

**TOWNSHIP OF UPPER  
2100 TUCKAHOE ROAD  
PETERSBURG, NJ 08270  
CAPE MAY COUNTY  
AGENDA FOR FEBRUARY 12, 2024**

**BUDGET WORKSHOP – 5:30 P.M.**

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

**CALL TO ORDER**

**SUNSHINE ANNOUNCEMENT**

**SALUTE TO THE FLAG**

**ROLL CALL**

**APPROVAL OF MINUTES** – January 22, 2024 Regular Meeting and Closed Session Minutes

**REPORT OF GOVERNING BODY MEMBERS**

**ADMINISTRATOR OVERVIEW**

**PRESENTATION**

1. Congratulating the Upper Township Indians Varsity Football team on becoming the 2023 Cape Atlantic Junior Football League Champions.

**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.

**FILING OF REPORTS BY CONSENT**

2. Animal Control
3. Clerk's Office
4. Construction Code
5. Division of EMS
6. Finance Office
7. MUA Report
8. Municipal Court
9. Public Works
10. Tax Collector
11. Tax Collector 2023 Annual Report

**RESOLUTIONS TO BE APPROVED BY CONSENT**

12. Congratulating the Upper Township Challenger Chargers Special Olympics Floor Hockey team on becoming the New Jersey 2024 Special Olympics Winter Games Division 3 Floor Hockey Gold Medalists.
13. Congratulating the Upper Township Challenger Knights Special Olympics Floor Hockey team on becoming the New Jersey 2024 Special Olympics Winter Games Division 2 Floor Hockey Bronze Medalists.
14. Opposing Assembly Bill No. 4/Senate Bill No. 50, which proposes to overhaul the Fair Housing Act (“FHA”) in a way that imposes unrealistic obligations with unrealistic deadlines based upon onerous standards.
15. Supporting the U.S. Department of Transportation’s proposed requirements for real-time hazmat information for first responders to improve freight rail safety.
16. Appointing Douglas K. Walker to serve as an additional Municipal Prosecutor on an as needed basis.
17. Authorizing the Mayor and Township Clerk to sign a contract with Phoenix Advisors, LLC for Municipal Advisory services.
18. Appointing Gorman, D’Anella & Morlok, LLC to act as Special Legal Counsel in employment and labor law matters.
19. Authorizing the Mayor and Township Clerk to sign and submit a safety contract for participation in the Atlantic County Municipal Joint Insurance Fund 2024 Safety Incentive Program.
20. Authorizing the execution of a subcontract with the County of Cape May for the State Fiscal Year 2025 Municipal Alliance Program.
21. Authorizing the Mayor to sign a service agreement with Empower Retirement, LLC for a deferred compensation plan.
22. Authorizing a Shared Services Agreement with the Cape May County Municipal Utilities Authority for the review and submission of the Township of Upper’s 2023 annual recycling tonnage reports.
23. Appointing members to the Upper Township Redevelopment Subcommittee.
24. Approving the NJDOT Patcong Creek dredge project.
25. 2024 Emergency Temporary Budget.
26. Adopting revisions to the Upper Township Personnel Policies and Procedures Manual.
27. Authorizing the Mayor to sign authorizations to proceed from Triad Associates for additional grant consultant services.

28. Authorizing the Township of Upper to submit an eligibility determination and funding application to the United States of America acting through Rural Utilities Service, Department of Agriculture for a Predevelopment Planning Grant (PPG).
29. Authorizing the submission of a Local Recreation Improvement grant application to the New Jersey Department of Community Affairs.
30. Amending the Township of Upper's Cape May County American Rescue Plan Infrastructure Grant Application (Schedule A).
31. Authorizing and approving Purchasing Card Program Policies and Procedures Manual for use of Procurement Cards (P-Cards).
32. Authorize payments from the Affordable Housing Trust Fund of Upper Township.
33. Appointing Sarah Steiner as Assistant Municipal Treasurer to the Upper Township Finance Department.
34. Amending Resolution No. 12-2024 establishing salaries for various officers and employees.
35. Authorizing the Planning Board of the Township of Upper to conduct a preliminary investigation of portions of the Marmora Town Center and Town Center Core as an area in need of redevelopment.

### **RESOLUTIONS TO BE ACTED ON SEPARATELY**

36. Declaring the Gypsy Moth a public nuisance and public hearing.
37. Approving the application of the Marmora Volunteer Fire Company for highway coin drops.

### **ORDINANCES**

### **CORRESPONDENCE**

### **NEW BUSINESS**

38. Parish of Saint Maximilian Kolbe request use of the Strathmere Beach for an Easter Sunrise Mass on March 31, 2024.
39. Country Shore Women's Club request use of the Upper Township Community Center for a Bingo BA #568 and a Raffle RA #569 on April 13, 2024.
40. Parish of Saint Maximilian Kolbe request to hold a Raffle RA #570 at 200 Tuckahoe Road, Marmora on August 14, 2024.
41. Ocean City Crew Boosters request use of the Upper Township Community Center for a Bingo BA #571 and Raffles RA #572 and RA #573 on March 2, 2024.

42. Ocean City Theater Boosters request use of the Upper Township Community Center for a fundraising event on April 20, 2024.

43. Fee Ordinance revisions.

### **UNFINISHED BUSINESS**

44. Aaron Segin request to purchase Township property Block 329, Lots 1-4, and 8 and Block 332, Lots 26 and 30.

### **PAYMENT OF BILLS**

45. "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."

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

### **CLOSED SESSION**

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

- Personnel
- Contract negotiation - J.P. Bainbridge, Appraisal Services
- Contract negotiation - GMS Law, In Rem Foreclosure Matters
- Contract negotiation - Parker McCay, Bond Counsel
- Contract negotiation - Frank L. Corrado, Special Legal Counsel
- Contract negotiation - Consulting and Municipal Engineers, LLC
- Attorney/Client Privilege - Cell Tower

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

### **ADJOURNMENT**

\*Please note—the order of the agenda may be changed at the discretion of the Township Committee.