

**TOWNSHIP OF UPPER  
2100 TUCKAHOE ROAD  
PETERSBURG, NJ 08270  
CAPE MAY COUNTY  
MINUTES FOR MAY 8, 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 May 5, 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 Anthony Monzo, and Township Administrator Gary DeMarzo.

**APPROVAL OF MINUTES** - April 24, 2023 Regular and Closed Session Minutes

Motion by Kimberly Hayes, second by Curtis Corson, to approve the April 24, 2023 Regular and Closed Session Minutes as submitted. During roll call vote four Committee members voted in the affirmative. Mayor Newman abstained.

**REPORT OF GOVERNING BODY MEMBERS**

**Kimberly Hayes, Committeewoman**, reported that the Township held the annual Day of Prayer ceremony last Thursday and it was a wonderful turnout. She thanked the area pastors that attended and also thanked the Fellowship of Christian Athletes for their participation. She next reported that she attended the patriot grave marking ceremony of Revolutionary War veteran Henry Young. She thanked Paul Sutton and the members of the American Legion, the Historical Society, in particular Barbi Harris, the Sons of the American Revolution, the Daughters of the American Revolution, the Division of EMS and the Department of Public Works. She next reported that vendor applications are now available for the Township’s 4<sup>th</sup> of July event.

**Victor Nappen, Committeeman**, gave a brief report on the activities of Animal Control for the month of April and reminded everyone to license their dogs. He next reported on the newly opened Bergio Jewelers and welcomed them to the Township.

**Mark Pancoast, Committeeman**, gave a brief report on the activities of the Public Works department including bulk trash pickup, mowing, and the installation of speed humps on Randolph Avenue. He next stated that he was also honored to attend the grave marking ceremony of Revolutionary War veteran Henry Young and the event was very moving. Lastly, he thanked Craig Schenck from the Upper Township Sentinel for covering Township events.

**Curtis Corson, Committeeman**, also remarked on the wonderful grave marking ceremony for Henry Young. He stated that there may be more such ceremonies planned for the future as more Revolutionary War veterans are discovered. He next thanked the Department of Public Works for installing the new beach signs.

**Jay Newman, Mayor**, also remarked on the very tasteful and well done ceremony for Henry Young. He next reported that the Township is in the process of updating the sound system for the meeting room. Next, he reported that he and Deputy Mayor Hayes had the privilege of attending a dedication at Dompierre Showroom & Workroom located at the old Marmora Fire House. He thanked Dompierre for recognizing the Marmora Fire company and its origins. Lastly, he reported that the Township has received a DOT Municipal Aid grant for the reconstruction of Putnam Avenue in the amount of \$153,000.00.

### **ADMINISTRATOR OVERVIEW**

**Gary DeMarzo, Township Administrator**, remarked on what a wonderful community Upper Township is with the various events and the celebration of God, family, country. He thanked the Department of Public Works and Division of EMS for their assistance with the grave marking ceremony. He next reported that the Township has received a clean audit report for 2022. Lastly, he reported that the sidewalk at the Deauville Inn has been installed.

**Joanne Herron, Municipal Clerk**, reported that the deadline to register to vote in the Primary Election is May 16<sup>th</sup>. Registration forms can be obtained from the Clerk's Office or at [www.capemaycountyvotes.com](http://www.capemaycountyvotes.com).

**Barbara Ludy, Chief Financial Officer**, requested permission for employee Sarah Steiner to attend a purchasing class in July and August. Motion by Curtis Corson, second by Kimberly Hayes, to approve the request. During roll call vote all five Committee members voted in the affirmative.

**Paul Dietrich, Township Engineer**, reported that the roof has been replaced on the Gandy House and stated that the contractor did a beautiful job. He next reported that the Gypsy moth spraying has been a bit delayed but they are hoping to start on Thursday. He next reported that the County Engineer has requested that the Township adopt a resolution in support of the County's proposed project to replace the Marshallville Road bridge with a pedestrian bridge. Motion by Curtis Corson, second by Mark Pancoast, to approve the request. During roll call vote all five Committee members voted in the affirmative. A Resolution for formal action will be placed on the next agenda. Lastly, he reported that the Department of Public Works has started the grading project of Strathmere beaches pursuant to the Township's beach management plan. Mayor Newman requested an update on the beach fill project. Mr. Dietrich stated that the project has been delayed by approximately a month, so it is possible that it may begin in August.

### **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 Kimberly Hayes, second by Mark Pancoast, 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. Clerk's Office
2. Construction Code
3. Division of EMS
4. Finance Office
5. MUA Report
6. Public Works
7. Tax Collector

**RESOLUTIONS TO BE APPROVED BY CONSENT**

8. Honoring Noah Wertzberger on attaining the designation of "Eagle Scout".

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 152-2023**

**RE: HONORING NOAH WERTZBERGER ON ATTAINING THE  
DESIGNATION OF "EAGLE SCOUT"**

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**WHEREAS**, Noah Wertzberger of Troop 79, Seaville, New Jersey has recently achieved the designation of Eagle Scout in the Boy Scouts of America; and

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

**WHEREAS**, the Township Committee extends its sincere congratulations to Noah on the occasion of his receiving the designation of Eagle Scout and commends him for this outstanding accomplishment and the completion of his Eagle Scout project which consisted of the removal of two deficient Osprey Nesting Platforms on the Great Egg Harbor River and the construction and installation of two replacement Osprey Platforms.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee extends its sincere congratulations and best wishes to Noah's parents, family, and friends on this happy occasion; and it is

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

**GIVEN UNDER OUR HANDS** and the seal of the Township of Upper this 8<sup>th</sup> day of May, 2023.

Resolution No. 152-2023

Offered by: Hayes

Seconded by: Pancoast

Adopted: May 8, 2023

Roll Call Vote:

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

- Designating certain Strathmere beach areas in the Township of Upper as a surfing beach and a catamaran/sailboat beach for the 2023 Summer Season.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 153-2023**

**RE: DESIGNATING CERTAIN STRATHMERE BEACH AREAS IN THE TOWNSHIP OF UPPER AS A SURFING BEACH AND A CATAMARAN/SAILBOAT BEACH, AND SETTING THE BEESLEY’S POINT BOAT RAMP FEES FOR THE 2023 SUMMER SEASON**

**WHEREAS**, in accordance with Chapter 9, entitled Recreational Facilities, of the Revised General Ordinances it is necessary to designate certain beach areas along the Strathmere shore in the Township of Upper strictly for the use of surfboards, sailboats, catamarans and other similar devices for the 2023 summer season; and

**WHEREAS**, in accordance with Chapter 9-4, entitled Boat Ramp, of the Revised General Ordinances, the Township Committee is authorized to set by resolution the amount to be charged for a daily, seasonal, and commercial boat ramp pass; 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:

- The allegations of the preamble are incorporated herein by this reference.
- It has been determined by the Township Committee to designate the following for the

2023 summer season:

- Surfing Beach: Between Vincent Avenue and Sherman Avenue**
- Catamaran/Sailboat Beach: Between Hawthorne Avenue and Hamilton Avenue**
- Beesley’s Point Boat Ramp Fees:**

<b>Daily Rate</b>	<b>\$15.00</b>
<b>Seasonal Rate if purchased on or before May 31<sup>st</sup></b>	<b>\$75.00</b>
<b>Seasonal Rate if purchased after May 31<sup>st</sup></b>	<b>\$125.00</b>
<b>Commercial Pass (seasonal only)</b>	<b>\$350.00</b>

- A map designating the Surfing Beach and Catamaran/Sailboat Beach areas has been provided by the Township Engineer and shall be attached hereto as Exhibit A.

4. During imminent storm all watercraft shall be removed from the designated beach areas.

Resolution No. 153-2023

Offered by: Hayes

Seconded by: Pancoast

Adopted: May 8, 2023

Roll Call Vote:

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

10. Confirming sale of certain land, to wit: Block 306, Lot 5 to John D. Mayberry.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 154-2023**

**RE: CONFIRMING SALE OF CERTAIN LAND, TO WIT:  
BLOCK 306, LOT 5 TO JOHN D. MAYBERRY**

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**WHEREAS**, a public auction land sale was held on April 28, 2023 pursuant to Ordinance No. 018-2022; and

**WHEREAS**, John D. Mayberry submitted the highest bid for the purchase of Block 306, Lot 5; and

**WHEREAS**, the Township Committee is satisfied that all conditions precedent were complied with and that said sale was conducted in accordance with the requirements of the Ordinance aforesaid and that proper notice was given to all persons owning property contiguous of the subject property being offered for sale; and

**WHEREAS**, the Township Committee believes that it is in the public interest to confirm the sale of such parcel.

**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 sale of Block 306, Lot 5 to John D. Mayberry, at a sale price of \$5,500.00, is hereby confirmed, under and subject to the terms, conditions, and provisions of Ordinance No. 018-2022, and further subject to and conditioned upon the purchasers' compliance with said Ordinance.

3. The Mayor and Township Clerk are hereby authorized, directed and empowered to execute and deliver, on behalf of the Township of Upper, to the aforesaid purchaser, a Quitclaim Deed conveying the Township's right, title and interest in the above described property and the Township Clerk is further authorized, directed and empowered to seal said Deed with the official seal of the Township of Upper.

Resolution No. 154-2023

Offered by: Hayes

Seconded by: Pancoast

Adopted: May 8, 2023

Roll Call Vote:

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

11. Authorizing the Township of Upper to enter into a cooperative pricing agreement with the Educational Services Commission of Morris County.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 155-2023**

**RE: AUTHORIZING THE TOWNSHIP OF UPPER TO ENTER INTO A  
COOPERATIVE PRICING AGREEMENT WITH THE  
EDUCATIONAL SERVICES COMMISSION OF MORRIS COUNTY**

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**WHEREAS**, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

**WHEREAS**, the Educational Services Commission of Morris County, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System known as the "Educational Cooperative Pricing System (ID# 26EDCP) for the purchase of work, materials and supplies; and

**WHEREAS**, on April 24, 2023, the governing body of the Township of Upper, County of

Cape May, State of New Jersey duly considered participation in the Educational Cooperative Pricing System.

**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. This resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Upper.

3. As directed by N.J.S.A. 18A-18A-11 et seq. and pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Municipal Clerk is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

4. The Lead Agency shall advertise for and receive bids from vendors who will make school supplies, equipment and other related goods and services available to participating members of the said Cooperative Pricing System at the agreed upon price.

4. The Lead Agency entering into contracts on behalf of the Township of Upper shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

5. This resolution shall take effect immediately upon passage.

Resolution No. 155-2023

Offered By: Hayes

Seconded By: Pancoast

Adopted: May 8, 2023

Roll Call Vote:

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

12. Authorizing the annual Fourth of July fireworks display.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 156-2023**

**RE: AUTHORIZING THE ANNUAL FOURTH OF JULY FIREWORKS DISPLAY**

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**WHEREAS**, for many years, the Township of Upper has provided a fireworks display

for the residents of Upper Township and others; and

**WHEREAS**, the Township wishes to continue to provide a display of fireworks in celebration of the 4<sup>th</sup> of July; and

**WHEREAS**, the Township has solicited proposals from several Firework Companies and has selected Serpico Pyrotechnics, LLC/Starfire Corporation, Joint Venture of 113 Orchid Court, Toms River, NJ 08753; and

**WHEREAS**, the State of New Jersey, Department of Community Affairs, requires that the Township provide a Resolution approving same; and

**WHEREAS**, the site for the fireworks display will be determined in conjunction with a State of New Jersey Fire Inspector; and

**WHEREAS**, FAA Clearance will be applied for; and

**WHEREAS**, a plot/site plan for site display, showing the distances from the public and structures to the fireworks discharge area, has been provided by the Township Engineer; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds to permit said Contract to be entered into.

**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 in full herein by this reference.2. Upon meeting all requirements of the State of New Jersey, Department of Community Affairs as well as any and all recommendations or requirements of the Township's Risk Management Consultant and the Joint Insurance Fund, the Township Clerk is hereby directed and authorized to provide a certified copy of this Resolution, with all attachments, to the Department of Community Affairs for their review and issuance of a Fireworks Permit.

3. The contractor shall comply with all terms and provisions of the Municipal Excess Liability Joint Insurance Fund Bulletin MEL 23-05, dated January 1, 2023.

4. 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.

5. 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, including but not limited to the entering into and execution of a Display Contract with Serpico Pyrotechnics, LLC/Starfire Corporation, Joint Venture for the sum of \$15,500.00.

Resolution No. 156-2023

Offered by: Hayes

Seconded by: Pancoast

Adopted: May 8, 2023

Roll Call Vote:

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

13. Authorizing Change Order No. 2 for the Reconstruction of Bayview Drive Phase 4 and Prescott Avenue contract resulting in an increase of \$93,972.33.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 157-2023**

**RE: AUTHORIZING CHANGE ORDER NO. 2 FOR THE RECONSTRUCTION OF  
BAYVIEW DRIVE PHASE 4 AND PRESCOTT AVENUE CONTRACT RESULTING  
IN AN INCREASE OF \$93,972.33**

**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 Change Order No. 2 to the aforesaid Contract as hereinafter provided; and

**WHEREAS**, Change Order No. 2 for the Reconstruction of Prescott Ave (2022-MA-0036), comprising of adjusted quantities for the widening of Prescott Avenue to allow better access for emergency vehicles resulting in an increase in the aggregate amount of \$93,972.33, will exceed twenty percent (20%) of the original Contract award; and

**WHEREAS**, the Township Engineer, as designee of the chief executive officer, has requested the change order and has indicated that it is permitted under the applicable regulations and that, pursuant to N.J.A.C. 5:30-11.9, it is an unforeseen circumstance which renders execution of a new contract

an unreasonable interference with the efficient completion of the work, such request is attached hereto as Exhibit A; and

**WHEREAS**, the Township has received signed concurrence of Exhibit A from Lexa Concrete, LLC; 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. 2 for the Reconstruction of Prescott Avenue (2022-MA-00366) contract with Lexa Concrete, LLC is hereby authorized.
3. The project is accepted based on the recommendation of the Municipal Engineer and concurrence from Lexa Concrete, LLC.
4. The Mayor and Chief Financial Officer are hereby authorized, directed and empowered to execute Change Order No. 2 on behalf of the Township of Upper.
5. A copy of the Change Order No. 2, detailing the nature and the extent of the work to be done, together with all other prior Change Orders, if any, are attached to this Resolution as Exhibit "A".
6. In accordance with N.J.A.C. 5:30-11.9, a notice of Change Order No. 2 shall be published once in the official newspaper of the Township of Upper.
7. 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. 157-2023

Offered By: Hayes

Seconded by: Pancoast

Adopted: May 8, 2023

Roll Call Vote:

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

14. Authorizing the Mayor to sign and submit a Fiscal Year 2024 Municipal Aid Grant application for Roadway Preservation.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 158-2023**

**RE: AUTHORIZING THE MAYOR TO SIGN AND SUBMIT A FISCAL YEAR 2024  
MUNICIPAL AID GRANT APPLICATION FOR ROADWAY PRESERVATION**

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**WHEREAS**, the Township of Upper wishes to take advantage of Municipal Aid Grants that will be available for Fiscal Year 2024; and

**WHEREAS**, the Township Committee fully supports and endorses the actions of the Township Engineer in his filing of the grant application for the following grant program:

**FY 2024 Municipal Aid for Roadway Preservation**

This program provides grants to municipalities for roadway improvements. The project will involve the reconstruction of Putnam Avenue, Phase 2, in the Strathmere section of the Township of Upper; 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, Engineer, and Clerk of the Township of Upper are hereby authorized, directed and empowered to submit an electronic grant application to the New Jersey Department of Transportation on behalf of the Township of Upper.
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.
4. The Mayor and clerk are hereby authorized to sign the grant agreement on behalf of the Township of Upper and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.
5. A certified copy of this Resolution shall be provided to the Township Engineer for insertion into each Municipal Aid Grant Application for Fiscal year 2024.

Resolution No. 158-2023

Offered by: Hayes

Seconded by: Pancoast

Adopted: May 8, 2023

Roll Call Vote:

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

15. Authorizing Township officials to sign agreements with OceanFirst Bank N.A. with regard to banking services.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 159-2023**

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

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**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 a thirteen-month certificate of deposit 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. 159-2023

Offered by: Hayes

Seconded by: Pancoast

Adopted: May 8, 2023

Roll Call Vote:

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

16. Chapter 159 Resolution for the insertion of a special item of revenue into the 2023 budget that was not determined at the time of the adoption of the budget—Cape May County Historic Preservation Trust Fund grant program in the amount of \$29,500.00.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 160-2023**

**RE: CHAPTER 159 RESOLUTION FOR THE INSERTION OF A SPECIAL ITEM OF  
REVENUE INTO THE 2023 BUDGET THAT WAS NOT DETERMINED AT THE  
TIME OF THE ADOPTION OF THE BUDGET—CAPE MAY COUNTY HISTORIC  
PRESERVATION TRUST FUND GRANT PROGRAM IN THE AMOUNT OF  
\$29,500.00**

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**WHEREAS**, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for an equal amount; and

**WHEREAS**, the Township of Upper will receive an amount of \$29,500.00 from Cape May County Historic Preservation Trust Fund Grant Program and wishes to amend its 2023 budget to include this amount as a revenue.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Upper hereby requests the Director of the Division of Local Government Services approve the insertion of an additional item of revenue in the budget of the year 2023 in the sum of \$29,500.00, which is now available as a revenue from:

REVENUE: STATE & FEDERAL REVENUE OFFSET WITH APPROPRIATIONS:  
2023 CAPE MAY COUNTY HISTORIC PRESERVATION TRUST FUND

GRANT PROGRAM, AND

**BE IT FURTHER RESOLVED** that a like sum of \$29,500.00 be and the same is hereby appropriated under the caption of:

APPROPRIATION: STATE AND FEDERAL PROGRAMS OFFSET BY REVENUE:  
2023 CAPE MAY COUNTY HISTORIC PRESERVATION TRUST FUND  
GRANT PROGRAM, AND

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Director of Local Government Services.

Resolution No. 160-2023

Offered By: Hayes

Seconded By: Pancoast

Adopted: May 8, 2023

Roll Call Vote:

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

17. Authorizing the purchase of certain items in the amount of \$5,082.10 from the 2022 and 2023 Capital Improvement Bond Ordinances.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 161-2023**

**RE: AUTHORIZING THE PURCHASE OF CERTAIN ITEMS IN THE AMOUNT OF \$5,082.10 FROM THE 2022 AND 2023 CAPITAL IMPROVEMENT BOND ORDINANCES**

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**WHEREAS**, it is necessary for the Township of Upper to make certain capital purchases;  
and

**WHEREAS**, the Township Committee adopted Capital Improvement Bond Ordinance No. 009-2022 on May 9, 2022; and

**WHEREAS**, the Township Committee adopted the 2023 Capital Improvement Bond Ordinance 002-2023 on March 13, 2023; and

**WHEREAS**, the Township’s Qualified Purchasing Agent has reviewed and approved the quote for lights and siren installation in the Beach Patrol truck from VCI Emergency Vehicle Specialists of Berlin, New Jersey; and

**WHEREAS**, the Chief Financial Officer of the Township has certified the availability of funds for the purchase herein authorized and has certified that adequate funds have been appropriated for this purpose in Capital Improvement Bond Ordinance No. 009-2022 and No. 002-2023.

**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 VCI Emergency Vehicle Specialists of Berlin, New Jersey for the installation of lights and sirens in the Beach Patrol truck in the amount of **\$5,082.10** with funds from the 2022 and 2023 Capital Improvement Bonds.

3. 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. 161-2023

Offered by: Hayes

Seconded by: Pancoast

Adopted: May 8, 2023

Roll Call Vote:

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

18. Authorizing the purchase of certain items through the International Cooperative Purchasing System (TIPS) contract with funds from the 2023 Capital Improvement Bond Ordinance in the amount of \$774,505.00.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 162-2023**

**RE: AUTHORIZING THE PURCHASE OF CERTAIN ITEMS THROUGH THE  
INTERNATIONAL COOPERATIVE PURCHASING SYSTEM (TIPS) CONTRACT  
WITH FUNDS FROM THE 2023 CAPITAL IMPROVEMENT BOND ORDINANCE  
IN THE AMOUNT OF \$774,505.00**

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**WHEREAS**, it is necessary for the Township of Upper to make certain capital purchases;  
and

**WHEREAS**, the Township Committee has determined that a purchase from the national cooperative contract will result in cost savings after all factors have been considered; and

**WHEREAS**, N.J.S.A. 52:34-6.2 allows the Township of Upper to utilize national cooperative contracts as a method of procurement; and

**WHEREAS**, the Township Committee adopted the 2023 Capital Improvement Bond Ordinance 002-2023 on March 13, 2023; and

**WHEREAS**, the Township of Upper intends to purchase a GameChanger Q-LED System and installation services for sports field lighting at Caldwell Park in the amount of \$331,752.00 from Qualite Sports Lighting, LLC of Hillsdale, Michigan through the TIPS Contract No. 21060101 as herein indicated; and

**WHEREAS**, the Township of Upper also intends to remove and dispose of the existing rubber floor at the Community Center and install a DynaForce System in the amount of \$442,753.00 from Dynamic Sports Construction, Inc. of Leander, Texas through the TIPS Contract No. 21090501 as herein indicated; and

**WHEREAS**, Qualite Sports Lighting, LLC and Dynamic Sports Construction, Inc. have completed and submitted Business Entity Disclosure Certifications which certify that Qualite Sports Lighting, LLC and Dynamic Sports Construction, Inc. have 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 Qualite Sports Lighting, LLC and Dynamic Sports Construction, Inc. from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Chief Financial Officer of the Township has certified the availability of funds to allow the award of contracts for the purchases herein authorized and has certified that adequate funds have been appropriated for this purpose from the 2023 Capital Improvement Bond Ordinance; and

**WHEREAS**, the Chief Financial Officer has confirmed that the Township has complied with N.J.S.A. 52:34-6.2 as well as all other legal requirements for this method of procurement.

**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 Qualite Sports Lighting, LLC for the purchase of a GameChanger Q-LED System and installation services for sports field lighting at Caldwell Park in the amount of \$331,752.00 from the 2023 Capital Improvement Bond Ordinance through TIPS Contract No. 21060101.

3. The Township Committee of the Township of Upper, County of Cape May, New Jersey also hereby authorizes the Qualified Purchasing Agent to enter into a contract with Dynamic Sports Construction, Inc. to remove and dispose of the existing rubber floor at the Community Center and install a DynaForce System in the amount of \$442,753.00 from the 2023 Capital Improvement Bond Ordinance through TIPS Contract No. 21090501.

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. 162-2023

Offered by: Hayes

Seconded by: Pancoast

Adopted: May 8, 2023

Roll Call Vote:

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

19. Authorizing the purchase of certain items and for the Chief Financial Officer to withdraw funds in the amount of \$6,929.00 from the account entitled Recycling Trust Account for such purposes.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 163-2023**

**RE: AUTHORIZING THE PURCHASE OF CERTAIN ITEMS AND FOR THE CHIEF FINANCIAL OFFICER TO WITHDRAW FUNDS IN THE AMOUNT OF \$6,929.00 FROM THE ACCOUNT ENTITLED RECYCLING TRUST ACCOUNT FOR SUCH PURPOSES**

**WHEREAS**, it is necessary for the Township of Upper to purchase certain recycling containers; and

**WHEREAS**, the Township of Upper has available \$6,929.00 in the Recycling Trust

account to make such purchases; and

**WHEREAS**, the Township’s QPA has reviewed and approved the quote from Cascade Engineering of Grand Rapids, Michigan.

**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, Cape May County, New Jersey hereby authorizes the purchase of recycling containers in the amount of \$6,929.00 from Cascade Engineering of Grand Rapids, Michigan.

3. The Chief Financial Officer of the Township of Upper is hereby authorized, directed and empowered to withdraw funds in the amount of \$6,929.00 from the Recycling Trust Account to pay for the recycling containers and is empowered to execute any and all necessary documents in order to implement the intent of this Resolution.

Resolution No. 163-2023

Offered by: Hayes

Seconded by: Pancoast

Adopted: May 8, 2023

Roll Call Vote:

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

20. Setting the fees for a permit to haul and/or dump dredge soil in the Township of Upper.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 164-2023**

**RE: SETTING THE FEES FOR A PERMIT TO HAUL AND/OR DUMP  
DREDGE SOIL IN THE TOWNSHIP OF UPPER**

---

**WHEREAS**, in accordance with Chapter 15, Section 2, entitled Dredge Soil, of the Revised General Ordinances, the Township Committee is authorized to set by resolution the amount to be charged for a permit to haul and/or dump dredge soil in the Township; and

**WHEREAS**, the Township Committee has determined that the transport of large quantities of dredge soil throughout the Township would have a significant impact on public roads, public safety and traffic congestion; and,

**WHEREAS**, the Township Committee has determined that a per cubic yard fee is appropriate to offset the cost associated with the impact that it would have on 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. As a fee for the issuance of a permit by the Township Committee to haul and/or dump dredge soil in the Township, the applicant shall pay to the Township Clerk the sum of \$2.00 per cubic yard.
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. 164-2023

Offered by: Hayes

Seconded by: Pancoast

Adopted: May 8, 2023

Roll Call Vote:

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

21. Authorizing the acceptance of a Maintenance Bond from Elmwood Developers, LLC for the improvements on Block 597, Lot 34.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 165-2023**

**RE: AUTHORIZING THE ACCEPTANCE OF A MAINTENANCE BOND  
FROM ELMWOOD DEVELOPERS, LLC  
FOR THE IMPROVEMENTS ON BLOCK 597, LOT 34**

---

**WHEREAS**, Elmwood Developers, LLC, hereinafter “Developer”, has requested the acceptance of a Maintenance Bond for the project known as Major Subdivision of Block 597, Lot 34; and

**WHEREAS**, Developer has completed all work in conformance with the plans and specifications approved as part of the Preliminary Subdivision (SD05-2022 approved on October 20, 2022), and

**WHEREAS**, the Township Engineer in a letter dated May 1, 2023 has inspected and certified the work is complete; and

**WHEREAS**, pursuant to N.J.S.A. 40:55D-53, Developer is required to furnish a Maintenance Bond for the aforesaid project; and

**WHEREAS**, said Maintenance Bond shall be for two (2) years in an amount equal to 15% of the original construction value of \$93,255.00, or \$13,988.25, in accordance with the Township of Upper Municipal Ordinance No. 19 of 1989; and

**WHEREAS**, Elmwood Developers, LLC has presented to the Township a Maintenance Bond as follows:

Maintenance Surety Bond

Principal: Elmwood Developers, LLC  
840 North Shore Rd  
Beesley's Pt, NJ 08223

Surety: Elmwood Developers, LLC  
840 North Shore Rd  
Beesley's Pt, NJ 08223

Bond Amount Cash: \$13,988.25

Bond Date: May 2, 2023

**WHEREAS**, the Municipal Attorney has reviewed the Maintenance Bond and has determined that the same complies with the New Jersey Statutes and the Township Ordinances applicable thereto and has recommended the acceptance of same by the Township Committee; 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 Maintenance Surety Bond described in this Resolution is hereby accepted and approved.
3. The Performance Surety Bond now held by the Township is hereby released.
4. All Township officials and officers are hereby authorized and empowered to take all actions deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 165-2023

Offered by: Hayes

Seconded by: Pancoast

Adopted: May 8, 2023

Roll Call Vote:

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

22. Appointing the 2023 season Beach Patrol personnel.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 166-2023**

**RE: 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 appointed as lifeguards in the Township of Upper at a

salary as stated below in accordance with the Salary Ordinance:

**RETURNING GUARDS**

<b>Connell, Cheryl</b>	<b>2<sup>nd</sup> yr</b>	<b>\$18.00</b>
<b>Durst, Hayden</b>	<b>2<sup>nd</sup> yr</b>	<b>\$18.00</b>
<b>Edwards, Robert</b>	<b>2<sup>nd</sup> yr</b>	<b>\$18.00</b>
<b>Matthews, Ellie</b>	<b>2<sup>nd</sup> yr</b>	<b>\$18.00</b>
<b>Nichols, Trevi</b>	<b>2<sup>nd</sup> yr</b>	<b>\$18.00</b>
<b>Parsons, Michael</b>	<b>2<sup>nd</sup> yr</b>	<b>\$18.00</b>
<b>Riess, Lewis</b>	<b>2<sup>nd</sup> yr</b>	<b>\$18.00</b>
<b>Storz, Anderson</b>	<b>2<sup>nd</sup> yr</b>	<b>\$18.00</b>
<b>Dickinson, Michael</b>	<b>4<sup>th</sup> yr</b>	<b>\$18.70</b>
<b>Durst, Corson</b>	<b>4<sup>th</sup> yr</b>	<b>\$18.70</b>
<b>Grimley, Kailey</b>	<b>4<sup>th</sup> yr</b>	<b>\$18.70</b>
<b>Malcarney, Declan</b>	<b>4<sup>th</sup> yr</b>	<b>\$18.70</b>
<b>Nilsen, James</b>	<b>4<sup>th</sup> yr</b>	<b>\$18.70</b>
<b>Schlucter, William</b>	<b>4<sup>th</sup> yr</b>	<b>\$18.70</b>
<b>Chase, Bruckner</b>	<b>5<sup>th</sup> yr</b>	<b>\$19.00</b>
<b>Chiarello, Eve</b>	<b>5<sup>th</sup> yr</b>	<b>\$19.00</b>
<b>Connell, Lorna</b>	<b>5<sup>th</sup> yr</b>	<b>\$19.00</b>
<b>DeSalis, Michael</b>	<b>5<sup>th</sup> yr</b>	<b>\$19.00</b>
<b>Dooner, William</b>	<b>5<sup>th</sup> yr</b>	<b>\$19.00</b>

Handley, Reghan	5 <sup>th</sup> yr	\$19.00
MacMurray, Wayne	5 <sup>th</sup> yr	\$19.00
McLees, Casey	5 <sup>th</sup> yr	\$19.00
Millar, Rebecca	5 <sup>th</sup> yr	\$19.00
Miner, Nate	5 <sup>th</sup> yr	\$19.00
Montgomery, Robert	5 <sup>th</sup> yr	\$19.00
O’Hara, John	5 <sup>th</sup> yr	\$19.00
Robbins, Lindsay	5 <sup>th</sup> yr	\$19.00
VanGilder, Gregory	5 <sup>th</sup> yr	\$19.00
Young, Nathaniel	5 <sup>th</sup> yr	\$19.00
Culmone, Emily	Senior	\$22.25

Resolution No. 166-2023

Offered by: Hayes

Seconded by: Pancoast

Adopted: May 08, 2023

Roll Call Vote:

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

23. Setting the registration and license fees for Hawking or Peddling Merchandise or Services.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 167-2023**

**RE: SETTING THE REGISTRATION AND LICENSE FEES FOR  
HAWKING OR PEDDLING MERCHANDISE OR SERVICES**

**WHEREAS**, in accordance with Chapter 5, Section 4, entitled Hawking or Peddling Merchandise or Services, of the Code of Upper Township, the Township Committee is authorized to set by resolution the amount to be charged for each registration and license granted pursuant to Chapter 5, Section 4; 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. Every applicant for a registration and license to hawk or peddle merchandise or services in the Township of Upper shall, at the time of application, pay the following fees:

<b>Hawking/Peddling Registration</b>	<b>\$150.00</b>
<b>Hawking/Peddling License</b>	<b>\$ 50.00 for each Vendor</b>

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

Resolution No. 167-2023

Offered by: Hayes

Seconded by: Pancoast

Adopted: May 8, 2023

Roll Call Vote:

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

24. Adopting a Hazard Communication Plan for the Township of Upper.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 168-2023**

**RE: ADOPTING A HAZARD COMMUNICATION PLAN  
FOR THE TOWNSHIP OF UPPER**

**WHEREAS**, the Upper Township Office of Emergency Management has created a Hazard Communication Plan to establish procedures for the safe use of hazardous chemical substances in the Township of Upper; and

**WHEREAS**, the Township Committee has deemed it to be in the best interest of the Township to adopt said plan; 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 Hazard Communication Plan, attached hereto, is hereby accepted by the Township of Upper.
3. The Township Committee expressly reserves the right to amend or revise the Hazard Communication Plan at any time it deems it appropriate.

Resolution No. 168-2023

Offered by: Hayes

Seconded by: Pancoast

Adopted: May 8, 2023

Roll Call Vote:

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

Newman	X			
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**ORDINANCES**

**CORRESPONDENCE**

**NEW BUSINESS**

- 25. Historical Preservation Society of Upper Township requests the use of Gandy Farm for their annual Strawberry Festival on May 27, 2023, with a rain date of May 28, 2023. **Motion by Kimberly Hayes, second by Victor Nappen, to approve the request. During roll call vote all five Committee members voted in the affirmative.**
- 26. Tuckahoe Fire Company request to hold Raffle RA-560 on June 25, 2023 at 2170 Route 50. **Motion by Mark Pancoast, second by Kimberly Hayes, to approve the request. During roll call vote all five Committee members voted in the affirmative.**
- 27. Annual Stormwater Report and Supplemental Questionnaire. **Municipal Engineer Paul Dietrich stated that the annual stormwater report is a summary of all the Township does to maintain our stormwater management system. He stated that the report demonstrates all the hard work that the Public Works department does to keep our stormwater system clear and keep the pollutants from entering into the drainage way. The report also collects data regarding how many miles of street are swept and the amount of debris collected, as well as how many inlets are cleaned and the amount of debris collected. The data is then entered into a statewide database and reported back to the Federal Government to show how pollution is being kept out of our waterways statewide. He stated that the report as prepared will be sent to the NJDEP. He also stated that he will be sending out links for some required training for Committee and Planning Board members in the next month or so.**
- 24. Stockton Coastal Research Center 1<sup>st</sup> Quarter Beach Survey for 2023. **The Township Engineer gave a summary of the survey.**
- 28. GovDeals Auction Results. **The Municipal Clerk reported that an online GovDeals auction was held from April 19<sup>th</sup> to April 26<sup>th</sup>. Fifteen separate items were sold for a total of \$71,268.00.**

**UNFINISHED BUSINESS**

**PAYMENT OF BILLS**

- 29. “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.” **The CFO requested that the three purchase orders for Action Uniform be removed from the bill list for further review. Motion by Kimberly Hayes, second by Mark Pancoast. During roll call vote all five Committee members present voted in the affirmative.**

Bills approved for payment: **\$2,026,725.78**  
 Payroll: **\$195,207.96**

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

**Bob Di Iorio, Seaville**, spoke at length about several matters including the Beesley’s Point Development Group, Orsted, and the former BL England property.



**Al Paulson, Seaville**, thanked the Department of Public Works for cleaning the drainage area on his road. He next spoke about his and his neighbors' concerns regarding the proposed County bike path and submitted a list of the concerns to the Committee.

### **CLOSED SESSION**

30. 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. 169-2023  
MOTION GOING INTO CLOSED SESSION  
MAY 8, 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 - PFANJ IAFF Local 5406
3. Contract negotiation - Subordination of Mortgage
4. Contract negotiation - Historical Preservation Society of Upper Township
5. Contract negotiation - Norman Briggs, Special Legal Counsel
6. Contract negotiation - Triad Grant Consultant
7. Contract negotiation - Cell Tower
8. Contract negotiation - Coastal EMTC

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: Kimberly Hayes

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

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

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

### **ADJOURNMENT**

There being no further business this evening the meeting was adjourned at 8:26 P.M., with a motion by Kimberly Hayes, second by Victor Nappen, and all five Committee members voting in the affirmative. The next regular Committee meeting is scheduled for May 22, 2023 at 4:30 P.M.

Minutes prepared by,

Joanne R. Herron, RMC  
Municipal Clerk

Bills

81468 05/08/23 A0017 ATLANTIC CO. MUNICIPAL JIF 130,312.00 3298  
81469 05/08/23 A0091 ATLANTIC CITY ELECTRIC 29,328.31 3298  
81470 05/08/23 A0117 AT&T 241.38 3298  
81471 05/08/23 A0218 ATLANTIC CITY CYCLE CENTER LLC 293.91 3298  
81472 05/08/23 A0219 ALTERNATIVE MICROGRAPHICS, INC 1,994.00 3298  
81473 05/08/23 A0235 AMAZON CAPITAL SERVICES, INC. 116.38 3298  
81474 05/08/23 A0251 ACT ENGINEERS, INC. 1,556.00 3298  
81475 05/08/23 B0035 BELMONT & CRYSTAL SPRINGS 76.31 3298  
81476 05/08/23 B0076 BOND, LAURENCE E. 768.79 3298  
81477 05/08/23 B0220 BERGEY'S TRUCK CENTERS 1,332.35 3298  
81478 05/08/23 B0287 BIGLEAF NETWORKS, INC. 697.00 3298  
81479 05/08/23 B0288 KINGBARNES LLC 790.18 3298  
81480 05/08/23 C0019 CITY OF OCEAN CITY 65,258.00 3298  
81481 05/08/23 C0042 CAMPBELL SUPPLY COMPANY 296.76 3298  
81482 05/08/23 C0052 CAPE MAY COUNTY TREASURER 1,544,860.47 3298  
81483 05/08/23 C0068 COMCAST 780.92 3298  
81484 05/08/23 C0124 CMC MUNICIPAL CLERK'S ASSOC. 125.00 3298  
81485 05/08/23 C0223 CASA PAYROLL SERVICE 245.00 3298  
81486 05/08/23 C0279 CASA REPORTING SERVICES LLC 147.20 3298  
81487 05/08/23 C0296 COMCAST BUSINESS COMMUNICATION 10.49 3298  
81488 05/08/23 D0165 Davis Lisa 44.50 3298  
81489 05/08/23 D0237 DIETZ, KERRY 125.00 3298  
81490 05/08/23 D0240 DEVLIN, EDMUND F. 1,048.45 3298  
81491 05/08/23 E0012 EHRlich PEST CONTROL INC 116.64 3298  
81492 05/08/23 E0100 EDUCATIONAL DATA SERVICES, INC 2,100.00 3298  
81493 05/08/23 F0048 LESLIE G. FOGG INC 373.14 3298  
81494 05/08/23 G0028 GENTILINI FORD, INC. 380.38 3298  
81495 05/08/23 G0120 PATRICK F. MARTIN 1,966.58 3298  
81496 05/08/23 G0147 GREATAMERICA FINANCIAL SVCS. 165.00 3298  
81497 05/08/23 G0169 GROFF TRACTOR MID ATLANTIC LLC 2,013.39 3298  
81498 05/08/23 H0002 H.A. DEHART & SON CORP. 1,727.54 3298  
81499 05/08/23 H0073 HOME DEPOT CRC/GECF 888.44 3298  
81500 05/08/23 H0148 THOMAS H. HEIST INS AGENCY INC 1,782.10 3298  
81501 05/08/23 J0087 JASM CONSULTING LLC 2,850.00 3298  
81502 05/08/23 J0088 JOHNSTON, APRIL 31.75 3298  
81503 05/08/23 L0027 LASHLEY HEATING & COOLING INC. 2,000.00 3298  
81504 05/08/23 M0012 McCAULEY, RICHARD 224.95 3298  
81505 05/08/23 M0290 MADDEN & MADDEN, PC 2,091.40 3298  
81506 05/08/23 M0303 MALEY GIVENS, A PROF CORP 2,617.00 3298  
81507 05/08/23 M0308 McHENRY PRESSURE CLEAN SYSTEMS 2,641.75 3298  
81508 05/08/23 M0327 MONZO CATANESE DeLOLLIS, P.C. 12,590.00 3298  
81509 05/08/23 N0043 NAPA AUTO PARTS 891.26 3298  
81510 05/08/23 N0125 N.J. REGISTRAR'S ASSOCIATION 25.00 3298  
81511 05/08/23 N0143 NATIONAL TIME SYSTEMS 368.00 3298  
81512 05/08/23 N0144 NJ E-ZPASS SERVICE CENTER 200.00 3298  
81513 05/08/23 N0147 NJ Shade Tree Federation 95.00 3298  
81514 05/08/23 N0154 NEW HORIZON COMMUNICATIONS 830.77 3298  
81515 05/08/23 O0006 SJSHORE MARKETING, LLC 807.24 3298  
81516 05/08/23 P0032 PEDRONI FUEL CO. 2,706.08 3298  
81517 05/08/23 P0166 PARKER MCCAY P.A. 600.00 3298  
81518 05/08/23 P0176 PLUM LABORATORIES, INC. 340.00 3298  
81519 05/08/23 R0030 RIGGINS, INC. 7,548.75 3298  
81520 05/08/23 R0092 RUTGERS, THE STATE UNIVERSITY 821.00 3298  
81521 05/08/23 R0101 R.R. DONNELLEY 99.00 3298  
81522 05/08/23 S0057 SERVICE TIRE TRUCK CENTERS 1,974.12 3298  
81523 05/08/23 S0113 SMITH, THOMAS G. 2,118.58 3298  
81524 05/08/23 S0134 SO. JERSEY GAS COMPANY 2,108.16 3298  
81525 05/08/23 S0196 STEWART BUSINESS SYSTEMS LLC 887.24 3298  
81526 05/08/23 S0201 SURRAN'S NURSERY 512.00 3298  
81527 05/08/23 S0253 SAMPLE MEDIA, INC. 5,997.50 3298  
81528 05/08/23 S0361 SOUTH JERSEY WATER TEST, LLC 209.00 3298

81529 05/08/23 S0400 SOUTH JERSEY MOBILE REPAIR LLC 521.65 3298  
81530 05/08/23 T0032 THE PRESS OF ATLANTIC CITY 2,404.98 3298  
81531 05/08/23 T0168 TOWNSHIP OF UPPER 288.96 3298  
81532 05/08/23 T0192 MARSH & McLENNAN AGENCY/TRION 242.25 3298  
81533 05/08/23 T0194 TAG CONSULTING GROUP 1,850.00 3298  
81534 05/08/23 T0213 TREASURER, STATE OF NEW JERSEY 164,773.93 3298  
81535 05/08/23 T0220 TRINITY CODE INSPECTIONS, LLC 750.00 3298  
81536 05/08/23 U0067 UT HEALTH REIMB. ACCOUNT 6,561.82 3298  
81537 05/08/23 V0013 VERIZON WIRELESS 387.61 3298  
81538 05/08/23 V0025 V.E. RALPH & SON, INC. 488.45 3298  
81539 05/08/23 V0053 VERIZON CONNECT FLEET USA LLC 545.60 3298  
81540 05/08/23 W0030 WEST PUBLISHING CO. 784.32 3298  
81541 05/08/23 W0087 W.B. MASON EGG HARBOR 58.99 3298  
81542 05/08/23 W0123 WIRELESS ELECTRONICS, INC. 875.00 3298  
81543 05/08/23 W0131 WEX BANK 45.06 3298  
Total: \$2,026,725.78