

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
AGENDA FOR FEBRUARY 26, 2024**

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

CALL TO ORDER

SUNSHINE ANNOUNCEMENT

SALUTE TO THE FLAG

ROLL CALL

APPROVAL OF MINUTES – February 12, 2024 Regular and Closed Session Minutes

REPORT OF GOVERNING BODY MEMBERS

ADMINISTRATOR OVERVIEW

2024 BUDGET - CAP Ordinance and Budget Introduction

1. Introduction and first reading of Ordinance No. 002-2024 RE: CALENDAR YEAR 2024 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14).
2. Introduction of 2024 Budget.
3. Authorizing the execution of a Group Affidavit Re: Governing Body Certification of Compliance with United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions under Title VIII of the Civil Rights Act 1964”.

CONSENT AGENDA

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

FILING OF REPORTS BY CONSENT

RESOLUTIONS TO BE APPROVED BY CONSENT

4. Resolution of the Township of Upper, County of Cape May, 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.

5. Opposing the State of New Jersey's new proposed shore protection rule.
6. Approving the application of the Tuckahoe Volunteer Fire Company for highway coin drops.
7. Authorizing a building permit fee refund to DR Horton for Block 348.01, Lot 2.
8. Authorize payments from the Affordable Housing Trust Fund of Upper Township.
9. Amending Resolution No. 12-2024 establishing salaries for various officers and employees.
10. Appointing J. P. Bainbridge & Associates, Inc. and J. Paul Bainbridge as an appraiser for the Township of Upper.
11. Appointing Keith A. Bonchi, Attorney at Law and the Law Offices of GMS Law as special legal counsel to complete certain in rem foreclosure matters.
12. Appointing Frank L. Corrado, Esquire to act as special legal counsel.
13. Appointing Parker McCay P.A. to act as special legal counsel.

RESOLUTIONS TO BE ACTED ON SEPARATELY

14. Authorizing a grant application and agreement with the Federal Emergency Management Agency for an Assistance to Firefighters grant.

ORDINANCES

15. Public hearing and final adoption of Ordinance No. 001-2024 RE: AN ORDINANCE ADDING CHAPTER 4-6 (SHORT TERM RENTALS) TO THE CODE OF UPPER TOWNSHIP.
16. Introduction and first reading of Ordinance No. 003-2024 RE: AN ORDINANCE VACATING VALLEY AVENUE, WITHIN THE TOWNSHIP OF UPPER, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY.

CORRESPONDENCE

NEW BUSINESS

17. Estate of William E. Walker, Jr. request to donate Block 367, Lots 19, 20, and 21 to the Township of Upper.
18. New Jersey Department of Agriculture 2024-2026 Spotted Lanternfly Control Treatment Reimbursement Program.
19. Ocean City High School Theater Boosters request to hold Raffles RA #574 and RA #576 at the Upper Township Community Center on April 20, 2024.

20. American Legion Post #239 Aaron Wittkamp Colwell request to hold Raffle RA #575 at the Heritage Links Golf Course, 1375 Route 9, on August 17, 2024.

21. Ocean City High School Boys Lacrosse Boosters request to hold Raffle RA #577 at Levari's Seafood & American Grill, 1291 Route 50, on April 20, 2024.

UNFINISHED BUSINESS

PAYMENT OF BILLS

22. "I hereby move that all claims submitted for payment at this meeting be approved and then incorporated in full in the minutes of this meeting."

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

CLOSED SESSION

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

- Personnel
- Potential Litigation - Cape May County Agriculture Development Board
- Litigation - Hemby v. Township of Upper
- Contract negotiation - Danziger & Markhoff
- Contract negotiation - Brian P. Trelease, Hearing Officer
- Contract negotiation - Trinity Code Inspections, LLC
- Contract negotiation - Right to Know Inventory Services
- Contract negotiation - License for use of right of way
- Attorney/Client Privilege - Cell Tower

RECONVENE PUBLIC PORTION OF MEETING

ADJOURNMENT

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