

**TOWNSHIP OF UPPER  
2100 TUCKAHOE ROAD  
PETERSBURG, NJ 08270  
CAPE MAY COUNTY  
MINUTES FOR JUNE 10, 2024**

**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 June 7, 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	Absent
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** – May 28, 2024 Regular and Closed Session Minutes

Motion by Kimberly Hayes, second by Victor Nappen, to approve the May 28, 2024 Regular and Closed Session Minutes as submitted. During roll call vote all four Committee members present voted in the affirmative.

**REPORT OF GOVERNING BODY MEMBERS**

**Kimberly Hayes, Committeewoman**, reported that the 4<sup>th</sup> of July event will be held on July 4<sup>th</sup> at Amanda’s Field beginning at 4:00 pm with food and craft vendors and the fireworks will begin at dusk. She next reported that the Township has received a few complaints regarding the Beesley’s Point beach and boat ramp and stated that while raking of the beach is not possible, they are working on a few ideas to help keep the area tidy. She next spoke about a recent complaint regarding the placement of a port-o-potty on Putnam Avenue in Strathmere and thanked Mr. DeMarzo for quickly resolving the issue. She next reported that Amanda’s Field was recently vandalized. She thanked the Tuckahoe Fire Company for their prompt response and stated that the NJSP is investigating the matter.

**Victor Nappen, Committeeman**, gave a brief report on the Animal Control May activities. He later requested an update on the Beacon Animal Rescue matter. It was stated that Beacon has submitted a list of remediation measures which will be discussed in closed session.

**Curtis Corson, Committeeman**, reported that the beaches have been quiet with no major issues. He next reported that a lovely event was recently held for the dedication of the new boat donated by the McIlhenny's in memory of their mother, Rita McIlhenny.

**Jay Newman, Mayor**, thanked Committeeman Pancoast and the Ocean City Police Department for their assistance with a missing person call on Tyler Road. The OC Police drone unit, which Mr. Pancoast organized, was able to bring a drone in and locate the individual within three minutes. He next reported that the EMS Kids Camp will be held on June 24<sup>th</sup> and 25<sup>th</sup>. Lastly, he recognized the parking enforcement officers, Linwood Chatten, Mike Jones, Josh Tozer, and Brian Keenan for doing a wonderful job in Strathmere and for going above and beyond the call of duty.

### **ADMINISTRATOR OVERVIEW**

**Gary DeMarzo, Township Administrator**, recognized the Department of Public Works for the fantastic job they do throughout the Township. He also recognized the parking enforcement crew. Next, he requested a motion to correct the pay for the Code Enforcement Officer's work as a Parking Enforcement Officer. Motion by Jay Newman, second by Kimberly Hayes, to approve the request. During roll call vote all four Committee members present voted in the affirmative. A Resolution for formal action will be placed on the next agenda. He next gave a brief report on the daily operations of the personnel department.

**Anthony Monzo, Municipal Attorney**, reported that the award of the cell tower licenses is listed on the agenda with an initial combined annual license fee of \$110,000.00 with an increase every five years. He stated that there may be potential costs to upgrade the tower, but it is anticipated that the agreements will be in effect as of July 1<sup>st</sup>.

**Ryan MacNeill, Township Engineer**, reported that the stormwater pump project should be complete by next week. He next reported that the NJDOT project along Route 9 will be implementing a detour on Tuesday and Wednesday this week through Stagecoach Road. Lastly, he reported that he and the Township Administrator recently attended a New Jersey Coastal Coalition meeting, which is a group of floodplain communities that meet monthly to discuss common municipal flooding issues and programs to alleviate flooding issues. He stated that participation in one such program, the Atlantic/Cape Multijurisdictional Program for Public Information, allows the Township to obtain credits for the FEMA Community Rating System. He stated that in the next few months the Township will be scheduling a few outreach meetings and sending out flyers for public outreach on flooding issues.

### **CONSENT AGENDA**

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

Motion by Kimberly Hayes, second by Curtis Corson, to approve the consent agenda items. During roll call vote all four Committee members present voted in the affirmative.

### **FILING OF REPORTS BY CONSENT**

1. Construction Code
2. Division of EMS
3. MUA Report

- 4. Municipal Court
- 5. Public Works

**RESOLUTIONS TO BE APPROVED BY CONSENT**

- 6. Appointing the 2024 season Beach Patrol personnel.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 175-2024**

**RE: APPOINTING THE 2024 SEASON BEACH PATROL PERSONNEL**

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**WHEREAS**, the individuals hereinafter named have been determined to possess the requisite skills, training and are otherwise eligible for appointment to the position of lifeguard; and

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

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

2. The following individuals are appointed as lifeguards in the Township of Upper contingent upon pre-employment testing at a salary as stated below in accordance with the Salary Ordinance:

**NEW GUARDS**

<b>Kevin Nagle</b>	<b>Rookie</b>	<b>\$18.00</b>
<b>Courtney Malcarney</b>	<b>Rookie</b>	<b>\$18.00</b>
<b>Ava Smith</b>	<b>Rookie</b>	<b>\$18.00</b>
<b>Dennis Williams</b>	<b>Rookie</b>	<b>\$18.00</b>

Resolution No. 175-2024

Offered by: Hayes

Seconded by: Corson

Adopted: June 10, 2024

Roll Call Vote:

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

- 7. Authorizing the execution of a Separation Agreement and General Release.

**TOWNSHIP OF UPPER**

**CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 176-2024**

**RE: AUTHORIZING THE EXECUTION OF A SEPARATION AGREEMENT  
AND GENERAL RELEASE**

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**WHEREAS**, a mutually agreeable Separation Agreement and General Release has been negotiated between the Township of Upper and Peter Buganski, concerning his separation of employment; and

**WHEREAS**, the Separation Agreement and General Release, attached hereto, has been approved by the Township’s Labor Counsel and the AFSCME NJ Council 63; 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 Committee of the Township of Upper hereby approves the attached Separation Agreement and General Release with Peter Buganski.
3. The Mayor and Municipal Clerk are hereby authorized and directed to sign said Separation Agreement and General Release on behalf of the Township of Upper.
4. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 176-2024

Offered by: Hayes

Seconded by: Corson

Adopted: June 10, 2024

Roll Call Vote:

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

8. Adopting revisions to the Upper Township Personnel Policies and Procedures Manual.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 177-2024**

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

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**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 “Sick Leave Policy” 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 “Sick Leave Policy” 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 “Sick Leave Policy” 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. 177-2024

Offered by: Hayes

Seconded by: Corson

Adopted: June 10, 2024

Roll Call Vote:

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

9. Authorizing a progress payment for the 2023 Paving Project with funds from the 2023 Capital Improvement Bond Ordinance in the amount of \$137,643.08.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 178-2024**

**RE: AUTHORIZING A PROGRESS PAYMENT FOR THE 2023 PAVING PROJECT WITH FUNDS FROM THE 2023 CAPITAL IMPROVEMENT BOND ORDINANCE IN THE AMOUNT OF \$137,643.08**

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

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

**WHEREAS**, the Township Committee authorized a contract with Paving Plus, LLC of Glassboro, New Jersey pursuant to Resolution No. 98-2024 on March 11, 2024; and

**WHEREAS**, the Chief Financial Officer of the Township has certified that adequate funds have been appropriated for this purpose in the 2023 Capital Improvement Bond Ordinance; and

**WHEREAS**, Paving Plus, LLC recently submitted an invoice for progress work done to date for concrete work for the 2023 Paving Project in the amount of \$137,643.08; and

**WHEREAS**, pursuant to the Township of Upper's Purchasing Policy, the full Township Committee shall authorize the expenditure of projects, goods or services that are part of a capital bond ordinance; and

**WHEREAS**, the Township Committee has reviewed the requested progress payment by Paving Plus, LLC and has determined it is in the best interest of the Township to authorize same.

**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 Chief Financial Officer is hereby authorized to make a payment to Paving Plus, LLC of Glassboro, New Jersey in the amount of **\$137,643.08** with funds from Capital Improvement Bond Ordinance No. 002-2023.

Resolution No. 178-2023

Offered By: Hayes

Seconded By: Corson

Adopted: June 10, 2024

Roll Call Vote:

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

10. Authorizing the Mayor to sign a Hold Harmless Agreement with the Upper Township Board of Education for transportation for the EMS Kids’ Camp.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 179-2024**

**RE: AUTHORIZING THE MAYOR TO SIGN A HOLD HARMLESS AGREEMENT WITH  
THE UPPER TOWNSHIP BOARD OF EDUCATION FOR  
TRANSPORTATION FOR THE EMS KIDS’ CAMP**

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**WHEREAS**, the Township of Upper wishes to use Upper Township Board of Education (UTBOE) transportation for its EMS Kids’ Camp; and

**WHEREAS**, the UTBOE has requested the Township to execute a Hold Harmless Agreement; and

**WHEREAS**, the proposed Hold Harmless Agreement has been reviewed and approved by the Municipal Attorney and the Township’s Risk Management Consultant; 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 Hold Harmless Agreement in favor of the UTBOE for the use of UTBOE transportation for the EMS Kids’ Camp.
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. 179-2024

Offered by: Hayes  
Adopted: June 10, 2024  
Roll Call Vote:

Seconded by: Corson

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

11. Appointing Norman W. Briggs to act as Special Legal Counsel.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 180-2024**

**RE: APPOINTING NORMAN W. BRIGGS  
TO ACT AS SPECIAL LEGAL COUNSEL**

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**WHEREAS**, the Township requires legal counsel to provide legal services in the event such services are not provided by the regular Township Solicitor due to a conflict of interest or other reason as determined by the Township Committee; and

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

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

**WHEREAS**, Norman W. Briggs, Esquire has completed and submitted a Business Entity Disclosure Certification which certifies that Norman W. Briggs, Esquire 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 Norman W. Briggs, Esquire 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. Norman W. Briggs, Esquire with offices at 110 Roosevelt Boulevard, Suite 201, Marmora, New Jersey is hereby appointed Special Legal Counsel to handle matters in which the regular



Township Solicitor has a conflict of interest as well as other matters directed by the Township Committee.

3. This contract shall have a term of one (1) year from date of full execution.

4. This Contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the New Jersey Local Public Contract Law because Norman W. Briggs, Esquire has professional knowledge as to legal matters which knowledge is particularly valuable to the Township Committee and this service is acquired as a non-fair and open contract pursuant to N.J.S.A. 19:44A-20.5.

### **NOTICE OF CONTRACT AWARD**

The Township Committee of the Township of Upper, State of New Jersey has awarded the contract without competitive bidding as a professional service pursuant to N.J.S.A. 40A:11-5(1)(a) to Norman W. Briggs, Esquire 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 Norman W. Briggs, Esquire 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. 180-2024

Offered by: Hayes

Seconded by: Corson

Adopted: June 10, 2024

Roll Call Vote:

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

12. Renewal of Alcoholic Beverage Licenses for the 2024/2025 license year.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 181-2024**

**RE: RENEWAL OF ALCOHOLIC BEVERAGE LICENSES  
FOR THE 2024/2025 LICENSE YEAR**

**WHEREAS**, holders of the alcoholic beverage licenses in the Township of Upper have applied for renewal of licenses in the prescribed manner; and

**WHEREAS**, said holders of alcoholic beverage licenses have complied with all requirements of law and regulations of the Division of Alcoholic Beverage Control (“Division”); and

**WHEREAS**, no objections have been filed with the Township Committee as the issuing authority of the Township of Upper.

**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, that the following licenses be authorized for the license year effective July 1, 2024:

Twisties Inc.  
 DBA Twisties  
 236 Bayview Drive, Upper Township, NJ 08248  
 License # 0511-33-001-005  
 Plenary Retail Consumption License  
 Municipal Fee Paid: \$700.00  
 State Fee Paid: \$200.00

Tyans Inc.  
 DBA Tuckahoe Inn  
 1 Harbor Road and Route 9, Upper Township, NJ 08223  
 License # 0511-33-004-005  
 Plenary Retail Consumption License  
 Municipal Fee Paid: \$700.00

State Fee Paid: \$200.00

MAH, Inc. a NJ Corp.  
DBA Seaville Tavern  
South Side Route 50 & New Bridge Road, Ocean View, NJ 08230  
License # 0511-33-008-005  
Plenary Retail Consumption License  
Municipal Fee Paid: \$700.00  
State Fee Paid: \$200.00

Boulevard Liquor Store Inc.  
501 & 503 Roosevelt Boulevard, Marmora, NJ 08223  
License # 0511-44-002-004  
Plenary Retail Distribution License  
Municipal Fee Paid: \$400.00  
State Fee Paid: \$200.00

201 Willard Liquor, LLC  
DBA Deauville Inn  
201 Willard Road, Strathmere, NJ 08248  
License # 0511-33-003-008  
Plenary Retail Consumption License  
Municipal Fee Paid: \$700.00  
State Fee Paid: \$200.00

**BE IT FURTHER RESOLVED**, that the Township Clerk is hereby authorized and directed to execute and deliver the licenses in accordance with the above.

Resolution No. 181-2024

Offered by: Hayes                                      Seconded by: Corson

Adopted: June 10, 2024

Roll Call Vote:

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

13. Accepting the bid and authorizing the execution of a license agreement with New Cingular Wireless PCS, LLC (AT&T) for the license of space on ground and tower located at 2028 Tuckahoe Road, Township of Upper, Cape May County, New Jersey for the initial annual rent of \$45,000.00.

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

**RESOLUTION NO. 182-2024**

**RE: ACCEPTING THE BID AND AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC (AT&T) FOR THE LICENSE OF SPACE ON THE CELL TOWER AND GROUND AT 2028 TUCKAHOE ROAD, TOWNSHIP OF UPPER, CAPE MAY COUNTY, NEW JERSEY FOR THE INITIAL**

**ANNUAL RENT OF \$45,000.00**

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**WHEREAS**, the Township of Upper solicited bids for the license of space on the ground and cell tower located at 2028 Tuckahoe Road, Township of Upper, Cape May County, New Jersey which bids were received on April 11, 2024; and

**WHEREAS**, the aforesaid bids were thereafter reviewed by the Municipal Attorney; and

**WHEREAS**, the Township intends to take formal action awarding a bid to the highest responsible bidder as hereinafter provided; and

**WHEREAS**, the successful bid of New Cingular Wireless PCS, LLC (AT&T) was in the amount of \$45,000.00 initial annual rent and the Township Committee has determined it is appropriate to accept same, subject to the terms of this resolution; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township hereby accepts the bid submitted by New Cingular Wireless PCS, LLC (AT&T), 200 North Warner Road, King of Prussia, Pennsylvania 19406 for the following space on the cell tower and ground located at 2028 Tuckahoe Road, Township of Upper, Cape May County, New Jersey:
  - a. Tower Location #3 - Height: 150 ft.
  - b. Ground Location #1 - Existing
3. The award of this bid is subject to the following:
  - a. The bidder must comply with all bid documents, including the Notice to Bidders, all of which are incorporated herein by this reference.
  - b. The contract to be entered into must comply in all respects with applicable federal, state and local laws and regulations.
4. The Mayor and Township Clerk are further authorized to execute a License Agreement with the successful bidder and all other Township employees, agents and representatives are authorized to take such action so as to effectuate the intent and purpose of this resolution.

Resolution No. 182-2024

Offered by: Hayes

Seconded by: Corson

Adopted: June 10, 2024

Roll Call Vote:

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

14. Accepting the bid and authorizing the execution of a license agreement with Cellco Partnership, Dba Verizon Wireless, for the license of space on ground and tower located at 2028 Tuckahoe Road, Township of Upper, Cape May County, New Jersey for the initial annual rent of \$36,120.00.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 183-2024**

**RE: ACCEPTING THE BID AND AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH CELLCO PARTNERSHIP, DBA VERIZON WIRELESS FOR THE LICENSE OF SPACE ON THE CELL TOWER AND GROUND AT 2028 TUCKAHOE ROAD, TOWNSHIP OF UPPER, CAPE MAY COUNTY, NEW JERSEY FOR THE INITIAL ANNUAL RENT OF \$36,120.00**

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**WHEREAS**, the Township of Upper solicited bids for the license of space on the ground and cell tower located at 2028 Tuckahoe Road, Township of Upper, Cape May County, New Jersey which bids were received on April 11, 2024; and

**WHEREAS**, the aforesaid bids were thereafter reviewed by the Township Engineer; and

**WHEREAS**, the Township intends to take formal action awarding a bid to the highest responsible bidder as hereinafter provided; and

**WHEREAS**, the successful bid of Cellco Partnership, dba Verizon Wireless was in the amount of \$36,120.00 initial annual rent and the Township Committee has determined it is appropriate to accept same, subject to the terms of this resolution; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township hereby accepts the bid submitted by Cellco Partnership, dba

Verizon Wireless, One Verizon Way, Basking Ridge, NJ 07920 for the following space on the cell tower and ground located at 2028 Tuckahoe Road, Township of Upper, Cape May County, New Jersey:

c. Tower Location #2 - Height: 140 ft.

d. Ground Location #3 - Existing

3. The award of this bid is subject to the following:

a. The bidder must comply with all bid documents, including the Notice to Bidders, all of which are incorporated herein by this reference.

b. The contract to be entered into must comply in all respects with applicable federal, state and local laws and regulations.

4. The Mayor and Township Clerk are further authorized to execute a License Agreement with the successful bidder and all other Township employees, agents and representatives are authorized to take such action so as to effectuate the intent and purpose of this resolution.

Resolution No. 183-2024

Offered by: Hayes

Seconded by: Corson

Adopted: June 10, 2024

Roll Call Vote:

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

15. Accepting the bid and authorizing the execution of a license agreement with T-Mobile Northeast LLC for the license of space on ground and tower located at 2028 Tuckahoe Road, Township of Upper, Cape May County, New Jersey for the initial annual rent of \$30,000.00.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 184-2024**

**RE: ACCEPTING THE BID AND AUTHORIZING THE EXECUTION OF  
A LICENSE AGREEMENT WITH T-MOBILE NORTHEAST LLC FOR THE  
LICENSE OF SPACE ON THE CELL TOWER AND GROUND AT 2028 TUCKAHOE  
ROAD, TOWNSHIP OF UPPER, CAPE MAY COUNTY, NEW JERSEY FOR THE INITIAL  
ANNUAL RENT OF \$30,000.00**

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**WHEREAS**, the Township of Upper solicited bids for the license of space on the ground and cell tower located at 2028 Tuckahoe Road, Township of Upper, Cape May County, New Jersey which

bids were received on April 11, 2022; and

**WHEREAS**, the aforesaid bids were thereafter reviewed by the Municipal Attorney; and

**WHEREAS**, the Township intends to take formal action awarding a bid to the highest responsible bidder as hereinafter provided; and

**WHEREAS**, the successful bid of T-Mobile Northeast LLC was in the amount of \$30,000.00 initial annual rent and the Township Committee has determined it is appropriate to accept same, subject to the terms of this resolution; and

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

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

6. The Township hereby accepts the bid submitted by T-Mobile Northeast LLC, 12920 SE 38<sup>th</sup> Street, Bellevue, Washington 98006 for the following space on the cell tower and ground located at 2028 Tuckahoe Road, Township of Upper, Cape May County, New Jersey:

e. Tower Location #1 - Height: 130 ft.

f. Ground Location #4

7. The award of this bid is subject to the following:

c. The bidder must comply with all bid documents, including the Notice to Bidders, all of which are incorporated herein by this reference.

d. The contract to be entered into must comply in all respects with applicable federal, state and local laws and regulations.

8. The Mayor and Township Clerk are further authorized to execute a License Agreement with the successful bidder and all other Township employees, agents and representatives are authorized to take such action so as to effectuate the intent and purpose of this resolution.

Resolution No. 184-2024

Offered by: Hayes

Seconded by: Corson

Adopted: June 10, 2024

Roll Call Vote:

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

Newman	X			
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**ORDINANCES**

16. Introduction and first reading of Ordinance No. 010-2024 RE: AN ORDINANCE AMENDING CHAPTER 19 (LAND SUBDIVISION, SITE PLAN AND LAND USE ADMINISTRATION), AND CHAPTER 20 (ZONING) OF THE CODE OF UPPER TOWNSHIP. **Motion by Kimberly Hayes, second by Curtis Corson, to introduce Ordinance 010-2024 with a public hearing and final adoption scheduled for July 22, 2024. During roll call vote all four Committee Members present voted in the affirmative.**

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

**ORDINANCE NO. 010-2024**

**RE: AN ORDINANCE AMENDING CHAPTER 19 (LAND SUBDIVISION, SITE PLAN AND LAND USE ADMINISTRATION), AND CHAPTER 20 (ZONING) OF THE CODE OF UPPER TOWNSHIP**

**WHEREAS**, the Township Committee of the Township of Upper desires to adopt an ordinance amending Chapters 19 and 20 of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, with respect to performance guarantees and affordable housing set-aside requirements.

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

**SECTION 1.** Chapter 19, Section 8 of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, shall be amended and supplemented by deleting Section 19-8.1 and replacing it with the following:

**19-8.1 Performance Guarantee Estimate.**

Before recording of final subdivision plats or as a condition of final site plan approval, the Planning Board or Board of Adjustment shall require the provision of performance and maintenance guarantees in accordance with the following standards. If improvements are installed prior to final subdivision approval, construction plans and specifications shall be approved by the Township Engineer prior to construction of the improvements.



a. A performance guarantee estimate shall be prepared by the developer's design engineer and forwarded to the Township Engineer for his approval. The performance guarantee estimate shall set forth the costs of all required improvements, which shall be limited to the following:

1. Those improvements required by an approval or developer's agreement, ordinance, or regulation to be dedicated to a public entity, and that have not yet been installed, which cost shall be determined by the municipal engineer, according to the method of calculation set forth in NJSA.40:55D-53.4, for the following improvements as shown on the approved plans or plat: streets, pavement, gutters, curbs, sidewalks, street lighting, street trees, surveyor's monuments, as shown on the final map and required by "the map filing law," NJSA 46:23-9.9 et seq. or NJSA 46:26B-1 through NJSA 46:26B-8, water mains, sanitary sewers, community septic systems, drainage structures, public improvements of open space, and any grading necessitated by the preceding improvements. showing quantity, unit price and total amount;

2. Privately-owned perimeter buffer landscaping; and

3. For safety and stabilization guarantee, which shall be solely for the purpose of returning property that has been disturbed to a safe and stable condition or otherwise implementing measures to protect the public from access to an unsafe or unstable condition during the time periods and subject to the conditions set forth in NJSA 40:55D-53(d), as may be amended from time to time.

b. The Township Committee shall pass a resolution either approving or adjusting this performance guarantee estimate and a resolution to the developer for use in obtaining and posting a performance guarantee.

c. The approved performance guarantee estimate shall fix the requirements of maintenance of the utilities and improvements to be installed and completed by the developer. A surety company or cash bond meeting the requirements hereinabove set forth may be furnished to secure the maintenance guarantee, or the performance bond may be styled or amended to provide such security in reduced amount in keeping with the requirements.

**SECTION 2.** Chapter 20, Section 14 of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, shall be amended and supplemented by adding a new Section 20-14.5 as follows:

**20-14.5 Percentage of Mandatory Affordable Housing Set-Asides for All Residential Developments.**

- a. All new construction multifamily or single-family attached residential dwelling unit developments, whether for-sale or rental, within the borders of the Township of Upper proposing five (5) units or more, shall have a mandatory twenty percent (20%) set-aside for the purposes of providing affordable housing to very-low, low- and moderate-income households. This applies to all such developments, whether permitted by a zoning amendment, an approval or variance, including use variance, granted by the Township's Planning Board or Zoning Board, or through the adoption of a redevelopment plan or amended redevelopment plan in areas in need of redevelopment or rehabilitation. All affordable units must be constructed on-site provided, however, that the Township (Planning Board or Zoning Board) may, on a case-by-case basis, permit offsite affordable housing, at its sole discretion.
- b. The provisions herein shall not apply to residential expansion, additions, renovations, replacements, or any other type of residential development that does not result in a net increase in the number of dwelling units.
- c. This section shall not apply to developments containing four (4) or less dwelling units.
- d. All subdivision and site plan approvals of qualifying residential development shall be conditioned upon compliance with the provisions of this section.
- e. Where a development demolishes existing dwelling units and builds new dwelling units on the same site, the provisions of this section shall apply only if the total number of newly constructed dwelling units on the site is five (5) or more.
- f. For any such development where the Township's land use ordinances (e.g., zoning or an adopted redevelopment plan) already permitted residential development as of the effective date of the adoption of this ordinance, this requirement shall only apply if the Township permits an increase in approvable and developable gross residential density to beyond the permitted approvable and developable gross residential density as of the effective date of the adoption of this ordinance.
- g. Nothing in this subsection precludes the Township Planning Board or Zoning Board from imposing an affordable housing set-aside in a development not required to have a set-aside pursuant to this paragraph consistent with N.J.S.A. 52:27D-311(h) and other applicable law.
- h. The requirements in this subsection do not create any entitlement for a property owner or applicant for a zoning amendment, variance, or adoption of a redevelopment plan or amended redevelopment plan in areas in need of redevelopment or rehabilitation, or for approval of any particular proposed project.
- i. The requirements in this subsection do not apply to any sites or specific overlay zones otherwise identified in the Township's adopted Fair Share Plan, for which density and set-aside standards shall be governed by the specific standards set forth therein.

- j. Notwithstanding any provision to the contrary, any density transfer requirement in any zone shall not apply to applications or projects including an affordable housing set aside of at least twenty (20%) percent.
- k. For any residential developments with more than four (4) dwelling units which results in a fractional share, the set-aside shall be rounded down to the next whole number and the developer shall pay into the affordable housing trust fund a fractional share of an affordable housing unit to be derived from calculations for payments in lieu of constructing affordable housing as published in N.J.A.C. 5:97-6.4 (c) 3 for the region in which the Township is located as may be amended from time to time multiplied by the fractional unit. Payment in lieu is only permitted for fractional shares.

**SECTION 3: EFFECTIVE DATE:** This ordinance shall take effect immediately upon the following publication as required by law.

**SECTION 4: REPEALER:** All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

**SECTION 5: SEVERABILITY:** If any section, paragraph, subdivision, subsection, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, subsection, clause or provision declared invalid and the remainder of this Ordinance shall remain in full force and effect and shall be enforceable.

**SECTION 6: CODIFICATION:** This Ordinance shall be codified in the Upper Township Code at the sections referred to above.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE **10<sup>TH</sup> DAY OF JUNE, 2024** AND WILL BE TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER TO BE HELD ON THE **22<sup>ND</sup> DAY OF JULY, 2024** at 4:30 PM AT THE TOWNSHIP HALL, PETERSBURG, NEW JERSEY.

JOANNE HERRON, TOWNSHIP CLERK  
TOWNSHIP OF UPPER

- 17. Introduction and first reading of Ordinance No. 011-2024 RE: AN ORDINANCE AMENDING CHAPTER 3 (POLICE REGULATIONS), CHAPTER 7 (TRAFFIC), AND CHAPTER 7A (TRAFFIC SCHEDULES) OF THE CODE OF UPPER TOWNSHIP. **Motion by Curtis Corson, second by Victor Nappen, to introduce Ordinance 011-2024 with a public hearing and final adoption scheduled for July 22, 2024. During roll call vote all four Committee Members present voted in the affirmative.**

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

**ORDINANCE NO. 011-2024**

**RE: AN ORDINANCE AMENDING CHAPTER 3 (POLICE REGULATIONS), CHAPTER 7  
(TRAFFIC), AND CHAPTER 7A (TRAFFIC SCHEDULES)  
OF THE CODE OF UPPER TOWNSHIP**

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**WHEREAS**, the Township desires to amend various parking regulations of the Code of Upper Township as contained herein.

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

**SECTION 1.** Chapter 3, Sections 8 and 9 of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, shall be deleted in their entirety and replaced with *Reserved*.

**SECTION 2.** Chapter 7 (entitled “Traffic”) of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, shall be amended and supplemented as hereinafter provided:

***Replace Chapter 7, Section 17 in its entirety with the following:***

**7-17 PARKING NEAR CROSSWALKS, INTERSECTIONS, STOP SIGNS, AND DRIVEWAYS IN STRATHMERE.**

1. Within the confines of Strathmere, except where necessary to avoid conflict with other traffic or in compliance with the directions of a traffic of police officer or traffic sign or signal and except in a school zone during hours when school is in session, no operator of a vehicle shall stand or park the vehicle in any of the following places:
  - a. Within five (5) feet of the nearest crosswalk or side line of a street or intersecting highway, except at alleys;
  - b. Within twenty-five (25) feet of a stop sign.
2. In accordance with N.J.S.A. 39:4-138d & 39:4-138.3 the parking of motor vehicles is permitted in front of private driveways under the following conditions:
  - a. Whenever both the motor vehicle and driveway involved are owned by the same person, or the motor vehicle is owned by a member of the same household as the owner of the private driveway, or whenever the owner of the private driveway authorizes the parking of a motor vehicle in front of the private driveway; and
  - b. Where such parking is not otherwise prohibited and will not interfere with the normal flow of traffic.

***Add the following to Chapter 7, Section 18:***

**7-18 PARKING OF VEHICLES ON CERTAIN TOWNSHIP STREETS PROHIBITED**

**7-18.1. Parking Prohibited.**

No person shall park, or cause to be parked, any commercial motor vehicle, noncommercial truck, truck, omnibus, school bus, pole trailer, trailer, or recreational vehicle with a gross vehicle weight of four tons or more, or any camper, recreational vehicle, boat or utility trailer, regardless of weight, on any Township street at any time.

**7-18.2. Exception.**

The provisions of Subsection 7-18.1 hereof shall not apply to any vehicle engaged in making local deliveries, nor shall it apply to any motor vehicle parked at any construction site during the actual time of construction.

**7-18.3. Person Defined.**

The term "person" shall have the same meaning and definition as that contained in N.J.S.A. 39:1-1 and shall include natural persons, firms, co-partnerships, associations, and corporations.

**7-18.4. Other Terms Defined.**

All terms contained in Subsection 7-18.1 hereof shall have the same meaning and definition as that contained in N.J.S.A. 39:1-1 as the same may be amended and supplemented from time to time.

**7-18.5. Signs to be Posted.**

Signs setting forth this parking prohibition of a size and format approved by the State Commissioner of Transportation shall be erected at each vehicular entrance to the Township of Upper.

*Add the following to Chapter 7, Section 19:*

**7-19. FIRE OR EMERGENCY ZONES OR LANES.**

**7-19.1. Definition.**

For purposes of this section, "shopping center" shall have the same definition or meaning as that contained in the Zoning Ordinance of the Township as the same may from time to time be amended and supplemented.

**7-19.2. Fire or Emergency Zone Required.**

Every shopping center in Upper Township with a parking capacity in excess of 100 vehicles shall be required to maintain a fire zone or emergency vehicle zone in conformance with the provisions of this section.

**7-19.3. Requirements.**

The fire or emergency zone shall be a strip of the parking area running parallel with the structure and no less than 25 feet in width, measured from the curb line nearest the center's commercial establishments into the parking area, and extending the entire length of the commercial structures. This provision does not apply to any building or structure which is free-standing or not otherwise connected to or with any other building or structure by means of any common walls or otherwise.

**7-19.4. Markings and Lines.**

The zone shall be suitably marked and lined, in accordance with standards promulgated by the Township's emergency management department. It shall be the responsibility of the shopping center owner to provide the appropriate designations and lining.

**7-19.5. No Parking in Fire or Emergency Zone.**

No parking shall be permitted in any fire or emergency zone. The shopping center owner shall cause "No Parking" signs to be erected along the zone, and to otherwise designate the zone as a no parking area as required by the Township.

**7-19.6. Violator's Vehicles May Be Removed by Police.**

Any vehicle parked or standing in violation of this section, in a fire or emergency zone, shall be deemed a nuisance and a menace to the safe and proper regulation of traffic and any police officer or sheriff's officer may provide for the removal of such vehicle. The owner or operator of the vehicle shall pay the reasonable costs of the removal and storage which may result from such removal before regaining possession of the vehicle.

*Add the following to Chapter 7, Section 20:*

**7-20.1 Mandatory Penalties for Traffic Violations**

<b>Code Section</b>	<b>Description</b>	<b>Penalty</b>
<b>7-18</b>	Parking of Vehicles on certain Township Streets Prohibited	<b>\$50</b>
<b>7-19</b>	Fire or Emergency Zones or Lanes	<b>\$50</b>

**SECTION 3.** Chapter 7A (entitled “Traffic Schedules”) of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, shall be amended and supplemented as hereinafter provided:

Replace the following schedules in their entirety:

**SCHEDULE I – NO PARKING**

**SCHEDULE IV – TIME LIMITED PARKING**

**SCHEDULE VIII – STOP INTERSECTIONS**

**SCHEDULE X – LOADING ZONES**

**SCHEDULE XX - RESTRICTED PARKING AT PUBLIC RECREATION AREAS AND TOWNSHIP RECREATIONAL FACILITIES**

**SECTION 4: EFFECTIVE DATE:** This ordinance shall take effect immediately upon the following publication as required by law.

**SECTION 5: REPEALER:** All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

**SECTION 6: SEVERABILITY:** If any section, paragraph, subdivision, subsection, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, subsection, clause, or provision declared invalid and the remainder of this Ordinance shall remain in full force and effect and shall be enforceable.

**SECTION 7: CODIFICATION:** This Ordinance shall be codified in the Upper Township Code at the sections referred to above.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 10<sup>TH</sup> DAY OF JUNE, 2024 AT THE TOWNSHIP HALL, AND WILL BE TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER TO BE HELD ON THE 22<sup>ND</sup> DAY OF JULY, 2024 AT 4:30 P.M. AT THE TOWNSHIP HALL, PETERSBURG, NEW JERSEY.

JOANNE R. HERRON, TOWNSHIP CLERK  
TOWNSHIP OF UPPER

**§ 7A-1. SCHEDULE I: NO PARKING.**

In accordance with the provisions of Subsection 7-3.3, no person shall park a vehicle at any time upon any of the following described streets or parts of streets.

Street	Location
Approved public or private driveway	Notwithstanding the provisions of Chapter 7, Section 17(2), No parking in front of an approved public or private driveway which is defined as the linear footage of width of the approved driveway opening, plus two feet beyond in each direction along the sideline of the street
Bayview Drive	Both sides of Bayview Drive between Whittier Avenue and Willard Avenue
Commonwealth Avenue (CR 619)* **	West shoulder beginning at the boundary line of Upper Township and Sea Isle City to Putnam Avenue *
	West side (south bound direction) Beginning at the southerly approach joint of the Corson's Inlet Bridge and extending south for a distance of 108 LF **
	East Side (north bound direction) Beginning at the southerly approach joint of the Corson's Inlet Bridge and extending south for a distance of 40 LF **
Cove Road	Both Sides for its entire length
East Randolph Avenue	North side of East Randolph Avenue from easterly side of Commonwealth Avenue to the easterly terminus
Farm Road	Both sides of Farm Road a distance of 275 feet from the curblines of State Highway Route 50
Harbor Lane	Southerly side of Harbor Lane extending from its intersection with Route 9 along its entire length to the Garden State Parkway
Harry's Court	Southeasterly side of Harry's Court from its intersection with Route 9 and extending a distance of 375 feet
Laurel Ridge Road	Both sides of Laurel Road a distance of 200 feet from the curblines of Peach Orchard Road
Mosquito Landing Road	Both sides of Mosquito Landing Road a distance of 1,000 feet easterly from the curblines of State Highway Route 50
Neptune Avenue	Easterly side of Neptune Avenue extending from 50 feet south of the intersection with Winthrop Avenue extending north to the intersection of Seaview Avenue
	West side for its entire length

New Bridge Road	Southwest side of New Bridge Road from Route 50 to Route 9
North Bayview Drive	North side of North Bayview Drive from westerly intersection of North Commonwealth and North Bayview Drive extending 360 feet
Ocean Drive	A distance of 100 feet north from the curblines of Willard Avenue on the westerly side
Old Tuckahoe Road	Southerly side of Old Tuckahoe Road beginning 1,447 feet from Perry Road and extending to a point that is 1,128 feet from Dennisville Road (CR-610)
Prescott Avenue	North side of Prescott Avenue
Randolph Avenue	North side of Randolph Avenue
Seacliff Avenue	Both sides of Seacliff Avenue a distance of 50 feet from the curblines of Neptune Avenue
Seaview Avenue	Both sides of Seaview Avenue a distance of 50 feet from the curblines of Neptune Avenue
Tuckahoe Road*** (CR 631)	North side of Tuckahoe Road a distance of 560 feet westerly from Stagecoach Road (CR667)
	South side of Tuckahoe Road a distance of 375 feet westerly from Stagecoach Road (CR667)
	Both sides of Tuckahoe Road a distance of 300 feet easterly from Stagecoach Road (CR 667)
West Putnam Avenue	North side of West Putnam Avenue from westerly side of Commonwealth Avenue to the easterly side of Bayview Drive
White Pine Lane	Both sides of White Pine Lane a distance of 50 feet from the curblines of Dennisville-Petersburg Road (CR610)

**§ 7A-3. SCHEDULE III: NO STOPPING OR STANDING.**

In accordance with the provisions of Subsection 7-3.5, no person shall stop or stand a vehicle between the hours specified upon any of the following described streets or parts of streets.

Name of Street	Location	Days/Hours Prohibited
Bayview Drive	Both sides from the intersection of Willard along the curb line to a point 100 feet south therefrom	Daily, including Saturday, Sunday and holidays, 24 hours per day
Hope-Corson Road	South side from the westerly curblines of Route 9 to a point	Daily, including Saturday, Sunday and holidays, 24



	60 feet west therefrom	hours per day
Willard Avenue	South side from the western terminus curblineline to a point 100 feet east therefrom	Daily, including Saturday, Sunday and holidays, 24 hours a day

**§ 7A-4. SCHEDULE IV: TIME LIMITED PARKING.**

In accordance with the provisions of Subsection 7-3.6, no person shall park a vehicle for longer than the time limit shown on any of the following streets or parts of streets.

Name of Street	Side	Time Limit; Days	Location
Commonwealth Avenue* (CR 619)	East	15 minutes; May 1 to September 30	Beginning at a point 35 feet north of the northerly curblineline of Vincent Road and extending to a point 22 feet north therefrom
Commonwealth Avenue* (CR 619)	East	15 minutes; May 1 to September 30	Beginning at a point 35 feet north of the northerly curblineline of Putnam Avenue and extending to a point 22 feet north therefrom
Commonwealth Avenue** (CR 619)	East	15 minutes; during Post Office hours	United States Post Office – 9 Commonwealth Ave, Strathmere, NJ 08248-998

**§ 7A-8. SCHEDULE VIII: STOP INTERSECTIONS.**

In accordance with the provisions of Subsection 7-6.2, the following intersections are hereby designated as Stop Intersections. \*

<b>Intersection</b>	<b>Stop Signs Installed On</b>
Alexia Rd & Caledonia Dr	both sides of Alexia Rd
Alexia Rd & Dana Ave	both sides of Alexia Rd
Alexia Rd & Indian Walk Rd	both sides of Alexia Rd
Allendale Road & Hollyberry Lane (4-Way)	Allendale Rd & on Hollyberry Lane
Allendale Road & Lake Corson Road	both sides of Allendale Rd
Allendale Road & Randolph Blvd (4-Way)	Allendale Rd & on Randolph Blvd
Anchorage Ave & Somers Ave	Anchorage Ave
Ash Terrace & Greenbriar Rd	Ash Terrace
Ashcroft Ave & Belcroft Ave	Ashcroft Ave
Ashcroft Ave & N Alexia Rd	Ashcroft Ave
Bailey Rd	(2) on Bailey Rd at the railroad tracks
Bayview Ave & Seasounds Ave	Bayview Ave
Bayview Ave & Seaview Ave	both sides of Bayview Ave
Bayview Dr & Prescott Rd	both sides of Bayview Dr

Bayview Dr & Sherman Ave	Bayview Dr
Bayview Dr & Whittier Ave	both sides of Bayview Dr
Bayview Dr & Willard Ave	Bayview Dr
Belcroft Ave & New Bridge Rd	Belcroft Ave
Bergen Ave & Willetts Rd	Bergen Ave
Bertha Wittkamp Alley & Commonwealth Ave	Bertha Wittkamp Alley
Bertha Wittkamp Alley & Seacliff Ave	Bertha Wittkamp Alley
Braden Dr & Breckley Rd	Braden Dr
Breckley Ave & Bryan Rd	both sides of Breckley Ave
Breckley Ave & Hilltop Dr	both sides of Breckley Ave
Breckley Ave & W Timber Dr	both sides of Breckley Ave
Brewhaus Lane & Ortlieb Ln	Brewhaus Ln
Bryan Rd & Breckley Ave	both sides of Breckley Ave
Burley Road & W Quail Dr	both sides of Burley Road
Burning Tree Lane & Greenbriar Rd	Burning Tree Lane
Cambridge Dr & Canterbury Ln	Cambridge Dr
Cedar Grove Dr & Crestview Dr	Cedar Grove Dr
Cedar Lane & E Katherine Ave	both sides of Cedar Ln
Cessna Rd & Clayton Dr	Cessna Rd
Chaucer Lane & New Jersey Ave	Chaucer Ln
Chelsea Ave & 1st Ave	Chelsea Ave
Chelsea Ave & 2nd Ave	Chelsea Ave
Chelsea Ave & Euclid Ave	Chelsea Ave
Cole Ave & Belcroft Ave	Cole Ave
Cole Ave & Somers Ave	Cole Ave
Crop St & Farm Rd	(2) on Crop St
Dawn Rd & S Sunset Dr	Dawn Rd
Dawn Rd & Sunset	Dawn Rd
Dickenson Way & Sandberg Pl	Dickenson Way
E Golden Oak Ln & 1st Ave	E Golden Oak Lane
E Golden Oak Ln & 2nd Ave	E Golden Oak Lane
E Hollywood Ln & 1st Ave	E Hollywood Lane
E Hollywood Ln & 2nd Ave	E Hollywood Lane
E Maple Lane & 1st Ave	E Maple Shade Lane
E Maple Lane & 2nd Ave	E Maple Shade Lane
E Sunrise Dr & Dawn Rd	E Sunrise Rd
Elmwood Ave & Bergen Ave	both sides of Elmwood Ave
Elmwood Ave & Oceanwoods Ave	both sides of Elmwood Ave
Essex Ave & Elmwood Ave	both sides of Essex Ave
Euclid Ave & Ventnor Ave	Euclid Ave
Gladwyn Dr & Berwyn Dr	Gladwyn Dr
Gladwyn Dr & Chadwyn Dr	Gladwyn Dr
Grant Ave & Wilkie Blvd	Grant Ave
Head of River Rd & Weatherby Rd	Head of River Rd
Hilltop Dr & Breckley Rd	both sides of Hilltop Dr
Holly Drive & Laurel Drive	Holly Drive

Homestead Court & Bayaire Rd	Homestead Court
Hudson Ave & Elmwood Ave	Hudson Ave
Hummingbird Ave & Meadow Lark Rd	Hummingbird Ave
Hummingbird Ave & Mockingbird Ln	both sides of Hummingbird Ln
Inlet Terr & Somers Ave	Inlet Terr
Island View Terr & Stagecoach Rd	Island View Terr
Jonathan Dr & Perry Rd	Jonathan Dr
Killdeer Hill Rd & Whippoorwill Dr (4-Way)	Killdeer Hill Rd & on Whippoorwill Dr
Klains Lane & Willets Rd	both sides of Klains Ln
Lake Corson Lane & Allendale Road	Lake Corson Road
Laurel Drive & Park Ave	Laurel Drive
Laurel Ridge Rd & Peach Orchard Rd	Laurel Ridge Rd
Lawson Ave & Townsend Rd	Lawson Ave
Lyndhurst Road & Randolph Blvd	Lyndhurst Road
Lynnette Dr & Cindy Ln	Lynnette Dr
Margate Ave & 1st Ave	Margate Ave
Margate Ave & 2nd Ave	Margate Ave
Mariners Cove & Somers Ave	Mariners Cove
Marshall Pond Ave & Cole Ave	Marshall Pond Ave
Marshall Pond Ave & New Bridge Rd	Marshall Pond Ave
McDaniels Ct & Deerfield Trail	McDaniels Ct
Meadow Lark Rd & Whippoorwill Dr	Meadow Lark Rd
Meghan Lane & Luke Ct	Meghan Ln
Meghan Lane & Thicket St	Meghan Ln
Mockingbird Lane & Hummingbird Ave	Mockingbird Ln
Mockingbird Lane & Meadow Lark Rd	Mockingbird Ln
Monmouth Ave & Elmwood Ave	Monmouth Ave
Monmouth Ave & Willetts Rd	Monmouth Ave
Mooring Circle & Somers Ave	Mooring Circle
N Alexa Ave & Indian Walk Rd	N Alexa Ave
N Meadow Ridge Ln & Killdeer Hill Rd	N Meadow Ridge Ln
N Quail Dr and Dove Ln	Dove Ln
N Sunset Dr & Dawn Rd	N Sunset Dr
N Sunset Dr & W Sunrise Rd (4-Way)	N Sunset Dr & on W Sunrise Rd
Neptune Dr & Williams Ave	Neptune Drive
New Bridge Rd & Somers Ave	New Bridge Rd
New Vernon Ave & Somers Ave	New Vernon Ave
Nordic Dr & Killdeer Hill Rd (4-Way)	Nordic Dr & on Killdeer Hill Rd
Nordic Dr & N Meadow Ridge Ln	Nordic Dr & on Killdeer Hill Rd
North Bayview Ave & Commonwealth Ave	North Bayview Ave
Norwood Road & Randolph Blvd	Norwood Rd
Ocean Crest Ave & Dolores Ave	both sides of Ocean Crest Ave
Ocean Crest Ave & E Timber Dr	both sides of Ocean Crest Ave
Ocean Crest Ave & Evio John Ct	Ocean Crest Ave
Ocean Crest Ave & Lynnette Dr	Ocean Crest Ave
Old Tuckahoe Rd & Perry Rd	Old Tuckahoe Rd

Pacific Ave	the end of Pacific Ave
Pacific Ave & Seasounds Ave	both sides of Pacific Ave
Pacific Ave & Seaview Ave	both sides of Pacific Ave
Pin Oak Dr & Klains Ln	both sides of Pin Oak Dr
Pin Oak Dr & Victoria Ln	Pin Oak Dr
Pine Place & Woodland Ave	Pine Place
Pine Road	Pine Rd
Prescott Ave & Bayview Dr	W Prescott Rd
Prosit Lane & Ortlieb Lane	Prosit Ln
Putnam Ave & Bayview Dr	W Putnam Ave
Randolph Blvd & Norwood Rd	Randolph Blvd
Randolph Ave & Bayview Dr	W Randolph Ave
Redwood Ave and Oceanwoods Ave	Oceanwoods Ave
Richwood Terr & Rivendell Rd	Richwood Terr
S Sunset Dr & California Rd	S Sunset Dr & on E Sunrise Rd
S Sunset Dr & E Sunrise Rd (4-Way)	S Sunset Dr & on E Sunrise Rd
Sea Grape Ln & Somers Ave	Sea Grape Ln
Seacliff Ave & Commonwealth Ave	Seacliff Ave
Seacliff Ave & Neptune Dr	Seacliff Ave
Seaside Ave	the end of Seaside Ave
Seaside Ave & Seasounds Ave	both sides of Seaside Ave
Seaside Ave & Seaview Ave	both sides of Seaside Ave
Seaview Ave & 1st Ave	Seaview Ave
Seaview Ave & Commonwealth Ave	Seaview Ave
Seaview Ave & Neptune Dr	Seaview Ave
Shelia Ave & Peach Orchard Rd	Shelia Ave
Sherman Ave & Bayview Dr	W Sherman Ave
Sleepy Hollow Road & Chestnut Ave	Sleepy Hollow Rd
Somers Ave & New Bridge Rd	Somers Ave
Somers Ave & Peach Orchard Rd	Somers Ave
South Bayview Dr & Taylor Ave	South Bayview Dr
Spruce Ct & Meghan Ln	Spruce Ct
St. Andrews Place and Route U.S. 9	St. Andrews Place
St. George Place and Route U.S. 9	St. George Place
St. Martins Place and Route U.S. 9	St. Martins Place
Sumner Ave & Bayview Dr	W Sumner Ave
Sunset Dr & California	Sunset Dr
Sunset Dr & Dawn Rd	Sunset Dr
Susan Ave & Peach Orchard Rd	Susan Ave
Tecumseh Ave & Bayview Dr	W Tecumseh Ave
Union Ave & Elmwood Ave	Union Ave
Ventnor Ave & 1st Ave	Ventnor Ave
Ventnor Ave & 2nd Ave	Ventnor Ave
Vincent Ave & Bayview Dr	W Vincent Ave
W Golden Oak Lane & Grant Ave	W Golden Oak Lane
W Hollywood Ave & Grant Ave	W Hollywood Ave

W Maple Shade Lane & Grant Ave	W Maple Shade Lane
W Narrows Rd & Steelmantown Rd	W Narrows Rd
W Quail Dr and Dove Ln	Dove Ln
W Timber Dr & Breckley Ave	both sides of W Timber Dr
W Ventnor Ave & Alexandria Court	W Ventnor Ave
Webster Ave & Bayview Dr	W Webster Ave
Wexton Dr & Wyncroft Dr	Wexton Dr
Whippoorwill Dr & Hummingbird Ave	Whippoorwill Dr
White Oak Dr & Klains Ln	White Oak Dr
White Oak Dr & Red Oak Dr	White Oak Dr
Whittier Ave & Bayview Dr	W Whittier Ave
Willetts Rd & Klains Ln	Willetts Rd
Willetts Rd & Victoria Ln	Willetts Rd
Williams Ave & Commonwealth Ave	Williams Ave
Winchester Ct & Laurel Ridge Rd	Winchester Ct
Winthrop Ave & Commonwealth Ave	both sides of Winthrop Ave
Winthrop Ave & Neptune Dr	Winthrop Ave
Wistar Ave & Lyndhurst Rd	both sides of Wistar Ave
Wistar Ave & Norwood Rd	both sides of Wistar Ave
Wistar Ave & Stanhope Rd	both sides of Wistar Ave
Wistar Ave & Vernon Rd	Wistar Ave
Woodland Ave Park Ave	Woodland Ave

**§ 7A-10. SCHEDULE X: LOADING ZONES.**

In accordance with the provisions of Subsection 7-7, the following described locations are hereby designated as Loading Zones.

Street	Location
Willard Avenue	(North Side) 50 feet East from the Western terminus of the street. Passenger loading zone means the space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

**§ 7A-20. SCHEDULE XX: RESTRICTED PARKING AT PUBLIC RECREATION AREAS AND TOWNSHIP RECREATIONAL FACILITIES.**

In accordance with the provisions of Subsection 7-13, no person shall park a vehicle at any of the locations hereinafter designated between the hours specified and parking shall be restricted as hereinafter specified:

- a. No Parking.

Facility	Prohibition	Time
Beesley's Point Public Beach	No parking from 10:00 p.m. daily until 5:00 a.m. the following day	Daily including Saturdays, Sundays and holidays

Township owned or controlled recreational facility	No parking from 10:00 p.m. daily until 5:00 a.m. the following day	Daily including Saturdays, Sundays and holidays
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b. Restrictive Parking. Parking shall be permitted only as hereinafter provided:

Facility	Restriction	Time
Beesley's Point Public Beach	The parking and operation of Motor vehicles shall be permitted only in areas so designated except when otherwise prohibited	Daily including Saturdays, Sundays and holidays
Beesley's Point Park - Boat Only parking.	Motor vehicles shall be permitted to park in the areas designated as Boat Only Parking only if the motor vehicle has a trailered boat attached. The motor vehicle and trailer may remain after the boat is launched but the trailer must remain attached to the vehicle.	Daily including Saturdays, Sundays and holidays
Township owned or controlled recreational facility	The parking and operation of Motor vehicles shall be permitted only in areas so designated except when otherwise prohibited	Daily including Saturdays, Sundays and holidays

**CORRESPONDENCE**

**NEW BUSINESS**

18. Disposal of surplus property. **The Township Administrator reported that Boy Scout Troop 79 has requested the use of a ladder rack that is no longer used or needed for the Township's purposes and has no value. After a brief discussion, the Committee approved the request to donate the ladder rack. A Resolution for formal action will be placed on the next agenda.**

19. Flood insurance outreach. **This matter was discussed during the Engineer's report.**

**UNFINISHED BUSINESS**

**PAYMENT OF BILLS**

20. "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 Curtis Corson. During roll call vote all four Committee members present voted in the affirmative.**

Bills approved for payment: **\$705,164.54**

Payroll: **\$194,645.39**

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

**There was no public comment.**

**CLOSED SESSION**

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

**RESOLUTION NO. 185-2024  
MOTION GOING INTO CLOSED SESSION  
JUNE 10, 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 – Beacon Animal Rescue
3. Contract negotiation – Grace Oil, Roosevelt Boulevard
4. Contract negotiation – New Jersey Turnpike Authority

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. 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.
- B. 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: Victor Nappen

Motion seconded by: Kimberly Hayes

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

**RECONVENE PUBLIC PORTION OF MEETING**

Motion by Kimberly Hayes, second by Jay Newman, to reconvene the public portion of the meeting. During roll call vote all four Committee members present voted in the affirmative.

**RESOLUTION TO BE ACTED ON AFTER CLOSED SESSION**

22. Authorizing the Mayor and Township Clerk to sign a Jurisdictional Agreement with the New Jersey Turnpike Authority. **No formal action was taken on this matter.**

**ADJOURNMENT**

There being no further business this evening the meeting was adjourned at 7:40 P.M., with a motion by Jay Newman, second by Curtis Corson, and all four Committee members present voting in the affirmative. The next regular Committee meeting is scheduled for June 24, 2024 at 4:30 P.M.

Minutes prepared by,

Joanne R. Herron, RMC  
Township Clerk

Bills

83567 06/10/24 A0018 ACTION SUPPLY INC. 1,058.40 3361  
83568 06/10/24 A0091 ATLANTIC CITY ELECTRIC 29,722.30 3361  
83569 06/10/24 A0117 AT&T 80.46 3361  
83570 06/10/24 A0177 ALADTEC, LLC 2,849.00 3361  
83571 06/10/24 A0193 ATLANTIC INVESTIGATIONS, LLC 108.50 3361  
83572 06/10/24 A0212 ANCERO, LLC 13,432.44 3361  
83573 06/10/24 A0235 AMAZON CAPITAL SERVICES, INC. 1,343.41 3361  
83574 06/10/24 A0248 AIRESRING, INC. 1,234.05 3361  
83575 06/10/24 B0076 BOND, LAURENCE E. 833.98 3361  
83576 06/10/24 B0093 BARRY, CORRADO & GRASSI, PC 490.00 3361  
83577 06/10/24 B0283 BRITTIN, JOHN 25.00 3361  
83578 06/10/24 B0287 BIGLEAF NETWORKS, INC. 697.00 3361  
83579 06/10/24 C0068 COMCAST 1,036.00 3361  
83580 06/10/24 C0143 CODY'S POWER EQUIPMENT 764.55 3361  
83581 06/10/24 C0246 CRAFT OIL CORPORATION 262.42 3361  
83582 06/10/24 D0237 DIETZ, KERRY 250.00 3361  
83583 06/10/24 D0240 DEVLIN, EDMUND F. 1,048.95 3361  
83584 06/10/24 D0249 DEERFIELD ELECTRIC CONST INC 3,137.64 3361  
83585 06/10/24 G0120 PATRICK F. MARTIN 2,291.67 3361  
83586 06/10/24 G0147 GREATAMERICA FINANCIAL SVCS. 139.00 3361  
83587 06/10/24 G0207 GORMAN D'ANELLA & MORLOCK LLC 1,932.00 3361  
83588 06/10/24 J0023 JED'S SHEDS, INC. 550.00 3361  
83589 06/10/24 J0079 JAMES WYERS LANDSCAPING, LLC 400.00 3361  
83590 06/10/24 K0118 J.F. KIELY CONSTRUCTION CO. 136,177.21 3361  
83591 06/10/24 L0075 LEXISNEXIS 401.00 3361  
83592 06/10/24 M0039 MacMURRAY, WAYNE 31.75 3361  
83593 06/10/24 M0081 MID-ATLANTIC WASTE SYSTEMS 7,107.92 3361  
83594 06/10/24 M0235 MODERN GROUP, LTD 1,092.50 3361  
83595 06/10/24 M0277 EQUITABLE FINANCIAL LIFE INS. 189.14 3361  
83596 06/10/24 M0313 MAVIS TIRE SUPPLY, LLC 308.56 3361  
83597 06/10/24 N0004 NJ-AMERICAN WATER CO. 285.23 3361  
83598 06/10/24 N0154 NEW HORIZON COMMUNICATIONS 1,011.19 3361  
83599 06/10/24 N0166 NJ DEPARTMENT OF TREASURY 2,993.65 3361  
83600 06/10/24 P0032 PEDRONI FUEL CO. 1,277.06 3361  
83601 06/10/24 P0056 TURF EQUIPMENT AND SUPPLY CO 1,370.48 3361  
83602 06/10/24 P0164 Pineo, Becky 56.75 3361  
83603 06/10/24 P0184 PENDERGAST SAFETY EQUIPMENT CO 1,034.50 3361  
83604 06/10/24 P0207 PULSE MEDICAL SOLUTIONS LLC 660.00 3361  
83605 06/10/24 P0212 PAVING PLUS LLC 137,643.08 3361  
83606 06/10/24 R0030 RIGGINS, INC. 5,103.34 3361  
83607 06/10/24 R0100 ROBERTS OXYGEN COMPANY, INC. 228.10 3361  
83608 06/10/24 R0140 ROBBINS, LINDSAY 31.75 3361  
83609 06/10/24 S0056 SEASHORE ASPHALT CORPORATION 824.12 3361  
83610 06/10/24 S0057 SERVICE TIRE TRUCK CENTERS 2,046.32 3361  
83611 06/10/24 S0139 SOUTH JERSEY WATER COND SERV 128.00 3361  
83612 06/10/24 S0196 STEWART BUSINESS SYSTEMS LLC 13.80 3361  
83613 06/10/24 S0254 SHOPRITE 43.66 3361  
83614 06/10/24 S0292 SURENIAN EDWARDS BUZAK & NOLAN 881.67 3361  
83615 06/10/24 S0363 STARR SEPTIC, LLC. 630.00 3361  
83616 06/10/24 S0404 STRATHMERE VOL FIRE COMPANY 300.00 3361  
83617 06/10/24 T0028 TRACTOR SUPPLY COMPANY CREDIT 199.99 3361  
83618 06/10/24 T0080 TREASURER STATE OF N.J. 3,420.00 3361  
83619 06/10/24 T0159 TRIAD ADVISORY SERVICES, INC. 525.00 3361  
83620 06/10/24 T0168 TOWNSHIP OF UPPER 278.95 3361  
83621 06/10/24 T0192 MARSH & McLENNAN AGENCY/TRION 213.75 3361  
83622 06/10/24 T0213 TREASURER, STATE OF NEW JERSEY 150,564.80 3361  
83623 06/10/24 U0067 UT HEALTH REIMB. ACCOUNT 6,547.30 3361  
83624 06/10/24 V0001 VCI EMERGENCY VEHICLE 156,419.76 3361  
83625 06/10/24 V0004 VAN DUYNE BROTHERS 15,850.00 3361  
83626 06/10/24 V0013 VERIZON WIRELESS 365.90 3361  
83627 06/10/24 V0022 VERIZON 604.56 3361  
83628 06/10/24 V0038 VAN GILDER, GREGORY 31.75 3361



83629 06/10/24 V0052 VIKING TERMITE & PEST CONTROL 125.97 3361  
83630 06/10/24 V0053 VERIZON CONNECT FLEET USA LLC 545.60 3361  
83631 06/10/24 W0030 WEST PUBLISHING CO. 763.00 3361  
83632 06/10/24 W0123 WIRELESS ELECTRONICS, INC. 2,970.93 3361  
83633 06/10/24 W0131 WEX BANK 179.73 3361  
Total: \$705,164.54