

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR MARCH 13, 2023**

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

CALL TO ORDER

SUNSHINE ANNOUNCEMENT

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

“In compliance with the Open Public Meetings Law, I wish to state that on March 10, 2023, 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 video 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

Curtis Corson	Present
Kimberly Hayes	Present
Victor Nappen	Present
Mark Pancoast	Present
Jay Newman	Present

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

APPROVAL OF MINUTES - February 27, 2023 Regular and Closed Session Minutes

Mayor Newman stated that there is a request to amend the February 13, 2023 Regular Minutes to correct the public comment given by Barbara Leary.

Motion by Kimberly Hayes, second by Curtis Corson, to amend the February 13, 2023 Regular Minutes as submitted, and to approve the February 27, 2023 Regular and Closed Session Minutes as submitted. During roll call vote all five Committee members voted in the affirmative.

REPORT OF GOVERNING BODY MEMBERS

Kimberly Hayes, Committeewoman, reported that spring sports are getting underway and winter sports are winding down. She reported that the wrestling team recently competed in USAW NJ State tournament and performed very successfully. She next recognized March as Women’s History Month and stated that she is part of a newly formed organization of women that have planned an event for March 26th at the Beesley’s Point Park to honor women in Upper Township. They are currently taking nominations and the qualifications are that the nominee must either reside or own a business in the township. Nominations and requests for more information can be sent to stillwellsistersawards@gmail.com.

Mark Pancoast, Committeeman, stated that the event Committeewoman Hayes is planning is a wonderful thing and he is looking forward to attending. He next reported that the Department of Public Works has been very busy doing work at Town Hall and thanked them for their efforts. He next reported that he recently attended an event for the St. Baldrick’s Foundation, which is a nonprofit organization with the aim to find cures for children with cancer. He stated that the St. Baldrick’s Foundation was founded in 1999 and last year raised over \$20 million dollars for childhood cancer research. He also thanked Slack Tide Brewing Company for hosting the event.

Curtis Corson, Committeeman, reminded everyone that Congressman Van Drew will be having a public meeting on offshore wind turbines at 2:00 pm on Thursday March 16th at the Wildwood Convention Center.

Victor Nappen, Committeeman, reported on the massive budget deficit the Upper Township School District is facing. He encouraged everyone in the community to write a letter to state officials and stated that they can email him for information on how to do so.

Jay Newman, Mayor, agreed with Committeeman Nappen’s statements on the school budget. He next reported that at the next Committee meeting the Township will be honoring first responders involved in three recent incidents of CPR saves. He stated that these kinds of saves are rare and those involved deserve to be commended.

ADMINISTRATOR OVERVIEW

Gary DeMarzo, Township Administrator, also stated that the Department of Public Works has been doing a phenomenal job throughout the Township and commended their recent work with the school to refinish the floors at Town Hall. He next spoke about a few items on the agenda for tonight regarding grants and two new employees. He also reported that the beach signs are almost ready for production, and briefly reported on the substantial erosion of the beaches and some of the beach access paths that will need to be closed until the beach replenishment project is completed later in the summer.

Paul Dietrich, Township Engineer, reported that a few years ago the Township entered into a master license agreement pursuant to Township Code with Verizon Wireless for the installation of small cell 5g sites on existing poles. He stated that they have recently requested a deviation from the Township Code in order to replace an existing pole in Strathmere with a pole that is a bit taller to allow for better connectivity. He stated that the Code does allow for a deviation with the approval of the Township Committee. After a brief discussion there was a general consensus to approve the request. A resolution for formal action will be placed on the next agenda. He next reported on the Zoning Board’s recently adopted annual report and recommendations. He reported that one item that was discovered subsequent to the report is a needed revision to the building coverage for principal and accessory structures in the R2 Zone.

CONSENT AGENDA

All Consent Agenda items listed below are routine in nature and will be enacted by one motion. If the Mayor or any Committee member wishes a particular agenda item to be considered separately, it will be removed from the consent agenda and acted on separately.

Motion by Curtis Corson, second by Kimberly Hayes, to accept and adopt the following reports and Resolutions. During roll call vote all five Committee members voted in the affirmative.

FILING OF REPORTS BY CONSENT

1. Animal Control
2. Clerk’s Office
3. Construction Code
4. Division of EMS
5. Finance Office
6. MUA Report
7. Municipal Court
8. Public Works
9. Tax Collector

RESOLUTIONS TO BE APPROVED BY CONSENT

10. Authorize payments from the Affordable Housing Trust Fund of Upper Township.

RESOLUTION

RESOLUTION NO. 089-2023

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

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

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

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

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

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

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

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

Township’s Market to Affordable Program:

Triad Associates	
(Admin Agent Rentals Wait List)	\$ 200.00
(Wait List Maint. Sales)	<u>\$ 200.00</u>
	\$ 400.00

Resolution No. 089-2023
Offered By: Corson Seconded By: Hayes
Adopted: March 13, 2023
Roll Call Vote:

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

11. Canceling and refunding tax on exempt property Block 453, Lot 48.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 90-2023

**CANCELING AND REFUNDING TAX ON EXEMPT PROPERTY
BLOCK 453, LOT 48**

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

WHEREAS, certain properties became tax exempt in the year 2023; and

WHEREAS, Robert R. Gregorich is a 100% disabled American veteran residing at 35 Mockingbird Lane, Block 453, Lot 48 on the municipal tax map of Upper Township, New Jersey; and

WHEREAS, the Department of Veterans Affairs has determined that Mr. Gregorich's 100% permanent military service-connected disability was effective September 1, 2022; and

WHEREAS, Robert R. Gregorich made application February 17, 2023 and requested a refund for first quarter 2023 made through Title Partners LLC; and

WHEREAS, Township of Upper Ordinance No. 009-2012 allows for the refund of property taxes paid for the calendar year in which claim is made; and

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. 090-2023

Offered by: Corson

Seconded by: Hayes

Adopted: March 13, 2023

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Corson	X			
Hayes	X			
Nappen	X			

Pancoast	X			
Newman	X			

CANCEL TAX 2023

<u>BLOCK/LOT</u>	<u>AMOUNT</u>	<u>NAME</u>
453/48	\$ 3,027.30	Robert R. Gregorich 35 Mockingbird Lane Woodbine NJ 08270

REFUND TAX 2023

<u>BLOCK/LOT</u>	<u>AMOUNT</u>	<u>NAME</u>
453/48	\$ 1,513.65	Title Partners, LLC 5501 NJ Avenue Wildwood Crest NJ 08260

100% Totally Disabled Veteran

- 12. Authorizing a five (5) year extension to the Lease Agreement between the Township of Upper and the Historical Preservation Society of Upper Township, Inc. for the premises commonly known as the “Gandy Property”.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 091-2023

**RE: AUTHORIZING A FIVE (5) YEAR EXTENSION TO THE LEASE
AGREEMENT BETWEEN THE TOWNSHIP OF UPPER AND THE
HISTORICAL PRESERVATION SOCIETY OF UPPER TOWNSHIP, INC.
FOR THE PREMISES COMMONLY KNOWN AS THE “GANDY PROPERTY”**

WHEREAS, the Township of Upper entered into a Lease Agreement with the Historical Preservation Society of Upper Township, Inc., a New Jersey nonprofit corporation, on March 24, 1998 for the premises commonly known as the “Gandy Property” and designated as Block 548, Lot 8 on the Official Tax Map of the Township of Upper; and

WHEREAS, both parties desire to extend the term of said lease for an additional term as provided in the original Lease Agreement; 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 authorizes the Mayor and Township Clerk to sign an Amendment to the Lease Agreement with the Historical Preservation Society of Upper Township, Inc. which extends the term of said lease for an additional five years, expiring on March 31, 2028.
- 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. 091-2023

Offered by: Corson

Seconded by: Hayes

Adopted: March 13, 2023

Roll Call Vote:

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

- 13. Adopting revisions to the Upper Township Personnel Policies and Procedures Manual Division of Emergency Medical Services (EMS) Standard Operating Policies and Procedures.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 092-2023

**RE: ADOPTING REVISIONS TO THE UPPER TOWNSHIP
PERSONNEL POLICIES AND PROCEDURES MANUAL DIVISION OF EMERGENCY MEDICAL
SERVICES (EMS) STANDARD OPERATING POLICIES AND PROCEDURES**

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 “Division of Emergency Medical Services (EMS) Standard Operating Policies and Procedures” (the “Policy”); and

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

WHEREAS, the Township Committee has determined that these revisions should be adopted to revise the existing Township Personnel Policies and Procedures Manual Division of Emergency Medical Services (EMS) Standard Operating Policies and Procedures; 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 Personnel Policies and Procedures Manual Division of Emergency Medical Services (EMS) Standard Operating Procedures set forth in the attached Exhibit A are hereby adopted and approved and modify the existing personnel policies, procedures, manuals and handbooks of the Township. Said revisions shall replace in its entirety the Policy set forth in the Manual.

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. 092-2023

Offered by: Corson

Seconded by: Hayes

Adopted: March 13, 2023

Roll Call Vote:

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

14. Revised 2023 Temporary Budget.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 093-2023

RE: REVISED 2023 TEMPORARY BUDGET

WHEREAS, N.J.S.A. 40A:4-19 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, the total of the appropriations so made shall not exceed 26.25% of the total of the appropriations made for all purposes in the Budget for the preceding year excluding public assistance, such amount being **\$3,709,413.01**.

NOW, THEREFORE BE IT RESOLVED, that the following appropriations shall constitute the Temporary Budget for the year 2023:

ADMINISTRATIVE & EXECUTIVE		Revise
		To:
Salary and Wages	\$ 21,600.00	27,800.00
Other Expenses	\$ 2,000.00	17,000.00
MAYOR AND COMMITTEE		
Salary and Wages	\$ 21,250.00	25,500.00
Other Expenses	\$ 5,000.00	8,000.00
Cape Mediation	\$ 2,650.00	1,155.00
Cape Assist EAP	\$ 1,155.00	2,650.00
MUNICIPAL CLERK		
Salary and Wages	\$ 50,000.00	85,400.00
OTHER EXPENSES		
Miscellaneous O/E	\$ 10,000.00	
FINANCIAL ADMINISTRATION		
Salaries & Wages	\$ 43,000.00	73,500.00
Miscellaneous O/E	\$ 4,000.00	6,000.00
Computer	\$ 45,000.00	60,000.00
Hardware/Software		
Annual Audit	\$ 20,000.00	25,000.00
ASSESSMENT OF TAXES		
Salaries & Wages	\$ 38,500.00	49,300.00

	Miscellaneous O/E	\$ 4,000.00	5,000.00
COLLECTION OF TAXES			
	Salaries & Wages	\$ 42,000.00	54,500.00
	Miscellaneous O/E	\$ 1,500.00	3,000.00
LEGAL SERVICES AND COSTS			
	Other Expenses	\$ 40,000.00	60,000.00
MUNICIPAL COURT			
	Salaries & Wages	\$ 52,000.00	64,000.00
	Miscellaneous O/E	\$ 8,000.00	
PUBLIC DEFENDER			
	Other Expenses	\$ 7,000.00	8,500.00
MUNICIPAL PROSECUTOR			
	Other Expenses	\$ 12,800.00	15,000.00
ENGINEERING SERVICES & COSTS			
	Salaries & Wages	\$ 32,600.00	42,000.00
	Other Expenses	\$ 5,000.00	10,000.00
PUBLIC BUILDINGS & GROUNDS			
	Salaries & Wages	\$ 215,000.00	265,000.00
	Other Expenses	\$ 80,000.00	100,000.00
PLANNING BOARD			
	Salaries & Wages	\$ 12,000.00	
	Other Expenses	\$ 4,000.00	7,000.00
BOARD OF ADJUSTMENT			
	Salaries & Wages	\$ 12,000.00	
	Other Expenses	\$ 4,000.00	7,000.00
CONSTRUCTION CODE			
	Salaries & Wages	\$ 59,500.00	77,700.00
	Other Expenses	\$ 1,500.00	4,000.00
INSURANCE			
	Group Insurance for Employees	\$ 570,000.00	900,000.00
	Other Insurance Premiums	\$ 75,000.00	85,000.00
	Workers Compensation	\$ 125,000.00	175,000.00
SCHOOL TRAFFIC GUARD			
	Salaries & Wages	\$ 3,600.00	4,200.00
	Miscellaneous O/E	\$ 200.00	
BEACH PATROL			
	Salaries & Wages	\$ 1,000.00	
	Other Expenses	\$ 1,000.00	2,000.00
EMERGENCY MANAGEMENT/RTK			
	Salaries & Wages	\$ 1,500.00	
	Other Expenses	\$ 10,000.00	15,000.00
ROAD REPAIRS & MAINTENANCE			
	Salaries & Wages	\$ 235,000.00	280,000.00
	Miscellaneous O/E	\$ 50,000.00	75,000.00
SURFACING OF ROADS CONTRACTUAL		\$ 0.00	
STREET LIGHTING		\$ 110,000.00	140,000.00
GARBAGE & TRASH REMOVAL			
	Salaries & Wages	\$ 118,000.00	138,000.00
	Miscellaneous O/E	\$ 20,000.00	30,000.00

BOARD OF HEALTH	Tipping Fees	\$ 125,000.00	175,000.00
DOG REGULATION	Miscellaneous O/E	\$ 100.00	0.00
PUBLIC INFORMATION	Miscellaneous O/E	\$ 37,500.00	53,500.00
ZONING/CODE OFFICIAL	Miscellaneous O/E	\$ 0.00	
SPORTS & RECREATION	Salaries & Wages	\$ 0.00	6,700.00
	Miscellaneous O/E	\$ 500.00	
DIVISION OF EMS	Salaries & Wages	\$ 15,000.00	19,500.00
	Miscellaneous O/E	\$ 8,000.00	12,000.00
RECYCLING	Salaries & Wages	\$ 250,000.00	280,000.00
	Miscellaneous O/E	\$ 18,000.00	25,000.00
AFFORDABLE HOUSING	Salaries & Wages	\$ 75,000.00	88,000.00
	Miscellaneous O/E	\$ 20,000.00	30,000.00
COMMUNITY CENTER	Salaries & Wages	\$ 0.00	
	Miscellaneous O/E	\$ 100.00	
CELEBRATION OF PUBLIC EVENTS	Miscellaneous O/E	\$ 8,000.00	17,000.00
SOCIAL SECURITY SYSTEM		\$ 3,000.00	5,000.00
SPECIAL LITIGATION		\$ 132,000.00	
SUI CONTRIBUTION		\$ 40,000.00	60,000.00
CENTRAL DISPATCH		\$ 2,500.00	
ALCOHOL & DRUG TESTING		\$ 65,500.00	131,000.00
COMP. ABSENCES RESERVES		\$ 1,000.00	
PERS		\$ 100.00	
DCRP		\$ 615,626.00	
GYPSY MOTHH MISC.		\$ 2,500.00	5,000.00
	Total	\$ 53,220.00	\$3,649,907.00

Resolution No. 093-2023

Offered by: Corson

Seconded by: Hayes

Adopted: March 13, 2023

Roll Call Vote:

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

15. Reassignment of Keyboarding Clerk 1 Rosemary Trout from the Finance Office to the Clerk's Office.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 094-2023

**RE: REASSIGNMENT OF KEYBOARDING CLERK 1 ROSEMARY TROUT
FROM THE FINANCE OFFICE TO THE CLERK'S OFFICE**

WHEREAS, a vacancy has occurred in the Clerk’s Office, and it has been determined that there is a need to have this position filled; and

WHEREAS, a recommendation was made to reassign Keyboarding Clerk I Rosemary Trout to the Clerk’s Office, 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. Rosemary Trout is hereby reassigned to the Upper Township Clerk’s Office as Keyboarding Clerk 1, effective March 20, 2023, at an annual salary of \$50,292.00 to include the duties of Alternate Deputy Registrar, and an annual stipend of \$1,000.00 as Alternate Fund Commissioner in accordance with the Salary Ordinance:
3. Rosemary Trout has agreed to the terms of the reassignment and has voluntarily accepted it.

Resolution No. 094-2023

Offered by: Corson

Seconded by: Hayes

Adopted: March 13, 2023

Roll Call Vote:

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

16. Appointing Sarah Steiner as a full-time employee to the Upper Township Finance Department.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 095-2023

**RE: APPOINTING SARAH STEINER AS A FULL-TIME EMPLOYEE TO THE
UPPER TOWNSHIP FINANCE DEPARTMENT**

WHEREAS, a need exists to appoint qualified personnel as a full-time employee to the Upper Township Finance Department to ensure optimal operation; and

WHEREAS, Sarah Steiner possesses all the requisite qualifications for appointment to said position; 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. Sarah Steiner is hereby provisionally appointed, pending Civil Service review and pre-employment testing, to the Upper Township Finance Department as Senior Account Clerk effective March 20, 2023 at an annual salary of \$54,500 to include the duties of Passport Agent in accordance with the Salary Ordinance;

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. 095-2023

Offered by: Corson

Seconded by: Hayes

Adopted: March 13, 2023

Roll Call Vote:

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

17. Rescinding a prior authorization to dispose of Township property by sale on an online auction website.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 096-2023

**RE: RESCINDING A PRIOR AUTHORIZATION TO DISPOSE OF TOWNSHIP PROPERTY BY SALE
ON AN ONLINE AUCTION WEBSITE**

WHEREAS, pursuant to Resolution No. 328-2022, adopted on November 14, 2022, the Township of Upper declared certain Township property and equipment as surplus and authorized its disposal by sale on an online auction website; and

WHEREAS, one of the items listed in said resolution was a 2005 Sterling 750 Vacuum/Jetter Truck – Vin # 2FZAATDC45AN60982; and

WHEREAS, the Borough of Woodbine has indicated a desire to obtain said truck through either a Purchase or Shared Services Agreement; and

WHEREAS, the Township Committee of the Township of Upper deems that an Agreement with the Borough of Woodbine is in the mutual interest of both parties and the public; and

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

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

2. The Township of Upper hereby rescinds the prior authorization given pursuant to Resolution No. 328-2022, adopted on November 14, 2022, to sell the 2005 Sterling 750 Vacuum/Jetter Truck – Vin # 2FZAATDC45AN60982 as surplus on an online auction website.

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. 096-2023

Offered by: Corson

Seconded by: Hayes

Adopted: March 13, 2023

Roll Call Vote:

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

18. Appointing Patrick Baker, Jr. as temporary Electrical Subcode Official to the Upper Township Construction Code Office.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 097-2023

RE: APPOINTING PATRICK BAKER, JR AS TEMPORARY ELECTRICAL SUBCODE OFFICIAL TO THE UPPER TOWNSHIP CONSTRUCTION CODE OFFICE

WHEREAS, a need exists to appoint a Temporary Electrical Sub-Code Official to the Upper Township Construction Code Office to ensure optimal operation; and

WHEREAS, the Township has duly considered the matter and has determined that Patrick Baker, Jr. possesses all the requisite qualifications, and is a competent, fit suitable person for the appointment of Temporary Electrical Sub-Code Official; 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. Patrick Baker, Jr. is hereby appointed to the Upper Township Construction Code Office as Temporary Electrical Sub-Code Official on an as needed basis pending pre-employment testing, effective March 15, 2023, at an hourly rate of \$43.00 in accordance with the Salary Ordinance.

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. 097-2023

Offered by: Corson

Seconded by: Hayes

Adopted: March 13, 2023

Roll Call Vote:

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

RESOLUTIONS TO BE ACTED ON SEPARATELY

- 19. Authorizing a permit to deposit dredge material on Block 735, Lot 61, 62.01, 62.02, 64, and 65, commonly known as All Seasons Marina, 551 Roosevelt Boulevard, Upper Township, New Jersey.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 098-2023

**RE: AUTHORIZING A PERMIT TO DEPOSIT DREDGE MATERIAL ON BLOCK 735,
LOT 61, 62.01, 62.02, 64, AND 65, COMMONLY KNOWN AS ALL SEASONS MARINA,
551 ROOSEVELT BOULEVARD, UPPER TOWNSHIP, NEW JERSEY**

WHEREAS, pursuant to Upper Township Code Section 15-2.3, the Township Committee of the Township of Upper has the authority to issue a permit to authorize the hauling and/or dumping of dredge material in the Township; and

WHEREAS, JPC Group, Inc. has made application to the Township Committee for a permit for the transport and temporary placement of dredge material on the property located at Block 735, Lots 61, 62.01, 62.01, 64, and 65 on the official tax map of the Township of Upper, commonly known as All Seasons Marina, 551 Roosevelt Boulevard, Upper Township, New Jersey; and

WHEREAS, the Township Engineer has reviewed the application and has inspected the subject property and dredge material and has reported to the Township Committee that there is no indication of any deleterious effect upon the health, safety and/or welfare of the people of the Township with respect to the activities, noting that the New Jersey Department of Environmental Protection permit indicates the dredge materials are clean fill; and

WHEREAS, the applicants have requested a waiver of the required Environmental Impact Statement and Property Owner Notifications; and

WHEREAS, the Township Committee of the Township of Upper has determined that a permit be issued for activities subject to the conditions contained herein.

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 permit shall be issued to JPC Group, Inc. to permit the transport and temporary placement of dredge materials on the property located at Block 735, Lots 61, 62.01, 62.01, 64, and 65 on the official tax map of the Township of Upper, commonly known as All Seasons Marina, 551 Roosevelt Boulevard, Upper Township, New Jersey subject to the following conditions:
 - a. An appropriate proof of notice must be filed with the Township confirming proper notice of the application and activities of JPC Group Inc to all property owners within 500 feet of the area upon which the dredge materials were deposited.
 - b. The applicants must pay to the Township Clerk the required fee pursuant to Upper Township Code Section 15-2.4.
 - c. The activities authorized are strictly limited to those set forth in the application submitted to the Township Committee. No other authority is granted by implication or otherwise.
- 3) The authority granted by this permit authorizes only the hauling and dumping of dredge materials that has occurred to date. Any further activities must receive a subsequent permit.
- 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. 098-2023

Offered by: Corson

Seconded by: Hayes

Adopted: March 13, 2023

Roll Call Vote:

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

20. Authorizing the Mayor to sign an Authorization to Proceed from Triad Associates for additional grant consultant services.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 099-2023

RE: AUTHORIZING THE MAYOR TO SIGN AN AUTHORIZATION TO PROCEED FROM TRIAD ASSOCIATES FOR ADDITIONAL GRANT CONSULTANT SERVICES

WHEREAS, the Township acquired the services of Triad Advisory Services, Inc. (trading as Triad Associates) for grant consultant services as a non-fair and open contract pursuant to Resolution No. 176-2022 adopted on May 23, 2022; and

WHEREAS, pursuant to said contract, Triad Associates has proposed additional services and has submitted a letter of authorization to proceed; and

WHEREAS, the additional services consist of the preparation and submittal of a FY2024 Congressionally-Directed Spending – Senators Booker and/or Menendez Application for the construction of a new Community Center; and

WHEREAS, Township Committee has determined that it is beneficial to apply for said grant and wishes to authorize Triad to perform the additional services; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Mayor and Township Clerk are hereby authorized, directed and empowered to execute the Authorization to Proceed, attached hereto as Schedule A, from Triad Associates for the additional services related to the preparation and submittal of a FY2024 Congressionally-Directed Spending – Senators Booker and/or Menendez Application.
3. A certificate from the Chief Financial Officer of Upper Township showing the availability of adequate funds for this contract and showing the line-item appropriation of the official budget to which this contract will be properly charged has been provided to the governing body and shall be attached to this Resolution and kept in the files of the municipal clerk.
4. This Resolution shall be effective as of adoption.

Resolution No. 099-2023
Offered by: Hayes
Adopted: March 13, 2023
Roll Call Vote:

Seconded by: Pancoast

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

ORDINANCES

21. Public hearing and final adoption of Ordinance 002-2023 RE: BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS PIECES OF CAPITAL EQUIPMENT IN AND FOR THE TOWNSHIP OF UPPER, COUNTY OF CAPE MAY, NEW JERSEY; APPROPRIATING THE SUM OF \$3,494,500, THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF UPPER, COUNTY OF CAPE MAY, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$3,319,775; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING. **During the public hearing portion there were the following speakers:**

Bob Di Iorio, Seaville, spoke in opposition to this Ordinance.

Mayor Newman then closed the public hearing.

Committeeman Corson then stated that the projects in this bond ordinance have been shovel ready for two or three years, and while grant funds have been applied for, the grants were not awarded and the projects need to be done.

Committeewoman Hayes stated that for the majority of grants available for recreation the Township is above the median income and population requirements.

Motion by Kimberly Hayes, second by Mark Pancoast to adopt Ordinance No. 002-2023. During roll call vote all five Committee members voted in the affirmative.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
ORDINANCE**

ORDINANCE NO. 002-2023

BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS PIECES OF CAPITAL EQUIPMENT IN AND FOR THE TOWNSHIP OF UPPER, COUNTY OF CAPE MAY, NEW JERSEY; APPROPRIATING THE SUM OF \$3,494,500, THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF UPPER, COUNTY OF CAPE MAY, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$3,319,775; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Township Committee of the Township of Upper, County of Cape May, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Upper, County of Cape May, New Jersey ("Township").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$3,494,500;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$3,319,775; and
- (c) a down payment in the amount of \$174,725 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

Section 3. The sum of \$3,319,775, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$174,725, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$3,319,775 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$3,319,775 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance, which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$665,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the amount of available grants for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Completion of various Improvements and Upgrades to Recreation Facilities at the Township Community Center and various Parks and Athletic Fields in the Township, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.	\$937,500	\$46,875	\$890,625	15 years
B. Beach replenishment and improvements for Strathmere Beach in the Township, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.	930,000	46,500	883,500	15 years

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
C. Repaving and resurfacing of various roads in the Township, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the plans on file with the Township Engineer.	1,570,000	78,500	1,491,500	10 years
D. Acquisition of Beach Patrol and EMS Vehicles and CPR Machine for the EMS Division, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.	57,000	2,850	54,150	5 years
Total	\$3,494,500	\$174,725	\$3,319,775	

Section 8. Grants or monies received from any governmental entity, if any, will be applied to the payment of, or repayment of, obligations issued to finance, the costs of improvements described in Section 7 above.

Section 9. The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes is not less than 12.59 years.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$3,319,775 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The applicable Capital Budget of the Township is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended applicable Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 13. The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

Section 14. The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 16. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Date of Introduction: February 13, 2023

Date of Final Adoption: March 13, 2023

22. Public hearing and final adoption of Ordinance No. 003-2023 RE: AN ORDINANCE AMENDING REVISED GENERAL ORDINANCE CHAPTER III (POLICE REGULATIONS) AND CHAPTER X (BUILDING AND HOUSING) OF THE CODE OF UPPER TOWNSHIP. **During the public hearing portion there were the following speakers:**

Blanche Adams, Upper Township Business Association, inquired as to the changes from the previous Ordinance regulating noise. It was stated that this Ordinance amends Chapter 10 regarding the times allowed for demolition and pile driving to make it consistent with Chapter 3, and amends Chapter 3 to prohibit demolition and piling on Sundays between Memorial Day and Labor Day, and on major holidays in the Resort Residential and Resort Commercial zones.

Mayor Newman then closed the public hearing. Motion by Mark Pancoast, second by Kimberly Hayes to adopt Ordinance No. 003-2023. During roll call vote all five Committee members voted in the affirmative.

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

ORDINANCE NO. 003-2023

**RE: AN ORDINANCE AMENDING REVISED GENERAL ORDINANCE
CHAPTER III (POLICE REGULATIONS) AND CHAPTER X (BUILDING AND HOUSING) OF THE
CODE OF UPPER TOWNSHIP**

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 3 of the Revised General Ordinance of the Township of Upper, also known as the Code of Upper Township, shall be amended and supplemented as hereinafter provided:

3-17.3 Determination of Unreasonable or Unnecessary Noise.

Revise and replace the following in Section 3-17.3(g)(2):

1. Power tools, landscaping and/or yard-maintenance equipment used by nonresidential operators (i.e., commercial operators), excluding emergency work, shall not be operated on a residential, commercial, or industrial property during the following hours:

Labor Day through Memorial Day (Exclusive):

Monday through Saturday, all Zones: Before 7:00 a.m. or after 7:00 p.m.

Sunday, all Zones: Before 9:00 a.m. or after 6:00 p.m.

Memorial Day through Labor Day (Inclusive):

Monday through Saturday, Resort Residential (RR) and Resort Commercial (RC) Zones: Before 8:00 a.m. or after 6:00 p.m.

Monday through Saturday, all Zones except RR and RC: Before 7:00 a.m. or after 9:00 p.m.

Sunday and Official Holidays, RR and RC Zones: no work is permitted.

Sunday, all Zones except RR and RC: Before 9:00 a.m. or after 6:00 p.m.

All motorized equipment used in these activities shall be operated with a muffler and/or sound-reduction device consistent with the manufacturer specifications for such motorized equipment.

Revise and replace the following in Section 3-17.3(g)(3):

2. All construction and demolition activity, excluding emergency work, roadway work authorized by the Township, N.J. Department of Transportation or the County of Cape May, or beachfill operations authorized by the U.S. Army Corps of Engineers or N.J. Department of Environmental Protection, shall not be performed during the following hours:

Labor Day through Memorial Day (Exclusive):

Monday through Saturday, all Zones: Before 7:00 a.m. or after 9:00 p.m.

Sunday, all Zones: Before 9:00 a.m. or after 6:00 p.m.

Memorial Day through Labor Day (Inclusive):

Monday through Saturday, Resort Residential (RR) and Resort Commercial (RC) Zones: Before 8:00 a.m. or after 6:00 p.m.

Monday through Saturday, all Zones except RR and RC: Before 7:00 a.m. or after 9:00 p.m.

Sunday and Official Holidays, RR and RC Zones: no work is permitted.

Sunday, all Zones except RR and RC: Before 9:00 a.m. or after 6:00 p.m.

All motorized equipment used in construction and demolition activity shall be operated with a muffler and/or sound-reduction device consistent with the manufacturer specifications for such motorized equipment. The Township Committee may authorize construction and demolition activities outside of the normally permitted hours subject to such conditions as may be imposed by the Township Committee.

SECTION 2. Chapter 10, Section 6.6, 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:

10-6.6 Restrictions on Pile Installation and Building Demolition Activity.

Revise and replace the following in Section 10-6.6:

Pile installation and demolition activity shall only be permitted within the Township of Upper in accordance with Section 3-17.3(g)(3).

SECTION 3: REPEALER: All Ordinances or parts of Ordinances which are in conflict or inconsistent herewith are hereby repealed to the extent of such inconsistency or conflict only.

SECTION 4: 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 5: EFFECTIVE DATE: This Ordinance shall take effect upon final adoption and publication as required by law.

SECTION 6: CODIFICATION: This Ordinance shall be codified in the Upper Township Code at the sections referred to above.

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 13TH DAY OF FEBRUARY, 2023 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 13TH DAY OF MARCH, 2023 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

23. Introduction and first reading of Ordinance No. 005-2023 RE: AN ORDINANCE AMENDING REVISED GENERAL ORDINANCE CHAPTER 15, SECTION 2 (DREDGE SOIL) OF THE CODE OF UPPER TOWNSHIP. **Motion by Curtis Corson, second by Kimberly Hayes, to introduce Ordinance No. 005-2023 with the public hearing and final adoption scheduled for April 3, 2023 at 6:30 PM. During roll call vote all five Committee members voted in the affirmative.**

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
ORDINANCE**

ORDINANCE NO. 005-2023

**RE: AN ORDINANCE AMENDING REVISED GENERAL ORDINANCE
CHAPTER 15, SECTION 2 (DREDGE SOIL) OF THE CODE OF UPPER TOWNSHIP**

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 15, Section 2 of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, shall be amended and supplemented as hereafter provided:

Replace Section 15-2.4 in its entirety with the following:

15-2.4 Fee.

The Township Committee shall, by resolution, set forth the amount to be charged for a permit to haul and/or dump dredge soil in the Township. Upon the granting of a permit by the Township Committee, the applicant shall pay to the Township Clerk the applicable fee.

SECTION 2. REPEALER: All Ordinances or parts of Ordinances which are in conflict or inconsistent herewith are hereby repealed to the extent of 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 shall take effect upon final adoption and publication as required by law.

SECTION 5. CODIFICATION: This Ordinance shall be codified in the Upper Township Code at the sections referred to above.

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 13th DAY OF MARCH, 2023 AND WILL BE 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 3rd DAY OF APRIL, 2023 AT 6:30 P.M. AT THE TOWNSHIP HALL, PETERSBURG, NEW JERSEY.

BY ORDER OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER.
JOANNE R. HERRON, TOWNSHIP CLERK
TOWNSHIP OF UPPER

24. Introduction and first reading of Ordinance No. 006-2023 RE: AN ORDINANCE VACATING A PORTION OF PENNSYLVANIA AVENUE, WITHIN THE TOWNSHIP OF UPPER, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY. **Motion by Curtis Corson, second by Victor Nappen, to introduce Ordinance No. 006-2023 with the public hearing and final adoption scheduled for April 3, 2023 at 6:30 PM. During roll call vote all five Committee members voted in the affirmative.**

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

ORDINANCE NO. 006-2023

**AN ORDINANCE VACATING A PORTION OF PENNSYLVANIA AVENUE,
WITHIN THE TOWNSHIP OF UPPER, COUNTY OF CAPE MAY
AND STATE OF NEW JERSEY**

WHEREAS, N.J.S.A. 40:67-1 authorizes the Governing Body of a municipality to adopt an Ordinance, among other things, to vacate any street, highway, lane, alley, square, place or park, or any part thereof, dedicated to public use but not accepted by the municipality, whether or not the same, or any portion, has been actually opened or improved; and

WHEREAS, Aaron W. Segin and Olivia F. Greene, the owners of Block 329, Lot 5 and Block 332, Lot 3 (the “Property”), have requested that the Township vacate a portion of Pennsylvania Avenue as described in this Ordinance and have agreed to pay the costs incurred by the Township to vacate said street including the costs of the revisions to the tax map; and

WHEREAS, the Township Committee has duly considered the matter and it appears reasonable to agree to the request since there is no present or foreseeable need or intention to utilize said roadway; and

WHEREAS, it is deemed to be in the public interest to vacate a portion of Pennsylvania Avenue within the Township of Upper, as hereinafter provided.

NOW, THEREFORE, 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: The public right in, along, upon and over the following described land is hereby vacated, surrendered and extinguished:

Description

Vacation of a portion of Pennsylvania Avenue,
as shown on Current Municipal Tax Map Sheet No. 12.4
Tuckahoe Section of Township of Upper

Beginning at the Southeasterly corner of Chaucer Lane (40 feet R.O.W.) and Pennsylvania Avenue (40 feet R.O.W.) and;

- Thence #1: Extending in a Northeasterly direction Along the Northerly line of Pennsylvania Ave and along Block 329 a distance of 450.0 feet to a point, and;
- Thence #2: Across Pennsylvania Avenue a distance of 40 feet to a point in the Southerly line of Pennsylvania Avenue and;
- Thence #3: Extending in a Southwestwardly direction along the Southerly line of Pennsylvania Avenue and along Block 332 a distance of 450.0 feet to point in the Easterly line of Chaucer Lane and;
- Thence #4: Extending Across Pennsylvania Avenue along the Easterly line of Chaucer Lane a distance of 40.0 feet to the point and place of beginning.

SECTION 2: This Ordinance vacates no portion of the street except that portion set forth and described in **SECTION 1** above.

SECTION 3: EXCEPTION: This Ordinance expressly reserves and excepts from vacation all rights and privileges now possessed by public utilities, as defined in R.S. 48:2-13, and by any cable television company, as defined in the "Cable Television Act", P.L. 1972, c. 186, (C.48:5A-1, et seq.), to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, highway, lane, alley, square, place or park, or any part thereof, to be vacated, as hereinabove described.

SECTION 4: REPEALER: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency only.

SECTION 5: EFFECTIVE DATE: This Ordinance shall take effect immediately upon final adoption and publication as required by law.

SECTION 6: Aaron W. Segin and Olivia F. Greene, owners of the Property, shall reimburse the Township of Upper for all expenses related to said vacation, including attorneys fees, costs and any recording fees.

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 13th DAY OF MARCH, 2023 AND WILL BE 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 3rd DAY OF APRIL, 2023 AT 6:30 P.M. AT THE TOWNSHIP HALL, PETERSBURG, NEW JERSEY.

BY ORDER OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER.
JOANNE R. HERRON, TOWNSHIP CLERK
TOWNSHIP OF UPPER

25. Introduction and first reading of Ordinance No. 007-2023 RE: AN ORDINANCE VACATING OF LANDS, BLOCK 414, LOT 39.12. **Motion by Curtis Corson, second by Mark Pancoast, to introduce Ordinance No. 007-2023 with the public hearing and final adoption scheduled for April 3, 2023 at 6:30 PM. During roll call vote four Committee members voted in the affirmative. Committeewoman Hayes abstained due to a conflict.**

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

ORDINANCE NO. 007-2023

AN ORDINANCE VACATING OF LANDS, BLOCK 414, LOT 39.12

WHEREAS, Stephen G. Schaffer and Brooke A. Schaffer are the owners of a home on approximately 25 acres known as Block 414, Lot 39.10 on the Tax Map of the Township of Upper (herein after referred to as the “Schaffer Property”);

WHEREAS, adjacent to the Schaffer Property is a 2-acre parcel which is shown on the Upper Township Tax Map Block 414, Lot 39.12 (herein after referred to as the “Vacant Property”);

WHEREAS, the Vacant Property was shown as a dedicated parcel when the previous owners of the Schaffer Property developed in the neighborhood known as Sunset Acres;

WHEREAS, the Vacant Parcel is surrounded entirely by the Schaffer Property and is not used as a public way, and is shown on the Tax Map as an easement dedicated to the Township of Upper;

WHEREAS, as the Vacant Property is not owned by the Township of Upper and there is no public need for it, a request was made by the owners of the Schaffer Property to have the Township of Upper vacate the Vacant Property pursuant to N.J.S.A 40:67-19;

WHEREAS, the owners of the Schaffer Property agreed to reimburse the Township of Upper for all expenses related to said vacation, including attorneys fees, costs and any recording fees;

WHEREAS, this request has been reviewed by the Township Engineer who has determined that it would be in the best interest of the Township to grant this request.

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

SECTION 1. The public right, title and interest in the Vacant Property as described on the attached Schedule A is hereby vacated, surrendered and extinguished.

SECTION 2. Nothing contained herein shall be deemed to vacate, surrender or extinguish any right or privilege of the Township of Upper to any easements which it has, whether or not of record, or of any public utility, as defined in N.J.S.A. 48:2-13, and any cable television company, as defined in N.J.S.A. 48:5A-1, et seq. to maintain, repair and replace their existing facilities in, adjacent to, over and under the street herein vacated, or any part or parts thereof.

SECTION 3. This Ordinance shall take effect immediately upon the following publication as required by law.

SECTION 4: All Ordinances or parts of Ordinances inconsistent herewith are hereby replaced repealed to the extent of such inconsistency only.

SECTION 5: Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

SECTION 6: The owners of the Schaffer Property shall reimburse the Township of Upper for all expenses related to said vacation, including attorneys fees, costs and any recording fees.

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 13th DAY OF MARCH, 2023 AND WILL BE 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 3rd DAY OF APRIL, 2023 AT 6:30 P.M. AT THE TOWNSHIP HALL, PETERSBURG, NEW JERSEY.

BY ORDER OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER.
JOANNE R. HERRON, TOWNSHIP CLERK
TOWNSHIP OF UPPER

26. Introduction and first reading of Ordinance No. 008-2023 RE: AN ORDINANCE AMENDING REVISED GENERAL ORDINANCE CHAPTER IV OF THE CODE OF UPPER TOWNSHIP TO ADD SECTION 4-6 ENTITLED RENTAL HOUSING. **Motion by Curtis Corson, second by Kimberly Hayes, to introduce Ordinance No. 008-2023 with the public hearing and final adoption scheduled for April 3, 2023 at 6:30 PM. During roll call vote four Committee members voted in the affirmative. Committeeman Nappen abstained due to a conflict.**

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

ORDINANCE NO. 008-2023

**RE: AN ORDINANCE AMENDING REVISED GENERAL ORDINANCE
CHAPTER IV OF THE CODE OF UPPER TOWNSHIP TO ADD SECTION 4-6
ENTITLED RENTAL HOUSING**

WHEREAS, the Township Committee of the Township of Upper desires to adopt an ordinance amending Chapter 4 of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, by adding a new Chapter 6 with respect to the requirements and regulations regarding rental housing.

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 4 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:

Add **SECTION 4-6 – RENTAL HOUSING** - as follows:

SECTION 4-6 Rental Housing

4-6.1 Purpose

The purpose of this chapter is as follows:

- a. To protect the health, safety and welfare of residential tenants by ensuring that both the interior and exterior of all rental properties are maintained in a safe and sanitary condition.
- b. To protect the welfare of residential tenants by assuring that maximum occupancy limits are not exceeded in rental units.
- c. To protect the real estate values of properties located in close proximity to rental housing by requiring the upkeep and maintenance of building exteriors and outside property areas.

4-6.2. Applicability; exceptions.

- a This chapter shall apply to all residential uses with the exception of owner-occupied, single-family dwellings. No rental unit shall hereafter be rented unless the rental unit is registered in accordance with this chapter.
- b This chapter shall not apply to units within any motel, hotel, campground or condominium campground. This chapter shall not apply to a short-term use and occupancy agreement between the buyer and seller of real property where the agreement permits the buyer to occupy the real property before closing or permits the seller to occupy the real property after closing.

4-6.3 Short term Rentals

- a. The Township Committee of the Township of Upper (“Township Committee”) finds and declares that the short-term rental of limited residential dwelling units within the Township benefits the local community by affording owners of such units the ability to garner additional income from their real property (also referenced as "property") in order to diminish the financial burden of carrying costs and maintenance expenses related to the property, as well as providing travelers with an alternative option for accommodations in the Township. Notwithstanding those benefits, the Township Committee also finds and declares that certain transitory uses of residential property tend to affect the residential character of the community and, if unregulated, can be injurious to the health, safety, and welfare of the community.
- b. The intended purposes of this section are to
 1. balance the rights of the owners of residential dwelling units proposed for short-term rental use and the Township's business community affected by the allowance and existence of short-term rentals within certain sections of the Township;
 2. protect the public health, safety and general welfare of individuals and the community at large;
 3. provide for an organized and reasonable process for the short-term rental of certain defined classifications of residential dwelling units in the Township;
 4. monitor and provide a reasonable means for mitigation of impacts created by such transitory uses of residential properties within the Township;
 5. preserve and protect the long-term housing market stock in the Township;
 6. implement rationally based and reasonably tailored regulations to protect the integrity of the Township's residential neighborhoods; and
 7. ensure that the short-term rental property inventory in the Township satisfies basic property maintenance standards, in order to protect the safety of occupants and the citizens of the Township.
- c. The Township Committee has therefore determined that it shall be unlawful for any owner of any property outside the geographic bounds of the Waterfront Town Center, Marmora Town Center, Resort Residential and Resort Commercial Zoning Districts in Township to rent or operate a short-term rental. However, owners of any property inside the geographic bounds of the Resort Residential and Resort Commercial Zoning Districts in Township, shall be able to rent or operate a short-term rental in accordance the procedures and regulations established in this section, or applicable State statute.

4-6.3. Enforcement authority.

Any of the violations referred to in this chapter may be enforced, as applicable, by the Housing Officer, Code Enforcement Official, Zoning Official, Construction Code Official, Municipal Housing Liaison, Local Department of Health or other such person designated by the Township Committee.

4-6.4. Definitions

Agent – The individuals designated by the owner as the person(s) authorized by the owner to perform any duty imposed upon the owner by this chapter. If the owner provides no such designation, the owner shall be considered the agent. In any event, the owner shall be responsible for any acts or omissions by the designated agent. The term does not necessarily mean a licensed real estate broker or salesman of the State of New Jersey as those terms are defined by N.J.S.A. 45:15-3; however, such term may include a licensed real estate broker or salesman of the State of New Jersey if such person designated by the owner as his agent is so licensed.

Apartment – Any apartment, cottage, bungalow or other dwelling unit consisting of one or more rooms occupying all or part of a floor or floors in a building of one or more floors or stories, whether designed with or without housekeeping facilities for dwelling purposes and notwithstanding whether the apartment is designed as a residence, office or for the operation of any industry or business or any other type of independent use.

Basement – That portion of a building which is partly or completely below grade.

Building – Any structure or part thereof used for human habitation, use or occupancy, and includes any accessory structures and appurtenances belonging thereto or usually enjoyed therewith.

Dwelling – Any building containing one or more dwelling units.

Dwelling Unit – Any building or portion of a building used or intended to be used for residential purposes for a single household.

Habitable Space – A room or enclosed floor space occupied or designed to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, pantries, foyers, closets, corridors and storage space.

Occupant – Any individual who lives or sleeps in, or has actual possession of, a dwelling unit.

Owner – Any person, agent, operator, firm, corporation, or other entity having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person having possession of real property.

Rental Unit – Any “apartment,” “dwelling,” “building,” “dwelling unit,” or “habitable space,” as defined by this chapter, that is rented, offered for rent or occupied (other than by the owner of the property or his/her/their family members) for the purpose of residential occupancy, regardless of the consideration for occupancy, including but not limited to money paid, services rendered or an accommodation incident to employment.

Short Term Rental Unit – Any rental unit that is occupied for a period of less than 31 days.

4-6.5. Registration

- a. All rental units shall hereafter be registered annually with the Housing Officer or his designee on forms which shall be provided for that purpose.
- b. The registration term shall commence April 1 of each year and such registration shall be valid until March 31 of the following year at which time it shall expire and a new registration shall occur.
- c. Application.
 1. Initial. The initial registration shall be made in writing and shall be signed by the owner on a form provided by the Housing Officer or designee. Said application shall state
 - i. the name and physical address of the owner;
 - ii. owner's phone number and email address;
 - iii. the name, address, and telephone number of the registered agent (which may be the same as the owner);
 - iv. the location of the building and a description of the portion of the building that is to be used as one or more rental units;
 - v. the number of dwelling units;
 - vi. for rentals in excess of 30 consecutive days, the proposed number of occupants, and their ages, in each dwelling unit;
 - vii. the number of rooms in each dwelling unit and the proposed use of each such room and the dimensions of each such room;
 - viii. Such application shall be accompanied by a floor plan, drawn approximately to scale, indicating the location, use and accurate dimensions of each room covered by the application.

2. Renewal. Application for a renewal registration shall be made in writing and shall be signed by the owner on a form provided by the Housing Officer or designee. Said application shall state and changes to the previously submitted registration.
3. Prior to change in occupancy of a rental unit for stays longer than 30 days, the applicant shall furnish to the Township a list of the names and ages of all occupants occupying the premises.
4. The license and registration for a rental unit may be transferred after a change in ownership of the property upon submission of a license transfer application by the new owner.

4-6.6. Inspections

- a. Prior to every change of tenancy and every year each rental unit shall be inspected by the Housing Officer or designee, and if all requirements of this chapter are complied with, said inspecting officer shall so notify the owner.
- b. If the inspecting officer finds noncompliance with any requirements of this chapter, he shall furnish the owner with a written statement specifying the same. The owner may thereupon do any of the following:
 1. Remedy the defect(s) and request a re-inspection.
 2. Appeal the decision of the inspecting officer to the Township Committee in the manner hereinafter provided.
 3. Apply to the Township Committee for a waiver of the defect in the manner hereinafter provided.
- c. Modification of rental property during license period. Any modification or alteration in the rental unit that would result in change of the number of occupants desired to be approved during the term of an existing license shall require a new application, as provided in Subsection 5 above. If the license is amended to allow an increase in the number of occupants, the amended license shall be issued upon compliance with all terms of this chapter and payment of any additional fees required.
- d. Free Access. The Township and its agents are hereby authorized to make inspections to determine the condition of a rental unit in order that they may perform their duty of safeguarding the health, safety and welfare of the occupants of the rental unit and of the general public. For the purpose of making such inspection, the inspecting officers are hereby authorized to enter, examine and survey a rental unit at all reasonable times during normal working hours by appointment with the owner. The owner or occupant of every rental unit shall give the inspecting officer free access to the rental unit at all reasonable times during normal working hours by appointment for the purpose of such inspections, examinations and surveys. Every occupant shall give the owner of the rental unit access to any part of such rental unit at all reasonable times during normal working hours for the purpose of making such repairs or alterations that are necessary to effect compliance with the provisions of this chapter or any lawful order issued pursuant hereto. The owner shall provide such provisions in any such lease between said owner and occupant.
- e. Complaints. Within ten (10) working days of the receipt of a written complaint alleging a reported violation of this section, an inspecting officer shall conduct an inspection as hereinbefore provided. If the complaint is found to be valid and such causes a violation notice to be issued, then the owner shall be liable for any inspection and re-inspection fees necessary.
- f. Notice of Violation
 1. Whenever an inspecting officer determines that there has been a violation of this chapter, he shall serve a written notice of the violation on the owner, which shall include a statement of the reasons why it is being issued.
 2. If a violation is not corrected within the time allocated within the notice, the inspecting officer may serve an order upon the owner that his license is revoked and occupancy prohibited, effective five days from the service thereof. Said order shall state that the owner may appeal the order to the Township by submitting a

written request to the Township within five days of receipt of the order for a hearing. Thereupon, the Township shall fix a date for a hearing and give the owner notice thereof. Such hearing shall be conducted by the Housing Hearing Officer. Such an appeal shall stay the effective date of the order pending the outcome of the hearing. The inspecting officer(s) who inspected the rental unit in question shall be present at such hearing. At the hearing, the owner shall be given an opportunity to be heard and to show cause why the order should be modified or withdrawn.

3. Notwithstanding the correction of any one or more violations of this article, the Housing Officer may request that Housing Hearing Officer conduct an administrative hearing in the manner provided above to consider suspension or revocation of a license on the grounds herein stated. If, as a result of such hearing, the Housing Hearing Officer shall determine that the subject rental unit has been a source of repeated or continuing violations of this section such that the operation of said rental unit has been a detriment to the health and/or safety of the occupants or the public health and/or safety or has constituted a public nuisance, the Housing Hearing Officer may suspend such license for such period as they shall determine or may permanently revoke such license.

4-6.7. Fees

The Township Committee shall, by resolution, set forth any and all fees they deem appropriate in order to achieve the intended purposes of Chapter 4-6. To the extent such fees are set, upon the filing of a registration or the issuance of a license, the owner of the property shall pay to the Housing Officer the applicable fee.

4-6.8. Rental Housing Standards

No rental unit shall be registered or allowed to remain in effect unless the following standards are complied with:

- a. Egress. Every dwelling unit shall have safe and unobstructed means of egress which shall lead to a safe and open space at ground level accessible to a street. A room located below the level of the ground and used for sleeping purposes shall be provided with safe and unobstructed means of egress leading directly to an outside area accessible to a street. Where a dwelling is occupied on the third story or higher, the owner shall supply a fire escape which shall be constructed and maintained in accordance with the specifications of the Bureau of Housing Inspections of the State of New Jersey and in accordance with all applicable building codes.
- b. Basement occupancy. No basement area or portion thereof may be occupied unless the minimum requirements for habitable space in accordance with the State Uniform Construction Code are met and maintained. Basements may be used for sleeping purposes, provided that the entire basement complies with all requirements of this section, the State Uniform Construction Code, applicable fire regulations, and any other applicable codes; that all furnaces or other heating or hot-water facilities are so located, insulated and separated from living areas by resistive partitions of two-hour fire rating; and that the floors, ceilings and walls are impervious to leakage of underground and surface runoff water and are insulated from and free from dampness and moisture.
- c. Lighting. Every portion of each bathroom, staircase, hall, landing, furnace room, utility room and all similar non habitable rooms and spaces shall have either natural or artificial light available at all times, with an illumination of at least two lumens per square foot (two footcandles) throughout. Such light shall be measured 36 inches from the floor in the center of the room.
- d. Security/Locks. All entrance doors shall be supplied with a medium-duty dead latching lockset with automatic dead locking plunger or with a dead bolt separate from the latch set. All entrance doors shall be constructed with a solid core. Keyed locksets shall be prohibited on all interior non-egress doors.
- e. Utility service. If a dwelling unit shares electrical service or other utilities (i.e., heat or hot water) with another unit then the cost of such utility payments shall be borne by the landlord. Electric service must meet the minimum requirements for each dwelling unit per the requirements of the State Uniform Construction Code

- f. Water supply. The minimum rate of flow of hot or cold water issuing from any faucet or fixture shall be not less than one gallon per minute.
- g. Kitchens. Every dwelling unit in which the regular preparation of meals is to be accomplished must be equipped with the following facilities:
 1. A kitchen sink of nonabsorbent and easily cleanable material in good working condition and properly connected to an approved water supply system which provides at all times an adequate amount of heated and unheated water under pressure and which is connected to an approved sanitary disposal system.
 2. A stove or similar device for cooking of food, which stove or device is properly installed with all necessary connections for safe, sanitary and efficient operation. Stoves must be provided with anti-tipping mechanisms installed.
 3. A refrigerator or similar device for the safe storage of food at temperatures less than 50° F. but more than 32° F. under ordinary maximum sanitary conditions, which is properly installed with all necessary connections for safe, sanitary and efficient operation.
 4. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.
- h. Exterior. Every rental unit shall be clean and free from garbage or rubbish and hazards to safety. Lawns, hedges and bushes shall be kept trimmed and shall not be permitted to become overgrown and unsightly. Fences shall be kept in good repair. Trash cans and recycling containers shall be restricted from being stored or kept in front yards and shall otherwise be stored in a safe location.
- i. Limitation on Occupancy.
 1. Every dwelling unit shall contain a minimum habitable floor area of not less than 175 square feet for the first occupant, and 125 square feet for each additional occupant or a minimum of 650 gross square feet.
 2. In every dwelling unit, every room occupied or intended to be occupied for sleeping purposes by one occupant shall have a minimum usable floor area of 70 square feet and every room occupied or intended to be occupied for sleeping purposes by more than one occupant shall have a usable floor area of at least 70 square feet plus 50 square feet for each additional occupant thereof.
 3. Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom.
 4. Rental units shall not be occupied by more occupants than permitted by the following minimum occupancy area requirements:

	Minimum Occupancy Area in Square Feet		
	1-2 Occupants	3-4 Occupants	5 or more Occupants
Living Room	None	120	150
Dining Room	None	80	100
Kitchen	50	50	70

5. Combined living room and dining room spaces shall comply with the requirements of Subsection 4 above if the total area is equal to that required for separate rooms and if the space is so located that it functions as a combination living room/dining room.
6. Combined living room and area for sleeping purposes shall comply with the requirements of Subsection 2 and 4 above if the total area is equal to that required for separate rooms and if the space is so located that it functions as a single room.

7. In calculating occupancy, number of occupants shall be rounded down to the nearest whole number of occupants (i.e. 150 sf bedroom shall be permitted a maximum of two occupants which need minimum of 120 sf).
8. It shall be unlawful and in violation of this article for an owner or lessor of any registered rental property to allow a number of people greater than the posted maximum number of occupants, which number is to be posted on license.
- j. Waiver. The owner may at any time within 15 days of the date of any notice appeal to the Housing Hearing Officer for a waiver of any performance standards set forth above. The Township shall afford the owner a hearing if requested. Such hearing shall be conducted by the Housing Hearing Officer. The Township may, at its discretion, grant a waiver of any one or more of the performance standards if it finds that, in light of the facts and circumstances presented in a particular case, a special reason exists for the waiver and that the granting of the same will not be contrary to the intent and purpose of this article and will not be detrimental to the health, safety and welfare of the occupants or proposed occupants of the rental unit, nor to the general public. The inspecting officer(s) who inspected the premises in question shall be present at such hearing.

4-6.9. Information required to be distributed to tenants for stays longer than 30 days.

- a. A Truth-in-Renting Statement prepared by the Department of Community Affairs in accordance with the Truth-in-Renting Act (N.J.S.A. 46:8-43 et seq.) shall be distributed to all tenants living in buildings with more than two dwelling units.
- b. A copy of the registration statement filed with the Township Clerk and/or New Jersey Bureau of Housing Inspection.
- c. A copy of the New Tenant Notification Form provided by the Township. Said form shall be signed by the tenant and maintained by the owner during the term of the tenancy. For buildings with more than four units, the form shall be maintained in a log at the rental office.

4-6.10. Violations and Penalties

- a. In addition to the penalties set forth in N.J.S.A. 46:8-35, any person violating or failing to comply with any of the provisions of this article shall, upon conviction thereof, be punishable by a fine as set forth in the Section 1-5 of this Code. Notwithstanding anything stated above to the contrary, solely in cases of illegal occupancy, overcrowding and conditions constituting unsafe ingress and egress in violation of the requirements of the Uniform Construction Code, there shall be a minimum fine of not less than \$1,000.
- b. Any evictions by landlord/owners of property that are required as a result of violations of housing standards, occupancy limits and overcrowding as set forth under N.J.S.A. 2A:18-61.1(g) shall be made in accordance with N.J.A.C. 5:11-2.3, which requires that when a landlord is cited for a violation pursuant to illegal occupancy which could potentially result in an eviction of the tenants, the following must be included by the landlord/owner as an insert sent with the violation notice:

"If, in seeking to correct the illegal occupancy for which you have been cited, it is necessary for you to evict one or more tenants to comply, you must notify those tenants of their potential eligibility for relocation assistance. Further information regarding your responsibilities as owner pursuant to regulations concerning eviction and relocation may be obtained by contacting the following:

Department of Community Affairs
 Division of Codes and Standards
 Office of Landlord-Tenant Information
 P.O. Box 805
 Trenton, NJ 08625-0805
 Telephone: 609/633-6606"

SECTION 3: EFFECTIVE DATE: This ordinance shall take effect immediately upon the following publication as required by law.

SECTION 4: REPEALER: All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

SECTION 5: 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 6: CODIFICATION: This Ordinance shall be codified in the Upper Township Code at the sections referred to above.

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 **13th DAY OF MARCH, 2023** AND WILL BE 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 **3rd DAY OF APRIL, 2023 AT 6:30 P.M.** AT THE TOWNSHIP HALL, PETERSBURG, NEW JERSEY.

BY ORDER OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER.
JOANNE HERRON, TOWNSHIP CLERK
TOWNSHIP OF UPPER

CORRESPONDENCE

NEW BUSINESS

27. American Legion Post #239 Aaron Wittkamp Colwell request to hold Raffle RA #557 at the Heritage Links Golf Course, 1375 Route 9, on August 12, 2023. **Motion by Mark Pancoast, second by Kimberly Hayes, to approve the request. During roll call vote all five Committee members voted in the affirmative.**
28. Ocean City Crew Boosters request to hold Raffle RA #558 at Yesterday's Creekside Tavern, 316 Roosevelt Blvd., on various dates beginning March 31, 2023 through May 19, 2023. **Motion by Kimberly Hayes, second by Mark Pancoast, to approve the request. During roll call vote all five Committee members voted in the affirmative.**
29. Stockton Coastal Research Center final annual report for 2022. **The Township Engineer gave a summary of the report.**
30. Bid results for Replacement of Roof for Historic Structures. **The Township Engineer reported that the bids received were significantly higher than the estimate. He stated that part of the funds for these projects were received through a County grant. He requested authority to reach out to the County to see if more grant funds are available. After a brief discussion, there was a general consensus to see if more grant funds are available.**
31. Historical Preservation Society of Upper Township request for an archeological scan and potential dig at the site of the former Tuckahoe Academy. **After a brief discussion it was decided to approve the request pending an agreement with the Historical Society for indemnification and ownership of any items found. Legal Counsel was directed to prepare an agreement for further review.**

32. Beesley's Point Boat Ramp - 2023 Fees. **After a brief discussion there was a general consensus to keep the fees the same as last year.**

UNFINISHED BUSINESS

33. Draft Ordinance amending Chapter 3, Section 1 of the Code of Upper Township to regulate Hawking or Peddling Merchandise or Services. **The Municipal Attorney reported that this ordinance will create a registration and licensing system for door to door solicitation, and gives the committee the option to create a "No Knock Registry" by Resolution. The Township Administrator stated that, in the quest to find an efficient way to enact and maintain the licensing and registry requirements of the Ordinance, he, the Engineer, and Township Clerk have reviewed a potential vendor that can provide a system that will allow an online licensing and registration process. The cost is approximately \$333 per month per module with a minimum purchase of five modules. It was further stated that currently the Township's code does not allow door to door solicitation at all, however that prohibition has been challenged as infringing upon the vendor's first amendment rights. This Ordinance will allow the Township to protect the residents by requiring background checks and other requirements in order to obtain a license to solicit door to door. There was then a general consensus to move forward with the introduction and first reading of the Ordinance at the March 27, 2023 regular meeting.**

PAYMENT OF BILLS

34. "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 Kimberly Hayes, second by Mark Pancoast. During roll call vote all five Committee members voted in the affirmative.**

**Bills approved for payment: \$306,462.57
Payroll: \$184,305.99**

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

Larry Trulli, Pine Hill, submitted two exhibits to legal counsel regarding rent leveling for Mobile Home Parks, and spoke about the rent increases the residents of Pine Hill have faced the past several years.

Joseph Sullivan, Executive Director of the Mobile Homeowners Association of New Jersey, spoke about the need for rent leveling in Upper Township and requested the Committee to look into the possibility of enacting a similar Ordinance that was recently adopted in Manchester Township. It was stated that this matter was discussed in the past, however the funds for a rent control study were not available at the time. The Municipal Attorney stated that generally the position of legal counsel is that landlord/tenant matters are private matters between the owner and the tenant and the potential of setting a rent control ordinance could open the municipality up to litigation. She further stated that the Township Committee is within their rights to conduct a study. After a brief discussion, the Committee directed the Municipal Attorney, Engineer, and Township Administrator to look into what other municipalities have done regarding enacting a rent leveling ordinance.

Bob Di Iorio, Seaville, spoke about possible ways to reduce taxes, and the public hearing of Ordinance 001-2023 at the February 27th meeting.

Janet McMahon, Marmora, spoke about wind turbines and the environmental and other hazards associated with their construction and use. She also spoke about the vote at the February 27th meeting to move the location of the substation at Beesley's Point, and encouraged the Committee to attend the two meetings to be held this week regarding offshore wind turbines.

Nathalie Neiss, Block 476, Lot 29, spoke about a code violation at Misty Meadow Farm. The Township Administrator stated that the matter is currently being mitigated through the proper channels.

Blanche Adams, Steelmantown, inquired about the scope of work and estimated time the work will be completed at the Tuckahoe boat ramp. It was stated that the Tuckahoe boat ramp is a state owned facility and the

work is being completed by the NJDEP. Mrs. Adams next questioned the need for the amount of resources being used to administer the proposed hawking ordinance. It was stated that the licensing requirements are necessary in order to regulate the people that are soliciting.

CLOSED SESSION

- 35. 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. 100-2023
MOTION GOING INTO CLOSED SESSION
MARCH 13, 2023**

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 - Shared Services Agreement with the Borough of Woodbine
- 3. Contract negotiation - Brian P. Trelease, Hearing Officer
- 4. Contract negotiation - Trinity Code Inspections, LLC
- 5. Litigation - National Opioid Class Action Settlement
- 6. Potential litigation - Cape May County Agriculture Development Board

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.
- D. With respect to this litigation matter such discussions will be made public when litigation is complete and the applicable appeal period has expired

Moved by: Mark Pancoast

Motion seconded by: Curtis Corson

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

RECONVENE PUBLIC PORTION OF MEETING

Motion by Jay Newman, second by Kimberly Hayes, to reconvene the public portion of the meeting. During roll call vote all five Committee members voted in the affirmative.

RESOLUTIONS TO BE ACTED ON AFTER CLOSED SESSION

- 36. Appointing Brian P. Trelease, Esquire as Hearing Officer for the Township of Upper.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION
RESOLUTION NO. 101-2023**

**RE: APPOINTING BRIAN P. TRELEASE, ESQUIRE
AS HEARING OFFICER FOR THE TOWNSHIP OF UPPER**

WHEREAS, the Township requires legal counsel to serve as a hearing officer in connection with employment and personnel related matters; and

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

WHEREAS, Brian P. Trelease, Esquire of the law offices of Rainone Coughlin Minchello, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that said individual and said firm have not made any reportable contributions to a political or candidate committee in the Township that would bar the award of this contract and that the contract will prohibit said individual and said firm from making any reportable contributions through the term of the contract; and

WHEREAS, the Township has decided to acquire the services of Brian P. Trelease, Esquire as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. Brian P. Trelease, Esquire of the law offices of Rainone Coughlin Minchello, LLC, 555 US Highway 1 South, Iselin, New Jersey is hereby appointed as Hearing Officer with regard to employment and personnel matters as directed by the Township Committee.
3. This contract shall have a term of one (1) year from date of full execution.
4. This Contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the New Jersey Local Public Contract Law because Brian P. Trelease, Esquire has professional knowledge as to legal matters which knowledge is particularly valuable to the Township Committee.

NOTICE OF CONTRACT AWARD

The Township Committee of the Township of Upper, State of New Jersey has awarded the contract without competitive bidding as a professional service pursuant to N.J.S.A. 40A:11-5(1)(a) to Brian P. Trelease, Esquire for hearing officer services. This contract and the resolution authorizing same shall be available for public inspection in the office of the municipal clerk of the Township of Upper, State of New Jersey.

5. A certificate from the Chief Financial Officer of Upper Township showing the availability of adequate funds for this contract and showing the line item appropriation of the official budget to which this contract will be properly charged has been provided to the governing body and shall be attached to this Resolution and kept in the files of the municipal clerk.

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

7. The Mayor and Township Clerk are hereby authorized and directed to execute, on behalf of the Township of Upper, a Professional Contract with Brian P. Trelease, Esquire in accordance with the terms and provisions of the Local Public Contracts Law, subject to and in accordance with the limitations imposed herein. Upon execution of all parties thereto said contract shall become effective.

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

9. This Resolution shall be effective as of adoption.

Resolution No. 101-2023

Offered by: Corson

Seconded by: Hayes

Adopted: March 13, 2023

Roll Call Vote:

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

37. Authorizing a contract with Trinity Code Inspections, LLC for interim building, electric, plumbing, and fire protection inspections and plan review services.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 102-2023

**RE: AUTHORIZING A CONTRACT WITH TRINITY CODE INSPECTIONS, LLC
FOR INTERIM BUILDING, ELECTRIC, PLUMBING, AND FIRE PROTECTION INSPECTIONS AND
PLAN REVIEW SERVICES**

WHEREAS, the Township requires interim building, electric, plumbing, and fire protection inspections and plan review services; and

WHEREAS, Trinity Code Inspections, LLC possesses the requisite skill and knowledge to perform these services; and

WHEREAS, a Resolution is required authorizing the award of a contract for professional services to Trinity Code Inspections, LLC as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Trinity Code Inspections, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Trinity Code Inspections, LLC 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 Trinity Code Inspections, LLC 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. Trinity Code Inspections, LLC with offices at 735 Shunpike Road, Cape May, New Jersey 08204, is hereby appointed to provide interim building, electric, plumbing, and fire protection inspections and plan review services.
3. This contract shall have a term of one (1) year commencing upon full execution.
4. This Contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the New Jersey Local Public Contract Law because Trinity Code Inspections, LLC has professional knowledge as building, electric, plumbing, and fire protection inspections and plan review which knowledge is particularly valuable to the Township Committee.

NOTICE OF CONTRACT AWARD

5. The Township Committee of the Township of Upper, State of New Jersey has awarded the contract without competitive bidding as a professional service pursuant to N.J.S.A. 40A:11-5(1)(a) to Trinity Code Inspections, LLC. This contract and the resolution authorizing same shall be available for public inspection in the office of the Municipal Clerk of the Township of Upper, State of New Jersey.

6. A certificate from the Chief Financial Officer of Upper Township showing the availability of adequate funds for the contract and showing the line-item appropriation of the official budget to which the contract will be properly charged has been provided to the governing body and shall be attached to this Resolution and kept in the files of the Municipal Clerk.

7. The Mayor and the Township Clerk are hereby authorized and directed to execute, on behalf of the Township of Upper, a Professional Contract with Trinity Code Inspections, LLC in accordance with the terms and provisions of the Local Public Contracts Law, subject to and in accordance with the limitations imposed herein. Upon execution of all parties thereto said contract shall become effective.

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

9. This Resolution shall be effective as of adoption.

Resolution No. 102-2023

Offered by: Hayes

Seconded by: Pancoast

Adopted: March 13, 2023

Roll Call Vote:

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

ADJOURNMENT

There being no further business this evening the meeting was adjourned at 8:45 P.M., with a motion by Kimberly Hayes, second by Mark Pancoast, and all five Committee members voting in the affirmative. The next regular Committee meeting is scheduled for March 27, 2023 at 4:30 P.M.

Minutes prepared by,

Joanne R. Herron, RMC
Municipal Clerk

BILLS

- 81147 03/13/23 A0025 ADVANTAGE RENTAL & SALES 1,006.89 3287
- 81148 03/13/23 A0078 ANCHOR RUBBER STAMP & PRINTING 53.40 3287
- 81149 03/13/23 A0091 ATLANTIC CITY ELECTRIC 21,267.66 3287
- 81150 03/13/23 A0212 ANCERO, LLC 8,310.50 3287
- 81151 03/13/23 A0235 AMAZON CAPITAL SERVICES, INC. 594.81 3287
- 81152 03/13/23 A0248 AIRESPRING, INC. 1,231.98 3287
- 81153 03/13/23 B0035 BELMONT & CRYSTAL SPRINGS 113.34 3287
- 81154 03/13/23 B0076 BOND, LAURENCE E. 768.79 3287
- 81155 03/13/23 B0220 BERGEY'S TRUCK CENTERS 756.58 3287
- 81156 03/13/23 B0287 BIGLEAF NETWORKS, INC. 697.00 3287
- 81157 03/13/23 C0008 CMC COURT ADMINISTRATORS ASSOC 100.00 3287
- 81158 03/13/23 C0031 CAPE ASSIST 3,453.25 3287
- 81159 03/13/23 C0048 CAPE MAY COUNTY MUA 32,743.92 3287
- 81160 03/13/23 C0068 COMCAST 1,464.60 3287
- 81161 03/13/23 C0077 CHERRY VALLEY TRACTOR SALES 413.51 3287
- 81162 03/13/23 C0182 CDW GOVERNMENT, INC 1,840.97 3287
- 81163 03/13/23 C0223 CASA PAYROLL SERVICE 239.00 3287
- 81164 03/13/23 C0279 CASA REPORTING SERVICES LLC 407.50 3287
- 81165 03/13/23 C0307 CNS ACQUISITION CORPORATION 875.00 3287
- 81166 03/13/23 C0347 Carlisi, Jason 44.50 3287
- 81167 03/13/23 D0040 DELTA DENTAL OF N.J. INC. 5,922.37 3287
- 81168 03/13/23 D0237 DIETZ, KERRY 250.00 3287
- 81169 03/13/23 D0240 DEVLIN, EDMUND F. 1,047.65 3287
- 81170 03/13/23 F0219 FORTUNE TITLE AGENCY, INC. 175.00 3287
- 81171 03/13/23 F0232 FAMILY AUTO GLASS 500.00 3287
- 81172 03/13/23 G0048 GIUSEPPE'S GOURMET 179.98 3287
- 81173 03/13/23 G0092 GRUND, BARBARA J. 37.99 3287

81174 03/13/23 G0120 PATRICK F. MARTIN 1,966.58 3287
81175 03/13/23 H0073 HOME DEPOT CRC/GECF 603.65 3287
81176 03/13/23 K0103 KYOCERA DOCUMENT SOLUTIONS 144.67 3287
81177 03/13/23 L0007 LC EQUIPMENT, INC. 105.00 3287
81178 03/13/23 L0146 LAWSON PRODUCTS, INC. 131.40 3287
81179 03/13/23 M0290 MADDEN & MADDEN, PC 1,440.00 3287
81180 03/13/23 N0004 NJ-AMERICAN WATER CO. 97.65 3287
81181 03/13/23 N0043 NAPA AUTO PARTS 631.36 3287
81182 03/13/23 N0143 NATIONAL TIME SYSTEMS 371.35 3287
81183 03/13/23 N0154 NEW HORIZON COMMUNICATIONS 829.10 3287
81184 03/13/23 N0158 NATIONAL ENTERTAINMENT 1,990.00 3287
81185 03/13/23 N0170 NRAAO 80.00 3287
81186 03/13/23 O0006 SJSHORE MARKETING,LLC 255.00 3287
81187 03/13/23 O0055 OCEAN COUNTY UTILITIES AUTHORI 250.00 3287
81188 03/13/23 O0068 OCHS Crew Boosters Girls Team 300.00 3287
81189 03/13/23 O0069 OCHS Crew Boosters Boys Team 300.00 3287
81190 03/13/23 P0032 PEDRONI FUEL CO. 2,260.09 3287
81191 03/13/23 P0056 TURF EQUIPMENT AND SUPPLY CO 354.05 3287
81192 03/13/23 P0136 POSTNET 74.15 3287
81193 03/13/23 P0159 PURDY COLLISION, LLC 9,188.45 3287
81194 03/13/23 R0030 RIGGINS, INC. 2,778.32 3287
81195 03/13/23 R0100 ROBERTS OXYGEN COMPANY, INC. 239.10 3287
81196 03/13/23 S0057 SERVICE TIRE TRUCK CENTERS 2,997.76 3287
81197 03/13/23 S0134 SO. JERSEY GAS COMPANY 2,280.54 3287
81198 03/13/23 S0185 STOCKTON STATE COLLEGE 15,275.26 3287
81199 03/13/23 S0209 STAPLES ADVANTAGE 437.99 3287
81200 03/13/23 S0239 SHORE VET. ANIMAL CONTROL LLC 2,350.00 3287
81201 03/13/23 S0254 SHOPRITE 116.82 3287
81202 03/13/23 S0363 STARR GENERAL CONTRACTING CORP 280.00 3287
81203 03/13/23 T0080 TREASURER STATE OF N.J. 1,104.00 3287
81204 03/13/23 T0168 TOWNSHIP OF UPPER 251.32 3287
81205 03/13/23 T0180 TRI-COUNTY PEST CONTROL, INC 25.00 3287
81206 03/13/23 T0192 MARSH & McLENNAN AGENCY/TRION 287.99 3287
81207 03/13/23 T0213 TREASURER, STATE OF NEW JERSEY 163,706.68 3287
81208 03/13/23 U0067 UT HEALTH REIMB. ACCOUNT 5,079.64 3287
81209 03/13/23 V0001 VCI EMERGENCY VEHICLE 176.34 3287
81210 03/13/23 V0013 VERIZON WIRELESS 388.83 3287
81211 03/13/23 V0025 V.E. RALPH & SON,INC. 29.80 3287
81212 03/13/23 V0052 VIKING TERMITE & PEST CONTROL 64.15 3287
81213 03/13/23 V0053 VERIZON CONNECT FLEET USA LLC 1,070.95 3287
81214 03/13/23 W0030 WEST PUBLISHING CO. 784.32 3287
81215 03/13/23 Z0017 ZOLL DATA SYSTEMS, INC. 869.07 3287
Total: \$306,462.57