

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

BUDGET WORKSHOP – 5:30 P.M.

In preparation of the 2024 Municipal Budget a budget workshop meeting was called to order this evening at 5:30 PM.

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 February 9, 2024 the notice of this Budget Workshop meeting of the Upper Township Committee was posted on the official Township Bulletin Board and the Upper Township Website, emailed to 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 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.”

The following were present for the budget workshop meeting:

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, Township Engineer Ryan MacNeill, and Township Administrator Gary DeMarzo.

Township Administrator Gary DeMarzo presented a budget slideshow and stated that the 2024 proposed budget will increase \$300,000 or 1.4 cents. He stated that for the average house assessed at \$300,000 the increase will equal to \$42.00 in municipal taxes. He further stated that for every \$1,000 in total taxes collected, the Township receives \$120.00. There was then a brief discussion during which each Committee member voiced their agreement with the proposed budget, and thanked Mr. DeMarzo, Mrs. Ludy and Mr. Costello for all of their work. It was stated that the budget is ready to be introduced and will be listed on the February 26th agenda for introduction with a public hearing and adoption anticipated for March 25th.

Mayor Newman then opened up the meeting to public comment during which there was the following speaker:

Barbara Leary, Seaville, inquired about several matters including the amount of the budget that goes towards employee obligations, and whether anything in the budget had been reduced .

There being no more speakers there was then a motion by Kimberly Hayes, second by Victor Nappen, to adjourn the budget workshop meeting. During roll call vote all five Committee members voted in the affirmative.

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 February 9, 2024, the notice of this meeting of the Upper Township Committee was posted on the official Township Bulletin Board, the Upper Township Website, and emailed to 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, Municipal Attorney Anthony Monzo, Chief Financial Officer Barbara Ludy, Township Engineer Ryan MacNeill, and Township Administrator Gary DeMarzo.

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

Motion by Kimberly Hayes, second by Mark Pancoast, to approve the January 22, 2024 Regular and Closed Session Minutes as submitted. During roll call vote five Committee members voted in the affirmative.

REPORT OF GOVERNING BODY MEMBERS

Mark Pancoast, Committeeman, gave a brief update on several projects Public Works has been working on including the installation of sand fence, installation of gravel on the crossovers, leaf cleanup at the schools, vehicle maintenance, and code enforcement.

Victor Nappen, Committeeman, reported that the Township will be holding free rabies clinics on Saturday February 24th from 1:00 to 3:00 p.m. at Shore Veterinarians.

Kimberly Hayes, Committeewoman, reported that the lights at Caldwell Park have been installed and thanked all of the employees involved in the process. She then reported that the HVAC unit at the Senior Center is continuing to cause problems and reported that on the consent agenda is a Resolution to apply for a local recreation improvement grant for the replacement of the unit.

Curtis Corson, Committeeman, reported that a budget workshop was held just prior to the meeting and stated that the budget is scheduled to be introduced at the February 26th meeting.

Jay Newman, Mayor, reported that the Upper Township Rescue Squad is currently holding their flower sale until Wednesday or when they sell out. Later in the meeting he reported that an EMS employee has requested to attend a Mass Casualty Care course and made a motion, seconded by Kimberly Hayes, to approve the request. During roll call vote all five Committee members voted in the affirmative.

ADMINISTRATOR OVERVIEW

Gary DeMarzo, Township Administrator, spoke about the work involved in preparing the agenda, as well as several grants the Township will be applying for. He then gave a brief overview of the proposed 2024 budget.

Anthony Monzo, Municipal Attorney, reported that as a result of some discussion with the Mount Laurel subcommittee he has prepared a memo, which the Clerk will distribute to the Committee members, regarding required checklist items for planning and zoning board applications.

Barbara Ludy, Chief Financial Officer, requested approval for two employees in the Construction and Zoning Office to attend educational classes in May at a cost of \$1,800.00. Motion by Curtis Corson, second by Jay Newman, to approve the request. During roll call vote all five Committee members voted in the affirmative.

Ryan MacNeill, Township Engineer, gave a brief update on several ongoing projects including the paving program, Route 50 Cedar Swamp Creek bridge replacement project, beach renourishment project, and the lights at Caldwell Park. He next reported that J.F. Kiely, the contractor for the Strathmere Stormwater pump project, has requested an extension of the project deadline due to scope and design changes to the project. The Engineer stated that he would recommend an extension to May 17th. Committeeman Corson cautioned that the project cannot extend past Memorial Day. Motion by Curtis Corson, second by Mark Pancoast, to approve the request. During roll call vote all five Committee members voted in the affirmative.

PRESENTATION

1. Congratulating the Upper Township Indians Varsity Football team on becoming the 2023 Cape Atlantic Junior Football League Champions. **Mayor Newman and the Committee presented the following Resolution to the Upper Township Indians Varsity Football team.**

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

RESOLUTION NO. 352-2023

**RE: CONGRATULATING THE UPPER TOWNSHIP INDIANS
VARSITY FOOTBALL TEAM ON BECOMING THE
2023 CAPE ATLANTIC JUNIOR FOOTBALL LEAGUE CHAMPIONS**

WHEREAS, the Upper Township Indians Varsity Football Team has had an outstanding 2023 football season becoming the 2023 Cape Atlantic Junior Football League Champions; and

WHEREAS, the Upper Township Indians Varsity Football Team has successfully completed their 2023 Cape Atlantic Junior Football League Season with a record of 10 wins and 0 losses.

WHEREAS, on November 25, 2023, the Upper Township Indians participated in the Cape Atlantic Junior Football League Championship Game held in Northfield winning the final Championship game against the Brigantine Rams with a score of 24-0; and

WHEREAS, it is appropriate that on behalf of the citizens of Upper Township we recognize and congratulate the players listed as follows:

Johnny Klebaur
Andrew Zintner
William Bernhardt

Bobby Drewnowski
Tommy Christopher
Jackson Becker

Crist Robine
Isacc Ray
Cooper Reich

Cole Garreff
Ryleigh Xu
Xavier Moeller
Jaxon Picinich
Anthony Libro
Tate Snyder
Ryan Hiddeman

Adonis Bullock
Dominic Borcky
John Endicott
Cesar Rodriguez
Mason Vaughan
Jake Candeloro

Sebastian Barnhart
Sean Palmer
Trent Ocello
Alex Christensen
Columb Higgins
Jeremy Kopiyo
Shane Spiegel

WHEREAS, we also extend this recognition and thanks to those that have generously given their personal time and service to coach this team, they being Head Coach Tony Garreff, Assistant Coaches; JJ Klebaur, Crist Robine, Mike Endicott, John Vaughan, Art Moeller, and Greg Borcky; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee on behalf of the citizens of the Township of Upper, to extend to the 2023 Varsity Team congratulations on becoming the 2023 Cape Atlantic Junior Football League Champions, and to each coach our heartfelt thanks and gratitude for the generous donation of their time and service to the young people of this community.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 11th day of December 2023.

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 Jay Newman, second by Mark Pancoast, to approve consent agenda items. During roll call vote all five Committee members voted in the affirmative.

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.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY**

RESOLUTION

RESOLUTION NO. 48-2024

**RE: 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**

WHEREAS, the Upper Township Challenger Chargers Special Olympics Floor Hockey team had an outstanding season; and

WHEREAS, the Upper Township Challenger Chargers Special Olympics Floor Hockey team was invited to compete in the New Jersey 2024 Special Olympics Winter Games held on January 6th and 7th, 2024 at Stockton University; and

WHEREAS, the Upper Township Challenger Chargers Special Olympics Floor Hockey team won the gold medal in the Division 3 Winter Games Floor Hockey Tournament with an impressive record of 3 wins and 0 losses; and

WHEREAS, it is appropriate that on behalf of the citizens of the Township of Upper that we recognize and congratulate these amazing young athletes listed as follows:

- | | | | |
|----------------|----------------|-----------------|----------------|
| Hunter Murray | Brett Patro | Jacob Balnis | Seth Flitcroft |
| Kalin Raynis | Rylee Howerton | Charles Johnson | Jonah Harris |
| Cooper Sokolov | Elijah Mason | Chloe Byrne | Anthony Conner |
| George Rose | Ryan Feliciano | Alyssa Playford | Hunter Bailey |

WHEREAS, we also extend this recognition and appreciation to coaches Daryl DiTroia, Jackie Adams, Fred Feliciano, and Helena Mason who have generously given their personal time and service to coach these young athletes; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee on behalf of the citizens of the Township of Upper, to extend to the Upper Township Challenger Chargers Special Olympics Floor Hockey team congratulations on becoming the New Jersey 2024 Special Olympics Winter Games Division 3 Floor Hockey Gold Medalists, and to the coaches our heartfelt gratitude for the generous donation of their time and service to the young people of this community.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 12th day of February, 2024.

Resolution No. 48-2024

Offered by: Newman

Seconded by: Pancoast

Adopted: February 12, 2024

Roll Call Vote:

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

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.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 49-2024

**RE: 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**

WHEREAS, the Upper Township Challenger Knights Special Olympics Floor Hockey team had an outstanding season; and

WHEREAS, the Upper Township Challenger Knights Special Olympics Floor Hockey team was invited to compete in the New Jersey 2024 Special Olympics Winter Games held on January 6th and 7th, 2024 at Stockton University; and

WHEREAS, the Upper Township Challenger Knights Special Olympics Floor Hockey team won the bronze medal in the Division 2 Winter Games Floor Hockey Tournament with an awesome record of 1 win and 2 losses; and

WHEREAS, it is appropriate that on behalf of the citizens of the Township of Upper that we recognize and congratulate these amazing young athletes listed as follows:

Jessica Carmen	Joseph Rose	Zachary Augsberger	Ava Cerrone
Kayla Carmen	Justin Gan	Dylan Eisele	Rebecca Lopez-Deren
Darren Daisey	Alex Lin	Zyler Shultz	Louie Matto
	Ronald Rose II	Lydia Leidy	

WHEREAS, we also extend this recognition and appreciation to coaches Joseph Eisele, Rebecca Eisele, Terri Gladden, and Maria Rose who have generously given their personal time and service to coach these young athletes; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee, on behalf of the citizens of the Township of Upper, to extend to the Upper Township Challenger Knights Special Olympics Floor Hockey team congratulations on becoming the New Jersey 2024 Special Olympics Winter Games Division 2 Floor Hockey Bronze Medalists, and to the coaches our heartfelt gratitude for the generous donation of their time and service to the young people of this community.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 12th day of February, 2024.

Resolution No. 49-2024

Offered by: Newman

Seconded by: Pancoast

Adopted: February 12, 2024

Roll Call Vote:

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

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.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 50-2024

**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**

WHEREAS, in 1983, the Supreme Court decided a landmark case, commonly referred to as Mount Laurel II, wherein it created an easy standard for developers to satisfy to secure a “builder’s remedy” and also established standards to provide general guidance to the newly appointed Mount Laurel judges as to an appropriate fair share formula; and

WHEREAS, the State exploded with builder’s remedy lawsuits in the wake of Mount Laurel II seriously depriving many municipalities of their home rule power to zone and control their destiny; and

WHEREAS, in 1984, Judge Serpentelli decided the AMG case in which he established a fair share formula that generated high fair share responsibilities that were widely regarded as grossly excessive; and

WHEREAS, the combination of the avalanche of builder’s remedy lawsuits precipitated by Mount Laurel II and the grossly excessive fair share responsibilities generated by the AMG formula fueled a movement for a legislative response to the Mount Laurel doctrine; and

The Fair Housing Act of 1985

WHEREAS, a week after Judge Serpentelli issued the AMG decision, committees of the Legislature started to meet to develop affordable housing legislation; and

WHEREAS, the legislators on both sides of the aisle recognized that any legislation had to be bipartisan to work; and

WHEREAS, those efforts culminated in the adoption of the Fair Housing Act (“FHA”) by both houses early in 1985; and

WHEREAS, on July 2, 1985 -- less than a year after Judge Serpentelli decided the AMG case -- former Governor Kean signed the New Jersey Fair Housing Act (“FHA”) into law to curb the excesses caused by Mount Laurel II and to restore balance to legitimate public purposes; and

WHEREAS, more specifically, the Legislature enacted the FHA to restore home rule, to bring the fair share numbers back to reality and to reduce the burdens of Mount Laurel compliance; and

WHEREAS, more specifically, the FHA sought *to restore home rule* by imposing a moratorium on the builder's remedy and by providing an administrative process that municipalities could voluntarily pursue wherein they would be insulated from developers seeking builder's remedies to try to compel them to capitulate their zoning demands; and

WHEREAS, the FHA sought *to bring the fair share numbers back to reality* by among other things defining the prospective need as the need "based on development and growth which is reasonably likely to occur" and by calling for the fair share to be adjusted to a number lower than the fair share formula generated if the municipality lacked sufficient land to satisfy the obligation generated by the fair share formula; and

WHEREAS, the FHA sought *to reduce the burdens on municipalities* by prohibiting any requirement for municipalities to expend their own resources to comply; and

The New Jersey Council on Affordable Housing

WHEREAS, the FHA created COAH and conferred "primary jurisdiction" on COAH to administer the FHA and to implement the affordable housing policies of our State; and

WHEREAS, FSHC argued "that COAH's enabling legislation established such a delicate balance of control, as evidenced not only by its use of the phrase "in but not of," but also by its detailed attention to the composition of its Council. Accordingly, the Legislature could not have intended to allow the Governor to unilaterally disrupt that balance" *In re Plan for Abolition of Council on Affordable Hous.*, 424 N.J. Super. 410, 419-420(App.Div.2012) 419-420; and

WHEREAS, COAH adopted regulations for Round 1 in 1986 and for Round 2 in 1994 to implement the FHA and processed applications by municipalities for approval of their affordable housing plans in accordance with the regulations it adopted; and

WHEREAS, all acknowledged -- even Fair Share Housing Center ("FSHC") -- that COAH functioned just fine in Rounds 1 and 2; and

WHEREAS, the regulations COAH adopted in Round 2 made the obligations for Rounds 1 and 2 cumulative and adjusted the cumulative number downwards because the State did not grow as much as was anticipated in Round 1; and

WHEREAS, COAH's new construction obligation for Rounds 1 and 2 **averaged 5,034.5 units per year**, or 50,345 units for every 10 years as noted in 36 N.J.R. 5748(a) (November 22, 2004), COAH's comment regarding 5:94: Appendix A; and

WHEREAS, COAH's Round 1 and/or 2 regulations permitted a 1-for-1 rental bonus credit for up to 25% of the obligations and provided flexible standards for adjustments predicated upon lack of adequate vacant developable land; and

WHEREAS, the same expert who calculated the Round 2 obligations provided a technical appendix in 2014 when COAH proposed regulations for Round 3; and

WHEREAS, COAH's expert in 2014 calculated a prospective need obligation (then 2014-2024) of less than 40,000 units for the 10-year cycle, plus roughly an additional 23,000 units for the "gap" which were to be phased in between 2014-2034 due to concerns over what could be reasonably anticipated as a result of market absorption; and

WHEREAS, housing advocates attacked the regulations COAH adopted for Round 3 the first time it adopted them in 2004, the second time it adopted them in 2008 and the third time it proposed them in 2014, thereby crippling COAH's ability to certify the plans that municipalities petitioned COAH to

approve because the FHA required that COAH only certify municipalities consistent with its regulations; and

WHEREAS, COAH's inability to certify Round 3 plans severely limited the production of affordable housing in Round 3 because COAH found itself fending off attacks instead of certifying affordable housing plans that municipalities could implement; and

Mount Laurel IV

WHEREAS, in 2015, the Supreme Court issued a decision, commonly referred to as Mount Laurel IV, in response to a motion to transfer the responsibilities of COAH back to the courts; and

WHEREAS, in Mount Laurel IV, the Supreme Court returned the task of implementing the doctrine back to the Courts because COAH had failed to do its job; and

WHEREAS, notwithstanding the foregoing, the Court emphasized that it preferred the administrative remedy created by the FHA to a judicial one and hoped that one day COAH would be effective so that towns could comply once again through the administrative process created by the FHA; and

WHEREAS, transferring the implementation of the doctrine from COAH back to the courts deprived the citizens of our State of an evenly balanced administrative body with four representatives of municipalities and four representatives of low- and moderate-income ("LMI") households adopting regulations consistent with the FHA and processing petitions for substantive certification; and

WHEREAS, the Court process proved to be far more expensive than the COAH process and was ill-suited for resolving comprehensive planning disputes over affordable housing; and

WHEREAS, even municipalities that complied voluntarily in the newly minted court process were subject to intervention from developers, who were then able to leverage the process, litigate the municipalities into the ground, and often obtain site-specific rezoning contrary to one of the overriding public purposes of the FHA; and

WHEREAS, the judicial process the Supreme Court fashioned in Mount Laurel IV required municipalities to spend municipal resources not only on their own attorneys and planners, but also on Court appointed masters in a litigation process that was much more expensive than the administrative process the legislature established in the FHA; and

WHEREAS, as if that was not bad enough, FSHC routinely demanded that municipalities make a payment to them; and

WHEREAS, the Round 3 process was a disaster with judges pressing municipalities to comply before even establishing the obligations with which they must comply; and

WHEREAS, ultimately, on March 8, 2018, after a 41-day trial in Mercer County, Judge Jacobson issued an opinion in which she set forth a fair share methodology; and

WHEREAS, in that trial and in various other instances throughout the state, FSHC took the position that the Statewide obligation should exceed 300,000 affordable units to be produced between 2015 and 2025; and

WHEREAS, municipalities, through Dr. Robert Powell, presented evidence that the State could only absorb less than 40,000 affordable units, in a best case scenario, and thus argued that FSHC's calculations was not grounded in reality whatsoever; and

WHEREAS, the Court, having been constrained by the Supreme Court to prescriptively utilize a formula from 1993, ultimately concluded that the Statewide obligation to be constructed between 2015-2025 was roughly 153,000 units; and

The 354 Settlements with FSHC

WHEREAS, FSHC reports that it entered 354 settlements in Round 3; and

WHEREAS, many municipalities are reeling under the burden of satisfying their obligations under those settlements entered between 2015 and 2023; and

WHEREAS, Round 4 is set to begin in 2025 and there is no comprehensive analysis on the impacts of the 354 Round 3 settlements and over-zoning described above; and

WHEREAS, indeed, the A4/S50 Bill fails to consider the impact from affordable housing projects that were approved during the Third Round, but are still not yet under construction, as said projects, as well as additional future projects, will impact legitimate public concerns like infrastructure, the environment, schools, traffic, parking and open space; and

WHEREAS, the Round 3 process destroyed the balance achieved by the Fair Housing Act in 1985; and

A-4/S-50

WHEREAS, against the above backdrop, on December 19, 2023, the Housing Committee of the Assembly unveiled the Legislation (A-4) that it stated it had been working on for a long time and scheduled the bill for a vote at a hearing scheduled less than 24 hours later; and

WHEREAS, on December 19, 2023, the Administrative Office of the Courts wrote to the Legislature and made clear that it could not structure the bill in the manner set forth in the proposed legislation; and

WHEREAS, notwithstanding the foregoing, the Housing Committee of the Assembly voted the bill out of Committee and announced that the bill needed to be ready for signing by the Governor before the end of the lame duck session on January 8, 2024; and

WHEREAS, the bill was not rammed through in the lame duck session and on January 16, 2024, the Legislature released a new version of the bill, Assembly Bill No. 4/Senate Bill No. 50 (hereinafter the “A4/S50” or “the Bill”); and

WHEREAS, A4/S50 Bill seeks to abolish the Council on Affordable Housing (“COAH”) and purports to reform municipal responsibilities concerning the provision of affordable housing and

WHEREAS, the Bill would purportedly reduce litigation and municipal expenses; and

WHEREAS, A4/S50 details the methodology to be used for determining the fair share numbers of municipalities in Round 4 and in subsequent rounds; and

WHEREAS, the Bill is premised on the proposition that 40 percent of all households qualify as low or moderate; and

WHEREAS, A4/S50 calls for the determination of the prospective need by subtracting the number of households reported in the 2010 Decennial Census from the number of households reported in the 2020 Decennial Census and multiplying that figure by 40 percent; and

WHEREAS, we calculate that number to be 84,690;

WHEREAS, A4/S50 calls for that number to be adjusted by the number of conversions and demolitions; and

WHEREAS, the statewide fair share would be increased from 84,690 to 96,780, if we assume the same number of demolitions and conversions used by Judge Jacobson in her formula for Round 3; and

WHEREAS, the 96,780 fair share compares to the roughly 211,000 COs issued between 2010 and 2020; and

WHEREAS, the 96,780 fair number divided by 211,000 COs equals roughly 46 percent (45.867 percent to be more precise); and

WHEREAS, all municipalities should be able to cure any violations of the prohibition against exclusionary zoning with inclusionary zoning; and

WHEREAS, traditional inclusionary zoning ordinances generally require no more than 20 percent of the units to be affordable; and

WHEREAS, it is mathematically impossible to satisfy a 46 percent problem with a 20 percent solution and, therefore, the number generated by the statutory formula is patently excessive; and

WHEREAS, while this mathematical error conceptually may have existed at COAH, COAH utilized its discretion to reduce the statewide number to roughly 5,000 units per year in Rounds 1-2 (or lower for prospective need in its attempted regulations in 2014); and

WHEREAS, in addition, COAH's Round 2 regulations had flexible standards, Regional Contribution Agreements (RCAs), an achievable bonus structure, waivers and other flexible standards to further mitigate the problem; and

WHEREAS, had COAH not mitigated the problem, it is likely that the regulations would have been challenged by municipalities; and

WHEREAS, A4/S50 also, systemically, calcifies the Court process and indeed makes critical changes which severely prejudice municipal interests and undercut the incentive to comply voluntarily; and

WHEREAS, in stark contrast to current laws that preserve a municipality's immunity in the absence of proof that the municipality is "determined to be constitutionally noncompliant", A4/S50 creates multiple opportunities to strip municipalities of immunity and expose them to litigation; and

WHEREAS A4/S50 subjects municipalities to litigation not only as they seek approval of their Housing Element and Fair Share Plans, but also even after they secure approval of those plans; and

WHEREAS, more specifically, while A4/S50 provides municipalities a "compliance certification" if the municipality secures approval of its affordable housing plan, that certification only protects municipalities from builder's remedy lawsuits-not from exclusionary zoning lawsuits by FSHC or anyone else who is not seeking a builder's remedy; and

WHEREAS, in stark contrast to the goal of A4/S50 to reduce litigation, A4/S50 dramatically proliferates litigation by providing many opportunities to sue the subject municipality and through other means; and

WHEREAS, even if a municipality, via the adoption of a resolution, accepts the Fourth Round affordable housing obligation numbers that will be promulgated by the Department of Community Affairs (the "DCA") under the A4/S50 Bill, there is still a risk that the affordable housing obligation numbers will

increase during the subsequent process required by the bill, as both housing advocates like FSHC and developers can subsequently challenge the fair share number the municipality accepts; and

WHEREAS, the A4/S50 Bill creates a judicial entity made up of 3-7 retired Mount Laurel judges called “The Program”, which, unlike COAH, is not comprised of an equal number of municipal and housing representatives, and is not made up of an equal number of Republicans and Democrats, thereby depriving the citizens of our State of the carefully crafted COAH Board that included a diversity of interests and that was the centerpiece of the FHA adopted in 1985; and

WHEREAS, the A4/S50 Bill does not require the promulgation of affordable housing obligations, or the adoption of substantive regulations, in a way that utilizes an open and transparent process that COAH used and that gave all interested parties an opportunity to comment and receive COAH’s response to their comments; and

WHEREAS, the A4/S50 Bill reduces, and in some cases completely eliminates affordable housing bonus credits, and creates an overcomplicated and difficult process to obtain the bonus credits that are still available under the bill; and

WHEREAS, the initial version of the A4/S50 Bill allowed for municipalities to utilize age - restricted affordable units to satisfy up to thirty-three percent (33%) of its Fourth Round obligation in recognition that roughly 33 percent of the demand for affordable housing came from this age group; however, the current version of A4/S50 unfairly and unceremoniously reduced the cap on age-restricted housing down to twenty-five (25%); and

WHEREAS, the Legislature previously capped the fair share of any municipality down to 1,000 in recognition that any obligation above 1,000 would be “onerous”; A4/S50 applies the 1,000-unit cap only to a component of the municipality’s fair share -- the prospective need – and authorizes the imposition of an obligation that is onerous; and

WHEREAS, the A4/S50 Bill creates unfair requirements and ambiguity when it comes to the Vacant Land Adjustment process, which could lead to municipalities that lack sufficient vacant land being required to produce more affordable housing units than is practical; and

WHEREAS, the A4/S50 Bill includes many other provisions and changes to the FHA that are impractical and devoid of any consideration of the burdens created by the statute; and

WHEREAS, the Office of Legislative Services (OLS) has not evaluated the formula required by the A4/S50 Bill for calculating a municipality’s Fourth Round or Prospective Need Obligation for its magnitude or reasonableness; and

NOW, THEREFORE, BE IT RESOLVED, that for all of the above reasons, the Township Committee of the Township of Upper, objects to and opposes Assembly Bill No. 4/Senate Bill No. 50, and requests that the bill be tabled, re-written and re-introduced in way that imposes achievable obligations and facilitates the ability of the municipality to satisfy its obligations; and

IT IS FURTHER RESOLVED, that a certified copy of this resolution shall be sent to the Legislators in the State Assembly and Senate representing our District.

Resolution No. 50-2024

Offered by: Newman

Seconded by: Pancoast

Adopted: February 12, 2024

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Corson	X			
Hayes	X			
Nappen	X			

Pancoast	X			
Newman	X			

15. Supporting the U.S. Department of Transportation’s proposed requirements for real-time hazmat information for first responders to improve freight rail safety.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 51-2024

**SUPPORTING THE U.S. DEPARTMENT OF TRANSPORTATION’S
PROPOSED REQUIREMENTS FOR REAL-TIME HAZMAT INFORMATION FOR FIRST
RESPONDERS TO IMPROVE FREIGHT RAIL SAFETY**

WHEREAS, the U.S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration (PHMSA) has proposed a new rule aimed at improving public safety and preventing environmental impacts by strengthening requirements governing railroads’ provision of hazardous materials information to responders during a hazmat incident; and

WHEREAS, the proposal would require railroads to always maintain, and update in real-time, accurate, electronic information about rail hazmat shipments that would be accessible to authorized emergency response personnel; and

WHEREAS, railroads would also be required to proactively “push” that information to authorized local first response personnel as soon as the railroad is aware of an accident involving any hazardous materials; and

WHEREAS, it is essential that first responders and municipal emergency managers know accurate and updated information on what is in train cars passing through their towns so that they are prepared to respond in order to minimize hazards to the public and the environment; and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Upper, County of Cape May, State of New Jersey, that we do hereby support the USDOT proposal that would require railroads to always maintain, and update in real-time, accurate electronic information about rail hazmat shipments that would be accessible to authorized emergency response personnel, and be required to proactively “push” that information to authorized local first response personnel as soon as the railroad is aware of an accident involving any hazardous materials; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Congressman Jeff Van Drew and the Great Egg Harbor National Scenic and Recreational River Council.

Resolution No. 51-2024
Offered by: Newman
Adopted: February 12, 2024
Roll Call Vote:

Seconded by: Pancoast

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

16. Appointing Douglas K. Walker to serve as an additional Municipal Prosecutor on an as needed basis.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 52-2024

**RE: APPOINTING DOUGLAS K. WALKER TO SERVE AS AN ADDITIONAL MUNICIPAL
PROSECUTOR ON AN AS NEEDED BASIS**

WHEREAS, a need exists to appoint an additional municipal prosecutor to serve on an as needed basis; and

WHEREAS, N.J.S.A. 2B:25-4 allows for the appointment of additional municipal prosecutors as necessary to administer justice in a timely and effective manner; and

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

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

WHEREAS, Douglas K. Walker has completed and submitted a Business Entity Disclosure Certification which certifies that Douglas K. Walker 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 Douglas K. Walker 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. Douglas K. Walker with offices at 15 East 8th Street, Ocean City, New Jersey is hereby appointed as an additional municipal prosecutor to serve on an as needed basis.

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 Douglas K. Walker has professional knowledge as to legal matters and municipal court 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 Douglas K. Walker 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 Douglas K. Walker 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. 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. 52-2024

Offered by: Newman

Seconded by: Pancoast

Adopted: February 12, 2024

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Corson	X			

Hayes	X			
Nappen	X			
Pancoast	X			
Newman	X			

17. Authorizing the Mayor and Township Clerk to sign a contract with Phoenix Advisors, LLC for Municipal Advisory services.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 53-2024

**RE: AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO SIGN A CONTRACT WITH
PHOENIX ADVISORS, LLC FOR MUNICIPAL ADVISORY SERVICES**

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

WHEREAS, Phoenix Advisors, LLC has submitted a proposal to the Township to provide municipal advisory services; and

WHEREAS, the Township wishes to accept said proposal and to authorize the execution of a contract with Phoenix Advisors, LLC; and

WHEREAS, the proposed contract 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, Phoenix Advisors, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Phoenix Advisors, 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 Phoenix Advisors, 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 Phoenix Advisors, LLC in accordance with the terms and provisions of the Local Public Contracts Law, subject to and in accordance with the limitations imposed herein.

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 Phoenix Advisors, LLC has professional knowledge 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 a professional service pursuant to N.J.S.A. 40A:11-5(1)(a) to Phoenix Advisors, LLC for municipal advisory 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 copy of this Resolution 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. 53-2024

Offered by: Newman

Seconded by: Pancoast

Adopted: February 12, 2024

Roll Call Vote:

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

18. Appointing Gorman, D’Anella & Morlok, LLC to act as Special Legal Counsel in employment and labor law matters.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 54-2024

RE: APPOINTING GORMAN, D'ANELLA & MORLOK, LLC TO ACT AS SPECIAL LEGAL COUNSEL IN EMPLOYMENT AND LABOR LAW MATTERS

WHEREAS, the Township requires legal counsel to provide legal services in connection with employment and labor law related matters; and

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

WHEREAS, the firm of Gorman, D'Anella & Morlok, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that said firm 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 said firm from making any reportable contributions through the term of the contract; and

WHEREAS, the Township has decided to acquire the services of the firm of Gorman, D'Anella & Morlok, LLC as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. Gorman, D'Anella & Morlok, LLC with offices at 1601 Atlantic Avenue, Suite 700, Atlantic City, New Jersey 08401 are hereby appointed as Special Legal Counsel to handle employment law and labor law matters in conjunction with and at the direction of the regular Township Solicitor and as directed by the Township Committee and Township Administrator.
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 Gorman, D’Anella & Morlok, LLC has professional knowledge as to legal matters which knowledge is particularly valuable to the Township Committee.

NOTICE OF CONTRACT AWARD

The Township Committee of the Township of Upper, State of New Jersey has awarded the contract without competitive bidding as a professional service pursuant to N.J.S.A. 40A:11-5(1)(a) to Gorman, D’Anella & Morlok, LLC 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 Township Clerk are hereby authorized and directed to execute, on behalf of the Township of Upper, a Professional Contract with Gorman, D’Anella & Morlok, LLC in accordance with the terms and provisions of the Local Public Contracts Law, subject to and in accordance with the limitations imposed herein. Upon execution of all parties thereto said contract shall become effective.

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

9. This Resolution shall be effective as of adoption.

Resolution No. 54-2024

Offered by: Newman

Seconded by: Pancoast

Adopted: February 12, 2024

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Corson	X			

Hayes	X			
Nappen	X			
Pancoast	X			
Newman	X			

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.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 55-2024

**RE: 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**

WHEREAS, the Atlantic County Municipal Joint Insurance Fund (ACMJIF) has offered a Safety Incentive Program to participating members in order to promote workplace safety and wellness in our community; and

WHEREAS, the goal of the Safety Incentive program is to build a program that will be effective in promoting safe work practices, employee morale, and claims management; and

WHEREAS, the Township of Upper wishes to take advantage of the Safety Incentive Program and to authorize the execution and submittal of the 2024 Safety Contract to the ACMJIF; and

WHEREAS, the Safety Contract has been reviewed and approved by the Municipal Attorney and is attached hereto; 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 of the Township of Upper are hereby authorized, directed, and empowered to sign and submit the Atlantic County Municipal Joint Insurance Fund 2024 Safety Contract.
3. All Township officials, officers and employees are empowered to take such action as may be necessary or advisable in order to carry out the intent and purpose of this Resolution.

Resolution No. 55-2024

Offered by: Newman

Seconded by: Pancoast

Adopted: February 12, 2024

Roll Call Vote:

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

20. Authorizing the execution of a subcontract with the County of Cape May for the State Fiscal Year 2025 Municipal Alliance Program.

**TOWNSHIP OF UPPER
COUNTY OF CAPE MAY
RESOLUTION**

RESOLUTION NO. 56-2024

**AUTHORIZING THE EXECUTION OF A SUBCONTRACT
WITH THE COUNTY OF CAPE MAY FOR THE
STATE FISCAL YEAR 2025 MUNICIPAL ALLIANCE PROGRAM**

WHEREAS, pursuant to P. L. 1989, Ch. 51, the Municipal Alliance Program has been made available to each county in order to increase drug and alcohol prevention services; and

WHEREAS, the City of Ocean City and the Township of Upper have agreed to participate together in this effort and have designated Upper Township as the lead municipality; and

WHEREAS, the Township of Upper has agreed to organize and coordinate efforts involving schools, law enforcement, businesses, local organizations and the community to work toward the development and implementation of community based alcoholism and drug abuse education, awareness, and alternative and prevention programs for our school aged children; and

WHEREAS, the Cape May County Division of Community and Behavioral Health Services has informed the Township of Upper/City of Ocean City Municipal Alliance Committee of its eligibility to apply for Municipal Alliance funds in the amount of:

DEDR Funds.....\$18,894.00
 Amount of Local Cash Match.....\$ 4,723.50
 Amount of Local In-Kind Match.....\$14,170.50
 TOTAL AMOUNT OF SUBCONTRACT.....\$37,788.00

WHEREAS, the Township of Upper Cash Match portion will be \$1,889.40; and

WHEREAS, the Township of Upper wishes to apply for said funding; and

NOW,

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

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

2. The Township as lead agency is hereby authorized to submit an application and strategic plan for Municipal Alliance funding for the Fiscal Grant Cycle July 1, 2024 to June 30, 2025 grant funds in the amount specified in this Resolution or for such other amounts as may become available, and the Mayor and Township Clerk are further authorized and directed to execute a Sub-Contract on behalf of the Township with the County of Cape May for the period of July 1, 2024 to June 30, 2025. Such actions of the Township are contingent upon the proper authorization of the participation of the City of Ocean City.

3. Upon confirmation of such authorization from the City of Ocean City, the Chief Financial Officer, Mayor, or Municipal Clerk of the Township of Upper, as appropriate, is hereby authorized and directed to execute the section of the subcontract entitled “Statement of Assurances”.

4. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

5. A certified copy of this Resolution shall be submitted to the County of Cape May Division of Community and Behavioral Health Services, together with the completed application.

6. All Township officials and officers are hereby authorized and directed to take all action necessary in order to carry out the intent and purpose of this Resolution.

Resolution No. 56-2024

Offered by: Newman

Seconded by: Pancoast

Adopted: February 12, 2024

Roll Call Vote:

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

21. Authorizing the Mayor to sign a service agreement with Empower Retirement, LLC for a deferred compensation plan.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 57-2024

RE: AUTHORIZING THE MAYOR TO SIGN A SERVICE AGREEMENT WITH EMPOWER RETIREMENT, LLC FOR A DEFERRED COMPENSATION PLAN

WHEREAS, the Township of Upper previously adopted a Deferred Compensation Plan and Service Agreement provided by Empower Annuity Insurance Company of America (f/k/a Great-West Life & Annuity Insurance Company) for the purposes of:

- the desire to attract and retain qualified employees;
- the accrual of tax benefits to eligible employees through participation in a Deferred Compensation Plan as established pursuant to Section 457 of the Federal Internal Revenue Code;
- the fact that there is no cost to the local governmental unit to adopt and implement a Deferred Compensation Plan; and
- the implementation of a Deferred Compensation Plan serves the interests of the local governmental unit by enabling it to provide enhanced retirement security to its eligible employees; and

WHEREAS, Empower Annuity Insurance Company of America has assigned the provision of services to its wholly owned subsidiary, Empower Retirement, LLC, who will continue to provide the same services under an updated Service Agreement. The previously adopted Deferred Compensation Plan remains in full effect and is not being changed.

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 is hereby authorized to execute a Service Agreement with Empower Retirement, LLC, 21-SA-EMPOWER-110121, and to submit all necessary documents to the Director of the Division of Local Government Services within the State Department of Community Affairs for approval.
3. The Chief Financial Officer is hereby designated as the Local Plan Administrator for the administration of the Plan.

Resolution No. 57-2024

Offered by: Newman Seconded by: Pancoast

Adopted: February 12, 2024

Roll Call Vote:

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

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.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY**

RESOLUTION

RESOLUTION NO. 58-2024

**RE: 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**

WHEREAS, in accordance with N.J.S.A. 13:1E-96 5.b(1), commencing in 2012, each New Jersey municipality is required by the Recycling Enhancement Act (“REA”) to have mandatory Annual Recycling Tonnage Reports approved and signed by a Certified Recycling Professional (“CRP”); and

WHEREAS, the State of New Jersey (State) requires that municipalities submit their Annual Recycling Tonnage Reports by April 30 of each year; and

WHEREAS, the Cape May County Municipal Utilities Authority (Authority) has one or more employees that have obtained designation as a CRP; and

WHEREAS, the Authority has indicated a willingness to assist the Township of Upper in securing their rightful recycling fund allotment from the State for its 2023 recycling activities; and

WHEREAS, N.J.S.A. 40A:65-1 et seq. authorizes a municipality to enter into a contract with any other local unit for the sharing of governmental services.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of Upper, 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 Municipal Clerk are hereby authorized and directed to execute a Shared Services Agreement with the Authority for Certified Recycling Professional services with regard to the submission of the Township of Upper’s 2023 Annual Recycling Reports.
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. 58-2024

Offered by: Newman

Seconded by: Pancoast

Adopted: February 12, 2024

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Corson	X			
Hayes	X			

Nappen	X			
Pancoast	X			
Newman	X			

23. Appointing members to the Upper Township Redevelopment Subcommittee.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 59-2024

**RE: APPOINTING MEMBERS TO UPPER TOWNSHIP
REDEVELOPMENT SUBCOMMITTEE**

WHEREAS, the Township Committee of the Township of Upper has determined that it is necessary to create a Redevelopment Subcommittee; and

WHEREAS, a need exists to appoint suitable persons to this subcommittee; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township of Upper hereby creates the Redevelopment Subcommittee, tasked with the coordination of all activities surrounding redevelopment in the Township of Upper.
3. The following persons are hereby appointed to the Upper Township Redevelopment Subcommittee:

Kimberly Hayes, Deputy Mayor
Mark Pancoast, Committeeman
Gary DeMarzo, Township Administrator
Anthony P. Monzo, Esquire
M. James Maley, Esquire
Daniel J. Young, Esquire
Tiffany Morrissey, PP
Township Engineer

4. The forgoing appointees shall constitute the sole members of the Redevelopment Subcommittee, subject to the provision of Paragraph 5 hereof.
5. The Township Committee expressly reserves the right to supplement this Resolution at any time it deems it appropriate to change the membership or mission of the Upper Township Redevelopment Subcommittee.

Resolution No. 59-2024

Offered by: Newman

Seconded by: Pancoast

Adopted: February 12, 2024

Roll Call Vote:

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

24. Approving the NJDOT Patcong Creek dredge project.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 60-2024

RE: APPROVING THE NJDOT PATCONG CREEK DREDGE PROJECT

WHEREAS, Chapter 15, Section 2 of the Code of Upper Township regulates the dumping, depositing, landfilling, and/or disposal of dredge soils within the Township; and

WHEREAS, any person desiring to transport and/or deposit dredge soils in the Township is required to make application with the Township Committee and provide an environmental impact statement prepared by a licensed engineer or environmentalist setting forth the impacts, with appropriate notice to all property owners within 500 feet of the disposal area; and

WHEREAS, if approved by the Township Committee, a fee has been established by Resolution which is currently set at \$2.00 per cubic yard; and

WHEREAS, pursuant to Code Section 15-2.7, the Township Committee may, in its sole discretion, waive any of these requirements; and

WHEREAS, the New Jersey Department of Transportation ("NJDOT") has requested that the Township waive all of the Code requirements with respect to dredge soils from the Patcong Creek Channel that will occur by hydraulic method using geotubes for dewatering within a confined disposal facility ("CDF") located at the Beesley's Point Redevelopment Area (the "Project"); and

WHEREAS, the NJDOT applied for and received a New Jersey Department of Environmental Protection and Watershed and Land Management permit issued on October 3, 2023, which included the

submission of materials which assessed the impact on the environment and surrounding properties with appropriate notice as required by law; and

WHEREAS, said permit also included various conditions that need to be met by NJDOT in connection with this Project; and

WHEREAS, based on the regulatory process that NJDOT undertook in receiving a permit for this Project, and further considering the minimal adverse impact in light of the fact that none of the dredge soils will be transported utilizing Township roads, and for all of the reasons further set forth in a formal request from NJDEP dated January 2, 2024, which is attached as Exhibit A and incorporated herein by this reference, the Township Committee has decided to waive the Ordinance requirements as to this Project; and

WHEREAS, in consideration for this waiver, the Township Committee further recognizes that Beesley’s Point Development Group has agreed to pay to the Township a reduced fee of \$0.10 per cubic yard for all dredge soils deposited at the site.

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. All of the requirements contained in Section 15-2 of the Township of Upper Municipal Code as it pertains to the NJDOT Project of dredging sediment from Patcong Creek State Channel by hydraulic method using geotubes for dewatering within the Beesley's Point Confined Disposal Facility are hereby waived as they pertain to NJDOT.
3. The Township Committee hereby recognizes and agrees that a reduced fee of \$0.10 per cubic yard in connection with said Project shall be paid by Beesley's Point Development Group.
4. All Township Officials are authorized and directed to take any and all action required to effectuate the approvals granted hereunder.

Resolution No. 60-2024

Offered by: Newman

Seconded by: Pancoast

Adopted: February 12, 2024

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Corson	X			

Hayes	X			
Nappen	X			
Pancoast	X			
Newman	X			

25. 2024 Emergency Temporary Budget.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 61-2024

RE: 2024 EMERGENCY TEMPORARY BUDGET

WHEREAS, it has been found necessary to make emergency temporary appropriations to meet certain expenses that may become payable prior to the adoption of the permanent budget; and

WHEREAS, N.J.S.A. 40A:4-20 provides that it shall be lawful to make such appropriations by resolution adopted by a 2/3 vote of the full membership for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year.

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 emergency temporary appropriations as follows:

SLFRF-Stormwater Pump Project	\$123,267.17
Stormwater Pump Project	<u>\$211,732.83</u>
	\$335,000.00

3. The emergency temporary appropriation above of \$335,000.00 shall be provided for in full in the 2024 adopted budget.

Resolution No. 61-2024

Offered by: Newman

Seconded by: Pancoast

Adopted: February 12, 2024

Roll Call Vote:

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

Newman	X			
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26. Adopting revisions to the Upper Township Personnel Policies and Procedures Manual.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 62-2024

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

WHEREAS, the Township Committee of the Township of Upper has determined there is a need to adopt revisions to the Township’s Personnel Policies and Procedures Manual (the “Manual”) to revise the section entitled “Acknowledgement of Receipt of Township of Upper Personnel Policies and Procedures Manual” (the “Policy”); and

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

WHEREAS, the Township Committee has determined that these revisions should be adopted to revise the existing Acknowledgement of Receipt of Township of Upper Personnel Policies and Procedures Manual ; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The revisions to the Acknowledgement of Receipt of Township of Upper Personnel Policies and Procedures Manual set forth in the attached Exhibit A are hereby adopted and approved and modify the existing personnel policies, procedures, manuals and handbooks of the Township. Said revisions shall replace in its entirety the Policy set forth in the Manual.
3. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 62-2024

Offered by: Newman

Seconded by: Pancoast

Adopted: February 12, 2024

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Corson	X			

Hayes	X			
Nappen	X			
Pancoast	X			
Newman	X			

27. Authorizing the Mayor to sign authorizations to proceed from Triad Associates for additional grant consultant services.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 63-2024

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

WHEREAS, the Township acquired the services of Triad Advisory Services, Inc. (trading as Triad Associates) for grant consultant services as a non-fair and open contract pursuant to Resolution No. 187-2023 adopted on May 22, 2023; and

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

WHEREAS, the additional services consist of the preparation and submittal of a 2024 USDA Rural Development – Pre-Development Planning Grant (PPG) for sanitary sewer improvements and the preparation and submittal of a NJDCA Local Recreation Improvement Grant (LRIG) for HVAC improvements at the Upper Township Senior Center; and

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

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Mayor and Township Clerk are hereby authorized, directed and empowered to execute the attached Authorizations to Proceed from Triad Associates for the additional services related to the preparation and submittal of a 2024 USDA Rural Development PPG application and a NJDCA LRIG application.
3. A certificate from the Chief Financial Officer of Upper Township showing the availability of adequate funds for this contract and showing the line-item appropriation of the official

budget to which this contract will be properly charged has been provided to the governing body and shall be attached to this Resolution and kept in the files of the municipal clerk.

4. This Resolution shall be effective as of adoption.

Resolution No. 63-2024

Offered by: Newman

Seconded by: Pancoast

Adopted: February 12, 2024

Roll Call Vote:

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

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).

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 64-2024

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)

WHEREAS, the Township of Upper (hereinafter the “Township”) plans to submit to the United States Department of Agriculture, Rural Utilities Service (hereinafter “Rural Utilities Service”) a request for eligibility determination concerning the Township’s entitlement to participate in Rural Utilities Service’s Water and Environmental Programs (hereinafter the “Program”); and

WHEREAS, the Township wishes to pursue through the Program, funding for a Predevelopment Planning Grant; and

WHEREAS, it is in the best interest of the Township to actively and diligently pursue this project, for reasons associated with the health, safety, and welfare of the community serviced by the Township; and moreover, pursue funding with and through Rural Utilities Service, based upon Rural Utilities Service’s determination that the Township is eligible to participate in Rural Utilities Service’s Program.

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

1. The allegations of the preamble are hereby incorporated into this reference.
2. All necessary action, including the filing of formal applications, be taken to pursue with Rural Utilities Service actual funding for the proposed Predevelopment Planning Grant in the Township of Upper, County of Cape May.
3. The Township is authorized to accept any and all funding through the United States of America, Acting Through Rural Utilities Service Water and Waste Disposal Program
4. The Township’s Municipal Clerk shall publish an appropriate notice of intention to file an application with Rural Utilities Service for funding for the proposed project in the Township’s

official newspaper within sixty (60) days of the Township’s submission of an application for funding to Rural Utilities Service.

5. The duly authorized representative of the Township, including the Township’s Engineer, Solicitor, and Auditor, be and are hereby authorized to execute any and all documentation in furtherance of the preparation of the necessary documents to be submitted to USDA/Rural Utilities Service. Further the Mayor of the Township is hereby authorized to execute the necessary documents in order to receive an eligibility determination and funding from the USDA/Rural Utilities Service.

Resolution No. 64-2024

Offered by: Newman

Seconded by: Pancoast

Adopted: February 12, 2024

Roll Call Vote:

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

29. Authorizing the submission of a Local Recreation Improvement grant application to the New Jersey Department of Community Affairs.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 65-2024

**AUTHORIZING THE SUBMISSION OF A LOCAL RECREATION IMPROVEMENT GRANT
APPLICATION TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS**

WHEREAS, the Township of Upper desires to apply for a Local Recreation Improvement grant from the New Jersey Department of Community Affairs for approximately \$100,000; and

WHEREAS, the Township of Upper will use the grant funds for HVAC improvements at the Upper Township Senior Center; and

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

1. The allegations of the preamble are hereby incorporated by this reference.
2. The Township of Upper does hereby authorize the submittal of a Recreation Improvement Grant application to the New Jersey Department of Community Affairs (Department).
3. The Township of Upper recognizes and accepts that the Department may offer a lesser or greater amount and therefor, upon receipt of the grant agreement from the Department, does further authorize the execution of any such grant agreement.
4. Upon receipt of the fully executed agreement from the Department, the Township of Upper further authorizes the expenditure of funds pursuant to the terms of the agreement between the Township of Upper and the Department.

5. The Mayor and Deputy Mayor are hereby authorized to sign the application, agreement, and any other documents necessary in connection therewith.

Resolution No. 65-2024

Offered by: Newman

Seconded by: Pancoast

Adopted: February 12, 2024

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

30. Amending the Township of Upper’s Cape May County American Rescue Plan Infrastructure Grant Application (Schedule A).

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 66-2024

**AMENDING THE TOWNSHIP OF UPPER’S CAPE MAY COUNTY AMERICAN RESCUE
PLAN INFRASTRUCTURE GRANT APPLICATION (SCHEDULE A)**

WHEREAS, on May 22, 2023, the Township of Upper approved Resolution No. 171-2023, accepting Cape May County’s American Rescue Plan Infrastructure Grant and authorizing a Sub-Recipient Grant Agreement between the Township of Upper and the County of Cape May; and

WHEREAS, the Township of Upper respectfully requests an amendment to said grant (Schedule A) to amend the scope of the project; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township of Upper hereby submits an amendment to the Cape May County’s American Rescue Plan Infrastructure Grant (Schedule A).
3. All Township officials, officers and employees are empowered to take such action as may be necessary or advisable in order to carry out the intent and purpose of this Resolution.

Resolution No. 66-2024

Offered by: Newman

Seconded by: Pancoast

Adopted: February 12, 2024

Roll Call Vote:

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

Newman	X			
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31. Authorizing and approving Purchasing Card Program Policies and Procedures Manual for use of Procurement Cards (P-Cards).

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 67-2024

RE: AUTHORIZING AND APPROVING PURCHASING CARD PROGRAM POLICIES AND PROCEDURES MANUAL FOR USE OF PROCUREMENT CARDS (P-CARDS)

WHEREAS, N.J.S.A. 40A:5-16 authorizes local governing units to utilize Procurement Cards (P-Cards) for the purchase of goods and services for limited transactions; and

WHEREAS, N.J.A.C. 5:30-9A.1, et seq. was also promulgated to set forth standards governing the use and sound fiscal management of P-Cards; and

WHEREAS, in accordance with N.J.S.A. 40A:5-16 and N.J.A.C. 5:30-9A.1, et seq., the Township of Upper is required to adopt appropriate policies and procedures and authorize the specific purposes for use of P-Cards.

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 Purchasing Card Program Policies and Procedures Manual attached hereto as Exhibit A is hereby approved and adopted.
3. The provisions of this policy may be amended and supplemented from time to time at the sole discretion of the Township Committee.
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. 067-2024

Offered by: Newman

Seconded by: Pancoast

Adopted: February 12, 2024

ROLL CALL VOTE:

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

Newman	X			
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32. Authorize payments from the Affordable Housing Trust Fund of Upper Township.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 68-2024

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

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

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

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

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

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

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

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

Township’s Spending Plan:

Daniel J. Young, Esquire	\$2,610.00
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Resolution No. 68-2024

Offered By: Newman

Seconded By: Pancoast

Adopted: February 12, 2024

Roll Call Vote:

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

33. Appointing Sarah Steiner as Assistant Municipal Treasurer to the Upper Township Finance Department.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 69-2024

**RE: APPOINTING SARAH STEINER AS ASSISTANT MUNICIPAL TREASURER TO THE
UPPER TOWNSHIP FINANCE DEPARTMENT**

WHEREAS, a need exists to appoint qualified personnel to the Upper Township Finance Department to ensure optimal operation; and

WHEREAS, Sarah Steiner possesses all the requisite qualifications for appointment to said position; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. Sarah Steiner is hereby provisionally appointed, pending Civil Service review, to the Upper Township Finance Department as Assistant Municipal Treasurer effective January 1, 2024 at an annual salary of \$56,500 to include the duties of Passport Agent in accordance with the Salary Ordinance.
3. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 69-2024

Offered by: Newman

Seconded by: Pancoast

Adopted: February 12, 2024

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Corson	X			
Hayes	X			

Nappen	X			
Pancoast	X			
Newman	X			

34. Amending Resolution No. 12-2024 establishing salaries for various officers and employees.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 70-2024

**RE: AMENDING RESOLUTION NO. 12-2024
ESTABLISHING SALARIES FOR VARIOUS OFFICERS AND EMPLOYEES**

WHEREAS, Resolution No. 12-2024 fixes salaries for various administrative, clerical and other personnel for the year 2024; and

WHEREAS, the Township Committee has determined it necessary to amend said Resolution No. 12-2024; 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. Resolution No. 12-2024 is hereby amended to reflect the following persons shall be

paid the annual salary or hourly rate opposite their name commencing January 1, 2024:

NAME	POSITION	SALARY
Jay Newman	Emergency Information Officer	No Salary
Gary DeMarzo	Township Administrator	\$28,500.00
	Personnel Officer	\$66,500.00
	Fund Commissioner	No Salary
Joanne Herron	Township Clerk	\$80,000.00
	Registrar of Vital Statistics	No Salary on
	Official to Certify Municipal Improvement Searches	these titles
	General Licensing Official	
	Data Information Coordinator	
Rhonda Sharp	Public Agency Compliance Officer	
	Tax Collector	\$98,200.00
	Tax Search Officer	No Salary on
	Personnel Officer	these titles
Joseph Berrodin	Claims Coordinator	
	Township Tax Assessor P/T	\$65.00/Hr
Michelle Johnson	Deputy Tax Assessor	\$60,000.00
Barbara Ludy	Chief Financial Officer	\$98,200.00
	QPA/Purchasing Agent	No Salary on

	Benefits Coordinator	these titles
James Birchmeier	Judge, Municipal Court	\$57,000.00
Loren Ready	Municipal Court Administrator	\$76,500.00
Kristen Snyder	Assistant Safety Coordinator Deputy Municipal Court Administrator	No Salary 55,000.00
Carol Marcolongo	Keyboarding Clerk 1	\$25.00/Hr
Theodore Cooper	Construction Code Official	\$90,000.00
James Cotton	Building Sub-Code Official	No Salary
Jacob Spiegel	Plumbing Sub-Code Official	\$23,000.00
Patrick Baker, Jr.	Temporary Construction Official	\$35.00/Hr.
William Marsden	Fire Protection Sub-Code Official	15,000.00
April Johnston	Temporary Electrical Sub-Code Official	\$43.00/Hr
Rosemary Trout	Electrical Sub-Code Official	\$33,444.00
	Technical Assistant to Construction Official	\$55,000.00
	Keyboarding Clerk 2, Clerk's Office	\$56,750.00
	Alternate Deputy Registrar	No Salary on
	Alternate Fund Commissioner	these titles
	Wellness Coordinator	
Patricia Smyth	Assistant Municipal Tax Collector	\$68,000.00
	Passport Acceptance Agent	No Salary on
	Assistant Personnel Officer	these titles
Janet McBride	Keyboarding Clerk 2, Clerk's Office	\$56,750.00
	Deputy Registrar	No Salary on
	Wellness Coordinator	these titles
Elizabeth Oaks	Technical Assistant to the Construction Official	\$73,000.00
	Zoning Officer	No salary on
	Secretary Planning Board	these titles
	Secretary Zoning Board of Adjustment	
Sarah Steiner	Assistant Municipal Treasurer	\$56,500.00
	Passport Acceptance Agent	No salary
Edward Carter	Deputy Municipal Emergency Management Coordinator	\$ 3,100.00
Bruce Riordan	2 nd Assistant Municipal Emergency Management Coordinator	\$ 1,200.00
Bernard Walker	2 nd Assistant Municipal Emergency Management Coordinator	\$ 1,200.00
Russell Barham	2 nd Assistant Municipal Emergency Management Coordinator	\$ 1,200.00
Jeremiah Williams	Playground Inspector	\$ 1,000.00
Joshua Tozer	Code Enforcement Officer	\$20.00/Hr.
	Substitute School Traffic Guard	
Mellissa Coker	Chief Emergency Medical Technician	\$87,000.00
	Safety Coordinator	No salary
John Brittin	Deputy Chief Emergency Medical Technician	\$77,000.00
	9-1-1 Coordinator/Right to Know Director	No Salary
Johnathan Carter	Supervising Emergency Medical Technician	\$63,000.00
Jennifer Teasenfitz	Supervising Emergency Medical Technician	\$63,000.00
Paula Brooks	Emergency Medical Technician (2-3yr)	\$53,000.00

Kyle Lindholm	Emergency Medical Technician (2-3yr)	\$53,000.00
Carolyn A. Raff	Emergency Medical Technician (1 st yr)	\$51,000.00
Ryan Couse	Emergency Medical Technician (1 st yr)	\$51,000.00
Ryan Schaefer	Emergency Medical Technician (1 st yr)	\$51,000.00
Jessica Wriggins	Emergency Medical Technician (1 st yr)	\$51,000.00
Angel Anderson	P/T Emergency Medical Technician (10+)	\$28.00/Hr
Daniel Dubbs	P/T Emergency Medical Technician (10+)	\$28.00/Hr
Patricia Kravitz	P/T Emergency Medical Technician (10+)	\$28.00/Hr
Valerie McKim	P/T Emergency Medical Technician (10+)	\$28.00/Hr
Deborah Dore	P/T Emergency Medical Technician (10+)	\$28.00/Hr
Lauren DiGiovanni	P/T Emergency Medical Technician (10+)	\$28.00/Hr
Amanda Grau	P/T Emergency Medical Technician (10+)	\$28.00/Hr
Mark Newman	P/T Emergency Medical Technician (10+)	\$28.00/Hr
Wally Welliver	P/T Emergency Medical Technician (6-9 yr)	\$26.00/Hr
H. Lawrence Dubs, Jr.	P/T Emergency Medical Technician (4-5 yr)	\$24.00/Hr
Timothy Leeds	P/T Emergency Medical Technician (2-3 yr)	\$23.00/Hr
Joseph Maccarone	P/T Emergency Medical Technician (2-3 yr)	\$23.00/Hr
Tracy Caine	P/T Emergency Medical Technician (1st yr)	\$22.00 Hr
Eric Shane	P/T Emergency Medical Technician (1st yr)	\$22.00/Hr
Anthony Clerico, III	P/T Emergency Medical Technician (1st yr)	\$22.00/Hr
Timothy Brittin	P/T Emergency Medical Technician (1 st yr)	\$22.00/Hr
Matthew Blaker	P/T Emergency Medical Technician (1st yr)	\$22.00/Hr
Markie Alexander	P/T Emergency Medical Technician (1 st yr)	\$22.00/Hr
Eric Johnston	P/T Emergency Medical Technician (1 st yr)	\$22.00/Hr
William Handley	P/T Emergency Medical Technician (1 st yr)	\$22.00/Hr
Craig Reeves	Superintendent of Public Works	\$107,000.00
James M. Jones	Assistant Public Works Superintendent Deputy Municipal Emergency Management Coordinator Deputy Right to Know Director	\$101,500.00 No Salary on these titles
John Adams	Maintenance Supervisor, Grounds	\$80,000.00
Nicholas Mason	Supervising Equipment Operator	\$80,000.00
John Hope	Supervising Mechanic	\$80,000.00
Marshall Kohler	Mechanic	\$64,427.00
Richard Kaczmariski	Supervisor Sanitation Recycling Coordinator Code Enforcement Officer	\$82,500.00 No Salary on these titles
Peter Buganski	Maintenance Repairer (0-9)	\$64,427.00

David Pennello	Senior Carpenter (0-9)	\$66,548.00
Stewart Segin	Equipment Operator (0-9)	\$64,427.00
Richard McCauley	Equipment Operator (0-9)	\$64,427.00
Edward Kline	Truck Driver, Heavy (10+)	\$63,366.00
Brian Keenan	Truck Driver, Heavy (0-9)	\$62,305.00
Ralon Armstrong	Truck Driver, Heavy (10+)	\$63,366.00
John Chisholm	Truck Driver, Heavy (0-9)	\$62,305.00
Andrew Mangam	Truck Driver, Heavy (0-9)	\$62,305.00
Sean Fenton	Truck Driver, Heavy (0-9)	\$62,305.00
Christopher Hohman	Truck Driver, Heavy (0-9)	\$62,305.00
Todd Rammel	Truck Driver, Heavy (0-9)	\$62,305.00
Jeremiah Williams	Maintenance Worker 2, Grounds (10+)	\$65,487.00
Edward Carter	Maintenance Worker 2, Grounds (0-9)	\$64,427.00
Roger Van Order	Maintenance Worker 2, Grounds (0-9)	\$64,427.00
John Kohler	Maintenance Worker 1, Grounds (10+)	\$63,366.00
Sean Ferrier	Maintenance Worker 1, Grounds (0-9)	\$62,305.00
Michael Mayne	Laborer 1 (10+)	\$60,248.00
Josh Adams	Laborer 1 (10+)	\$60,248.00
Matthew Edwards	Laborer 1 (6 th - 9 th yr)	\$58,511.00
William Evans	Laborer 1 (6 th - 9 th yr)	\$58,511.00
Joseph Shone	Laborer 1 (2 nd yr)	\$49,245.00
Joseph Sharp	Laborer 1 (1 st yr)	\$46,785.00
Zachary Burns	Laborer 1, (1 st yr)	\$46,785.00
Wesley Yakopcic	Laborer 1, Probational	\$33,280.00
Christopher Castagna	Laborer 1, Probational	\$33,280.00
Lawrence Cole	Recreation Supervisor MAC Coordinator	\$60,000.00 \$ 4,450.00 (Fiscal Year)
Barbara Grund	Bldg. Maintenance Worker	\$46,785.00

3. This Resolution shall be effective immediately and is further intended to ratify, confirm

and approve any formal action taken by the Township Committee.

Resolution No. 70-2024

Offered by: Newman

Seconded by: Pancoast

Adopted: February 12, 2024

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Corson	X			
Hayes	X			

Nappen	X			
Pancoast	X			
Newman	X			

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.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 71-2024

**RE: 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**

WHEREAS, N.J.S.A. 40A:12A-6, authorizes the governing body of any municipality, by Resolution, to have its Planning Board conduct a preliminary investigation to determine whether any area of the municipality is a redevelopment area pursuant to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the Mayor and Township Committee of the Township of Upper (“Township”) consider it to be in the best interest of the Township to have the Township’s Planning Board (“Planning Board”) conduct such an investigation regarding the parcels identified on the Official Tax Map of Upper Township as Block 553, Lots 6–13; Block 554, Lot 1; Block 557, Lots 1, 2, 3; Block 558, Lots 31–35; Block 559, Lots 37–42; Block 560, Lots 1.01, 1.02, 2–6, 7.01, 7.02, 8; Block 561, Lots 1, 2, 3, 4.01, 4.02, 9–14; Block 599, Lots 9, 11–15, 25–33, 34.01, 34.02, 37–52, 56, 59–63; Block 600, Lots 13.01, 13.02, 14.02, 21.01, 24.01, 24.02, 25–38, 39.01, 40, 41, 44–49; Block 651, Lots 12, 13, 15; Block 653.01, Lots 2, 3, 4, 6, 7, 8.01; Block 653.02, Lots 11–14, 16, 17; Block 735, Lots 47–53, 55.01, 55.02, 55.03, 56–61, 62.01, 62.02, 64, 65; and Block 736, Lots 37–40, 42–46 (the “Study Area”); and

WHEREAS, a redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area including the use of eminent domain (hereinafter referred to as a “Condemnation Redevelopment Area”); and

WHEREAS, the land located within the Study Area appears to be in a state of dilapidation, appears to be vacant, obsolete and/or underutilized and/or otherwise appears to be in need of redevelopment; and

WHEREAS, the present conditions at the Study Area may be detrimental to the safety and welfare of the community thereby requiring redevelopment to better serve the Township.

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

1. The Planning Board is hereby directed to conduct a preliminary investigation to determine whether the Study Area, or any part thereof, if applicable, is a Condemnation Redevelopment Area according to the criteria set forth in N.J.S.A. 40A:12A-5.

2. The Planning Board is hereby directed to prepare a report of its findings and once completed, the Planning Board is directed to transmit the report to the Township Committee of the Township of Upper for their review and approval in accordance with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

3. This Resolution shall take effect immediately.

Resolution No. 71-2024

Offered by: Newman

Seconded by: Pancoast

Adopted: February 12, 2024

Roll Call Vote:

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

RESOLUTIONS TO BE ACTED ON SEPARATELY

36. Declaring the Gypsy Moth a public nuisance and public hearing. **During the public hearing there were no speakers.**

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 72-2024

**DECLARING THE GYPSY MOTH A PUBLIC NUISANCE
AND PUBLIC HEARING**

WHEREAS, the gypsy moth, *Lymantria dispar dispar (LDD)*, has been found heavily defoliating tree and plant growth in the Township of Upper; and

WHEREAS, continued destruction of foliage may result in loss of valuable forest lands and trees; and

WHEREAS, the Township Committee of the Township of Upper has determined that a gypsy moth control program should be instituted with the State of New Jersey Department of Agriculture and that application for any Federal or State funds available be authorized; and

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Township Committee of the Township of Upper that the gypsy moth is declared to be a public nuisance and the protection of vegetation or plant life therefrom is deemed to be a subject matter of public welfare, and that all measures deemed necessary, in compliance with the State of New Jersey Department of Agriculture recommendations, is hereby authorized to suppress this forest and shade tree pest.

Resolution No. 72-2024

Offered by: Pancoast

Seconded by: Hayes

Adopted: February 12, 2024

Roll Call Vote:

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

37. Approving the application of the Marmora Volunteer Fire Company for highway coin drops.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 73-2024

**RE: APPROVING THE APPLICATION OF THE MARMORA
VOLUNTEER FIRE COMPANY FOR HIGHWAY COIN DROPS**

WHEREAS, the Marmora Volunteer Fire Company, a non-profit corporation providing firefighting services, has made application to the Township Committee to hold coin drop solicitations in Upper Township; and

WHEREAS, the Township Committee has approved the request; and

WHEREAS, the request requires approval from the County of Cape May; 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 application of the Marmora Volunteer Fire Co. to hold a coin drop within Upper Township at Roosevelt Boulevard from the intersection of Vernon Road to the end of the shopping plaza is hereby approved for the following dates:

Saturday, May 25, 2024 from 9:00 a.m. to 3:00 p.m.; and

Saturday, July 20, 2024 from 9:00 a.m. to 3:00 p.m.; and

Saturday, August 10, 2024 from 9:00 a.m. to 3:00 p.m.; and

Saturday, August 24, 2024 from 9:00 a.m. to 3:00 p.m.

3. Attached to this Resolution is a certified copy of Ordinance No. 7-2001, authorizing coin drops within Upper Township enacted pursuant to N.J.S.A. 39:4-60.

4. A certified copy of this Resolution shall be provided to the Cape May County Board of Commissioners.

Resolution No. 73-2024

Offered by: Corson

Seconded by: Hayes

Adopted: February 12, 2024

Roll Call Vote:

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

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. **Motion by Kimberly Hayes, second by Curtis Corson, to approve the request. During roll call vote all five Committee members voted in the affirmative.**

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. **Motion by Kimberly Hayes, second by Victor Nappen, to approve the request. During roll call vote all five Committee members voted in the affirmative.**

40. Parish of Saint Maximilian Kolbe request to hold a Raffle RA #570 at 200 Tuckahoe Road, Marmora on August 14, 2024. **Motion by Kimberly Hayes, second by Mark Pancoast, to approve the request. During roll call vote all five Committee members voted in the affirmative.**

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. **Motion by Kimberly Hayes, second**

by Victor Nappen, to approve the request. During roll call vote all five Committee members voted in the affirmative.

42. Ocean City Theater Boosters request use of the Upper Township Community Center for a fundraising event on April 20, 2024. **Motion by Kimberly Hayes, second by Victor Nappen, to approve the request. During roll call vote all five Committee members voted in the affirmative.**

43. Fee Ordinance revisions. **The Township Engineer reported on the recommended changes to the fees for street opening permits, bulkhead permits, land use application and escrow fees, and dumpster permit fees. After a brief discussion, there was a general consensus to table the matter for discussion at a later date.**

UNFINISHED BUSINESS

44. Aaron Segin request to purchase Township property Block 329, Lots 1-4, and 8 and Block 332, Lots 26 and 30. **The Municipal Attorney stated that the Committee had already approved to move forward with the request to purchase the lots in Block 329. They are now requesting to add Block 332, Lots 26 and 30. Motion by Curtis Corson, second by Kimberly Hayes, to move forward with the request. During roll call vote all five Committee members voted in the affirmative.**

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." **Motion by Kimberly Hayes, second by Victor Nappen. During roll call vote all five Committee members present voted in the affirmative.**

Bills approved for payment: **\$544,600.41**

Payroll 1/25/24: **\$180,844.03**

Payroll 2/8/2024: **\$181,127.21**

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

Libby Schuck, Seaville, inquired about a proposed hotel and apartments on Route 9 in Seaville. It was stated that this is a matter that will be going before the Zoning Board for a variance and any comments on the application should be addressed at the Zoning Board hearing for the application.

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.

**TOWNSHIP OF UPPER
RESOLUTION NO. 74-2024
MOTION GOING INTO CLOSED SESSION
FEBRUARY 12, 2024**

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 - .P. Bainbridge, Appraisal Services

3. Contract negotiation - GMS Law, In Rem Foreclosure Matters
4. Contract negotiation - Parker McCay, Bond Counsel
5. Contract negotiation - Frank L. Corrado, Special Legal Counsel
6. Contract negotiation - Consulting and Municipal Engineers, LLC
7. Attorney/Client Privilege - Cell Tower

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 five Committee members voting in the affirmative.

RECONVENE PUBLIC PORTION OF MEETING

Motion by Kimberly Hayes, second by Victor Nappen, 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 7:35 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 February 26, 2024 at 4:30 P.M.

Minutes prepared by,

Joanne R. Herron, RMC
Township Clerk

Bills

82935 02/12/24 A0018 ACTION SUPPLY INC. 874.70 3343
 82936 02/12/24 A0025 ADVANTAGE RENTAL & SALES 1,455.33 3343
 82937 02/12/24 A0061 ASSOC. CERT. TAX ASSESSORS CMC 485.00 3343
 82938 02/12/24 A0081 ARMSTRONG, RALON I. 44.00 3343
 82939 02/12/24 A0091 ATLANTIC CITY ELECTRIC 36,655.43 3343
 82940 02/12/24 A0212 ANCERO, LLC 9,586.55 3343
 82941 02/12/24 A0235 AMAZON CAPITAL SERVICES, INC. 600.70 3343
 82942 02/12/24 A0248 AIRESRING, INC. 1,231.98 3343
 82943 02/12/24 A0249 APPLIED INDUSTRIAL TECHNOLOGIE 89,655.18 3343
 82944 02/12/24 A0251 ACT ENGINEERS, INC. 7,527.52 3343
 82945 02/12/24 B0035 BELMONT & CRYSTAL SPRINGS 103.57 3343
 82946 02/12/24 B0076 BOND, LAURENCE E. 833.98 3343
 82947 02/12/24 B0093 BARRY, CORRADO & GRASSI, PC 720.00 3343
 82948 02/12/24 B0232 BLUE FLAME GAS 473.61 3343
 82949 02/12/24 B0287 BIGLEAF NETWORKS, INC. 697.00 3343
 82950 02/12/24 B0288 KINGBARNES LLC 2,462.50 3343
 82951 02/12/24 C0008 CMC COURT ADMINISTRATORS ASSOC 100.00 3343
 82952 02/12/24 C0009 CAPE MAY COUNTY TCTA 125.00 3343
 82953 02/12/24 C0019 CITY OF OCEAN CITY 67,215.75 3343

82954 02/12/24 C0042 CAMPBELL SUPPLY COMPANY 5,443.66 3343
82955 02/12/24 C0056 CAPE MEDIATION SERVICE, INC. 3,200.08 3343
82956 02/12/24 C0068 COMCAST 2,607.99 3343
82957 02/12/24 C0182 CDW GOVERNMENT, INC 818.55 3343
82958 02/12/24 C0223 CASA PAYROLL SERVICE 1,620.50 3343
82959 02/12/24 C0246 CRAFT OIL CORPORATION 843.88 3343
82960 02/12/24 C0247 CMRS-FP 2,000.00 3343
82961 02/12/24 C0346 CME ASSOCIATES 1,887.00 3343
82962 02/12/24 D0133 DOLLARD-BAKER SEW AND VAC 282.44 3343
82963 02/12/24 D0237 DIETZ, KERRY 125.00 3343
82964 02/12/24 D0240 DEVLIN, EDMUND F. 1,048.95 3343
82965 02/12/24 D0245 DUNE ABSTRACT COMPANY INC. 20,000.00 3343
82966 02/12/24 E0012 EHRlich PEST CONTROL INC 127.14 3343
82967 02/12/24 F0053 FORD, SCOTT & ASSOCIATES 10,000.00 3343
82968 02/12/24 F0224 FERRIER, SEAN 157.19 3343
82969 02/12/24 F0232 FAMILY AUTO GLASS 1,100.00 3343
82970 02/12/24 G0002 GAGLIONE, WANDA 150.00 3343
82971 02/12/24 G0006 GARBUTT,PATRICIA A. 1,978.80 3343
82972 02/12/24 G0028 GENTILINI FORD, INC. 569.50 3343
82973 02/12/24 G0048 GIUSEPPE'S GOURMET 82.79 3343
82974 02/12/24 G0067 GLOBAL EQUIPMENT COMPANY INC 5,707.09 3343
82975 02/12/24 G0120 PATRICK F. MARTIN 2,291.67 3343
82976 02/12/24 G0141 GENTILINI CHEVROLET 120.33 3343
82977 02/12/24 G0147 GREATAMERICA FINANCIAL SVCS. 243.00 3343
82978 02/12/24 G0157 GRANTURK EQUIPMENT CO., INC. 524.58 3343
82979 02/12/24 G0169 GROFF TRACTOR MID ATLANTIC LLC 958.12 3343
82980 02/12/24 H0002 H.A. DEHART & SON CORP. 1,156.10 3343
82981 02/12/24 H0180 HD SUPPLY FACILITIES MANT 873.50 3343
82982 02/12/24 J0316 Jankowski, Aubrey 26.00 3343
82983 02/12/24 K0038 KINDLE FORD LINCOLN, INC. 169.95 3343
82984 02/12/24 K0086 K D NATIONAL FORCE SECURITY 1,350.00 3343
82985 02/12/24 K0103 KYOCERA DOCUMENT SOLUTIONS 144.67 3343
82986 02/12/24 L0007 LC EQUIPMENT, INC. 731.00 3343
82987 02/12/24 L0016 LANDSMAN UNIFORMS, INC. 2,688.00 3343
82988 02/12/24 L0034 LAYTON, BRENDA 3,957.60 3343
82989 02/12/24 L0038 LAYTON, WILLIAM 3,957.60 3343
82990 02/12/24 L0075 LEXISNEXIS 401.00 3343
82991 02/12/24 M0188 MCCARTHY TIRE SERVICE OF PHILA 4,980.27 3343
82992 02/12/24 M0277 EQUITABLE FINANCIAL LIFE INS. 184.83 3343
82993 02/12/24 M0290 MADDEN & MADDEN, PC 865.50 3343
82994 02/12/24 M0303 MALEY GIVENS, A PROF CORP 3,373.00 3343
82995 02/12/24 M0308 McHENRY PRESSURE CLEAN SYSTEMS 1,575.48 3343
82996 02/12/24 M0327 MONZO CATANESE DeLOLLIS, P.C. 8,671.59 3343
82997 02/12/24 N0004 NJ-AMERICAN WATER CO. 128.90 3343
82998 02/12/24 N0043 NAPA AUTO PARTS 0.00 02/12/24 VOID 0
82999 02/12/24 N0043 NAPA AUTO PARTS 3,018.23 3343
83000 02/12/24 N0052 NATL YOUTH SPORTS COACHED ASSN 985.00 3343
83001 02/12/24 N0070 MARSH & MCLENNAN AGENCY, LLC 2,000.00 3343
83002 02/12/24 N0088 N.J. CONFERENCE OF MAYORS 475.00 3343
83003 02/12/24 N0125 N.J. REGISTRAR'S ASSOCIATION 50.00 3343
83004 02/12/24 N0143 NATIONAL TIME SYSTEMS 419.80 3343
83005 02/12/24 N0154 NEW HORIZON COMMUNICATIONS 1,013.88 3343
83006 02/12/24 N0163 NJ COASTAL COALITION, INC. 750.00 3343
83007 02/12/24 P0008 PALMER, NANCY 1,978.80 3343
83008 02/12/24 P0032 PEDRONI FUEL CO. 3,603.39 3343
83009 02/12/24 P0078 PRO VIDEO ENGINEERING 2,430.44 3343
83010 02/12/24 P0166 PARKER MCCAY P.A. 1,465.50 3343
83011 02/12/24 P0195 PHOENIX ADVISORS, LLC 1,600.00 3343
83012 02/12/24 Q0014 QBE SPECIALTY INSURANCE CO. 4,000.00 3343
83013 02/12/24 R0030 RIGGINS, INC. 5,646.71 3343
83014 02/12/24 R0100 ROBERTS OXYGEN COMPANY, INC. 111.70 3343
83015 02/12/24 S0001 SAM'S CLUB 154.98 3343
83016 02/12/24 S0018 SUBURBAN PROPANE, LP 589.40 3343
83017 02/12/24 S0056 SEASHORE ASPHALT CORPORATION 2,002.45 3343
83018 02/12/24 S0134 SO. JERSEY GAS COMPANY 9,614.54 3343
83019 02/12/24 S0161 SPICA STEEL, INC./J.D.L.GARAGE 675.00 3343
83020 02/12/24 S0193 STRYKER SALES, LLC 5,127.56 3343
83021 02/12/24 S0196 STEWART BUSINESS SYSTEMS LLC 776.72 3343
83022 02/12/24 S0209 STAPLES ADVANTAGE 140.90 3343
83023 02/12/24 S0239 SHORE VET. ANIMAL CONTROL LLC 2,300.00 3343
83024 02/12/24 S0254 SHOPRITE 144.21 3343
83025 02/12/24 S0363 STARR SEPTIC, LLC. 400.00 3343
83026 02/12/24 T0020 TERWILLIGER, DUANE E. 150.00 3343

83027 02/12/24 T0067 TOWNSHIP OF UPPER PETTY CASH 85.00 3343
83028 02/12/24 T0094 TREASURER STATE OF NEW JERSEY 150.00 3343
83029 02/12/24 T0166 TREASURER, STATE OF NEW JERSEY 774.50 3343
83030 02/12/24 T0168 TOWNSHIP OF UPPER 219.40 3343
83031 02/12/24 T0180 TRI-COUNTY PEST CONTROL, INC 50.00 3343
83032 02/12/24 T0192 MARSH & McLENNAN AGENCY/TRION 482.75 3343
83033 02/12/24 T0213 TREASURER, STATE OF NEW JERSEY 154,868.68 3343
83034 02/12/24 U0043 ULINE, INC. 504.14 3343
83035 02/12/24 U0067 UT HEALTH REIMB. ACCOUNT 6,732.04 3343
83036 02/12/24 V0013 VERIZON WIRELESS 986.93 3343
83037 02/12/24 V0022 VERIZON 604.56 3343
83038 02/12/24 V0027 VANORDER, ROGER 538.64 3343
83039 02/12/24 V0052 VIKING TERMITE & PEST CONTROL 65.08 3343
83040 02/12/24 V0053 VERIZON CONNECT FLEET USA LLC 545.60 3343
83041 02/12/24 W0050 MOTOROLA SOLUTIONS INC. 3,504.05 3343
83042 02/12/24 W0087 W.B. MASON EGG HARBOR 1,264.66 3343
83043 02/12/24 W0123 WIRELESS ELECTRONICS, INC. 830.72 3343
83044 02/12/24 W0131 WEX BANK 35.14 3343
83045 02/12/24 X0008 XEROX FINANCIAL SERVICES 223.26 3343
83046 02/12/24 Y0008 YOUNG, DANIEL J. ESQUIRE PC 540.00 3343
Total: \$544,600.41