mr. Corson opposed.

**ADJOURNMENT**

There being no further business this evening the meeting was adjourned at 10:15 P.M. Next meeting to be January 22, 2007 at 4:00 P.M.

Minutes prepared by

Wanda Gaglione, RMC  
Municipal Clerk

**Bill List**

**December 28, 2006-Bills**

|        |          |       |                                |           |
|--------|----------|-------|--------------------------------|-----------|
| 042593 | 12/28/06 | A0006 | ADVANCE TREADS INC             | 1,214.50  |
| 042594 | 12/28/06 | A0018 | ACTION SUPPLY INC.             | 10.76     |
| 042595 | 12/28/06 | A0020 | ACU-THERM SUPPLY CO., INC.     | 3,021.60  |
| 042596 | 12/28/06 | A0050 | ALL STAR SPORT CENTER          | 276.00    |
| 042597 | 12/28/06 | A0070 | ALBERTSONS/ACME                | 110.91    |
| 042598 | 12/28/06 | A0091 | ATLANTIC CITY ELECTRIC         | 4,675.07  |
| 042599 | 12/28/06 | B0008 | BAILEY, CARROLL                | 150.00    |
| 042600 | 12/28/06 | B0013 | BRADCO SUPPLY CORP.            | 464.00    |
| 042601 | 12/28/06 | B0035 | BELMONT & CRYSTAL SPRINGS      | 204.84    |
| 042602 | 12/28/06 | B0052 | BENNETT BATTERIES,LLC.         | 396.50    |
| 042603 | 12/28/06 | B0070 | HORIZON BLUE CROSS/BLUE SHIELD | 86,221.65 |
| 042604 | 12/28/06 | B0148 | BLUE FLAME GAS OF N.J.         | 837.97    |
| 042605 | 12/28/06 | B0161 | BURKE CHEVROLET                | 48.15     |
| 042606 | 12/28/06 | B0178 | BUGANSKI,PETER R.              | 198.95    |
| 042607 | 12/28/06 | C0046 | CAPE MAY COUNTY CLERK          | 40.00     |
| 042608 | 12/28/06 | C0048 | CAPE MAY COUNTY MUA            | 535.00    |
| 042609 | 12/28/06 | C0060 | CAPRIONI'S PORTABLE TOILETS    | 522.00    |
| 042610 | 12/28/06 | C0068 | COMCAST                        | 190.00    |
| 042611 | 12/28/06 | C0071 | CAPEHART & SCATCHARD, P.A.     | 352.00    |
| 042612 | 12/28/06 | C0101 | CHATTEN, LINWOOD R.            | 92.00     |
| 042613 | 12/28/06 | C0116 | CINTAS CORPORATION #158        | 151.30    |
| 042614 | 12/28/06 | C0121 | CMC CONFERENCE OF MAYORS       | 200.00    |
| 042615 | 12/28/06 | C0131 | CINTAS FIRST AID & SAFETY      | 277.27    |
| 042616 | 12/28/06 | C0146 | COLLINS IRON WORKS, INC.       | 417.00    |
| 042617 | 12/28/06 | D0011 | DIVISION OF STATE POLICE CIU   | 324.00    |
| 042618 | 12/28/06 | D0016 | DALEY,FREDERICK T/A DALEYS PIT | 40.00     |
| 042619 | 12/28/06 | D0026 | DEAUGUSTINE, JOE               | 600.00    |
| 042620 | 12/28/06 | D0040 | DELTA DENTAL PLAN OF N.J. INC. | 5,137.99  |
| 042621 | 12/28/06 | D0077 | DIETRICH,PAUL                  | 7.50      |
| 042622 | 12/28/06 | D0096 | DELL MARKETING L.P.            | 4,800.85  |
| 042623 | 12/28/06 | E0017 | EDMUNDS & ASSOCIATES,INC.      | 25.00     |
| 042624 | 12/28/06 | E0030 | EXECUTIVE BUSINESS PRODUCTS    | 508.44    |
| 042625 | 12/28/06 | F0013 | FARM RITE INC.                 | 279.00    |
| 042626 | 12/28/06 | F0054 | FORT DEARBORN LIFE INSURANCE   | 523.83    |
| 042627 | 12/28/06 | G0002 | GAGLIONE, WANDA                | 79.08     |
| 042628 | 12/28/06 | G0006 | GARBUTT,PATRICIA A.            | 12.00     |
| 042629 | 12/28/06 | G0014 | GARDEN STATE HWY PRODUCTS INC. | 1,528.50  |
| 042630 | 12/28/06 | G0028 | GENTILINI FORD                 | 381.12    |
| 042631 | 12/28/06 | G0055 | GILLIES, DAVE                  | 500.00    |
| 042632 | 12/28/06 | G0091 | GREGORY, NICK                  | 500.00    |
| 042633 | 12/28/06 | G0094 | GRUBB, JON                     | 16.00     |
| 042634 | 12/28/06 | H0006 | HABERMAN, WILLIAM              | 274.25    |
| 042635 | 12/28/06 | H0018 | HAROLD RUBIN/L & H SUPPLY      | 208.89    |

|        |          |       |                                |           |
|--------|----------|-------|--------------------------------|-----------|
| 042636 | 12/28/06 | H0057 | HISTORICAL PRESERVATION        | 1,353.04  |
| 042637 | 12/28/06 | H0066 | HOWELL, CARL                   | 500.00    |
| 042638 | 12/28/06 | H0073 | HOME DEPOT CRC/GECF            | 148.05    |
| 042639 | 12/28/06 | I0008 | IMAX AT TROPICANA              | 600.00    |
| 042640 | 12/28/06 | J0002 | J.P. COLLINS CO.               | 4,256.60  |
| 042641 | 12/28/06 | J0014 | JC MILLER CO.                  | 143.05    |
| 042642 | 12/28/06 | J0060 | JUROS, CHAD                    | 500.00    |
| 042643 | 12/28/06 | K0034 | KOHLER, CLAUDE JR.             | 8.00      |
| 042644 | 12/28/06 | K0037 | KOHLER, JOHN F                 | 425.00    |
| 042645 | 12/28/06 | K0047 | KLINE, EDWARD T.               | 278.61    |
| 042646 | 12/28/06 | L0018 | LANIER WORLDWIDE, INC.         | 512.10    |
| 042647 | 12/28/06 | L0030 | LAWYERS DIARY AND MANUAL       | 81.00     |
| 042648 | 12/28/06 | L0031 | LORCO PETROLEUM SERVICES       | 299.50    |
| 042649 | 12/28/06 | L0034 | LAYTON, BRENDA MRS.            | 48.00     |
| 042650 | 12/28/06 | L0040 | LEA, SHELLY                    | 25.00     |
| 042651 | 12/28/06 | L0073 | LONGSTRETH WOMEN'S WEAR        | 715.98    |
| 042652 | 12/28/06 | L0080 | LOWES, INC.                    | 807.11    |
| 042653 | 12/28/06 | M0055 | MAY, JUDITH                    | 32.00     |
| 042654 | 12/28/06 | M0070 | MID ATLANTIC WASTE SYSTEMS     | 1,800.00  |
| 042655 | 12/28/06 | M0076 | MGL FORMS-SYSTEM               | 655.00    |
| 042656 | 12/28/06 | M0103 | MODERN GAS COMPANY, INC.       | 1,241.55  |
| 042657 | 12/28/06 | M0142 | MASON, NICHOLAS                | 162.73    |
| 042658 | 12/28/06 | M0177 | MAINSTAGE CENTER FOR THE ARTS  | 500.00    |
| 042659 | 12/28/06 | N0007 | NATIONAL SEMINARS GROUP        | 423.95    |
| 042660 | 12/28/06 | N0052 | NATL YOUTH SPORTS COACHED ASSN | 420.00    |
| 042661 | 12/28/06 | N0094 | NEW JERSEY PLANNING OFFICIALS  | 340.00    |
| 042662 | 12/28/06 | N0100 | N.J. LEAGUE OF MUNICIPALITIES  | 832.00    |
| 042663 | 12/28/06 | N0114 | NORTHERN TOOL & EQUIPMENT CO.  | 206.25    |
| 042664 | 12/28/06 | O0002 | O.C. FIRST NIGHT COMMITTE      | 1,512.00  |
| 042665 | 12/28/06 | O0006 | OCS PRINTING                   | 2,795.00  |
| 042666 | 12/28/06 | O0012 | OCEAN CITY BD. OF EDUCATION    | 1,139.77  |
| 042667 | 12/28/06 | O0016 | OCEAN CITY WATER SPORTS        | 1,207.00  |
| 042668 | 12/28/06 | O0026 | OLSON, KARIN                   | 29.00     |
| 042669 | 12/28/06 | P0026 | PAYNTER, JOSEPH                | 297.22    |
| 042670 | 12/28/06 | P0030 | PECO PERIPHERAL COMPANY, INC.  | 1,118.21  |
| 042671 | 12/28/06 | P0032 | PEDRONI FUEL CO.               | 1,066.92  |
| 042672 | 12/28/06 | P0033 | PEPPER, JERRY                  | 500.00    |
| 042673 | 12/28/06 | P0054 | PHILA COCA-COLA BOTTLING CO.   | 17.95     |
| 042674 | 12/28/06 | P0075 | POSITIVE PROMOTIONS INC        | 163.50    |
| 042675 | 12/28/06 | P0096 | PREVITI, MICHELE M.            | 901.33    |
| 042676 | 12/28/06 | P0099 | PRINCETON NASSAU CONOVER FLM   | 43,726.00 |
| 042677 | 12/28/06 | P0102 | PUBLIC WORKS ASSOC OF N.J.     | 80.00     |
| 042678 | 12/28/06 | P0104 | PASHUCK, SUZANNE               | 32.04     |
| 042679 | 12/28/06 | Q0008 | QUILL CORPORATION              | 835.94    |
| 042680 | 12/28/06 | R0009 | RALPH'S BAGELS                 | 49.20     |
| 042681 | 12/28/06 | R0029 | RIDDELL/ALL AMERICAN           | 716.91    |
| 042682 | 12/28/06 | R0030 | RIGGINS, INC.                  | 7,085.56  |
| 042683 | 12/28/06 | R0051 | RICCI BROTHERS                 | 150.00    |
| 042684 | 12/28/06 | R0055 | ROSIK, CAROL                   | 20.00     |
| 042685 | 12/28/06 | S0001 | SAM'S CLUB                     | 60.90     |
| 042686 | 12/28/06 | S0031 | SCHULER SECURITY, INC.         | 205.00    |
| 042687 | 12/28/06 | S0073 | SENIOR TRAVEL SERVICE, INC.    | 2,000.00  |
| 042688 | 12/28/06 | S0092 | SHONE, LEROY MR.               | 20.00     |
| 042689 | 12/28/06 | S0107 | SMITH, TRUDY                   | 150.00    |
| 042690 | 12/28/06 | S0123 | SPEAR, MICHAEL                 | 65.00     |
| 042691 | 12/28/06 | S0134 | SO. JERSEY GAS COMPANY         | 1,720.11  |
| 042692 | 12/28/06 | S0138 | SOUTH JERSEY SOCCER LEAGUE     | 500.00    |
| 042693 | 12/28/06 | S0151 | SOUTH JERSEY ANIMAL SERVICES   | 1,250.00  |
| 042694 | 12/28/06 | S0153 | STERICYCLE, INC.               | 134.79    |
| 042695 | 12/28/06 | S0216 | DEPT.31 0000261489             | 112.95    |
| 042696 | 12/28/06 | T0005 | TCTA OF NEW JERSEY             | 150.00    |
| 042697 | 12/28/06 | T0011 | TAYLOR, JASON                  | 668.00    |
| 042698 | 12/28/06 | T0020 | TERWILLIGER, DUANE E.          | 20.00     |
| 042699 | 12/28/06 | T0032 | THE PRESS & SUNDAY PRESS       | 680.04    |
| 042700 | 12/28/06 | T0066 | TOWNSHIP OF UPPER              | 100.00    |
| 042701 | 12/28/06 | T0067 | TOWNSHIP OF UPPER PETTY CASH   | 31.10     |
| 042702 | 12/28/06 | T0069 | TOWNSHIP OF UPPER              | 25,100.00 |
| 042703 | 12/28/06 | T0089 | TREASURER, STATE OF N.J.       | 304.00    |
| 042704 | 12/28/06 | U0012 | U.T. SOCCER ASSOCIATION        | 420.00    |
| 042705 | 12/28/06 | U0013 | U.T. WRESTLING ASSOC.          | 1,560.00  |
| 042706 | 12/28/06 | U0025 | UNITED STATES POSTAL SERVICE   | 2,000.00  |
| 042707 | 12/28/06 | U0029 | UPPER TOWNSHIP BD.OF EDUCATION | 460.00    |
| 042708 | 12/28/06 | U0037 | UPPER TOWNSHIP P.T.A.          | 450.00    |
| 042709 | 12/28/06 | V0022 | VERIZON                        | 1,678.22  |

|        |          |       |                                |        |
|--------|----------|-------|--------------------------------|--------|
| 042710 | 12/28/06 | V0025 | V.E. RALPH & SON, INC.         | 117.28 |
| 042711 | 12/28/06 | V0026 | VITAL COMPUTER RESOURCES, INC. | 25.00  |
| 042712 | 12/28/06 | W0030 | WEST PUBLISHING CO.            | 282.36 |
| 042713 | 12/28/06 | Y0011 | YOUNG, STEVEN                  | 25.00  |
| 042714 | 12/28/06 | Y0012 | YOUNG, ROBERT                  | 49.12  |
| 042715 | 12/28/06 | Y0020 | YOUNG, BARBARA L.              | 24.00  |

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Total Paid:                   \$237,474.86

**January 8, 2007-Bills**

|        |          |       |                               |           |
|--------|----------|-------|-------------------------------|-----------|
| 042726 | 01/08/07 | A0017 | A.C.M. JIF C/O T. FREEDMAN    | 71,181.00 |
| 042727 | 01/08/07 | A0025 | ADVANTAGE RENTAL ACE HARDWARE | 1,305.27  |
| 042728 | 01/08/07 | A0027 | ACE PLUMBING SUPPLY, INC      | 1,568.00  |
| 042729 | 01/08/07 | A0050 | ALL STAR SPORT CENTER         | 722.75    |
| 042730 | 01/08/07 | B0008 | BAILEY, CARROLL               | 24.00     |
| 042731 | 01/08/07 | B0152 | BUCHANAN, KAREN A.            | 143.75    |
| 042732 | 01/08/07 | C0042 | CAMPBELL FREIGHTLINER, LLC    | 1,832.72  |
| 042733 | 01/08/07 | C0078 | CARTER, EDWARD, SR.           | 603.35    |
| 042734 | 01/08/07 | D0080 | DOWNAM, HARRY J. JR.          | 71.40     |
| 042735 | 01/08/07 | D0083 | DOUGLAS ELECTRIC              | 674.70    |
| 042736 | 01/08/07 | J0033 | JANKOWSKI, MATTHEW            | 400.00    |
| 042737 | 01/08/07 | J0041 | JONES, JAMES M.               | 52.00     |
| 042738 | 01/08/07 | K0034 | KOHLER, CLAUDE JR.            | 24.00     |
| 042739 | 01/08/07 | K0048 | KLEPAC, THADDEUS              | 17.80     |
| 042740 | 01/08/07 | L0017 | LACAL EQUIPMENT, INC.         | 2,117.67  |
| 042741 | 01/08/07 | L0080 | LOWES, INC.                   | 677.38    |
| 042742 | 01/08/07 | M0021 | MASER CONSULTING, P.A.        | 22,143.60 |
| 042743 | 01/08/07 | M0059 | MCDANIELS, WILLIAM J. III     | 16.00     |
| 042744 | 01/08/07 | M0093 | MINMAR MARINE                 | 30.50     |
| 042745 | 01/08/07 | N0088 | N.J. CONFERENCE OF MAYORS     | 475.00    |
| 042746 | 01/08/07 | O0034 | OSPREY POINT CONDO ASSOC.     | 8,369.76  |
| 042747 | 01/08/07 | P0032 | PEDRONI FUEL CO.              | 1,147.43  |
| 042748 | 01/08/07 | R0030 | RIGGINS, INC.                 | 1,794.91  |
| 042749 | 01/08/07 | R0045 | RAINEAR, SCOT                 | 250.00    |
| 042750 | 01/08/07 | S0054 | SENN, FRANCES                 | 56.00     |
| 042751 | 01/08/07 | S0072 | SEGIN, STEWART S.             | 241.39    |
| 042752 | 01/08/07 | S0118 | SMITH, HASTINGS               | 44.00     |
| 042753 | 01/08/07 | T0005 | TCTA OF NEW JERSEY            | 75.00     |
| 042754 | 01/08/07 | T0018 | TEKK COMMUNICATIONS           | 120.00    |
| 042755 | 01/08/07 | T0020 | TERWILLIGER, DUANE E.         | 20.00     |
| 042756 | 01/08/07 | T0032 | THE PRESS & SUNDAY PRESS      | 42.84     |
| 042757 | 01/08/07 | T0035 | THE PAPER OF UT/GAZETTE       | 1,496.40  |
| 042758 | 01/08/07 | T0038 | THOMAS, CHRISTOPHER           | 84.00     |
| 042759 | 01/08/07 | T0048 | TILL PAINT CO/D. FITZGERALD   | 440.84    |
| 042760 | 01/08/07 | T0067 | TOWNSHIP OF UPPER PETTY CASH  | 100.00    |
| 042761 | 01/08/07 | T0080 | TREASURER STATE OF N.J.       | 2,942.05  |
| 042762 | 01/08/07 | V0013 | VERIZON WIRELESS              | 285.65    |
| 042763 | 01/08/07 | V0022 | VERIZON                       | 23.55     |
| 042764 | 01/08/07 | W0038 | WILLIAMS, JEREMIAH J.         | 574.98    |
| 042765 | 01/08/07 | X0002 | XEROX CAPITAL SERVICES, LLC   | 60.00     |
| 042766 | 01/08/07 | Y0008 | YOUNG, DANIEL J. ESQUIRE PC   | 12,178.00 |

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Total                           \$134,427.69