

**TOWNSHIP OF UPPER  
2100 TUCKAHOE ROAD  
PETERSBURG, NJ 08270  
CAPE MAY COUNTY  
MINUTES FOR APRIL 24, 2023**

**REGULAR MEETING OF THE TOWNSHIP COMMITTEE – 4:30 P.M.**

**CALL TO ORDER**

**SUNSHINE ANNOUNCEMENT**

Deputy Mayor Hayes read the following Open Public meeting notice into the record:  
“In compliance with the Open Public Meetings Law, I wish to state that on April 21, 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	Absent

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

**APPROVAL OF MINUTES** - April 3, 2023 Regular and Closed Session Minutes

Motion by Curtis Corson, second by Mark Pancoast, to approve the April 3, 2023 Regular and Closed Session Minutes as submitted. During roll call vote all four Committee members present voted in the affirmative.

**REPORT OF GOVERNING BODY MEMBERS**

**Curtis Corson, Committeeman**, reported that the Aaron Wittkamp Colwell Post 239, American Legion will be holding a grave marking ceremony for American Revolutionary War Veteran Henry Young on May 6, 2023 at 11:00 am at the Young Burying Ground on Tyler Road. He stated that the American Legion is still looking for descendants of Henry Young. Deputy Mayor Hayes also stated that the American Legion is requesting to borrow golf carts to assist with shuttling individuals with mobility issues. Lastly, Mr. Corson reported on the recent fire at Seaville Shores Campground and stated that the first responders did a phenomenal job.

**Victor Nappen, Committeeman**, reported that there is a small issue with peacocks in the Township. He stated residents can call Animal Control at 1800-351-1822.

**Kimberly Hayes, Deputy Mayor**, reported that the National Day of Prayer Ceremony will be held on Thursday May 4, 2023 at 10:00 am. She next reported that she and the Municipal Engineer

attended the virtual public meeting with the County and South Jersey Transportation Planning Organization regarding plans for the new bike path extension. She stated that it was a good turnout and thanked those residents that came to the meeting and provided feedback. She recommended anyone that is interested to visit the Township's website to see more information on the project.

### **ADMINISTRATOR OVERVIEW**

**Gary DeMarzo, Township Administrator**, requested that item 20, a Resolution authorizing the annual Fourth of July fireworks display be tabled to the next meeting. He next requested that item 30, a Resolution setting the fees for a permit to haul and/or dump dredge material in the Township of Upper be tabled to the next meeting.

**Paul Dietrich, Municipal Engineer**, reported that he had sent a request to the DEP to perform maintenance grading of Strathmere beaches in compliance with the Township's beach management plan. He stated that he has not heard back from them and requested authorization from the Committee to perform the grading. Motion by Mark Pancoast, second by Victor Nappen, to approve the request. During roll call vote all four Committee members present voted in the affirmative.

**Barbara Ludy, Chief Financial Officer**, requested approval to join the Educational Services Commission of Morris County Co-op at an annual membership cost of \$2,100.00. She stated that joining the co-op will allow the Township to purchase some of the recreation capital items at a much lower price. 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.

### **CONSENT AGENDA**

All Consent Agenda items listed below are routine in nature and will be enacted by one motion. If the Deputy 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 Mark Pancoast, second by Victor Nappen, to accept and adopt the following reports and Resolutions with the exception of numbers 20 and 30. During roll call vote all four Committee members present 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. Honoring American Revolution Patriot Henry Young at the 227-year-old burial site in Young Burying Ground, Petersburg, NJ.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 132-2023**

**HONORING AMERICAN REVOLUTION PATRIOT HENRY YOUNG  
AT THE 227-YEAR-OLD BURIAL SITE IN  
YOUNG BURYING GROUND, PETERSBURG, NJ**

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**WHEREAS**, on Saturday, May 6, 2023 the American Revolution Patriot Henry Young will be recognized and honored by American Legion Post 239, the New Jersey Society of the Sons of the American Revolution, and the General Lafayette Chapter of the Daughters of the American Revolution at a memorial of the 227-year-old burial site in the Young Family Burying Ground, located on Tyler Road in Petersburg; and

**WHEREAS**, the burying ground is now owned and overseen by the US Fish and Wildlife Service in the US Department of the Interior; and

**WHEREAS**, on April 16, 1777, Henry Young was elected to serve as an Ensign in Captain Willet Jr.'s Second Company, Cape May Battalion, New Jersey Militia; and

**WHEREAS**, though not fully documented, Captain Willet Jr.'s Second Company was known to be at the Battle of Red Bank in Gloucester County on October 22, 1777 when a British and Hessian force was sent to take Fort Mercer just south of Philadelphia; and

**WHEREAS**, the Battle of Red Bank played a crucial role in the Revolutionary War because the British and Hessian force was decisively defeated by a far inferior force of colonial defenders and this victory supplied a greatly needed morale boost to the American cause; and

**WHEREAS**, Henry Young continued his life in Cape May County with his wife, Millicent Townsend, and their children until his death on November 5, 1795 at the age of 49; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Upper, in the County of Cape May and the State of New Jersey, that the Township Committee on behalf of the people of the Township of Upper does hereby recognize, commend and honor the memory of American Revolution Patriot Henry Young for his unerring patriotism and service to our nation.

**GIVEN UNDER OUR HANDS** and the seal of the Township of Upper this 24<sup>th</sup> day of April, 2023.

Resolution No. 132-2023

Offered by: Pancoast

Seconded by: Nappen

Adopted: April 24, 2023

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Corson	X			

Hayes	X			
Nappen	X			
Pancoast	X			
Newman				X

11. Authorizing the execution of a contract with Adams, Rehmann & Heggan Associates, Inc. for the maintenance of the official tax map.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 133-2023**

**RE: AUTHORIZING THE EXECUTION OF A CONTRACT WITH  
ADAMS, REHMANN & HEGGAN ASSOCIATES, INC. FOR THE  
MAINTENANCE OF THE OFFICIAL TAX MAP**

**WHEREAS**, the Township requires a professional land surveyor for the maintenance of the official tax map; and

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

**WHEREAS**, the Township has decided to acquire the services of Adams, Rehmann & Heggan Associates, Inc. as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, Adams, Rehmann & Heggan Associates, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Adams, Rehmann & Heggan Associates, Inc. has not made any reportable contributions to a political or candidate committee in the Township that would bar the award of the contract and that the contract will prohibit Adams, Rehmann & Heggan Associates, Inc. from making any reportable contributions through the term of the contract; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Mayor and Township Clerk are hereby authorized directed and empowered to execute a contract with Adams, Rehmann & Heggan Associates, Inc., of 215 Bellevue Avenue, Hammonton, New Jersey 08037, for professional land surveying services for the maintenance

of the official tax map of Upper Township.

3. The Contract is awarded 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 Adams, Rehmann & Heggan Associates, Inc., has professional knowledge as to land surveying issues which knowledge is particularly valuable to the Township Committee.

4. The contract shall have a term of one (1) year from full execution.

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 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.

6. Adams, Rehmann & Heggan Associates, Inc. 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. A notice of the contract award shall be published in the official newspaper of the Township of Upper.

8. This Resolution shall be effective as of adoption.

Resolution No. 133-2023

Offered by: Pancoast

Seconded by: Nappen

Adopted: April 24, 2023

Roll Call Vote:

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

12. Authorizing the Mayor and Township Clerk to sign a contract with Ancero, LLC for information technology services.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 134-2023**

**RE: AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO SIGN  
A CONTRACT WITH ANCERO, LLC FOR INFORMATION TECHNOLOGY SERVICES**

**WHEREAS**, the Township of Upper has a need for Information Technology services;  
and

**WHEREAS**, Ancero, LLC has submitted a proposal to the Township to provide said services; and

**WHEREAS**, the Township wishes to accept said proposal and to authorize the execution of a contract with Ancero, LLC as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, Ancero, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Ancero, 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 Ancero, 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. The Mayor and Township Clerk are hereby authorized, directed and empowered to execute a contract with Ancero, LLC with offices at 1001 Briggs Road, Suite 220, Mt. Laurel, New Jersey, to provide Information Technology services.
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 an Extraordinary Unspecifiable Services contract in accordance with N.J.S.A. 40A:11-5(1)(a)(ii) of the New Jersey Local Public Contract Law because the services provided by Ancero, LLC are specialized and qualitative in nature requiring expertise, extensive training and proven reputation in the field of endeavor, which is particularly valuable to the Township Committee, and this service is acquired as a non-fair and open contract pursuant to N.J.S.A. 19:44A-20.5

#### **NOTICE OF CONTRACT AWARD**

5. The Township Committee of the Township of Upper, State of New Jersey has awarded the contract without competitive bidding as an Extraordinary Unspecifiable Services contract pursuant to N.J.S.A. 40A:11-5(1)(a)(ii) to Ancero, LLC for Information Technology services. This

contract and the resolution authorizing same shall be available for public inspection in the office of the Municipal Clerk of the Township of Upper, State of New Jersey.

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

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

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. 134-2023

Offered by: Pancoast

Seconded by: Nappen

Adopted: April 24, 2023

Roll Call Vote:

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

13. Authorizing a contract with CASA Payroll Services, LLC.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 135-2023**

**RE: AUTHORIZING A CONTRACT WITH CASA PAYROLL SERVICES, LLC**

**WHEREAS**, CASA Payroll Services, LLC (“CASA”) has submitted a proposal to the Township for payroll services; and

**WHEREAS**, N.J.A.C. 5:30-17.3 et seq. provides for electronic disbursement controls for payroll purposes and applies to entities which execute disbursements from and/or take possession of municipal bank accounts or funds; and

**WHEREAS**, the proposal of CASA does not permit CASA to execute disbursements from the Township’s bank account or give CASA possession of Township funds and as such N.J.A.C. 5:30-17.3 et seq. does not apply; and

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

**WHEREAS**, the proposal has been reviewed and approved by the Municipal Attorney and will be on record in the office of the Township Clerk and available for public inspection; and

**WHEREAS**, CASA has completed and submitted a Business Entity Disclosure Certification which certifies that CASA 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 CASA from making any reportable contributions through the term of the contract; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Mayor and Township Clerk are hereby authorized, directed and empowered to enter into a contract with CASA attached hereto as Exhibit “A”, to provide payroll service within the Township of Upper commencing immediately.
3. CASA has registered with the State of New Jersey pursuant to c.57, Laws of 2004 and has provided proof of that registration to the Township of Upper.
4. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 135-2023

Offered by: Pancoast

Seconded by: Nappen

Adopted: April 24, 2023

Roll Call Vote:

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

14. Authorizing a contract with CASA Reporting Services, LLC for Affordable Care Act reporting services.

**TOWNSHIP OF UPPER**



**CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 136-2023**

**RE: AUTHORIZING A CONTRACT WITH CASA REPORTING SERVICES, LLC FOR  
AFFORDABLE CARE ACT REPORTING SERVICES**

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**WHEREAS**, the Affordable Care Act requires employers with 50 or more full-time employees to file annual information returns with the IRS and furnish statements to employees on healthcare plan coverage information; and

**WHEREAS**, CASA Reporting Services, LLC (“CRS”) has submitted a proposal to the Township for Affordable Care Act reporting services; and

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

**WHEREAS**, the proposal has been reviewed and approved by the Municipal Attorney and will be on record in the office of the Township Clerk and available for public inspection; and

**WHEREAS**, CRS has completed and submitted a Business Entity Disclosure Certification which certifies that CRS 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 CRS from making any reportable contributions through the term of the contract; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Mayor and Township Clerk are hereby authorized, directed and empowered to enter into a contract with CRS attached hereto as Exhibit “A”, to provide Affordable Care Act reporting services within the Township of Upper.
3. CRS has registered with the State of New Jersey pursuant to c.57, Laws of 2004 and has provided proof of that registration to the Township of Upper.
4. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 136-2023  
Offered by: Pancoast

Seconded by: Nappen

Adopted: April 24, 2023

Roll Call Vote:

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

15. Appointing Daniel J. Young to act as Special Legal Counsel.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 137-2023**

**RE: APPOINTING DANIEL J. YOUNG  
TO ACT AS SPECIAL LEGAL COUNSEL**

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**WHEREAS**, the Township requires special legal counsel services as determined by the Township Committee; and

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

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

**WHEREAS**, Daniel J. Young has completed and submitted a Business Entity Disclosure Certification which certifies that Daniel J. Young 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 Daniel J. Young 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. Daniel J. Young with offices at 701 West Avenue, Suite 302, Ocean City, New Jersey is hereby appointed Special Legal Counsel to handle 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 Daniel J. Young has professional knowledge as to legal matters which knowledge is particularly valuable to the Township Committee and this service is acquired as a non-fair and open contract pursuant to N.J.S.A. 19:44A-20.5.

**NOTICE OF CONTRACT AWARD**

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 Daniel J. Young for legal 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 the Township Clerk are hereby authorized and directed to execute, on behalf of the Township of Upper, a Professional Contract with Daniel J. Young 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. 137-2023

Offered by: Pancoast

Seconded by: Nappen

Adopted: April 24, 2023

Roll Call Vote:

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

Newman				X
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16. Authorizing the award of a contract with Service Tire Truck Centers, Inc. for tires.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 138-2023**

**RE: AUTHORIZING THE AWARD OF A CONTRACT WITH  
SERVICE TIRE TRUCK CENTERS, INC. FOR TIRES**

**WHEREAS**, from time to time the Township of Upper has a need to purchase tires from Service Tire Truck Centers, Inc. as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the Qualified Purchasing Agent has determined and certified in writing that the value of acquisitions with Service Tire Truck Centers, Inc. for the year 2023 will exceed \$17,500; and

**WHEREAS**, Service Tire Truck Centers, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Service Tire Truck Centers, Inc. has not made any reportable contributions to a political or candidate committee in the Township in the previous one year, and that the contract will prohibit Service Tire Truck Centers, Inc. from making any reportable contributions through the term of the contract; and

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

**WHEREAS**, the Chief Financial Officer of the Township has certified the availability of funds to allow the award of contract for the purchase herein authorized and has certified that adequate funds have been appropriated for this purpose in the 2023 Municipal Budget.

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township Committee of the Township of Upper, County of Cape May, New Jersey hereby authorizes the Qualified Purchasing Agent to enter into a contract with Service Tire Truck

Centers, Inc. as described herein.

3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

4. The Chief Financial Officer is hereby authorized, directed and empowered to execute any and all necessary documents in order to implement the intent of this Resolution.

Resolution No. 138-2023

Offered by: Pancoast

Seconded by: Nappen

Adopted: April 24, 2023

Roll Call Vote:

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

17. Amending Resolution No. 126-2023: appointing the 2023 season Beach Patrol personnel.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 139-2023**

**AMENDING RESOLUTION NO. 126-2023: APPOINTING THE  
2023 SEASON BEACH PATROL PERSONNEL**

**WHEREAS**, the individuals hereinafter named have been determined to possess the requisite skills, training and are otherwise eligible for appointment to the position of lifeguard; 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 following individuals are hereby appointed as lifeguards in the Township of Upper contingent upon successful pre-employment testing at the corrected salary as stated below in accordance with the Salary Ordinance:

**CHIEF**

William Handley                      \$32.50 per hour

**CAPTAIN**

Joseph O’Neil                      \$31.50 per hour  
Andrew Tobiasen                      \$31.50 per hour

**LIEUTENANT**

James Dugan                                 \$25.50 per hour  
Aaron Holibaugh                             \$25.50 per hour  
Grace Steele                                 \$25.50 per hour  
Meredith Steele                             \$25.50 per hour

**SENIOR GUARD**

Blake Boffa                                     \$22.25 per hour

Resolution No. 139-2023

Offered by: Pancoast

Seconded by: Nappen

Adopted: April 24, 2023

Roll Call Vote:

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

18. Appointing the 2023 Boat Ramp Attendants and Beach Sweeper.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 140-2023**

**RE: APPOINTING THE 2023 BOAT RAMP ATTENDANTS  
AND BEACH SWEEPER**

**WHEREAS**, the individuals hereinafter named have been determined to possess the requisite skills, training and are otherwise eligible for appointment to the position of lifeguard; 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 following individuals are hereby appointed, contingent upon successful pre-employment testing, to the positions and salary as stated below in accordance with the Salary Ordinance:

**BOAT RAMP ATTENDANTS**

Ronald Boomhower                         \$17.00 per hour  
James Laird                                 \$17.00 per hour  
Bernd Palau                                 \$17.00 per hour

Don Polo

\$17.00 per hour

**BEACH SWEEPER**

Ronald Reighn

\$18.00 per hour

Resolution No. 140-2023

Offered by: Pancoast

Seconded by: Nappen

Adopted: April 24, 2023

Roll Call Vote:

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

- 19. Authorizing the Engineer to prepare specifications and solicit bids for the 2023 Road Paving Project.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 141-2023**

**RE: AUTHORIZING THE ENGINEER TO PREPARE SPECIFICATIONS  
AND SOLICIT BIDS FOR THE 2023 ROAD PAVING PROJECT**

**WHEREAS**, the Township of Upper participates in a yearly maintenance program to pave various streets throughout the municipality; and

**WHEREAS**, pursuant to the provisions of the Local Public Contracts Law, the Township of Upper intends to solicit bids as herein indicated;

**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 Engineer is hereby authorized and directed to prepare specifications, bid documents and solicit bids for the following project:

**2023 ROAD PAVING PROJECT**

3. An itemized listing of the Roads authorized to be included in the project shall be made part of this Resolution and are attached hereto as Exhibit "A".

4. Sealed bids shall be received by the Township of Upper in accordance with the directives contained in the Notice to Bidders.

Resolution No. 141-2023

Offered by: Pancoast

Seconded by: Nappen

Adopted: April 24, 2023

Roll Call Vote:

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

20. Authorizing the annual Fourth of July fireworks display. **Tabled to the regular meeting of May 8, 2023.**

21. Authorizing the transfer of surplus property to the Borough of Woodbine.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 142-2023**

**RE: AUTHORIZING THE TRANSFER OF SURPLUS PROPERTY  
TO THE BOROUGH OF WOODBINE**

**WHEREAS**, the Township of Upper is the owner, in fee, of a 2005 Sterling 750 Vacuum/Jetter Truck, which is no longer needed by the Township and is deemed to be surplus; and

**WHEREAS**, the Borough of Woodbine has expressed a desire to acquire the item described herein for the nominal consideration of one dollar (\$1.00); and

**WHEREAS**, after discussion and deliberation the Township Committee is of the opinion that the transfer of said property will be in the best interest of both Municipalities; 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 is hereby authorized to transfer the title of the 2005 Sterling 750 Vacuum/Jetter Truck - VIN # 2FZAATDC45AN60982 (hereinafter referred to as "Vehicle") to the Borough of Woodbine.



3. The Vehicle is transferred "AS IS" and "WHERE IS" and without warranty of any kind, including, but not limited to, any warranty of merchantability and/or fitness for a particular purpose.

4. The Borough of Woodbine will be the owner thereof with complete responsibility to insure and maintain the Vehicle, and the Vehicle shall remain titled in the Borough of Woodbine for so long as the Borough continues to use it. When no longer needed by the Borough of Woodbine, the same shall be disposed of by the Borough as scrap with any resulting funds to be transferred to the Township of Upper.

5. The Township Committee hereby authorizes the Mayor, Township Clerk, Township Administrator, and Purchasing Agent to execute any required documents, and otherwise perform all acts necessary to accomplish the intent of this resolution.

Resolution No. 142-2023

Offered by: Pancoast

Seconded by: Nappen

Adopted: April 24, 2023

Roll Call Vote:

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

22. Authorizing Township Officials to sign agreements with OceanFirst Bank N.A. for various accounts with regard to banking services.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 143-2023**

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

---

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

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

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

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

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The agreements between the Township and OceanFirst Bank N.A. are hereby approved and all appropriate and necessary Township officials are hereby authorized, directed and empowered to execute said agreements on behalf of the Township of Upper.
3. The Township Clerk is further authorized, directed, and empowered to sign and seal said Agreements with the seal of the Township of Upper.
4. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 143-2023

Offered by: Pancoast

Seconded by: Nappen

Adopted: April 24, 2023

Roll Call Vote:

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

23. Authorizing the use of facsimile signatures for banking services with OceanFirst Bank N.A. for the payroll account.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 144-2023**

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

---

**WHEREAS**, the Township of Upper desires to have its checks, drafts or other orders for the payment or withdrawal of money from the Payroll Account, up to a maximum amount of

\$100,000.00, signed with facsimile signatures; and

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

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Bank, as a designated depository of the Township of Upper, is hereby requested, authorized and directed to honor any and all checks, drafts, or other orders for the payment or withdrawal of money up to a maximum amount of \$100,000.00, drawn in the Township of Upper’s name, including those drawn to the individual order of the authorized person or persons whose name or names appear thereon as a signer or signers thereof, when bearing the facsimile signature(s), attached hereto as Exhibit A, whether made by machine or other mechanical device.
3. The Bank shall be entitled to pay and charge to the Payroll account of the Township of Upper any and all such checks, drafts, wire transfers or other orders, up to a maximum amount of \$100,000.00, regardless of by whom or by what means the attached facsimile signature(s) thereon may have been affixed thereto.
4. The Township of Upper assumes full responsibility for all payments made by the Bank in good faith in reliance upon the attached facsimile signature(s) of such person or person(s) and agrees to indemnify and hold harmless the Bank, its successors, agents and employees for any loss which may result in connection with transactions made by use of facsimile signatures, due to unauthorized use of the facsimile signature or otherwise, where such transactions were handled by the Bank without negligence.
5. The Chief Financial Officer of the Township of Upper is hereby authorized and directed to furnish to the Bank the attached specimen(s) of the facsimile signature(s).
6. This Resolution shall continue and remain in full force and effect until notice of its revocation by further Resolution of the Township Committee of the Township of Upper has been received in writing by the Bank.

Resolution No. 144-2023

Offered by: Pancoast

Seconded by: Nappen

Adopted: April 24, 2023

Roll Call Vote:

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

24. Authorizing the use of facsimile signatures for banking services with OceanFirst Bank N.A. for the current fund and operating fund accounts.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 145-2023**

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

---

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

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

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

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

12. This Resolution shall continue and remain in full force and effect until notice of its revocation by further Resolution of the Township Committee of the Township of Upper has been received in writing by the Bank.

Resolution No. 145-2023

Offered by: Pancoast

Seconded by: Nappen

Adopted: April 24, 2023

Roll Call Vote:

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

25. Accepting the written Indoor Air Quality program and confirming the appointment of Paul E. Dietrich as Air Quality Control Officer in charge of compliance of the program, pursuant to the “PEOSH”, Indoor Air Quality Compliance program under N.J.A.C. 12:100-13.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 146-2023**

**RE: ACCEPTING THE WRITTEN INDOOR AIR QUALITY PROGRAM AND  
CONFIRMING THE APPOINTMENT OF PAUL E. DIETRICH AS AIR QUALITY  
CONTROL OFFICER IN CHARGE OF COMPLIANCE OF THE PROGRAM, PURSUANT  
TO THE “PEOSH”, INDOOR AIR QUALITY COMPLIANCE  
PROGRAM UNDER N.J.A.C. 12:100-13**

---

**WHEREAS**, the Township of Upper in order to comply with the Public Employees Occupational Safety and Health (PEOSH), Indoor Air Quality Standard Program pursuant to N.J.A.C. 12:100-13 adopted on May 21, 2007, established a program in February 2008, to promote good indoor air quality for employees working in Township of Upper municipal buildings; and

**WHEREAS**, to further comply with the PEOSH Program for Indoor Air Quality Standards an appointment is necessary to designate a person responsible for the enforcement and compliance of the requirements of N.J.A.C. 12-100-13 and the established program policies of the Township of Upper; and

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

1. The Indoor Air Quality Program, updated April 17, 2023 and attached as Exhibit “A” is hereby accepted by the Township of Upper.
2. Paul E. Dietrich’s appointment as the Indoor Air Quality Control Officer in charge of compliance of the Public Employees Occupational Safety and Health (PEOSH) Indoor Air Quality Program for the Township of Upper is hereby confirmed.

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. 146-2023

Offered by: Pancoast

Seconded by: Nappen

Adopted: April 24, 2023

Roll Call Vote:

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

26. Authorizing Change Order No. 1 for the Reconstruction of Bayview Drive Phase 4 and Prescott Avenue contract resulting in an increase of \$125,650.00.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 147-2023**

**RE: AUTHORIZING CHANGE ORDER NO. 1 FOR THE RECONSTRUCTION OF  
BAYVIEW DRIVE PHASE 4 AND PRESCOTT AVENUE CONTRACT RESULTING  
IN AN INCREASE OF \$125,650.00**

---

**WHEREAS**, the Township of Upper awarded the Reconstruction of Bayview Drive Phase 4 and Prescott Avenue bid to Lexa Concrete, LLC, of Hammonton, New Jersey, in the original contract amount of \$750,491.00; and

**WHEREAS**, the Township wishes to approve a Change Order to the aforesaid Contract as hereinafter provided; and

**WHEREAS**, Change Order No. 1 for the Reconstruction of Bayview Drive (2021-MA-00462) and Prescott Avenue (2022-MA-0036), comprising of the award of alternate bid quantities based on additional funding, will result in an increase in the aggregate amount of \$125,650.00; and

**WHEREAS**, the final adjusted contract amount by Change Order No. 1 shall be \$876,141.00; and

**WHEREAS**, the Chief Financial Officer has issued a certification as to the availability of funds for this Change Order; and

**WHEREAS**, this Change Order is in the best interests of the Township.

**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. Change Order No. 1 for the Reconstruction of Bayview Drive (2021-MA-00462) and Prescott Avenue (2022-MA-00366) contract with Lexa Concrete, LLC is hereby authorized.
3. The Mayor and Chief Financial Officer are hereby authorized, directed and empowered to execute the Change Order on behalf of the Township of Upper.
4. A copy of Change Order No. 1 detailing the nature and the extent of the work to be done, together with all other prior Change Orders, if any, is attached to this Resolution as Exhibit "A".
5. All Township officials and officers are hereby authorized and directed to take all action necessary to carry out the intent and purpose of this Resolution.

Resolution No. 147-2023

Offered By: Pancoast

Seconded by: Nappen

Adopted: April 24, 2023

Roll Call Vote:

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

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

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 148-2023**

**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 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)	\$ 200.00
	\$ 400.00

Resolution No. 148-2023

Offered By: Pancoast

Seconded By: Nappen

Adopted: April 24, 2023

Roll Call Vote:

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

29. Appointing April Johnston as temporary Technical Assistant to the Construction Official to the Upper Township Construction Code Office.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 150-2023**

**RE: APPOINTING APRIL JOHNSTON AS TEMPORARY TECHNICAL ASSISTANT TO  
THE CONSTRUCTION OFFICIAL TO THE  
UPPER TOWNSHIP CONSTRUCTION CODE OFFICE**

---

**WHEREAS**, a need exists to appoint a Temporary Technical Assistant to the Construction 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 April Johnston possesses all the requisite qualifications, and is a competent, fit, suitable person for the appointment of Temporary Technical Assistant to the Construction 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. April Johnston is hereby appointed to the Upper Township Construction Code Office as Temporary Technical Assistant to the Construction Official on an as needed basis pending pre-employment testing effective April 24, 2023 at an hourly rate of \$35.00, 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. 150 -2023

Offered by: Pancoast

Seconded by: Nappen

Adopted: April 24, 2023

Roll Call Vote:

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

30. Setting the fees for a permit to haul and/or dump dredge material in the Township of Upper.  
**Tabled to the regular meeting of May 8, 2023.**

**ORDINANCES**

31. Public hearing and final adoption of Ordinance No. 009-2023 RE: AN ORDINANCE DELETING REVISED GENERAL ORDINANCE CHAPTER III, SECTION 1 (HAWKING OR PEDDLING MERCHANDISE) AND ADDING CHAPTER IV, SECTION 5 (HAWKING OR PEDDLING MERCHANDISE OR SERVICES) OF THE CODE OF UPPER TOWNSHIP. **During the public hearing portion there were no speakers. Motion by Curtis Corson, second by Mark Pancoast to adopt Ordinance No. 009-2023. During roll call vote all four Committee members present voted in the affirmative.**

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

**ORDINANCE NO. 009-2023**

**RE: AN ORDINANCE DELETING REVISED GENERAL ORDINANCE CHAPTER III, SECTION 1 (HAWKING OR PEDDLING MERCHANDISE) AND ADDING CHAPTER IV, SECTION 5 (HAWKING OR PEDDLING MERCHANDISE OR SERVICES) OF THE CODE OF UPPER TOWNSHIP**

---

**WHEREAS**, the Township Committee of the Township of Upper desires to adopt an ordinance amending Chapters 3, Section 1 and Chapter 4, Section 5 of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, with respect to the requirements and regulations regarding hawking or peddling merchandise.

**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 Ordinances of the Township of Upper, also known as the Code of Upper Township, shall be amended and supplemented as hereinafter provided:

Delete Section 3-1 HAWKING OR PEDDLING MERCHANDISE in its entirety.

**SECTION 2.** 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 4-5 HAWKING AND PEDDLING MERCHANDISE           OR

SERVICES as follows:

**CHAPTER 4-5 HAWKING OR PEDDLING MERCHANDISE**

§ 4-5.1. Definitions.

**Background Review Officer**

Shall mean the New Jersey State Police Woodbine Station Commander or his or her designee or such other individual as the Township may designate by resolution of the Township Committee.

**Licensee**

Shall mean any person licensed to vend merchandise pursuant to this section.

**Merchandise**

Shall mean any goods, wares, products, items, articles, or services of any kind, nature, or description offered for sale.

**Person**

Shall mean and include any individual, association, corporation, limited liability company, and any other entity.

**Registry**

Shall mean the Do Not Knock Registry, if one is established pursuant to this section.

**Vend**

Shall mean to hawk, peddle, sell, or offer for sale any merchandise on any property owned by another without first obtaining such property owner's express consent to enter onto such property for such purpose.

**Vendor**

Shall mean any person who vends including but not limited to all hawkers, peddlers, transient merchants, and itinerant vendors of any kind.

§ 4-5.2. Purpose.

The purpose of this section is to prohibit unfair competition and dishonest business practices and to promote the health and safety of Township residents by the regulation of the conduct of, and by the imposition of registration, license and background check requirements upon, all vendors of merchandise.

§ 4-5.3. Registration and License required.

No person shall vend in the Township any merchandise on foot or from any automobile, vehicle, wagon, cart, other conveyance, or stand, whether door-to-door or otherwise, without first registering and obtaining a license therefor, as hereinafter provided, with a certificate of good standing, if a domestic entity, and a certificate of authority to do business in New Jersey, if a foreign entity.

§ 4-5.4. Application for registration and license.

- a. Every employer of any person who proposes to vend merchandise in the Township, whether self-employed or employing others, shall register with the Township Clerk. Registration forms as required by the Township Clerk shall be submitted in person by the employer or the employer's authorized representative. Registration forms made on behalf of a corporation or other business entity shall be signed by a duly authorized officer and the seal of the corporation shall be attested by its secretary with a Certificate of Good

Standing and, if a Foreign Entity, Certificate of Authority to conduct business in New Jersey. In connection with the registration, the employer must also submit the following documents:

1. If the employer is a corporation or other business entity, the full names, residence addresses, and dates and places of birth of each major officer and each person owning or having any interest, either legal or equitable, aggregating in value 10% or more of the total capital of said entity together with the name and address of the registered agent, if any, and the address of the principal office.
  2. Proof of insurance coverage acceptable to the Township and its insurance carrier protecting the employer/licensee and the Township from all claims for damages to property and bodily injury, including death, which may arise from operations under or in connection with the employer's/licensee's vending of merchandise, with limits of not less than \$2,000,000 combined single limit. Such insurance shall name as an additional insured the Township of Upper, including all elected and appointed officials, all employees and volunteers, all boards and commissions and/or authorities, and their board members, and shall provide that the policy shall not terminate or be canceled prior to the expiration date without 30 days' advance written notice to the Township.
- b. In addition to the registration of employers pursuant to paragraph a of this subsection, each person who proposes to vend merchandise on behalf of an employer who has registered pursuant to paragraph a of this subsection shall also make an application for a license to the Township Clerk in person. Any person desiring a license under this section shall file with the Township Clerk an original and one copy of an application, under oath, in writing, on a form furnished by the Township Clerk. The applicant shall set forth all information required by the application form. Incomplete applications will be rejected. In connection with the license, the applicant must also submit the following documents:
1. Each applicant who shall personally engage in vending merchandise shall provide a criminal history background check from the New Jersey State Police together with two personal photographs meeting the requirements for a U.S. passport photograph. In lieu of the background check required by this subsection, an applicant who proposes to vend merchandise on behalf of an employer licensed pursuant to this subsection may instead provide a certification from the applicant's employer that the employer has reviewed the applicant's criminal history background check conducted by a reputable and recognized background check provider within the last 12 months and that the background check has indicated that the applicant has a clear criminal record and that a copy of the background check is included with the certification.
  2. If the applicant proposes to vend any food and/or beverages, such shall submit a written approval from the Cape May County Health Department as part of such applicant's license application.
- c. Fees.
1. The Township Committee shall, by resolution, set forth the amount to be charged for each registration and license granted pursuant to sections a and b of this subsection.

#### § 4-5.5. Investigation of applicant.

Upon receipt of an applicant's criminal history background check results that indicates any prior criminal history, the Township Clerk shall transmit the background check results to the Background Review Officer, who shall review the criminal history background check results and notify the Township Clerk of his or her approval or disapproval. In the event of a disapproval, such applicant may receive a license only with the approval of the Township Committee after a public hearing. If a

background check or employer certification indicates that an applicant has a clear criminal record, no review or approval by the Background Review Officer shall be required.

§ 4-5.6. Issuance of license; expiration; list of licenses to be kept; license nontransferable.

Upon complying with the provisions of this section and upon approval by the Background Review Officer, the Township Clerk shall issue a license to the applicant. A license issued pursuant to this section shall be valid for one full year following the date such license is issued and shall then expire. Upon expiration of a license, the vendor must apply for a new license before vending merchandise in the Township. The Township Clerk shall keep an accurate list of all such licenses. Any license issued pursuant to this section shall be nontransferable.

§ 4-5.7. Exemptions.

- a. Any person holding a license issued pursuant to N.J.S.A. 45:24-9 shall be exempt from applying for a license and registering, or paying a fee as required by this section; provided, however, that such person shall be required to file a copy of his or her license issued pursuant to N.J.S.A. 45:24-9 with the Township Clerk; and provided, however, that such license holder shall be required to comply with all other provisions of this section. Such person shall re-file a copy of such license annually.
- b. This section shall not apply to any person engaged in the delivery of merchandise in the regular course of business to or upon the premises of persons who had previously ordered the same or were entitled to receive the same by reason of a prior agreement.
- c. This section shall not apply to any person engaged in the vending of merchandise in connection with special events sponsored by the Township or hosted on property held by the Township with permission of the Township Committee; provided, however, that such persons shall comply with any other requirements and regulations applicable to such activities.

§ 4-5.8. Form of license; badge to be displayed.

- a. The license issued pursuant to this section shall be carried at all times by any person vending merchandise in the Township. In addition, the licensee shall wear a clearly visible identification badge containing the licensee's name, recent photograph, employer, and the following words: "Licensed Vendor, Upper Township, New Jersey" together with the license year.
- b. Such license shall be exhibited by the licensee to any law enforcement officer or other person upon request.
- c. Each automobile, vehicle, wagon, cart, or other conveyance used in connection with vending merchandise shall clearly display the name of the company vending such merchandise and shall clearly display in a conspicuous place and manner the following words printed thereon: "Licensed Vendor, Upper Township, New Jersey."

§ 4-5.9. Restrictions.

- a. No vendor licensed pursuant to this section or N.J.S.A. 45:24-9 shall be allowed to stand or remain in any one place for the purpose of vending merchandise for a period longer than 15 minutes except where such licensed person does so upon the property of another with the express consent of any owner, representative or agent of an owner, or occupant of such property.
- b. No person licensed pursuant to this section or N.J.S.A. 45:24-9 shall vend any merchandise on Sundays or federal or New Jersey state holidays.

- c. Vending of merchandize on any public beach, public park, public way, public parking lot, or any public place shall be prohibited unless it has been specifically authorized by the Township Committee or its designee. Vending on public streets shall only be permitted on such streets and at such times as designated by resolution of the Township Committee.
- d. No person shall enter upon the property of another to vend merchandise if the property displays a sign stating “No Soliciting”, “No Solicitors”, “No Trespassing”, “No Knock”, or any other prohibition of similar intent.
- e. Any vendor shall immediately vacate any property of another upon receiving a request by any owner, representative or agent of an owner, or occupant of such property to vacate the premises, and shall not enter upon such property again for a period of at least 30 days for the purpose of vending merchandise.
- f. No person may enter onto the property of another to vend merchandise before 9:00 a.m. or after 5:00 p.m.
- g. No person shall use a license issued to another person pursuant to this section and no licensee shall permit such license to be used by another person.
- h. Vendors shall not drink alcoholic beverages, use drugs, or be under the influence of drugs or alcohol when vending merchandise.
- i. Vendors shall not harass the public.

§ 4-5.10. Suspension or revocation of license.

Any person who, while vending merchandise, violates any of the provisions of this section, any criminal or quasi-criminal statute, regulation, or rule of the State of New Jersey, any regulation approved by the Township Committee, or any direction or order of any law enforcement officer or state, county, or Township official shall, in addition to being subject to the penalties provided for in subsection 4-5.11, be liable, after a hearing, to have his license suspended or revoked by the Township Committee. Any person whose license is revoked pursuant to this subsection shall be ineligible to receive a new license for a period of one year.

§ 4-5.11. Violations and penalties.

Any person who violates any provision of this section shall, upon conviction thereof, be punished by a fine not exceeding \$1,000 or by imprisonment for a term not exceeding 90 days, or both. Each and every separate violation of this section shall constitute a separate offense for purposes of this subsection.

§ 4-5.12. Special events waiver.

The Township Committee, by resolution, may waive any of the regulations contained in this section.

§ 4-5.13. Do Not Knock Registry.

- a. The Township may by resolution of the Township Committee create a "Do Not Knock Registry" to permit residents to register to be excluded from any vending of merchandise upon such resident's property. The Registry, if created, shall identify registered properties by street address and shall exclude the name(s) of the owner(s) or occupant(s).
- b. No person may vend merchandise on any property that is listed on the Do Not Knock Registry.

- c. The property of a resident that is placed on the Do Not Knock Registry at the resident's request shall remain on the Do Not Knock Registry until such time as the resident advises the Township Clerk, in writing, that the resident wishes to have the property removed from the list or until such time as the property is sold. Upon the sale of a property, the Township Tax Collector shall advise the Township Clerk to remove such property from the Do Not Knock Registry if listed and shall advise the purchaser of the right to have the property listed on the Do Not Knock Registry.
- d. The Township Clerk shall distribute a copy of the Registry to every licensee at the time of issuance of a license pursuant to this section or, in the case of an individual licensed pursuant to N.J.S.A. 45:24-9, at the time such individual files with the Township Clerk a copy of such individual's license. The licensee shall not vend merchandise at any premises identified on the current Registry. All licensees are required to obtain updates to the Registry at the beginning of each week, which will be available in the Clerk's office.

§ 4-5.14. No Solicitation Signs.

The Township may, by resolution of the Township Committee, make available to residents of the Township signs, stickers, or other form of notice stating "No Soliciting" or otherwise indicating that solicitation is prohibited upon a property where such notice is displayed. The cost to a resident to obtain such sign, if any, shall be established by resolution of the Township Committee.

**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 27<sup>th</sup> DAY OF MARCH, 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 24<sup>th</sup> DAY OF APRIL, 2023 AT 4:30 P.M. AT THE TOWNSHIP HALL, PETERSBURG, NEW JERSEY, AT WHICH TIME SAID ORDINANCE WAS ADOPTED.

JOANNE R. HERRON, TOWNSHIP CLERK  
TOWNSHIP OF UPPER

- 32. Introduction and first reading of Ordinance No. 010-2023 RE: AN ORDINANCE ESTABLISHING MANDATORY DIRECT DEPOSIT OF NET PAY FOR EMPLOYEES OF THE TOWNSHIP OF UPPER. **Motion by Mark Pancoast, second by Victor Nappen, to introduce Ordinance No. 010-2023 with the public hearing and final adoption**



scheduled for May 22, 2023 at 4:30 PM. During roll call vote all four Committee members present voted in the affirmative.

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

**ORDINANCE NO. 010-2023**

**RE: AN ORDINANCE ESTABLISHING MANDATORY DIRECT DEPOSIT OF NET PAY  
FOR EMPLOYEES OF THE TOWNSHIP OF UPPER**

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**WHEREAS**, Section 3 of P.L. 2013, c.28, authorized municipalities and counties to adopt an ordinance to provide for the mandatory direct deposit of net pay for all employees; and

**WHEREAS**, P.L. 2013, c.28, further permits that municipalities may grant exemptions as deemed necessary, such as for seasonal and temporary employees; and

**WHEREAS**, the Township Committee of the Township of Upper desires to adopt an ordinance adopting such mandatory direct deposit for employees as authorized by P.L. 2013, c.28.

**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 5 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 5-14 - DIRECT DEPOSIT

1. All permanent employees and elected public officials who receive compensation from the Township of Upper are mandated to have direct deposit of their net pay effective June 1<sup>st</sup> 2023, in accordance with Chapter 28, P.L. 2013.
2. "Net Pay" shall include weekly pay and other forms of payment, including but not limited to, retroactivity of wages, clothing and uniform allowances, health benefit buyouts, compensatory time buyouts and final payments to employees separating employment, etc.
3. Seasonal and temporary employees who are employed by the Township of Upper may be exempt from the direct deposit mandate set forth herein, upon their request for said exemption to the Township of Upper, Administrator. Such requests shall be made in writing and will be presented to the Township Committee within thirty (30) days of said request. The Township Committee may grant such an exemption by resolution and only for good cause.

**SECTION 2: EFFECTIVE DATE:** This ordinance shall take effect immediately upon the following publication as required by law.

**SECTION 3: REPEALER:** All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency 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: 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 **24<sup>th</sup> DAY OF APRIL, 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 **22<sup>nd</sup> DAY OF MAY, 2023 AT 4:30 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

### **CORRESPONDENCE**

#### **NEW BUSINESS**

33. South Shore Stitches request to hold a Raffle RA-559 at the Upper Township Community Center on November 18, 2023 at 2:30 pm. **Motion by Curtis Corson, second by Mark Pancoast, to approve the request. During roll call vote all four Committee members present voted in the affirmative.**

#### **UNFINISHED BUSINESS**

#### **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 Curtis Corson, second by Mark Pancoast. During roll call vote all four Committee members present voted in the affirmative.**

**Bills approved for payment: \$941,242.97**  
**Payroll: \$176,688.14**

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

**Keith Jack, Marmora**, spoke about a complaint with the neighboring bagel shop. The Township Administrator requested that Mr. Jack email the details to him so that he can review the issue.

**Barbara Leary, Seaville**, inquired if there are any plans to establish public transportation in the Township. It was stated that there are several scheduled public bus stops in the Township. Ms. Leary requested that information or a link to the information be placed on the Township's website.

**Bob Di Iorio, Seaville**, thanked all of the first responders that responded to the fire at the Seaville Shores Campground. He next spoke about several items including his thoughts on the lack of transparency of the Committee, the Township's bond ordinance, the recent implosion on the former BL England property, and the development plans for that area.

**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. 151-2023  
MOTION GOING INTO CLOSED SESSION  
APRIL 24, 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. Potential litigation - Block 647, Lot 7
3. Contract negotiation - Block 730, Lots 23-26
4. Contract negotiation - Delta Dental
5. Contract negotiation - Website Services
6. Contract negotiation - PFANJ IAFF Local 5406

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

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

Moved by: Mark Pancoast

Motion seconded by: Curtis Corson

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

**RECONVENE PUBLIC PORTION OF MEETING**

Motion by Curtis Corson, second by Victor Nappen, to reconvene the public portion of the meeting. During roll call vote all four Committee members present voted in the affirmative.

**ADJOURNMENT**

There being no further business this evening the meeting was adjourned at 5:20 P.M., with a motion by Curtis Corson, second by Victor Nappen, and all four Committee members present voting in the affirmative. The next regular Committee meeting is scheduled for May 8, 2023 at 6:30 P.M.

Minutes prepared by,

Joanne R. Herron, RMC  
Municipal Clerk

81364 04/24/23 Alignment Check VOID  
 81365 04/24/23 A0025 ADVANTAGE RENTAL & SALES 820.11 3295  
 81366 04/24/23 A0091 ATLANTIC CITY ELECTRIC 24,899.55 3295  
 81367 04/24/23 A0193 ATLANTIC INVESTIGATIONS, LLC 101.00 3295  
 81368 04/24/23 A0212 ANCERO, LLC 9,614.29 3295  
 81369 04/24/23 A0231 ALL UNIQUE GIFTS, INC. 10,814.00 3295  
 81370 04/24/23 A0235 AMAZON CAPITAL SERVICES, INC. 104.39 3295  
 81371 04/24/23 A0248 AIRESRING, INC. 1,231.98 3295  
 81372 04/24/23 B0035 BELMONT & CRYSTAL SPRINGS 133.42 3295  
 81373 04/24/23 B0093 BARRY,CORRADO & GRASSI,PC 5,442.50 3295  
 81374 04/24/23 B0220 BERGEY'S TRUCK CENTERS 545.97 3295  
 81375 04/24/23 B0273 Bisignaro, Virginia 44.50 3295  
 81376 04/24/23 B0278 BUSINESS INFORMATION SYSTEMS 1,080.81 3295  
 81377 04/24/23 B0287 BIGLEAF NETWORKS, INC. 697.00 3295  
 81378 04/24/23 B0288 KINGBARNES LLC 837.50 3295  
 81379 04/24/23 C0048 CAPE MAY COUNTY MUA 40,514.61 3295  
 81380 04/24/23 C0068 COMCAST 789.03 3295  
 81381 04/24/23 C0124 CMC MUNICIPAL CLERK'S ASSOC. 35.00 3295  
 81382 04/24/23 C0143 CODY'S POWER EQUIPMENT 841.44 3295  
 81383 04/24/23 C0204 CUMBERLAND INSURANCE GROUP 19.00 3295  
 81384 04/24/23 C0223 CASA PAYROLL SERVICE 428.00 3295  
 81385 04/24/23 C0278 TIFFANY A. CUVIELLO, PP, LLC 875.00 3295  
 81386 04/24/23 C0296 COMCAST BUSINESS COMMUNICATION 22.07 3295  
 81387 04/24/23 C0307 CNS ACQUISITION CORPORATION 875.00 3295  
 81388 04/24/23 C0344 CAM-DEN GLASS OF VILLAS, INC. 1,620.00 3295  
 81389 04/24/23 D0040 DELTA DENTAL OF N.J. INC. 5,770.35 3295  
 81390 04/24/23 D0149 DANZIGER & MARKOFF, LLP 2,250.00 3295  
 81391 04/24/23 D0186 DOCUTREND, INC. 35.60 3295  
 81392 04/24/23 D0237 DIETZ, KERRY 125.00 3295  
 81393 04/24/23 D0240 DEVLIN, EDMUND F. 1,048.45 3295  
 81394 04/24/23 E0021 ENCHANTING FLORIST 149.00 3295  
 81395 04/24/23 E0069 EVERSAN,INC 3,350.00 3295  
 81396 04/24/23 F0016 FAZZIO, JOSEPH INC. 526.65 3295  
 81397 04/24/23 G0086 W.W. GRAINGER, INC. 428.82 3295  
 81398 04/24/23 G0120 PATRICK F. MARTIN 1,966.58 3295  
 81399 04/24/23 G0169 GROFF TRACTOR MID ATLANTIC LLC 1,547.74 3295  
 81400 04/24/23 H0002 H.A. DEHART & SON CORP. 2,881.85 3295  
 81401 04/24/23 I0019 INTERNATIONAL CODE COUNCIL,INC 118.00 3295  
 81402 04/24/23 K0100 KEEN COMPRESSED GAS CO. 264.00 3295  
 81403 04/24/23 L0007 LC EQUIPMENT, INC. 126.00 3295  
 81404 04/24/23 L0016 LANDSMAN UNIFORMS, INC. 1,570.00 3295  
 81405 04/24/23 L0157 LEXA CONCRETE, LLC 220,617.60 3295  
 81406 04/24/23 M0035 MARMORA FIRE CO. DISTRICT #3 185,833.19 3295  
 81407 04/24/23 M0193 MAYNE, MICHAEL 120.00 3295  
 81408 04/24/23 M0235 MODERN GROUP, LTD 749.25 3295  
 81409 04/24/23 M0277 EQUITABLE FINANCIAL LIFE INS. 193.92 3295  
 81410 04/24/23 M0290 MADDEN & MADDEN, PC 1,593.80 3295  
 81411 04/24/23 M0303 MALEY GIVENS, A PROF CORP 1,311.50 3295  
 81412 04/24/23 N0043 NAPA AUTO PARTS 285.12 3295  
 81413 04/24/23 N0070 MARSH & MCLENNAN AGENCY, LLC 2,000.00 3295  
 81414 04/24/23 N0094 NEW JERSEY PLANNING OFFICIALS 867.00 3295  
 81415 04/24/23 N0143 NATIONAL TIME SYSTEMS 370.75 3295  
 81416 04/24/23 N0154 NEW HORIZON COMMUNICATIONS 836.09 3295  
 81417 04/24/23 P0032 PEDRONI FUEL CO. 3,039.31 3295  
 81418 04/24/23 P0056 TURF EQUIPMENT AND SUPPLY CO 3,411.32 3295  
 81419 04/24/23 P0140 PIONEER MANUFACTURING CO, INC 1,943.70 3295  
 81420 04/24/23 P0166 PARKER MCCAY P.A. 13,332.39 3295  
 81421 04/24/23 P0170 PEACH COUNTRY MULCH 1,875.00 3295  
 81422 04/24/23 R0030 RIGGINS, INC. 4,033.89 3295  
 81423 04/24/23 S0031 SCHULER SECURITY, INC. 240.00 3295  
 81424 04/24/23 S0035 SCHOPPY WILLIAM TROPHY CO. 59.95 3295  
 81425 04/24/23 S0057 SERVICE TIRE TRUCK CENTERS 4,278.45 3295  
 81426 04/24/23 S0065 SEAVILLE FIRE CO. DISTRICT #4 153,020.00 3295  
 81427 04/24/23 S0109 SNAP-ON-INDUSTRIAL 19.76 3295  
 81428 04/24/23 S0134 SO. JERSEY GAS COMPANY 1,841.73 3295  
 81429 04/24/23 S0161 SPICA STEEL, INC./J.D.L.GARAGE 150.00 3295  
 81430 04/24/23 S0191 STRATHMERE FIRE CO.DISTRICT #1 26,081.62 3295  
 81431 04/24/23 S0201 SURRAN'S NURSERY 1,536.00 3295  
 81432 04/24/23 S0239 SHORE VET. ANIMAL CONTROL LLC 2,300.00 3295  
 81433 04/24/23 S0284 SOUTH JERSEY INTERPRETERS 262.50 3295  
 81434 04/24/23 S0363 STARR GENERAL CONTRACTING CORP 780.00 3295  
 81435 04/24/23 S0367 Seidel, Cheryl 300.00 3295  
 81436 04/24/23 S0393 SEASHORE SIGNS, INC. 15,900.00 3295  
 81437 04/24/23 S0397 SORENSEN, MICHAEL A. 1,000.00 3295

81438 04/24/23 T0055 TACTICAL PUBLIC SAFETY LLC 500.00 3295  
81439 04/24/23 T0080 TREASURER STATE OF N.J. 3,106.00 3295  
81440 04/24/23 T0117 TUCKAHOE FIRE DISTRICT #2 135,700.00 3295  
81441 04/24/23 T0159 TRIAD ADVISORY SERVICES, INC. 9,575.00 3295  
81442 04/24/23 T0168 TOWNSHIP OF UPPER 335.13 3295  
81443 04/24/23 T0180 TRI-COUNTY PEST CONTROL, INC 25.00 3295  
81444 04/24/23 T0192 MARSH & McLENNAN AGENCY/TRION 242.25 3295  
81445 04/24/23 U0062 UNITED RENTALS N. AMERICA INC. 4,674.14 3295  
81446 04/24/23 U0067 UT HEALTH REIMB. ACCOUNT 5,673.28 3295  
81447 04/24/23 V0001 VCI EMERGENCY VEHICLE 229.50 3295  
81448 04/24/23 V0013 VERIZON WIRELESS 569.97 3295  
81449 04/24/23 V0018 VILLAGE PHARMACY, INC. 444.00 3295  
81450 04/24/23 V0022 VERIZON 604.56 3295  
81451 04/24/23 V0024 VAL-U AUTO PARTS L.L.C. 585.44 3295  
81452 04/24/23 V0026 VITAL COMMUNICATIONS, INC. 1,239.08 3295  
81453 04/24/23 V0053 VERIZON CONNECT FLEET USA LLC 545.60 3295  
81454 04/24/23 W0030 WEST PUBLISHING CO. 784.32 04/25/23 VOID 3295 (Reason: Signature Error)  
81455 04/24/23 W0075 WITMER PUBLIC SAFETY GROUP INC 491.24 3295  
81456 04/24/23 W0087 W.B. MASON EGG HARBOR 126.97 3295  
81457 04/24/23 X0008 XEROX FINANCIAL SERVICES 236.06 3295  
81458 04/24/23 Y0003 Y-PERS INC 68.00 3295  
81459 04/24/23 Y0008 YOUNG, DANIEL J. ESQUIRE PC 180.00 3295  
81460 04/24/23 Z0017 ZOLL DATA SYSTEMS, INC. 579.38 3295  
81461 04/25/23 W0030 WEST PUBLISHING CO. 784.32 3295  
81463 04/25/23 TAX02014 TAX OVERPAYMENT LUMP SUM 1,213.64 3296  
Total: \$942,456.61