

**TOWNSHIP OF UPPER  
2100 TUCKAHOE ROAD  
PETERSBURG, NJ 08270  
CAPE MAY COUNTY  
AGENDA FOR MARCH 22, 2010**

**\*\*\*\*\*BUDGET WORKSHOP MEETING—6:30 P.M.**

Deputy Mayor Corson opened the meeting and referred to Committeeman Frank Conrad for the report on the progress of preparing the 2010 budget.

He commented that this is the fourth workshop and that the Committee is continuing to look for ways to keep local purpose tax rate at 0 and asked the Committee to report on any developments in their departments.

Kristine Gabor reported that she has been able to cut approximately \$188,000 from the Recreation Dept. and may be able to cut another \$28,520 for a total of \$215,520. She explained that these are cuts from the O/E side and are meant to make teams ultimately responsible

for their own uniforms and equipment. The Township will still be responsible for maintaining the fields and areas of play. There was discussion of Township's liability for safety equipment. The Recreation Dept. could still store uniforms and equipment however it would not be necessary for them to buy and inventory them. She allocated \$1500 for the Dog Park and stated that the funding for the Challengers Soccer Program would remain.

Jay Newman reported for the Division of Emergency Services. The new ambulance vehicle came off the budget as well as the AED for the Township Hall, the office furniture, and the GPS units. He also reported on the Municipal Court in that costs are statutory and the court is self-sufficient. Leon Costello, Municipal Auditor, was present in the audience and commented on the figure that needed to be reduced from overall budget to maintain a zero (0) Local Purpose Tax.

Curtis Corson commented that \$215,000 could be removed from the DPW's budget. He also noted that research shows automated trash collection would save approximately \$100,000 a year.

The Strathmere projects were discussed and some may be included in the beach fill project bond. The boat ramp at Bayview Avenue, reconstruction of crossovers, and the paving project were removed from the budget. The bulkhead project will remain.

There was discussion as to what cuts could be made to Wages and Salaries and O/E. It was determined there could be savings would from the Tax Office, Engineers Office, and the School Crossing Guard. The schools will be responsible for crossing guards in future years. AED's for Township Hall and the Community Center will come from the Emergency Management budget. The old generator from the Middle School will be used at the Rescue Squad.

The reductions discussed this evening balanced the budget so that no local purpose tax would be required for this year. The budget will be introduced on April 12, 2010, with the Public Hearing at the May 10<sup>th</sup> meeting.

The Budget workshop adjourned at 7:25 PM.

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

**CALL TO ORDER**

**SUNSHINE ANNOUNCEMENT**

**SALUTE TO THE FLAG**

After the flag salute Deputy Mayor Corson asked for a moment of silence in remembrance of our employee Carol E. Rosiak who passed away this past weekend.

**ROLL CALL**

Frank E. Conrad	Present
Curtis Corson	Present
Kristine Gabor	Present
John “Jay” Newman	Present
Richard Palombo	Absent

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

**APPROVAL OF MINUTES - March 8, 2010 Regular Meeting and Closed Session Minutes**

Motion was made by Jay Newman, second by Kristine Gabor to approve the Minutes as submitted and amended. During roll call vote, all four committee members voted in the affirmative.

**REPORT OF GOVERNING BODY MEMBERS**

**Frank Conrad, Committeeman:** reported that the Committee has just completed the final Budget Workshop meeting and that the Budget Introduction is anticipated for the April 12<sup>th</sup> meeting with Adoption in May. He is happy to report that once again there will be no Local Purpose Tax required for this year.

**Kristine Gabor, Committeewoman:** reported that all Township sports teams were very cooperative with requests for financial documentation. The Recreation Committee will meet this Thursday at 8:00 PM. She commented on the disrepair of the hockey rink in Tuckahoe and that she would like to see it taken down and recycle the material where possible. There was also a brief discussion of the parking area for the dog park and that some stone poured in the parking area could alleviate the mud problem. She reported that she attended the Cub Scout Pack 79 Arrow of Light event and said it was a very nice.

**Jay Newman, Committeeman:** reported that Emergency Services and the Tuckahoe Fire Department responded to and handled a very difficult situation over the weekend without incident. He also has two items for closed session, one is a contract negotiation and one is Shared Services matter with Corbin City.

**Curtis Corson, Deputy Mayor:** reported that Mayor Palombo could not attend the meeting this evening as he was called away to Washington DC. Mr. Corson congratulated a Township resident, Lauren Burch on winning the NJ Statewide Free Throw competition for the second time. He made a motion to adopt a resolution to recognize her achievement. Mr. Newman seconded the motion with all four Committee members present voting in the affirmative.

### **OTHER REPORTS**

**Daniel Young, Municipal Solicitor:** advised the Committee that a provision to use gift cards as an employee bonus or award should be added into the salary ordinance. Mr. Corson made a motion directing Mr. Young to produce an amendment to the Salary Ordinance for introduction at the next meeting. Motion was seconded by Jay Newman with all four Committee members present voting in the affirmative.

Mr. Young has two contractual negotiation items and one personnel matter for closed session.

**Paul Dietrich, Township Engineer:** reported that he received a notification from the NJDOT regarding street lighting on the Route 50 Bridge Replacement project. The State will install standard lighting, the cost of anything decorative would be the Township's responsibility. He has one contract negotiation item to discuss in closed session regarding possible changes to Township policy on early retirement. He also reported that the Public Works Dept. has been working on the brush collection of the debris from the recent storms; they have already completed one sweep of the Township are beginning the second starting in Beesley's Point.

**Barbara Spiegel, Chief Finance Officer;** has one personnel item for closed session.

### **PRESENTATION**

1. **Resolution No. 047-2010 Honoring James Joseph Hamilton on attaining the designation of 'Eagle Scout'**. James Hamilton was present along with his family. He stated his project was to landscape and repaint the front of the VFW hall in Sea Isle City.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION  
RESOLUTION NO. 047-2010  
RE: HONORING JAMES JOSEPH HAMILTON ON ATTAINING THE  
DESIGNATION OF "EAGLE SCOUT"**

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**WHEREAS**, James Joseph Hamilton, a resident of Upper Township, has recently achieved the designation of Eagle Scout in the Boy Scouts of America; and

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

**WHEREAS**, James completed the requirements for and having been examined by an Eagle Scout Board of Review; and

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

**RESOLVED THAT** this Township Committee extends its sincere congratulations to James on the occasion of his receiving the designation of Eagle Scout and commends him for his outstanding accomplishment; and it is

**FURTHER RESOLVED** that the Township Committee extends its congratulations and best wishes to James parents, family and friends on this happy occasion; and it is

**FURTHER RESOLVED** that the Township Committee also extends its congratulations and appreciation to the Scout Masters and others who give so freely and generously of their time for the benefit of our youth.

**GIVEN UNDER OUR HANDS** and the seal of the Township of Upper this 8th day of February, 2010

Resolution No.047-2010

Offered by: Newman

Seconded by: Gabor

Adopted:

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Conrad	<u>  x  </u>	<u>          </u>	<u>          </u>	<u>          </u>

Corson	_____	_____	_____	_____ x _____
Gabor	_____ x _____	_____	_____	_____
Newman	_____ x _____	_____	_____	_____
Palombo	_____ x _____	_____	_____	_____

**2. Resolution No. 063-2010, Re: Congratulating Corville E. Griner on the occasion of his**

**retirement after sixty (60) years of service to Tuckahoe Volunteer Fire Company District #2 and extending to him thanks and appreciation.**

Mr. Griner was present along with his family. In addition there was a large audience present from the Tuckahoe Fire Department to recognize Mr. Griner and this accomplishment.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION  
RESOLUTION NO.63-2010  
RE: CONGRATULATING CORVILLE E. GRINER  
ON THE OCCASION OF HIS RETIREMENT AFTER SIXTY (60) YEARS OF  
SERVICE TO TUCKAHOE VOLUNTEER FIRE COMPANY DISTRICT #2  
AND EXTENDING TO HIM THANKS AND APPRECIATION**

**WHEREAS,** Corville E. Griner has generously volunteered his personal time and service to Upper Township Fire District #2, Tuckahoe Volunteer Fire Company for over sixty (60) years; and

**WHEREAS,** during his years with the Fire Company he was first and foremost a fireman dedicated to the safety and well being of the citizens of our community while earning the respect and high regard of his fellow firemen for his valor, strength and compassion whenever called to duty; and

**WHEREAS,** he also served the Fire Company in many other capacities such as President, Secretary, Deputy Chief, and for over twenty-five (25) years he served as Fire Chief; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee on behalf of the citizens of the Township of Upper, do hereby congratulate Corville E. Griner on his retirement after 60 years of service to the Tuckahoe Fire Company and extend our

heartfelt thanks and gratitude for the generous donation of his time and service to this community.

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

8th day of March, 2010.

Resolution No. 63-2010

Offered by: Conrad

Seconded by: Newman

Adopted: March 8, 2010

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Conrad	_____x_____	_____	_____	_____
Corson	_____x_____	_____	_____	_____
Gabor	_____x_____	_____	_____	_____
Newman	_____x_____	_____	_____	_____
Palombo	_____x_____	_____	_____	_____

**3. Resolution No. 064-2010, Re: Congratulating Robert Wriggins on the occasion of his retirement after forty-three (43) years of service to Tuckahoe Volunteer Fire Company District #2 and extending to him thanks and appreciation.**

Mr. Wriggins and his family were present. There was a large audience present from the Tuckahoe Fire Department to recognize Mr. Wriggins and this accomplishment.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 64-2010**

**RE: CONGRATULATING ROBERT WRIGGINS**

**ON THE OCCASION OF HIS RETIREMENT AFTER FORTY-THREE (43) YEARS OF SERVICE TO TUCKAHOE VOLUNTEER FIRE COMPANY DISTRICT #2 AND EXTENDING TO HIM THANKS AND APPRECIATION**

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**WHEREAS**, Robert Wriggins has generously volunteered his personal time and service to Upper Township Fire District #2, Tuckahoe Volunteer Fire Company, for over forty-three (43) years; and

**WHEREAS**, during his years with the Fire Company he was first and foremost a fireman dedicated to the safety and well being of the citizens of our community

while earning the respect and high regard of his fellow firemen for his valor, strength and compassion whenever called to duty; and

**WHEREAS**, he also served the Fire Company in many other capacities such as President, Captain, Trustee, Assistant Chief, Instructor, and Fire Commissioner; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee on behalf of the citizens of the Township of Upper do hereby congratulate Robert Wriggins on his retirement after 43 years of service to the Tuckahoe Fire Company and extend to him our heartfelt thanks and gratitude for the generous donation of his time and service to this community.

**GIVEN UNDER OUR HANDS** and the seal of the Township of Upper this 8th day of March, 2010.

Resolution No.64-2010

Offered by: Conrad

Seconded by: Gabor

Adopted: March 8, 2010

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Conrad	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Coson	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Gabor	<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>

**RESOLUTIONS**

**4. Honoring Webelos Scouts of Cub Scout Pack 55, Jonathan Philips, Logan Pierpoint, Brandon Nicolosi, and Bryce Haskins on attaining the Arrow of Light award.**

**TOWNSHIP OF UPPER**

**CAPE MAY COUNTY**

**R E S O L U T I O N**

**RESOLUTION NO. 073-2010**

**RE: HONORING WEBELOS SCOUTS OF CUB SCOUT PACK 55,  
JONATHAN PHILLIPS, LOGAN PEIRPOINT, BRANDON NICOLOSI AND BRYCE  
HASKINS ON ATTAINING THE ARROW OF LIGHT AWARD**

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**WHEREAS**, the Webelos Scouts of Cub Scout Pack 55, have recently achieved the Arrow of Light Award, which is the highest level of advancement for a Cub Scout; and

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

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

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

**FURTHER RESOLVED** that the Township Committee extends its congratulations and best wishes to their parents, family and friends on this happy occasion; and it is

**FURTHER RESOLVED** that the Township Committee also extends its congratulations and appreciation to the Scout Masters and others who give so freely and generously of their time for the benefit of our youth.

**GIVEN UNDER OUR HANDS** and the seal of the Township of Upper this 22nd day of March, 2010.

Resolution No.073- 2010  
Offered by: Newman  
Adopted: March 22, 2010  
Roll Call Vote:

Seconded by: Gabor

NAME                      YES                      NO                      ABSTAINED                      ABSENT

Conrad	<u>    x    </u>	<u>          </u>	<u>          </u>	<u>          </u>
Corson	<u>    x    </u>	<u>          </u>	<u>          </u>	<u>          </u>
Gabor	<u>    x    </u>	<u>          </u>	<u>          </u>	<u>          </u>
Newman	<u>    x    </u>	<u>          </u>	<u>          </u>	<u>          </u>
Palombo	<u>          </u>	<u>          </u>	<u>          </u>	<u>          x    </u>

**5. Congratulating employee Gary Crager of the Upper Township Recreation Department for his winning entry in the Upper Township Safety Award Program for the 1st Quarter of 2010.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION  
RESOLUTION NO. 074-2010  
RE: CONGRATULATING EMPLOYEE GARY CRAGER  
OF THE UPPER TOWNSHIP RECREATION DEPARTMENT  
FOR HIS WINNING ENTRY IN  
THE UPPER TOWNSHIP SAFETY AWARD PROGRAM  
FOR THE 1ST QUARTER OF 2010**

**WHEREAS**, employee Gary Crager is recognized for his efforts to promote safety for his fellow employees and residents of the Township through his participation in the Upper Township Safety Award Program with a submission of a safety suggestion; and

**WHEREAS**, Gary's safety suggestion was chosen by the Upper Township Safety Committee from the entries submitted in the first quarter for the promotion of safety for employees and the community; and

**WHEREAS**, Gary should be publicly recognized for reporting that the electric meter was out and laying on the ground at the Somers Avenue Park and that hot wires were exposed; 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 the Committee extends its appreciation and publicly recognizes Gary Crager on his commitment to safety by his identifying a potential hazard and presenting a solution through participation in the program.

2. That the Committee, on behalf of our employees and the citizens of the Township of Upper extend to Gary Crager our congratulations and present him with the "Safety Day Award" of one day off with pay.

**GIVEN UNDER OUR HANDS** and the seal of the Township of Upper this 22nd day of March, 2010.

Resolution No. 074-2010

Offered by: Newman

Second by: Conrad

Adopted: March 22, 2010

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Conrad	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Corson	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Gabor	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Newman	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Palombo	<u>      </u>	<u>      </u>	<u>      </u>	<u>  x  </u>

**6. Approving the application of the Tuckahoe Volunteer Fire Co. for highway coin drops on July 23, 24 and 25, 2010.**

**TOWNSHIP OF UPPER**

**CAPE MAY COUNTY**

**R E S O L U T I O N**

**RESOLUTION NO. 075-2010**

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

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

**WHEREAS**, the Township Committee has approved the requests; and

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

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

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

2. The application of the Tuckahoe Volunteer Fire Co. to hold a coin drop within Upper Township is hereby approved for the following dates and locations:

**Intersection of Routes 49 & 50**

Friday, July 23, 2010 from 5:00 p.m. to 9:00 p.m.

AND

Saturday, July 24, 2010 from 9:00 a.m. to 3:00 p.m.

AND

Intersection of Co. Route 617 & Route 49

Sunday, July 25, 2009 from 3:00 p.m. to 8:00 p.m.

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

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

Resolution No. 075-2010

Offered by: Conrad

Seconded by: Gabor

Adopted: March 22, 2010

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
Conrad	<u>  x  </u>	_____	_____	_____
Corson	<u>  x  </u>	_____	_____	_____
Gabor	<u>  x  </u>	_____	_____	_____
Newman	<u>  x  </u>	_____	_____	_____

**7. Tax Refund.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION  
Resolution No. 076-2010  
REFUND**

**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 on the attached sheet.

Resolution No. 076-2010

Offered by:Newman

Seconded by:Conrad

Adopted: March 22, 2010

Roll Call Vote:

NAME	YES	NO	ABSTAINED	ABSENT
CONRAD	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
CORSON	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
GABOR	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
NEWMAN	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
PALOMBO	<u>      </u>	<u>      </u>	<u>      </u>	<u>  x  </u>

**REFUND 2010**

<b><u>BLOCK/LOT</u></b>	<b><u>AMOUNT</u></b>	<b><u>NAME</u></b>
688/2	\$738.16	HARRY & PRISCILLA ANTONELLI 4 POINT PLEASANT AVE MARMORA, NJ 08223

(HOMEOWNER & MTG CO BOTH PAID 1<sup>ST</sup> QTR 2010 TAXES)

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**8. Emergency Temporary Budget.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION  
RESOLUTION NO. 077-2010  
RE: 2010 EMERGENCY TEMPORARY BUDGET**

WHEREAS, N.J.S.A. 40:A4-19 provides that the governing body shall by Resolution adopted prior to January 31 of the fiscal year make appropriations to provide for the period between the beginning of the fiscal year and the adoption of the Budget; and

WHEREAS, there is a need to increase certain line items in the Temporary Budget until adoption of the Budget takes place.

NOW, THEREFORE BE IT RESOLVED, that the following appropriations shall constitute the Emergency Temporary Budget for the year 2010:

**ADMINISTRATIVE & EXECUTIVE**

		<b><u>INCREASE TO:</u></b>
<b>Mayor and Committee</b>		
Salary and Wages	16,000.00	30,625.00
<b>Mayor and Committee O/E</b>	5,000.00	9,500.00
<b>Municipal Clerk</b>		
Salary and Wages	48,000.00	88,000.00

**OTHER EXPENSES**

<b>Legal Advertising</b>	8,000.00	10,000.00
<b>Miscellaneous O/E</b>	10,000.00	25,000.00
<b>Purchase of Office Equipment</b>	5,000.00	
<b>Codification of Ordinances</b>	2,000.00	
<b>MAC</b>	6,867.00	
<b>Cape Mediation</b>	1,364.00	
<b>Cape Assist EAP</b>	1,155.00	

**FINANCIAL ADMINISTRATION**

<b>Salaries &amp; Wages</b>	32,000.00	60,000.00
<b>Miscellaneous O/E</b>	3,000.00	9,000.00
<b>Computer Hardware/Software</b>	15,000.00	19,250.00
<b>Annual Audit</b>	18,000.00	

**ASSESSMENT OF TAXES**

Salaries & Wages	26,000.00	48,000.00
Miscellaneous O/E	4,000.00	
<b>COLLECTION OF TAXES</b>		
Salaries & Wages	26,000.00	47,500.00
Miscellaneous O/E	4,000.00	4,600.00
Purchase TTL	1,000.00	
<b>LIQUIDATION OF TTL &amp; FORECLOSED PROPERTY</b>		
Other Expenses	1,000.00	
<b>LEGAL SERVICES AND COSTS</b>		
Other Expenses	50,000.00	64,000.00
<b>MUNICIPAL COURT</b>		
Salaries & Wages	53,000.00	89,000.00
Miscellaneous O/E	4,000.00	6,100.00
<b>PUBLIC DEFENDER</b>		
Salaries & Wages	6,000.00	9,500.00
<b>MUNICIPAL PROSECUTOR</b>		
Salaries & Wages	12,000.00	19,500.00
<b>ENGINEERING SERVICES &amp; COSTS</b>		
Salaries & Wages	23,000.00	43,275.00
Other Expenses	20,000.00	35,000.00
<b>PUBLIC BUILDINGS &amp; GROUNDS</b>		
Salaries & Wages	26,000.00	35,000.00
Other Expenses	90,000.00	110,375.00
<b>PLANNING BOARD</b>		
Salaries & Wages	12,000.00	19,250.00
Other Expenses	2,000.00	

**INCREASE TO:**

**BOARD OF ADJUSTMENT**

Salaries & Wages	12,000.00	19,250.00
Other Expenses	2,000.00	3,000.00

**CONSTRUCTION OFFICE & BUILDING INSPECTOR**

Salaries & Wages	45,000.00	82,000.00
Other Expenses	3,000.00	4,000.00

**INSURANCE**

Group Insurance for Employees	360,000.00	680,000.00
Other Insurance Premiums	90,000.00	100,000.00
Workers Compensation	85,000.00	170,000.00

**SCHOOL CROSSING GUARD**

Salaries & Wages	2,500.00	3,750.00
Miscellaneous O/E	500.00	

**BEACH PATROL**

Salaries & Wages	1,500.00	102,000.00
Other Expenses	2,000.00	12,500.00

**EMERGENCY MANAGEMENT/RTK/911 COORDINATOR**

Salaries & Wages	6,500.00	9,750.00
Miscellaneous O/E	9,000.00	30,000.00

**ROAD REPAIRS & MAINTENANCE**

Salaries & Wages	255,000.00	450,250.00
Miscellaneous O/E	50,000.00	122,250.00

**SURFACING OF ROADS CONTRACTUAL** 25,000.00

**STREET LIGHTING** 80,000.00 93,750.00

**GARBAGE & TRASH REMOVAL**

Salaries & Wages	100,000.00	188,500.00
Miscellaneous O/E	40,000.00	44,800.00
Tipping Fees	74,000.00	206,000.00

**BOARD OF HEALTH**

Salaries & Wages	300.00	
Miscellaneous O/E	10,000.00	20,000.00

**DOG REGULATION**

Miscellaneous O/E	30,000.00	38,000.00
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**PUBLIC RELATIONS & INFORMATION OFFICER**

Salaries & Wages	3,000.00	5,000.00
Miscellaneous O/E	3,000.00	6,250.00

**ZONING/CODE OFFICIAL**

Salaries & Wages	5,000.00	7,500.00
Miscellaneous O/E	1,000.00	1,500.00

**RECREATION**

Salaries & Wages	163,000.00	310,000.00
Miscellaneous O/E	70,000.00	158,000.00

**FIRST AID ORGANIZATION**

Salaries & Wages	155,000.00	292,750.00
Miscellaneous O/E	25,000.00	43,000.00

**RECYCLING**

Salaries & Wages	170,000.00	306,000.00
Miscellaneous O/E	30,000.00	33,850.00

**AFFORDABLE HOUSING**

Salaries & Wages	700.00	1,250.00
Miscellaneous O/E	2,000.00	8,750.00

**COMMUNITY CENTER**

Salaries & Wages	10,000.00	18,000.00
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Miscellaneous O/E	12,000.00	22,750.00
CELEBRATION OF PUBLIC EVENTS	3,000.00	6,500.00
SOCIAL SECURITY SYSTEM	90,000.00	170,000.00
SPECIAL LITIGATION	40,000.00	50,000.00
SUI CONTRIBUTION	6,600.00	10,000.00
SHORE PROTECTION O/E	40,000.00	50,000.00
CENTRAL DISPATCH	60,000.00	117,000.00
RENOVATIONS HISTORICAL BUILDING	3,000.00	
MAC GRANT	27,469.00	
ALCOHOL & DRUG TESTING	8,500.00	
MASTER PLAN/COAH	5,000.00	
REPAIRS MUNICIPAL BUILDING	20,000.00	
COMP. ABSENCES RESERVES	100.00	
PERS	306,428.00	
ENERGY AUDIT GRANT	20,000.00	
		<b>\$3,094,483.00</b>

Resolution No. 077-2010

Offered by: Conrad

Seconded by: Newman

Adopted: March 22, 2010

Roll Call Vote:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Conrad	<u>  x  </u>	<u>    </u>	<u>    </u>	<u>    </u>
Corson	<u>  x  </u>	<u>    </u>	<u>    </u>	<u>    </u>
Gabor	<u>  x  </u>	<u>    </u>	<u>    </u>	<u>    </u>
Newman	<u>  x  </u>	<u>    </u>	<u>    </u>	<u>    </u>
Palombo	<u>    </u>	<u>    </u>	<u>    </u>	<u>  x  </u>

**ORDINANCES**

**9. Introduction and First Reading of Ordinance No. 02-2010 AN ORDINANCE AMENDING CHAPTER 9-7 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF UPPER.**

This ordinance would allow the unmanned skate park to remain open to skaters and bikes on alternating days. There should be regularly logged inspections to the park.

Ms. Gabor stated she would like to allow park open under old rules, which stipulates – NO BIKES – during Easter school break. The old rules will remain and be in effect until the Ordinance passes. Steve Martinelli, 1923 Tuckahoe Rd., the Skatepark Coordinator, was present in audience and was permitted to speak on this issue. He requested permission to publish this information.

Motion was made by Jay Newman, second by Kristine Gabor to introduce Ordinance 002-2010 with Public Hearing and Final Adoption set for April 12, 2010. During roll call vote all four Committee members voted in the affirmative.

TOWNSHIP OF UPPER

CAPE MAY COUNTY

O R D I N A N C E

ORDINANCE NO. 002-2010

RE: ORDINANCE AMENDING CHAPTER 9-7 OF THE  
REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF UPPER

---

WHEREAS, the Township of Upper (“TOWNSHIP”) operates a skate park (“PARK”) which is open for use by the residents of the TOWNSHIP and Cape May County, and

WHEREAS, the TOWNSHIP desires to amend certain ordinance provisions for the management, use and enjoyment of the PARK, so as to permit the PARK to be used for bicycles as well as skateboards and inline skates without an

attendant present with the condition that simultaneous use of bicycles and skating activities shall not be permitted.

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

SECTION 1: Chapter 9-7 of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, shall be amended and supplemented as hereinafter provided:

**9-7.1 Recreation Committee to Promulgate Rules and Regulations.**

The Recreation Committee of the Township of Upper is hereby empowered to promulgate and adopt rules and regulations governing the use and operation of the Skate Park (the APark@) owned and operated by the Township of Upper. Before taking effect, any rules and regulations proposed to be adopted by the Recreation Committee shall be submitted to the Township Committee for approval.

**9-7.2 Posting of Rules and Regulations.** The use restrictions set forth in this Ordinance and any rules and regulations promulgated by the Recreation Committee and approved by the Township Committee shall be appropriately posted, either by sign or some other suitable device, so as to advise all persons desiring to utilize the Park of the nature of the rules and regulations. Such signs shall be approved by the Township Solicitor and Township's insurance carrier.

**9-7.3 Use of the Park.** The Park shall not be supervised by Township personnel and a notice to this effect shall be prominently posted at the Park. No motorized vehicles are permitted in the Park. Except on the bicycle and jogging path, skateboarding and inline skating is prohibited on Township property surrounding the skateboard park. There shall be no simultaneous use of the Park by bicycles and skating activities. Signs will be posted at the Park indicating

separate useage days for either bicycles and scooters or skateboards and inline skates. On any day that bicycles and scooters are permitted skateboards and inline skates are prohibited and vise versa. Any special event to take place at the Park shall be conducted by the Recreation Committee member representing the Park and shall be for non-profit use only. Any outside company, participant or promoter of the event must comply with all applicable Township requirements for the use of Township facilities or for the use of the Park. The approval of the Township Supervisor of Recreation is required.

**9-7.4 Safety.** All users are required to wear shoes, helmets, kneepads, wrist guards and elbow pads. All equipment must be worn to the manufactures recommendations. All users must skate or ride safely, responsibly and act respectfully of each other.

9-7.4a No use of the Park shall be permitted when equipment is wet or icy.

9-7.4b The Township will determine from time to time the maximum capacity, which may utilize the Park.

9-7.4c No glass, radios or pets shall be permitted within the enclosed Park area.

9-7.4d Backpacks, bags, jackets and other articles of clothing and personal belongings must be placed in an appropriate area, outside the enclosed Park area, removed from the area where people skate, to avoid the possibility of injury.

9-7.4e The use of alcohol, drugs and tobacco are prohibited. Additionally profanity, abusive language and vandalism are prohibited.

**9-7.5 Days and Hours of Operation.** The Township Committee shall determine the hours of operation of the Park from time to time. It

is a violation of this section to enter the Park at any time it is closed.

**9-7.6 Supervision of Small Children.** Children under twelve (12) years

of age must be accompanied by a responsible adult at all times.

**9-7.7 Violations of Rules/Regulations.** Any person who violates this

section or the Park rules and regulations shall be immediately removed from

the Park. In addition, any person convicted of violating the provisions of this

section or the Park rules and regulations shall be guilty upon a first offense

of a fine not to exceed One Hundred Dollars (\$100.00) and a second

offense of a fine not to exceed Five Hundred Dollars (\$500.00).

**SECTION 2: REPEALER:** All ordinances or parts of ordinances which are in conflict or inconsistent herewith are hereby repealed to the extent of any such inconsistency or conflict only.

**SECTION 3: SEVERABILITY:** If any section, paragraph, subdivision, subsection, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, subsection, clause or provision declared invalid and the remainder of this Ordinance shall remain in full force and effect and shall be enforceable.

**SECTION 4: EFFECTIVE DATE:** This Ordinance will take effect immediately upon final adoption and publication as required by law.

**SECTION 5: CODIFICATION:** This Ordinance shall be codified in Chapter 9-7 of the Upper Township.

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 22ND DAY OF MARCH, 2010 AND WAS TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER TO BE HELD ON THE 12th DAY OF APRIL, 2010 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

**CORRESPONDENCE**

**10. From “2058 South Shore Road, LLC”, RE: Block 561, Lot 25, request to change zoning at to MH zone to permit construction of an age-restricted mobile home project.** It was clarified that Committeeman Curtis Corson did not have a conflict on this matter and Mr. Konshack agreed. It was discussed that this request impacts the Master Plan and that it should be referred to the Planning Board for review and recommendations. It would then be referred back to the Township Committee for action. It was also discussed that this matter should be included in the Fair Housing Plan. Jay Newman made a motion to refer this to the Planning Board for their review; Frank Conrad seconded motion with all four Committee members present voting in the affirmative.

**NEW BUSINESS**

**11. Request for authorization of the 2010 Fireworks display.**

Jay Newman made motion to authorize the Municipal Clerk to accept the bid from Pyrotechnics. Kristine Gabor seconded the motion with all four Committee members voting in the affirmative.

**12. Robert J. Fagan, request to vacate the alley between Putnam and Randolph Avenues.**

It was discussed that this same request was presented a few years ago and the Committee wanted to review what occurred at that time before taking any action this evening. Mr. Corson made a motion that research be done on this matter and to table it to a future agenda. Jay Newman seconded the motion.

**UNFINISHED BUSINESS:**

**13. Amending Skate park rules and regulations.** The rules were briefly reviewed. The rules would be voted on at the next meeting after the public hearing of Ordinance 002-2010, which amends the skate park section of the Township Ordinances.

**DISCUSSION**

**14. Greater Tuckahoe Area Merchants Association, presenting additional information on their May 2, 2010 bike ride/fundraiser at Amanda’s Field.** George Dress, the president of GTAMA was present to discuss the event. This event is designed for families to participate in short rides as well as the more experienced bike riders to participate in the longer distance rides. With regards to the long distance ride, the Committee requested that the municipalities the riders travel through be notified of the event. Mr. Dress assured the Committee that he understands this event must meet all requirements before it can be approved and take place. This matter will be placed on a future agenda for formal action by resolution.

**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.”** motion was

made by Jay Newman, second by Frank Conrad with all four Committee members present voting in the affirmative.

Payroll: \$177,937.76  
Bills submitted for payment: \$219,396.86

**REPORT OF MUNICIPAL DEPARTMENTS:**

**15. Municipal Court-Upper Township, Dennis Township and Corbin City.**

The report is available from the Clerk's Office.

**PUBLIC COMMENT**

**Bob Urhman, 931 Seasounds Ave., Palermo:** represents the National Railroad Society. The group would like to discuss the construction of a railroad museum in Upper Township. It was discussed that the Township was not interested in being a landlord again. They also discussed the possible subdivision or other arrangement that would allow the Township to sell the old building on Tuckahoe/Mt. Pleasant Rd. The Committee responded that they are open to the idea and requested the group put together a presentation.

**Merry May, School House Lane, Tuckahoe:** addressed the street lighting issue of the Route 50 Bridge Replacement project in that the State of NJ notified us that they would not incur the cost of the decorative street lighting originally requested by Tuckahoe residents. They would provide underground wiring and standard lighting only. Mrs. May claims the state approved this plan years ago and the decorative lighting should remain part of the project. Mr. Dietrich will research the matter.

**Louise Letsinger, Marshallville Road, Tuckahoe:** commented that she was disturbed that the Route 50 project will take 10 feet off of her business property for a turning lane. This will take away what little parking area they have now. Mr. Young responded that if this is private property the state would have to condemn it and pay the Letsingers before taking it. Mr. Dietrich is going to review the plan for a possible better relocation for the turning lane.

**CLOSED SESSION**

**16. Resolution to conduct a closed meeting pursuant to N.J.S.A. 10:4-12, from which the public shall be excluded.** Jay Newman read the following motion and resolution into the record:

**RESOLUTION NO. 078-2010  
MOTION GOING INTO CLOSED SESSION  
March 22, 2010**

I hereby move that a resolution be incorporated into the minutes authorizing the Township Committee to enter into an executive session for the following matters pursuant to the Open Public Meetings Act:

MATTERS:

- (1) Contract Negotiation Coastal Research Center
- (2) Contract Negotiation Tax Conflict Attorney
- (3) Personnel Matters
- (4) Contract Negotiation – Township Personnel Policy Handbook
- (5) Contract Negotiation – Ocean City Communications agreement
- (6) Contract Negotiation – Shared Services Agreement with Corbin City

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

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

Frank Conrad seconded the motion; during roll call vote the four Committee members present voted in the affirmative.

### **RECONVENE PUBLIC PORTION OF MEETING**

Jay Newman made a motion to return to open session, Curtis Corson seconded. All four Committee members voted in the affirmative.

Jay Newman made a motion to hire Thomas Smith as Tax Appeal Conflict Attorney; motion was seconded by Curtis Corson with all four Committee members voting in the affirmative.

Jay Newman made a motion authorizing survey work by Dr. Farrell/Coastal Research Center, up to \$10,000, necessary as a result of the anticipated FEMA declaration to include the recent March storms. Curtis Corson seconded the motion with all of the four Committee members present voting in the affirmative.

### **ADJOURNMENT**

There was no further business for this evening and the meeting was adjourned at 10:52 P.M. Motion to adjourn the meeting made by Jay Newman, seconded by Frank Conrad, with all four Committee members voting in the affirmative.

The next regular meeting is scheduled for Monday April 12, 2010 at 7:30 P.M.

Minutes prepared by

Wanda Gaglione, RMC

## Municipal Clerk

### Bill List

51075 03/23/10 A0004 A+ COMMERCIAL OFFICE CLEANERS 750.00 2588  
51076 03/23/10 A0020 ACU-THERM SUPPLY CO.,INC. 595.00 2588  
51077 03/23/10 A0025 ADVANTAGE RENTAL ACE HARDWARE 418.73 2588  
51078 03/23/10 A0075 ADAMS, JOSHUA 66.96 2588  
51079 03/23/10 A0091 ATLANTIC CITY ELECTRIC 5,279.36 2588  
51080 03/23/10 A0109 ATLANTIC CO. M.C.A 35.00 2588  
51081 03/23/10 A0113 ARAWAK PAVING CO. INC. 158,397.18 2588  
51082 03/23/10 B0035 BELMONT & CRYSTAL SPRINGS 387.10 2588  
51083 03/23/10 B0076 BOND,LAURENCE E. 1,661.63 03/30/10 VOID 2588  
51084 03/23/10 B0170 BLOOMSTEAD, SCOTT 160.00 2588  
51085 03/23/10 B0177 BUD CONCRETE, INC 8,910.00 2588  
51086 03/23/10 C0021 CIVIL SOLUTION A DIVISION 1,285.00 2588  
51087 03/23/10 C0060 CAPRIONI'S PORTABLE TOILETS 989.00 2588  
51088 03/23/10 C0068 COMCAST 169.29 2588  
51089 03/23/10 C0116 CINTAS CORPORATION 115.07 2588  
51090 03/23/10 C0130 CHIEF SUPPLY CORP. 198.17 2588  
51091 03/23/10 C0131 CINTAS FIRST AID & SAFETY 38.95 2588  
51092 03/23/10 C0146 COLLINS IRON WORKS, INC. 54.72 2588  
51093 03/23/10 C0171 COLONIAL ELECTRIC SUPPLY CO. 744.57 2588  
51094 03/23/10 C0179 CONRAD, FRANK 149.00 2588  
51095 03/23/10 C0223 CASA PAYROLL SERVICE 219.45 2588  
51096 03/23/10 D0077 DIETRICH,PAUL 710.00 2588  
51097 03/23/10 F0002 FENTON, JOSEPH III 189.00 2588  
51098 03/23/10 G0094 GRUBB, JON 78.00 2588  
51099 03/23/10 G0132 GFOANJ/CHRISTIAN R. JOHANSEN 60.00 2588  
51100 03/23/10 H0019 HARPER, GARY 216.00 2588  
51101 03/23/10 H0083 HUBER LOCKSMITHS, INC. 90.00 2588  
51102 03/23/10 J0033 JANKOWSKI,MATTHEW 400.00 2588  
51103 03/23/10 K0037 KOHLER, JOHN F 261.44 2588  
51104 03/23/10 L0072 LLOYD, JOEL 240.91 2588  
51105 03/23/10 L0080 LOWES, INC. 250.99 2588  
51106 03/23/10 M0021 MASER CONSULTING, P.A. 2,232.50 2588  
51107 03/23/10 M0046 MASON, DAVID 186.16 2588  
51108 03/23/10 M0055 MAY, JUDITH 58.00 2588  
51109 03/23/10 M0057 MEYERS, GEORGE 216.00 2588  
51110 03/23/10 M0103 MODERN GAS COMPANY, INC. 801.13 2588  
51111 03/23/10 M0170 MURRAY, TIM 216.00 2588  
51112 03/23/10 M0216 MID ATLANTIC SALT 14,426.68 2588  
51113 03/23/10 M0219 MYERS, EVAN 60.00 2588  
51114 03/23/10 N0052 NATL YOUTH SPORTS COACHED ASSN 100.00 2588  
51115 03/23/10 N0070 NIA GROUP ASSOCIATES, LLC 2,500.00 2588  
51116 03/23/10 N0088 N.J. CONFERENCE OF MAYORS 150.00 2588  
51117 03/23/10 N0091 NJ LOCAL BOARD OF HEALTH ASSOC 95.00 2588  
51118 03/23/10 N0129 NJ ASSOC OF CONSERV DIST INC 150.00 2588  
51119 03/23/10 O0038 OSBORN, JAMES 112.50 2588  
51120 03/23/10 P0036 PENNELLO,DAVID 270.17 2588  
51121 03/23/10 P0063 PAONE, LOU 144.00 2588  
51122 03/23/10 P0064 PITNEY BOWES 210.00 2588  
51123 03/23/10 P0075 POSITIVE PROMOTIONS INC 411.28 2588  
51124 03/23/10 R0030 RIGGINS, INC. 3,924.53 2588  
51125 03/23/10 R0092 RUTGERS, THE STATE UNIVERSITY 150.00 2588  
51126 03/23/10 S0092 SHONE, LEROY 174.00 2588  
51127 03/23/10 S0239 SHORE VET. ANIMAL CONTROL 2,000.00 2588  
51128 03/23/10 S0242 SANDERSON, ERIC 45.00 2588  
51129 03/23/10 T0020 TERWILLIGER, DUANE E. 150.00 2588  
51130 03/23/10 T0032 THE PRESS & SUNDAY PRESS 59.85 2588  
51131 03/23/10 T0034 THE PAPER OF U.T./GAZETTE 432.00 2588  
51132 03/23/10 T0131 TROUT, ROSEMARY 29.94 2588  
51133 03/23/10 T0153 THE TREE SURGEON, LLC 500.00 2588  
51134 03/23/10 U0002 U.T. BASKETBALL ASSOCIATION 52.50 2588  
51135 03/23/10 U0011 UPPER TOWNSHIP BASEBALL 52.50 2588  
51136 03/23/10 U0012 U.T. SOCCER ASSOCIATION 105.00 2588  
51137 03/23/10 U0025 UNITED STATES POSTAL SERVICE 2,000.00 2588  
51138 03/23/10 U0033 UPPER TOWNSHIP HOCKEY ASSOC. 26.25 2588  
51139 03/23/10 U0034 UPPER TWP.GIRLS SOFTBALL ASSOC 78.75 2588  
51140 03/23/10 V0005 VAN EMBDEN, NATHAN, ATTORNEY 1,200.00 2588

51141 03/23/10 V0022 VERIZON 1,893.12 2588  
51142 03/23/10 W0026 WEINSTEIN SUPPLY CORP. 303.32 2588  
51143 03/23/10 Y0012 YOUNG,ROBERT 22.00 2588  
51144 03/23/10 TAX02010 TAX OVERPAYMENT LUMP SUM 738.16 2589  
51145 03/30/10 B0076 BOND,LAURENCE E. 1,661.63 2588  
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Total Paid---\$219,396.86

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