

**TOWNSHIP OF UPPER  
2100 TUCKAHOE ROAD  
PETERSBURG, NJ 08270  
CAPE MAY COUNTY  
MINUTES FOR DECEMBER 19, 2022**

**REGULAR MEETING OF THE TOWNSHIP COMMITTEE – 6:30 P.M.**

**CALL TO ORDER**

**SUNSHINE ANNOUNCEMENT**

Mayor Corson read the following Open Public meeting notice into the record:

“In compliance with the Open Public Meetings Law, I wish to state that on December 16, 2022, the notice of this meeting of the Upper Township Committee was posted on the official Township Bulletin Board, the Upper Township Website, and mailed to the Cape May County Gazette, the Atlantic City Press, the Ocean City Sentinel-Ledger, the Herald Times and filed with the Township Clerk. Tonight’s meeting is being audio recorded up until the closed session portion of this meeting and will be available on the Upper Township website. I hereby direct that this announcement be made a part of the minutes of this meeting.”

**SALUTE TO THE FLAG**

**ROLL CALL**

John Coggins	Present
Kimberly R. Hayes	Present
Jay Newman	Present
Mark E. Pancoast	Present
Curtis T. Corson, Jr.	Present

Also present were Municipal Clerk Joanne Herron, Chief Financial Officer Barbara Ludy, Municipal Engineer Paul Dietrich, Township Administrator Gary DeMarzo, and substitute Municipal Attorney Andrew Catanese.

**APPROVAL OF MINUTES** - December 12, 2022 Regular and Closed Session Minutes

Motion by Jay Newman, second by Kimberly Hayes, to approve the December 12, 2022, Regular and Closed Session Minutes as submitted. During roll call vote four Committee members voted in the affirmative. Committeeman Coggins abstained.

**REPORT OF GOVERNING BODY MEMBERS**

**John Coggins, Committeeman**, wished everyone a Merry Christmas, Happy Hanukah, Happy New Year, and happy holiday season.

**Kimberly Hayes, Committeewoman**, seconded Mr. Coggins’ holiday wishes.

**Jay Newman, Committeeman**, also wished everyone a Merry Christmas and Happy New Year and implored everyone to be safe.

**Mark Pancoast, Committeeman**, also wished all a Merry Christmas and safe holiday season. He next reported that Public Works will complete their third and final round of leaf collection tomorrow and stated that 1,276.5 tons of leaves have been collected since November 15<sup>th</sup>.

**Curtis Corson, Mayor**, wished everyone a safe and happy holiday season and new year.

## **ADMINISTRATOR OVERVIEW AND FILING OF REPORTS**

**Gary DeMarzo, Township Administrator**, gave a brief update on the rumble strips on Stagecoach Road and stated that the Township continues to work with the County to resolve the issue. Lastly, he reminded everyone that it is budget season, and stated he is continuing to work with the state to resolve the Route 50 emergency beacon issue.

**Joanne Herron, Municipal Clerk**, thanked Committeeman Coggins for his leadership the past nine years.

**Barbara Ludy, Chief Financial Officer**, also thanked Committeeman Coggins and stated it's been a pleasure working with him the past nine years.

## **PRESENTATIONS**

**Mayor Corson and the Township Committee members presented the following honoring Resolutions and congratulated and thanked each recipient.**

1. Honoring Kyle Lindholm on being named the 2022 Cape May County Volunteer of the Year and the 2022 Upper Township Citizen of the Year.

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

#### **RESOLUTION NO. 343-2022**

#### **HONORING KYLE LINDHOLM ON BEING NAMED THE 2022 CAPE MAY COUNTY VOLUNTEER OF THE YEAR AND THE 2022 UPPER TOWNSHIP CITIZEN OF THE YEAR**

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**WHEREAS**, Kyle Lindholm was chosen as the “2022 Cape May County Volunteer of the Year” by the Governor’s Council on Alcoholism and Drug Abuse, and as the “2022 Upper Township Citizen of the Year” by the Ocean City-Upper Township Rotary Club; and

**WHEREAS**, Kyle, along with members of the Upper Township Rescue Squad, created the first annual Upper Township First Responders Youth Camp; and

**WHEREAS**, through Kyle’s vision and tireless dedication the free camp was started for local at-risk youths and provided a week full of fun activities and trips to learn about the day-to-day operations of the Rescue Squad and important life skills; and

**WHEREAS**, Kyle has been a volunteer for more than half his life, starting at the age of 14 as a cadet member of his local volunteer rescue squad; at age 16 he completed EMT school and became a volunteer EMT and also joined his local fire company as a volunteer junior firefighter; and at age 18 he successfully graduated from fire school and became a volunteer firefighter/EMT; and

**WHEREAS**, through dedication and skill Kyle quickly rose through the ranks and

currently serves as Chief of the Rio Grande Rescue Squad, Lieutenant in the Cape May Court House Volunteer Fire Company, and an EMT with the Township of Upper; and

**WHEREAS**, it is fitting and proper that we honor Kyle for his generous contribution of time, knowledge, and expertise to our community.

**NOW THEREFORE BE IT RESOLVED** that this Township Committee on behalf of all citizens of the Township of Upper extend to our friend, Kyle Lindholm, congratulations on being named the “2022 Cape May County Volunteer of the Year” and the “2022 Upper Township Citizen of the Year” and express our heartfelt gratitude and appreciation for his dedicated service to Upper Township.

**GIVEN UNDER OUR HANDS** and the seal of the Township of Upper this 28<sup>th</sup> day of November, 2022.

2. Honoring Barbara Young, Municipal Clerk of the Township of Upper, on her retirement.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 357-2022**

**HONORING BARBARA YOUNG, MUNICIPAL CLERK OF THE  
TOWNSHIP OF UPPER, ON HER RETIREMENT**

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**WHEREAS**, on December 1, 2022 Barbara Young retired as Municipal Clerk of the Township of Upper after twenty-eight years of exemplary public service to this community; and

**WHEREAS**, in 1994 Barbara began her employment with the Township of Upper as a Building Maintenance Worker, was appointed as a Clerk-Typist in the Municipal Clerk’s office in 2002, promoted to Deputy Clerk in 2008, and appointed as Municipal Clerk in 2012; and

**WHEREAS**, throughout her years of public service, Barbara has faithfully and diligently executed her duties with dignity, grace, and compassion; and

**WHEREAS**, through her dedication and skill, Barbara has positively impacted the lives of the residents of this Township, and has served as an inspiration to her fellow employees; and

**WHEREAS**, it is most appropriate that Barbara’s tenure of public employment and her years of faithful and dedicated service to this Township be publicly recognized; 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 Barbara Young be publicly congratulated on the occasion of her retirement as Municipal Clerk of the Township of Upper.
2. That she be publicly thanked for her many years of dedicated public service to our community.
3. That this Committee, on behalf of all the citizens of the Township of Upper, extend to our Municipal Clerk, our fellow employee, and our friend Barbara Young our very best of wishes on her retirement and her future.

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

12<sup>th</sup> day of December, 2022.

3. Honoring Robert J. Young, Sr. for his dedicated service to the Upper Township Planning Board.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 358-2022**

**RE: HONORING ROBERT J. YOUNG, SR. FOR HIS DEDICATED SERVICE  
TO THE UPPER TOWNSHIP PLANNING BOARD**

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**WHEREAS**, Robert J. Young, Sr. has decided to step down from his position on the Upper Township Planning Board, where he has served with distinction since January 1, 2016; and

**WHEREAS**, the Township Committee wishes to thank Robert for his invaluable service as a member of the Planning Board; and

**WHEREAS**, it is most appropriate that we honor Robert for his generous contribution of time, knowledge, and expertise to our community; 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, that we extend to Robert J. Young, Sr. our heartfelt thanks and gratitude for his commitment, leadership, and public service to this Township and wish him well in his future endeavors.

**GIVEN UNDER OUR HANDS** and the seal of the Township of Upper this 12<sup>th</sup> day of December, 2022.

4. In recognition and appreciation of Committeeman John Coggins for his dedicated public service to the Township of Upper.

**RESOLUTION**  
**RESOLUTION NO. 373-2022**

**RE: IN RECOGNITION AND APPRECIATION OF  
COMMITTEEMAN JOHN COGGINS  
FOR HIS DEDICATED PUBLIC SERVICE TO THE TOWNSHIP OF UPPER**

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**WHEREAS**, effective January 1, 2023, Committeeman John Coggins will depart his seat on the Upper Township Committee where he has served with integrity, good faith, and dedication from January 2014 to the present; and

**WHEREAS**, during his public service to the Township he has served as the Township's Director of Revenue and Finance, Municipal Court, and Personnel; and was a founding member and Committee liaison to the Economic Development Advisory Commission; and

**WHEREAS**, it is most appropriate that John's tenure of public service, commitment, and leadership to the Township are publicly recognized and that this Township Committee extends its sincere appreciation to John.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Upper, in the County of Cape May and State of New Jersey, that we extend our deepest thanks to John Coggins for his years of dedicated public service as Township Committee Member and acknowledge his continued dedication and desire to serve the residents of Upper Township.

**BE IT FURTHER RESOLVED**, that this Committee extends to our colleague and friend, John Coggins, our very best wishes for continued happiness, good health, and success in all of his future endeavors.

**GIVEN UNDER OUR HANDS** and the seal of the Township of Upper this 19<sup>th</sup> day of December, 2022.

Resolution No. 373-2022

Offered by: Newman

Seconded by: Hayes

Adopted: December 19, 2022

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Coggins			X	
Hayes	X			
Newman	X			
Pancoast	X			
Corson	X			

**CONSENT AGENDA:**

**ALL RESOLUTIONS LISTED BELOW ARE CONSIDERED TO BE ROUTINE IN NATURE AND WILL BE ENACTED BY ONE MOTION. IF THE MAYOR OR ANY COMMITTEE MEMBER WISHES A PARTICULAR RESOLUTION TO BE CONSIDERED SEPARATELY, IT WILL BE REMOVED FROM THE CONSENT AGENDA AND ACTED ON SEPARATELY.**

**RESOLUTIONS-CONSENT AGENDA**

5. Authorizing the Mayor to sign a Historic Preservation Grant Agreement with the County of Cape May for the preservation of the Gandy House roof.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 374-2022**

**RE: AUTHORIZING THE MAYOR TO SIGN A HISTORIC PRESERVATION  
GRANT AGREEMENT WITH THE COUNTY OF CAPE MAY FOR THE  
PRESERVATION OF THE GANDY HOUSE ROOF**

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**WHEREAS**, the County of Cape May has established the Cape May County Open Space, Recreational, Farmland, and Historic Preservation Trust Fund to assist municipalities and qualified charitable conservancies in acquiring, preserving, and maintaining open space, recreation, farmland, and historic preservation properties; and

**WHEREAS**, in an effort to find assistance with preserving the Gandy House as a historic structure and continuing to make the facility open to the public to learn about the history of our community, the Township of Upper has applied for a Historic Preservation Trust Fund Grant for the preservation of the Gandy House roof; and

**WHEREAS**, the Township of Upper has been awarded a Historic Preservation Trust Fund grant in an amount not to exceed \$29,500.00; and

**WHEREAS**, the Township Committee gratefully accepts this grant award on behalf of the Township of Upper.

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Mayor and Township Clerk are hereby authorized, directed, and empowered to execute the Historic Preservation Grant Agreement with the County of Cape May.
3. All Township officials, officers and employees are empowered to take such action

as may be necessary or advisable in order to carry out the intent and purpose of this Resolution.

Resolution No. 374-2022

Offered by: Newman

Seconded by: Pancoast

Adopted: December 19, 2022

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Coggins	X			
Hayes	X			
Newman	X			
Pancoast	X			
Corson	X			

6. Authorizing the Mayor to sign a Historic Preservation Grant Agreement with the County of Cape May for the preservation of the Tuckahoe Train Station roof.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 375-2022**

**RE: AUTHORIZING THE MAYOR TO SIGN A HISTORIC PRESERVATION  
GRANT AGREEMENT WITH THE COUNTY OF CAPE MAY FOR THE  
PRESERVATION OF THE TUCKAHOE TRAIN STATION ROOF**

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**WHEREAS**, the County of Cape May has established the Cape May County Open Space, Recreational, Farmland, and Historic Preservation Trust Fund to assist municipalities and qualified charitable conservancies in acquiring, preserving, and maintaining open space, recreation, farmland, and historic preservation properties; and

**WHEREAS**, in an effort to find assistance with preserving the Tuckahoe Train Station as a historic structure and continuing to make the facility open to the public to learn about the history of our community, the Township of Upper applied for a Historic Preservation Trust Fund Grant for the preservation of the Tuckahoe Train Station roof; and

**WHEREAS**, the Township of Upper has been awarded a Historic Preservation Trust Fund grant in an amount not to exceed \$35,500.00; and

**WHEREAS**, the Township Committee gratefully accepts this grant award on behalf of the Township of Upper.

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

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

2. The Mayor and Township Clerk are hereby authorized, directed, and empowered to execute the Historic Preservation Grant Agreement with the County of Cape May.

3. All Township officials, officers and employees are empowered to take such action as may be necessary or advisable in order to carry out the intent and purpose of this Resolution.

Resolution No. 375-2022

Offered by: Newman

Seconded by: Pancoast

Adopted: December 19, 2022

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Coggins	X			
Hayes	X			
Newman	X			
Pancoast	X			
Corson	X			

7. Authorizing a contract with TAG Consulting Group for maintenance of the Township's fixed assets accounting and reporting system.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 376-2022**

**RE: AUTHORIZING A CONTRACT WITH TAG CONSULTING GROUP  
FOR MAINTENANCE OF THE TOWNSHIP'S  
FIXED ASSETS ACCOUNTING AND REPORTING SYSTEM**

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**WHEREAS**, TAG Consulting Group has submitted a proposal to the Township for maintenance of the Township's Fixed Assets Accounting and Reporting System; and

**WHEREAS**, the Township wishes to accept said proposal and to authorize a contract with TAG Consulting Group; and

**WHEREAS**, the total amount to be paid for the goods and/or services will not exceed the bid threshold of the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-3) and the contract has been approved by the Township's Qualified Purchasing Agent; and

**WHEREAS**, TAG Consulting Group has completed and submitted a Business Entity Disclosure Certification which certifies that TAG Consulting Group has not made any reportable contributions to a political or candidate committee in the Township that would bar the award of this contract and that the contract will prohibit TAG Consulting Group from making any reportable contributions through the term of the contract; and



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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Mayor and Township Clerk are hereby authorized, directed and empowered to enter into a contract with TAG Consulting Group attached hereto as Exhibit "A", for maintenance of the Township's fixed assets accounting and reporting system.
3. TAG Consulting Group has registered with the State of New Jersey pursuant to c.57, Laws of 2004 and has provided proof of that registration to the Township of Upper.
4. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 376-2022

Offered by: Newman

Seconded by: Pancoast

Adopted: December 19, 2022

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Coggins	X			
Hayes	X			
Newman	X			
Pancoast	X			
Corson	X			

8. Authorizing an employee bonus.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 377-2022**

**RE: AUTHORIZING AN EMPLOYEE BONUS**

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**WHEREAS**, in accordance with Ordinance No. 18-2021, known as the salary ordinance for the calendar year 2022, Section 2-I, the Township Committee may award certain employees a bonus for additional work not to exceed a total amount of \$5,000.00 for the year; and

**WHEREAS**, a resolution authorizing and setting forth the amount of the bonus is required; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. A bonus in the amount of \$3,600.00 is hereby awarded to Barbara Young for the year 2022.

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

Resolution No. 377-2022

Offered by: Newman

Seconded by: Pancoast

Adopted: December 19, 2022

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Coggins	X			
Hayes	X			
Newman	X			
Pancoast	X			
Corson	X			

9. Authorizing Township officials to sign agreements with OceanFirst Bank N.A. for various accounts with regard to banking services effective January 1, 2023.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 378-2022**

**RE: AUTHORIZING TOWNSHIP OFFICIALS TO SIGN AGREEMENTS  
WITH OCEANFIRST BANK N.A. FOR VARIOUS ACCOUNTS  
WITH REGARD TO BANKING SERVICES EFFECTIVE JANUARY 1, 2023**

**WHEREAS**, the Township of Upper has designated OceanFirst Bank N.A. as an approved depository for the Municipality's funds for the performance of banking transactions; and

**WHEREAS**, OceanFirst Bank N.A. has provided to the Township agreements for various accounts effective January 1, 2023; and

**WHEREAS**, the Township wishes to accept and authorize the appropriate officials to execute the agreements with OceanFirst Bank N.A.; and

**WHEREAS**, the agreements have been reviewed and approved by the Chief Financial Officer and will be attached hereto and made a part of this Resolution; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The agreements between the Township and OceanFirst Bank N.A. are hereby approved and all appropriate and necessary Township officials are hereby authorized, directed and empowered to execute said agreements on behalf of the Township of Upper.

3. The Township Clerk is further authorized, directed, and empowered to sign and seal said Agreements with the seal of the Township of Upper.

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

Resolution No. 378-2022

Offered by: Newman                      Seconded by: Pancoast

Adopted: December 19, 2022

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Coggins	X			
Hayes	X			
Newman	X			
Pancoast	X			
Corson	X			

10. Authorizing the use of facsimile signatures for banking services with OceanFirst Bank N.A. for the Payroll account effective January 1, 2023.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 379-2022**

**RE: AUTHORIZING THE USE OF FACSIMILE SIGNATURES FOR  
BANKING SERVICES WITH OCEANFIRST BANK N.A. FOR THE  
PAYROLL ACCOUNT EFFECTIVE JANUARY 1, 2023**

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**WHEREAS**, the Township of Upper desires to have its checks, drafts or other orders for the payment or withdrawal of money from the Payroll Account, up to a maximum amount of \$100,000.00, signed with facsimile signatures; and

**WHEREAS**, the Township of Upper realizes that it is impossible for OceanFirst Bank N.A. (hereinafter referred to as the “Bank”) to determine whether or not a genuine facsimile signature has been affixed by an authorized person or means; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Bank, as a designated depository of the Township of Upper, is hereby requested, authorized and directed to honor any and all checks, drafts, or other orders for the payment or withdrawal of money up to a maximum amount of \$100,000.00, drawn in the Township of Upper’s name, including those drawn to the individual order of the authorized person or persons whose name or names appear thereon as a signer or

signers thereof, when bearing the facsimile signature(s), attached hereto as Exhibit A, whether made by machine or other mechanical device.

3. The Bank shall be entitled to pay and charge to the Payroll account of the Township of Upper any and all such checks, drafts, wire transfers or other orders, up to a maximum amount of \$100,000.00, regardless of by whom or by what means the attached facsimile signature(s) thereon may have been affixed thereto.
4. The Township of Upper assumes full responsibility for all payments made by the Bank in good faith in reliance upon the attached facsimile signature(s) of such person or person(s) and agrees to indemnify and hold harmless the Bank, its successors, agents and employees for any loss which may result in connection with transactions made by use of facsimile signatures, due to unauthorized use of the facsimile signature or otherwise, where such transactions were handled by the Bank without negligence.
5. The Chief Financial Officer of the Township of Upper is hereby authorized and directed to furnish to the Bank the attached specimen(s) of the facsimile signature(s) effective January 1, 2023.
6. This Resolution shall continue and remain in full force and effect until notice of its revocation by further Resolution of the Township Committee of the Township of Upper has been received in writing by the Bank.

Resolution No. 379-2022

Offered by: Newman

Seconded by: Pancoast

Adopted: December 19, 2022

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Coggins	X			
Hayes	X			
Newman	X			
Pancoast	X			
Corson	X			

11. Authorizing the use of facsimile signatures for banking services with OceanFirst Bank N.A. for the Current Fund and Operating Fund accounts effective January 1, 2023.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 380-2022**

**RE: AUTHORIZING THE USE OF FACSIMILE SIGNATURES FOR  
BANKING SERVICES WITH OCEANFIRST BANK N.A. FOR THE CURRENT FUND  
AND OPERATING FUND ACCOUNTS EFFECTIVE JANUARY 1, 2023**

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**WHEREAS**, from time to time, the Township of Upper desires to have its checks, drafts or other orders for the payment or withdrawal of money from the Current Fund and Operating Fund Accounts, up to a maximum amount of \$2,500,000.00, signed with facsimile signatures; and

**WHEREAS**, the Township of Upper realizes that it is impossible for OceanFirst Bank

N.A. (hereinafter referred to as the “Bank”) to determine whether or not a genuine facsimile signature has been affixed by an authorized person or means; 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:

7. The allegations of the preamble are incorporated herein by this reference.
8. The Bank, as a designated depository of the Township of Upper, is hereby requested, authorized and directed to honor any and all checks, drafts, or other orders for the payment or withdrawal of money up to a maximum amount of \$2,500,000.00, drawn in the Township of Upper’s name, including those drawn to the individual order of the authorized person or persons whose name or names appear thereon as a signer or signers thereof, when bearing the facsimile signature(s), attached hereto as Exhibit A, whether made by machine or other mechanical device.
9. The Bank shall be entitled to pay and charge to the Current Fund and Operating Fund accounts of the Township of Upper any and all such checks, drafts, wire transfers or other orders, up to a maximum amount of \$2,500,000.00, regardless of by whom or by what means the attached facsimile signature(s) thereon may have been affixed thereto.
10. The Township of Upper assumes full responsibility for all payments made by the Bank in good faith in reliance upon the attached facsimile signature(s) of such person or person(s) and agrees to indemnify and hold harmless the Bank, its successors, agents and employees for any loss which may result in connection with transactions made by use of facsimile signatures, due to unauthorized use of the facsimile signature or otherwise, where such transactions were handled by the Bank without negligence.
11. The Chief Financial Officer of the Township of Upper is hereby authorized and directed to furnish to the Bank the attached specimen(s) of the facsimile signature(s) effective January 1, 2023.
12. This Resolution shall continue and remain in full force and effect until notice of its revocation by further Resolution of the Township Committee of the Township of Upper has been received in writing by the Bank.

Resolution No. 380-2022

Offered by: Newman

Seconded by: Pancoast

Adopted: December 19, 2022

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Coggins	X			
Hayes	X			
Newman	X			
Pancoast	X			
Corson	X			

12. Certification of costs for abatement of nuisance on Block 566, Lot 7.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY**

**RESOLUTION**

**RESOLUTION NO. 381-2022**

**CERTIFICATION OF COSTS FOR ABATEMENT OF NUISANCE  
ON BLOCK 566, LOT 7**

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

**WHEREAS**, in accordance with Township Code, the Code Enforcement Officer served a notice of violation of Section 11-1.9 (Grass, Weeds and Debris), to the property owner/agent of Block 566, Lot 7; and

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

**WHEREAS**, pursuant to Township Code Section 11-1.19(a) and N.J.S.A. 40:48-2.14, the Code Enforcement Officer has certified the costs of remedying the said violations as set forth on the attached list; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township Committee hereby declares that the costs as set forth on the attached list shall be certified to the Township Tax Collector as a lien against the properties in question which lien shall become and form a part of the taxes assessed and levied upon the properties pursuant to Township Code Section 11-1.19(b) and N.J.S.A. 40:48-2.14.
3. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 381-2022

Offered by: Newman

Seconded by: Pancoast

Adopted: December 19, 2022

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Coggins	X			
Hayes	X			
Newman	X			
Pancoast	X			
Corson	X			

**ABATEMENT OF GRASS, WEEDS, AND DEBRIS**

<b><u>BLOCK/LOT</u></b>	<b><u>LOCATION</u></b>	<b><u>COST</u></b>	<b><u>ADMIN FEE</u></b>	<b><u>TOTAL</u></b>
566/7	6 Edward Terrace	\$150.00	\$30.00	\$180.00

13. Adopting revisions to the Upper Township Personnel Policies and Procedures Manual.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 382-2022**

**RE: ADOPTING REVISIONS TO THE UPPER TOWNSHIP  
PERSONNEL POLICIES AND PROCEDURES MANUAL**

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**WHEREAS**, the Township Committee of the Township of Upper has determined there is a need to adopt revisions to the Township’s Personnel Policies and Procedures Manual (the “Manual”) to revise the section entitled “Paid Holiday Policy” (the “Policy”) and the section entitled “Upper Township Division of Emergency Medical Services (EMS) Standard Operating Policies and Procedures” (the “EMS SOPs”); and

**WHEREAS**, the Township Committee of the Township of Upper has reviewed and approved the revisions to the Policy attached hereto as Exhibit A; and

**WHEREAS**, the Township Committee of the Township of Upper has reviewed and approved the revisions to the EMS SOPs attached hereto as Exhibit B; and

**WHEREAS**, the Township Committee has determined that these revisions should be adopted to revise the existing Manual; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The revisions to the Manual set forth in the attached Exhibit A and Exhibit B are hereby adopted and approved and modify the existing personnel policies, procedures, manuals and handbooks of the Township. Said revisions contained in Exhibit A shall replace in its entirety the Policy set forth in the Manual. Said revisions contained in Exhibit B shall replace in its entirety page 5 of the EMS SOPs set forth in the Manual. These revisions to the Manual shall be effective as of December 31, 2022.

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

Resolution No. 382-2022

Offered by: Newman

Seconded by: Pancoast

Adopted: December 19, 2022

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Coggins	X			
Hayes	X			
Newman	X			
Pancoast	X			
Corson	X			

14. Cancelling grant balances.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 383-2022**

**RE: CANCELLING GRANT BALANCES**

**WHEREAS**, there exists Grant Receivables and Grant Reserves on the Balance Sheet;  
and

**WHEREAS**, it is necessary to formally cancel the receivable balance and their offsetting appropriation balance from the balance sheet.

**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 Township Committee hereby authorizes the following grant receivable and appropriation balances be cancelled:

Grant	Cancel Appropriation Amount	Cancel Receivable Amount
FEMA Energy Mitigation Grant	\$23,660.00	\$23,660.00
FEMA Energy Mitigation Grant-2018	5,800.00	
FEMA Energy Mitigation Grant-2019	\$20,003.63	
FEMA Energy Mitigation Grant-2020	\$660.00	\$15,000.00
NJ Hazardous Site Remediation	\$68,261.50	\$94,935.00
Sustainable Jersey Grant	\$361.12	
Main Street Market Assessment	86.00	\$86.00

2. This resolution shall take effect immediately.



Resolution No. 383-2022

Offered by: Newman

Second by: Pancoast

Adopted: December 19, 2022

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Coggins	X			
Hayes	X			
Newman	X			
Pancoast	X			
Corson	X			

15. Budget transfers.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 384-2022**

**RE: BUDGET TRANSFERS**

**WHEREAS**, budgetary transfers between line items can be made after November 1<sup>st</sup>; and

**WHEREAS**, it is necessary to make transfers between certain line items of the Municipal Budget of the Township of Upper.

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

1. The following transfers between line items in the Municipal Budget of the Township of Upper shall be made immediately:

<u>TO</u>	<u>FROM</u>
MAYOR & COMMITTEE O/E \$600.00	FINANCE ADMIN. S/W \$13,100.00
DIVISION OF EMS S/W \$6,000.00	RECYCLING S/W \$12,500.00
PUBLIC BLDGS & GRDS S/W \$3,000.00	
PUBLIC BLDGS & GRDS O/E \$12,500.00	
SPORTS & RECREATION O/E \$3,000.00	
DCRP \$500.00	

Resolution No. 384-2022

Offered by: Newman

Seconded by: Pancoast

Adopted: December 19, 2022

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Coggins	X			
Hayes	X			

Newman	X			
Pancoast	X			
Corson	X			

**ORDINANCES**

16. Public hearing and final adoption of Ordinance No. 028-2022 RE: AN ORDINANCE ESTABLISHING SALARIES FOR THE TOWNSHIP OF UPPER FOR THE CALENDAR YEAR 2023. **During the public hearing portion there was the following speaker:**

**Janet McMahon, Marmora, stated that she has reviewed the Ordinance and questioned the maximum salaries proposed for 2023. It was stated that the Ordinance is a range with the maximum salary not reflecting the exact salary of an employee. She also questioned the number of employees in the Township.**

**There being no more speakers, Mayor Corson then closed the public hearing. Motion by Jay Newman, second by Kimberly Hayes, to adopt Ordinance No. 028-2022. During roll call vote four Committee members voted in the affirmative. John Coggins abstained.**

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
O R D I N A N C E**

**ORDINANCE NO. 028-2022**

**AN ORDINANCE ESTABLISHING SALARIES FOR THE TOWNSHIP  
OF UPPER FOR THE CALENDAR YEAR 2023**

---

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

**SECTION 1: TITLE:** This Ordinance shall be known as the Salary Ordinance of 2023.

**SECTION 2: SALARIES:** Salaries for the various officials and employees of the Township of Upper for the calendar year 2023 shall be as follows:

<u>POSITION</u> (P/T denotes "Part-Time Position")	<u>MINIMUM</u>	<u>MAXIMUM- 2023</u>
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**A. ADMINISTRATIVE / REVENUE AND FINANCE:**

Mayor	\$3,750.00	\$6,000.00
Township Committee Member	7,000.00	13,500.00
Township Tax Assessor	7,500.00	100,000.00
Deputy Tax Assessor	No Min.	3,000.00
Township Tax Collector	15,000.00	100,000.00
Deputy Tax Collector	No Min.	3,000.00
Township Clerk	15,000.00	100,000.00
Deputy Township Clerk (P/T)	No Min.	3,000.00
Township Administrator	12,500.00	100,000.00
Keyboarding Clerk 2	15,000.00	75,000.00
Keyboarding Clerk 1	15,000.00	70,000.00
Keyboarding Clerk 1 (P/T)	10.00 Hr.	30.00 Hr.
Keyboarding Clerk 1 (MAC)	No Min	4,950.00

Township Engineer	50,000.00	130,000.00
Chief Financial Officer	42,000.00	100,000.00
Purchasing Agent	35.00 Hr.	45.00 Hr.
Purchasing Agent/QPA	No Min.	5,000.00
Assistant Finance Officer	No Min.	3,000.00
Registrar of Vital Statistics/CMR(P/T)	No Min.	5,000.00
Deputy Reg. Vital Statistics (P/T)	No Min.	3,000.00
Alt. Deputy Reg. Vital Statistics (P/T)	No Min.	3,000.00
Public Information Officer	No Min.	10,000.00
Data Information Coordinator/COOP	No Min.	3,500.00
Fund Commissioner	No Min.	2,000.00
Claims Coordinator	No Min.	2,000.00
Mun. Improvement Official (P/T)	No Min.	1,850.00
Tax Search Officer (P/T)	No Min.	1,850.00
Director of Public Asst. (P/T)	No Min.	1,000.00
Personnel Officer	5,000.00	100,000.00
Asst. Personnel Officer (P/T)	No Min.	7,000.00
Benefits Coordinator(P/T)	No Min.	10,000.00
Computer Director	No Min.	1,500.00
Safety Coordinator	No Min.	3,500.00
Ass't Safety Coordinator	No Min.	1,500.00
Municipal Housing Liaison	No Min.	2,500.00
Floodplain Manager	No Min.	1,000.00
Passport Acceptance Agent	No Min.	1,000.00
Wellness Coordinator	No Min.	2,000.00

**B. MUNICIPAL COURT:**

Municipal Judge (P/T)	15,000.00	60,000.00
Municipal Court Administrator	15,000.00	100,000.00
Deputy Mun. Court Administrator	15,000.00	78,000.00
Municipal Prosecutor (P/T)	No Min.	50,000.00
Court Attendant (P/T)	No Min.	250.00/session
Municipal Public Defender (P/T)	No Min.	30,000.00

**C. CODE ENFORCEMENT / ZONING ENFORCEMENT:**

Construction Official	15,000.00	108,000.00
Building Subcode Official (P/T)	No Min.	7,000.00
Electrical Subcode Official (P/T)	No Min.	38,000.00
Electrical Inspector (P/T)	No Min.	30,000.00
Fire Sub-Code Off. (P/T)	No Min.	4,900.00
Zoning Officer	No Min.	70,000.00
Zoning Officer (P/T)	No Min.	5,000.00
Assistant Zoning Officer (P/T)	No Min.	3,000.00
Code Enforcement Officer	No Min.	5,000.00
Code Enforcement Officer (P/T)	No Min.	35.00/hour
Housing Officer/Code Enforce. (P/T)	No Min.	35.00/hour
Fire Prevention Official (P/T)	No Min.	3,000.00
Plumbing Sub-Code Official (P/T)	No Min.	38,000.00

Plumbing Inspector (P/T)	No Min.	6,600.00
Fire Protection Subcode Official (P/T)	No Min.	25,000.00
Fire Protection Inspector (P/T)	No Min.	5,000.00
Temp. Const. Code/Building Subcode Official	No Min.	35.00/hour
Temp. Construction Official	No Min.	35.00/hour
Temp. Elect. Subcode Official/Inspector	No Min.	43.00/hour
Temp. Plumbing Subcode Official	No Min.	35.00/hour
Temp. Fire Protection Subcode Official	No Min.	35.00/hour
Technical Assistant to the Construction Official	No Min.	70,000.00

**D. PUBLIC SAFETY / EMERGENCY MANAGEMENT:**

Mun. Emerg. Management Coord. (P/T)	No Min.	35,000.00
Coord. 911 Emerg. Response, RTK	No Min.	2,000.00
Deputy Right to Know	No Min.	1,000.00
Deputy Dir. Emerg. Mgt. (P/T)	No Min.	4,100.00
Asst. Emerg. Mgt. (P/T)	No Min.	1,200.00
Parking Enforcement Officer		17.00 Hr.
Lifeguard, 1st yr. to 2 <sup>nd</sup> yr. (Seasonal)		17.00 Hr.
Lifeguard, 3rd yr. to 4th yr. (Seasonal)		17.70 Hr.
Lifeguard, 5th yr. and higher (Seasonal)		18.00 Hr.
Hr. Lifeguard E.M.T.(Seasonal)		\$4.00 Per Day
Chief Lifeguard (Seasonal)		31.50 Hr.
Captain Lifeguard (Seasonal)		30.50 Hr.
Senior Lieutenant (Seasonal)		26.50 Hr.
Lieutenant Lifeguard (Seasonal)		24.50 Hr.
Senior Lifeguard (Seasonal)		21.25 Hr.
Emergency Medical Tech. –3 or more years	12,500.00	72,000.00
Emergency Medical Technician-2nd year	12,500.00	60,000.00
Emergency Medical Technician-1st year	12,500.00	55,000.00
Emergency Medical Technician (P/T)	No Min.	25.00 Hr. 1 <sup>st</sup> Yr
Emergency Medical Technician (P/T)	No Min.	25.50 Hr. 2 <sup>nd</sup> Yr
School Traffic Guard (P/T)		17.00 Hr.
Chief Emergency Medical Technician	12,500.00	95,000.00
Deputy Chief Emergency Medical Technician	12,500.00	85,000.00
Sr. Emergency Medical Technician	12,500.00	80,000.00
Supervising Emergency Medical Technician	12,500.00	82,000.00
Supervising Emergency Medical Technician (P/T)		Add'l \$1.00/Hr.

**E. PUBLIC WORKS / SPORTS AND RECREATIONAL PROGRAMS:**

Superintendent of Public Works	12,500.00	100,000.00
Public Works Superintendent	12,500.00	100,000.00
General Supervisor Public Works	12,500.00	100,000.00
Assistant Public Works Superintendent	12,500.00	95,000.00
Road Repairer Supervisor	12,500.00	95,000.00
Supervisor Sanitation	12,500.00	95,000.00
Supervising Mechanic	12,500.00	83,640.00
Supervising Carpenter	12,500.00	76,500.00
Road Repairer 3	12,500.00	85,000.00

Supervisor Equipment Operator	12,500.00	86,500.00
Supervisor Maintenance Repairer	12,500.00	86,500.00
Maintenance Supervisor, Grounds	12,500.00	86,500.00
Maintenance Worker 3, Grounds	12,500.00	76,500.00
Sr. Carpenter (0-9 yrs.)	No Min.	66,548.00
Sr. Carpenter (10 or more yrs.)	No Min.	67,608.00
Carpenter (0-9 yrs.)	No Min.	64,427.00
Carpenter (10 or more yrs.)	No Min.	65,487.00
Carpenter's Helper	No Min.	62,305.00
Senior Mechanic (0-9 yrs.)	No Min.	66,548.00
Senior Mechanic (10 or more yrs.)	No Min.	67,608.00
Mechanic (0-9 yrs.)	No Min.	64,427.00
Mechanic (10 or more yrs.)	No Min.	65,487.00
Mechanics Helper (0-9 yrs.)	No Min.	62,305.00
Mechanics Helper (10 or more yrs.)	No Min.	63,366.00
Equipment Operator (0-9yrs.)	No Min.	64,427.00
Equipment Operator (10 or more yrs.)	No Min.	65,487.00
Truck Driver, Heavy (0-9 yrs.)	No Min.	62,305.00
Truck Driver, Heavy (10 or more yrs.)	No Min.	63,366.00
Truck Driver (0-9 yrs.)	No Min.	60,182.00
Truck Driver (10 or more yrs.)	No Min.	61,244.00
Laborer 1, Probational	No Min.	33,280.00
Laborer 1, 1st year	No Min.	46,785.00
Laborer 1, 2nd year	No Min.	49,245.00
Laborer 1, 3rd year	No Min.	51,707.00
Laborer 1, 4th year	No Min.	54,169.00
Laborer 1, 5th year	No Min.	56,631.00
Laborer 1 (6-9 yrs.)	No Min.	58,511.00
Laborer 1 (10 or more yrs.)	No Min.	60,248.00
Laborer (P/T)	No Min.	16.00 Hr.
Laborer (Seasonal)	No Min.	16.00 Hr.
Sr. Sanitation Inspector	No Min.	67,608.00
Sanitation Inspector (0-9 yrs.)	No Min.	65,487.00
Sanitation Inspector (10 or more yrs.)	No Min.	66,548.00
Recycling Laborer	No Min.	46,785.00
Recycling Coordinator (P/T)	No Min.	5,700.00
Recycling Program Aide	No Min.	2,500.00
Assistant Recycling Coordinator (P/T)	No Min.	2,850.00
Building Maintenance Worker (0-9 yrs.)	No Min.	45,725.00
Building Maint. Worker (10 or more yrs.)	No Min.	46,785.00
Recreational Program Coordinator	No Min.	71,400.00
Maint. Worker 2, Grounds (0-9 yrs.)	No Min.	64,427.00
Maint. Worker 2, Grds (10 or more yrs.)	No Min.	65,487.00
Maintenance Repairer (0-9 yrs.)	No Min.	64,427.00
Maintenance Repairer (10 or more yrs.)	No Min.	65,487.00
Senior Maintenance Repairer	No Min.	66,548.00
Maint. Worker 1, Grounds (0-9 yrs.)	No Min.	62,305.00
Maint. Worker 1, Grds (10 or more yrs.)	No Min.	63,366.00
Recreation Leader	15,000.00	70,000.00

<b>Recreation Aide</b>	<b>No Min.</b>	<b>48,499.00</b>
<b>Recreation Aide (P/T)</b>	<b>No Min.</b>	<b>15.00/Hour</b>
<b>Beach Sweeper (Seasonal)</b>	<b>No Min.</b>	<b>17.00/Hour</b>
<b>Beach Inspector</b>	<b>No Min.</b>	<b>2,000.00</b>
<b>Playground Safety Inspector</b>	<b>No Min.</b>	<b>1,000.00</b>
<b>Boat Ramp Attendant</b>	<b>No Min.</b>	<b>16.00 Hr.</b>
<b>Skate Park Attendant</b>	<b>No Min.</b>	<b>15.00 Hr.</b>

**F. BOARD OF HEALTH / ZONING BOARD / PLANNING BOARD:**

<b>Secretary Planning Board</b>	<b>No Min.</b>	<b>55,000.00</b>
<b>Per Meeting</b>		<b>200.00</b>
<b>Secretary Zoning Board of Adjustment</b>	<b>No Min.</b>	<b>55,000.00</b>
<b>Per Meeting</b>		<b>200.00</b>
<b>Secretary Board of Health (P/T)</b>	<b>No Min.</b>	<b>550.00</b>

**G. TOWNSHIP COMMITTEE MEETING ATTENDANCE:** The Township Administrator, Township Clerk, and the Chief Financial Officer, in lieu of receiving compensatory time for attendance at meetings during non-business hours, will receive \$200.00 per meeting.

**H. MILEAGE:** The standard rate per mile in accordance with I.R.S. regulations.

**I. GIFT CARD AWARD OR BONUS:** In addition to the salary set forth in this Ordinance, the Township Committee may award any employee as a bonus a gift card or gift cards not to exceed a total amount of \$200.00 for the year. Said award shall be by approval of the Township Committee setting forth the amount and type of the gift card bonus. In addition to a gift card bonus, the Township Committee may award certain employees a bonus for additional work not to exceed a total amount of \$5,000.00 for the year. Said bonus shall be by resolution of the Township Committee setting forth the amount of the bonus.

**J. EDUCATIONAL CERTIFICATION PAY RAISE:** In addition to the salary set forth in this Ordinance upon resolution of the Township Committee, the Township Committee may give an increase in salary of \$1,000.00 to any employee that has satisfied educational certification requirements for his or her position in accordance with current Township policy. The Township Committee shall by resolution fix the pay increase in this regard and certify that the employee has satisfied the educational certification requirement.

**K. ADDITIONAL PAY TO CREW OF SANITATION VEHICLES:** Laborers employed in the collection of trash and assigned to the rear of a trash truck shall, in addition to any other compensation payable pursuant to this Ordinance, receive an additional sum to be known as “Hazardous Duty Pay”, which shall be payable at the rate of \$.25 per hour.

**L. ADDITIONAL PAY TO EMERGENCY MEDICAL TECHNICIANS (EMTs):** The most senior Emergency Medical Technician assigned to a shift where a supervisory employee is not also assigned to that shift, in addition to any other compensation payable pursuant to this Ordinance, shall receive an additional sum to be known as “Officer in Charge Pay”, which shall be payable at the rate of \$.50 per hour.

**M. OVERTIME PAY AND COMPENSATORY TIME:**

Supervisors and Department Heads as designated by the Township will not receive payment for required overtime work except supervisors in the Public Works Department will receive payment or compensatory time for overtime worked. Compensatory time will be earned for time exceeding the normal work week. No more than forty(40) hours of compensatory overtime may be carried from one calendar year to the next. Exceptions to this provision may be made on a case-by-case basis, by the Township Committee. Overtime for supervisors must be approved by the Township Committee person in charge of the Department or the Township Committee person in charge of Personnel.

**SECTION 3: LONGEVITY:** In addition to the compensation and benefits otherwise payable, certain employees shall be paid an additional sum based on longevity. Any payment based on longevity shall be in accordance with the following schedule:

<u>YEARS OF SERVICE</u>	<u>AMOUNT OF INCREASE BASED ON LONGEVITY</u>
After 5 years	2%
After 10 years	4%
After 15 years	6%
After 20 years	8%
After 25 years	10%

**SECTION 3A: RESTRICTIONS ON LONGEVITY PAYMENTS:** Notwithstanding the provisions of Section 3 hereof, a longevity payment or longevity bonus to any single official, officer, or employee of the Township of Upper shall not exceed the sum of Three Thousand (\$3,000.00) Dollars. If, as of January 1, 1997, any such official, officer or employee of the Township of Upper was entitled to a longevity payment in excess of Three Thousand (\$3,000.00) Dollars, then such individual shall be entitled to receive the amount to which he or she would have been entitled as of January 1, 1997 and each such official, officer or employee shall thereafter, in all subsequent years, receive a longevity payment or bonus in the amount paid as of January 1, 1997. In no event shall the amount of longevity payments exceed the sum of Three Thousand (\$3,000.00) Dollars, except for those individuals who are entitled to receive in excess of Three Thousand (\$3,000.00) Dollars as of January 1, 1997 and all such individuals shall in 1997 and all succeeding years be restricted to a payment which does not exceed that which was payable on January 1, 1997.

**SECTION 3B: LONGEVITY PAY ABOLISHED FOR CERTAIN EMPLOYEES:** Any official, officer or employee who was employed by the Township of Upper on or after January 1, 1996 shall not be entitled to any longevity payment. Longevity pay is abolished for any and all officials, officers and employees hired on or subsequent to that date.

**SECTION 4: RESOLUTION AS TO SALARIES:** The salaries set forth in this Ordinance are the maximum salaries to be paid for the various positions during 2023 and for such period or periods as this Ordinance shall remain in effect. Such maximum salaries shall be paid for each of the positions indicated unless the Township Committee, by Resolution shall fix a lesser salary, in which event such lesser amount shall be paid.

**SECTION 5: EFFECTIVE DATE OF PAYMENT:** All salaries authorized by this Ordinance shall be paid commencing as follows:

- (A) As of January 1, 2023 for all officials, officers and employees of the Township who were employed or appointed as of January 1, 2023. For those officials, officers and employees appointed at the Reorganization Meeting of the Township Committee, such persons shall be deemed appointed and employed by the Township as of January 1, 2023. This provision shall not apply to members of a Collective Bargaining Unit.
- (B) Upon the effective date of appointment for all officers and employees appointed subsequent to January 1, 2023.
- (C) The payment of any salary increments and longevity payment for members of a Collective Bargaining Unit shall be made in accordance with the provisions of the Collective Bargaining Agreement currently in effect, any other provisions herein to the contrary notwithstanding.
- (D) For all employees whose pay is based on years of service, step advancement and contractual increases for employees hired on or after January 1, 2022 will be calculated and will be paid based upon the anniversary date from last hire, where a year of service

shall be defined as 12 months of service. This policy shall not apply to employees who were hired before January 1, 2022 or to seasonal employees.

- (E) Any salary increases provided for in this Ordinance shall not apply to any official, officer or employee of the Township who has resigned or otherwise terminated his or her employment with the Township of Upper prior to the effective date of this Ordinance.

**SECTION 6: REPEALER:** All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION 7: SEVERABILITY:** If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance, but shall be confined in its effects to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

**SECTION 8: EFFECTIVE DATE:** This Ordinance shall take effect immediately upon passage and publication as required by law.

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 28<sup>TH</sup> DAY OF NOVEMBER, 2022 AT THE TOWNSHIP HALL, AND WAS TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 19<sup>TH</sup> DAY OF DECEMBER, 2022 AT 6:30 P.M. AT THE TOWNSHIP HALL, PETERSBURG, NEW JERSEY, AT WHICH TIME SAID ORDINANCE WAS ADOPTED.

JOANNE R. HERRON, TOWNSHIP CLERK  
TOWNSHIP OF UPPER

### CORRESPONDENCE

### NEW BUSINESS

17. Termination of paper pay statements for direct deposit. **The Township Administrator reported that as part of the HR streamlining process, paper pay stubs will be eliminated for those that receive their pay via direct deposit. The stubs will be available electronically for those employees.**

### UNFINISHED BUSINESS

### PAYMENT OF BILLS

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

Bills approved for payment: **\$65,033.58**

Payroll: **\$187,963.41**

### PUBLIC COMMENT – LIMITED TO FIVE (5) MINUTES PER PERSON

**Janet McMahon, Marmora,** inquired about the Kronos contract negotiation matter listed for discussion in closed session. She stated that she is familiar with the system and questioned why the Township needs such a sophisticated and expensive program. The Administrator requested that Ms. McMahon submit her questions to him, and he will provide the information about the proposed



program. Later in the meeting she inquired if she is able to share the responses she receives from the Administrator to the public. The Administrator confirmed that she is free to share the responses.

**Barbara Murphy Leary, Seaville**, questioned the procedure in which during public comment members of the public ask good questions and then are directed to submit those questions to the Administrator to answer at a later time. She stated that this process does not allow other members of the public to hear the answers. She requested a way to provide the questions and answers to the general public. It was stated that the Township will look into a way of providing the information.

### **CLOSED SESSION**

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

**TOWNSHIP OF UPPER  
RESOLUTION NO. 385-2022  
MOTION GOING INTO CLOSED SESSION  
DECEMBER 19, 2022**

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. Personnel
2. Contract negotiation - Kronos
3. Contract negotiation - Annual Appointments

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

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

Moved by: John Coggins

Motion seconded by: Kimberly Hayes

Roll Call Vote with all five Committee members voting in the affirmative.

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

Motion by Kimberly Hayes, second by Curtis Corson, to reconvene the public portion of the meeting. During roll call vote all four Committee members present voted in the affirmative. Committeeman Coggins was not in attendance for this portion of the meeting.

20. Motion to pursue a contract with Kronos subject to local public contracts law. **Motion by Kimberly Hayes, second by Mark Pancoast. During roll call vote all four Committee members present voted in the affirmative.**

### **ADJOURNMENT**

There being no further business this evening the meeting was adjourned at 7:28 P.M., with a motion by Kimberly Hayes, second by Curtis Corson, and all four Committee members present voting in the affirmative. The 2023 annual Reorganization meeting is scheduled for January 6, 2023 at 6:00 p.m. The next regular Committee meeting is scheduled for January 9, 2023 at 6:30 P.M.

Minutes prepared by,

Joanne R. Herron, RMC  
Municipal Clerk

Bills

80681 12/19/22 A0078 ANCHOR RUBBER STAMP & PRINTING 82.40 3273  
80682 12/19/22 A0091 ATLANTIC CITY ELECTRIC 2,569.81 3273  
80683 12/19/22 A0222 ANZELONE ELECTRIC COMPANY, LLC 951.00 3273  
80684 12/19/22 A0239 AT&T MOBILITY NAT'L ACCTS LLC 40.23 3273  
80685 12/19/22 B0035 BELMONT & CRYSTAL SPRINGS 49.48 3273  
80686 12/19/22 B0139 BATTELINI TRANSPORTATION 483.50 3273  
80687 12/19/22 B0284 BUTTERWOOD TREE SERVICE LLC 1,600.00 3273  
80688 12/19/22 B0288 KINGBARNES LLC 837.50 3273  
80689 12/19/22 C0031 CAPE ASSIST 675.00 3273  
80690 12/19/22 C0068 COMCAST 485.89 3273  
80691 12/19/22 C0072 CATERINA SUPPLY INC. 312.82 3273  
80692 12/19/22 C0078 CARTER, EDWARD, SR. 532.41 3273  
80693 12/19/22 C0223 CASA PAYROLL SERVICE 247.75 3273  
80694 12/19/22 C0282 CAPE MAY COUNTY COAST GUARD 1,063.00 3273  
80695 12/19/22 C0296 COMCAST BUSINESS COMMUNICATION 2,815.95 3273  
80696 12/19/22 C0307 CNS ACQUISITION CORPORATION 835.00 3273  
80697 12/19/22 C0343 Campilango, Alexa 44.50 3273  
80698 12/19/22 D0016 DALEYS PIT 50.00 3273  
80699 12/19/22 D0186 DOCUTREND, INC. 66.82 3273  
80700 12/19/22 D0237 DIETZ, KERRY 125.00 3273  
80701 12/19/22 D2001 DEJANA TRUCK & UTILITY EQUIP 870.87 3273  
80702 12/19/22 F0003 FRA TECHNOLOGIES,INC. 675.00 3273  
80703 12/19/22 F0219 FORTUNE TITLE AGENCY, INC. 1,050.00 3273  
80704 12/19/22 F0225 FIRE DEFENSE SYSTEMS LLC 381.00 3273  
80705 12/19/22 G0086 W.W. GRAINGER, INC. 465.83 3273  
80706 12/19/22 G0092 GRUND, BARBARA J. 430.96 3273  
80707 12/19/22 H0096 HARBOR OUTFITTERS 557.00 3273  
80708 12/19/22 K0007 KACZMARSKI, RICHARD 500.00 3273  
80709 12/19/22 K0100 KEEN COMPRESSED GAS CO. 266.97 3273  
80710 12/19/22 M0327 MONZO CATANESE HELLEGASS, P.C. 12,560.00 3273  
80711 12/19/22 N0068 NJ MOTOR VEHICLE COMMISSION 150.00 3273  
80712 12/19/22 N0070 MARSH & MCLENNAN AGENCY, LLC 2,000.00 3273  
80713 12/19/22 N0143 NATIONAL TIME SYSTEMS 497.75 3273  
80714 12/19/22 O0025 OLD DOMINION BRUSH 888.11 3273  
80715 12/19/22 P0032 PEDRONI FUEL CO. 2,487.78 3273  
80716 12/19/22 P0152 READY, LOREN 53.36 3273  
80717 12/19/22 P0166 PARKER MCCAY P.A. 7,090.10 3273  
80718 12/19/22 R0030 RIGGINS, INC. 4,213.79 3273  
80719 12/19/22 R0145 RUDCO PRODUCTS, INC. 11,262.00 3273  
80720 12/19/22 S0020 THE HOME DEPOT PRO 162.28 3273  
80721 12/19/22 S0196 STEWART BUSINESS SYSTEMS LLC 440.00 3273  
80722 12/19/22 S0254 SHOPRITE 69.94 3273  
80723 12/19/22 S0284 SOUTH JERSEY INTERPRETERS 412.50 3273  
80724 12/19/22 T0080 TREASURER STATE OF N.J. 44.00 3273  
80725 12/19/22 T0089 TREASURER, STATE OF N.J. 255.00 3273  
80726 12/19/22 T0218 3 GUYS ROLLING PIES 138.25 3273  
80727 12/19/22 U0049 UNITED ROTARY BRUSH CORP 1,995.70 3273  
80728 12/19/22 V0013 VERIZON WIRELESS 649.33 3273  
80729 12/19/22 V0025 V.E. RALPH & SON,INC. 535.50 3273  
80730 12/19/22 Y0003 Y-PERS INC 62.50 3273  
Total: \$65,033.58