

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR FRIDAY JANUARY 3, 2025**

2025 ANNUAL REORGANIZATION MEETING

6:00 P.M. Call to Order

Sunshine Announcement

Municipal Clerk Joanne Herron read the following announcement. “In compliance with the Open Public Meetings Law, I wish to state that on December 31, 2024, the notice of this Reorganization 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. This announcement will be made a part of the minutes of this meeting.”

Presentation and Posting of Colors by Boy Scout Troop 79

Salute to the Flag

National Anthem performed by Joey Mangam

Invocation by Father Piotr Szamocki, Saint Maximilian Kolbe Parish

Statement of Determination of Election - read by Municipal Clerk Joanne Herron

Oaths of Office:

Committeeman Elect Samuel J. Palombo - administered by Assemblyman Antwan L. McClellan
Committeeman Elect Zachary H. Palombo - administered by Assemblyman Erik K. Simonsen

Roll Call

Curtis Corson	Present
Victor Nappen	Present
Samuel Palombo	Present
Zachary Palombo	Present
Tyler Casaccio	Present (Mr. Casaccio joined the Committee on the dais after he was sworn in as a member of the Township Committee.)

Also present were Municipal Clerk Joanne Herron, Chief Financial Officer Barbara Ludy, Municipal Engineer Ryan MacNeill, Municipal Attorney John Amenhauser, and Township Administrator Gary DeMarzo.

Municipal Vacancy – Appointment of nominee to fill the vacancy on the Township Committee. Municipal Attorney Amenhauser stated that the statutory reference that sets forth the requirements for filling this vacancy are set forth in NJSA 40A:16-11, and essentially what it requires is that when there is a vacancy created by a prior Committee member elected as the nominee of a political party, that within 15 days of that vacancy said political party, the Upper Township Republican County Committee in this case, is required to submit three names to the governing body for consideration by the governing body. Mr. Amenhauser then confirmed with the Township Clerk that she received three names from the Upper Township Republican County Committee within 15 days of the vacancy and that said names were submitted to the members of the governing body. Mr.

Amenhauser stated that the governing body is required to, within 30 days after the vacancy, appoint one of those names to fill the vacancy and now would be an appropriate time to do so.

Committeeman Corson stated that after reviewing the three names submitted, the Upper Township Republican County Committee overwhelmingly supported one candidate. He then made a motion to nominate Tyler Casaccio to fill the vacancy on the Township Committee. The motion was then seconded by Committeeman Nappen. During roll call vote all four Committeemen voted in the affirmative. The oath of office was then administered to Mr. Tyler Casaccio by the Township Clerk and Committeeman Casaccio joined the other Committee members on the dais.

Nominations for Mayor – 2025 - The Municipal Clerk then asked for nominations for Mayor. Motion by Zachary Palombo, second by Victor Nappen, to nominate Curtis Corson as Mayor. During the roll call vote all five Committee members voted in the affirmative. Curtis Corson was chosen as the Mayor of Upper Township for 2025.

RESOLUTIONS

1. Appointment of Deputy Mayor.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 001-2025

RE: APPOINTMENT OF DEPUTY MAYOR

WHEREAS, it is deemed advisable to appoint a member of the Township Committee to the position of Deputy Mayor of the Township of Upper in the County of Cape May and State of New Jersey.

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. Committee member Victor W. Nappen, II is hereby designated and appointed as Deputy Mayor of the Township of Upper, in the County of Cape May and State of New Jersey, effective immediately, to serve until the next annual reorganization meeting of the Township Committee and until his successor is duly appointed and qualified.

Resolution No. 001-2025

Offered by: Corson

Seconded by: S. Palombo

Adopted: January 3, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	X			
Nappen	X			
S. Palombo	X			
Z. Palombo	X			
Corson	X			

2. Assignment of Township Committee members to oversee departments.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 002-2025

**RE: ASSIGNMENT OF TOWNSHIP COMMITTEE MEMBERS
TO OVERSEE DEPARTMENTS**

WHEREAS, it is deemed necessary to assign Township Committee members to oversee departments within the Township government to provide for the orderly and efficient transaction of Township business and to promote public service.

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 members of the Township Committee are hereby assigned as directors and department heads to oversee the operation of each department as follows:

- Committee Member Curtis T. Corson, Jr.:** Revenue and Finance, Clerk’s Office, Construction Code, Engineering, Zoning and Planning, Personnel, Housing, and Lifeguards.
- Committee Member Samuel J. Palombo:** Sports and Recreational Programs, and Public Buildings and Grounds.
- Committee Member Tyler Casaccio:** Municipal Court and Animal Control.
- Committee Member Zachary H. Palombo:** Department of Public Works.
- Committee Member Victor W. Nappen, II:** Public Safety, Emergency Management, Division of EMS, Information Technology, and Communications.

3. Notwithstanding the above department assignments, the Departments of Sports and Recreational Programs and Public Buildings and Grounds shall have a supervisor and six subordinate employees from the Department of Public Works dedicated to the day-to-day operations of the Departments of Sports and Recreational Programs and Public Buildings and Grounds. Said supervisor and employees shall be under the supervision of the Superintendent of Public Works and shall be subject to the oversight of the Committee member assigned to the Department of Sports and Recreational Programs and Public Buildings and Grounds with respect to day-to-day operations of these employees. In emergent or extraordinary circumstances these employees may be assigned to other Public Works duties.

Resolution No. 002-2025
Offered by: Z. Palombo
Adopted: January 3, 2025
Roll Call Vote:

Seconded by: Nappen

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	X			
Nappen	X			

S. Palombo	X			
Z. Palombo	X			
Corson	X			

3. Appointment of Municipal Auditor, Solicitor, Bond Counsel, Prosecutor, and Public Defender.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 003-2025

**RE: APPOINTMENT OF MUNICIPAL AUDITOR, TOWNSHIP SOLICITOR, BOND COUNSEL,
MUNICIPAL PROSECUTOR, AND MUNICIPAL PUBLIC DEFENDER**

WHEREAS, the Township of Upper is required, in accordance with the provisions of N.J.S.A. 40A:5-4, to cause an annual audit of the books, accounts and financial transactions of the Township of Upper and in order to do so, it is necessary to retain a Registered Municipal Accountant; and

WHEREAS, N.J.S.A. 40A:9-139 requires the appointment of a Municipal Attorney and the Township Committee desires to make such appointment in accordance with the terms of the Professional Services Contract to be entered into and the Township of Upper recognizes the need for professional legal services and advice to ensure the orderly, efficient, and proper conduct of the affairs of the said Township; and

WHEREAS, there also exists a need for the appointment of an attorney at law of the State of New Jersey to act in the capacity of Bond Counsel; and

WHEREAS, there also exists a need for the appointment of an attorney at law of the State of New Jersey to act in the capacity of Municipal Prosecutor; and

WHEREAS, there also exists a need for the appointment of an attorney at law of the State of New Jersey to serve in the capacity of Municipal Public Defender; and

WHEREAS, the services to be performed by the Auditor, Township Solicitor, Bond Counsel, Municipal Prosecutor, and Municipal Public Defender are declared to be professional services performed by persons authorized by law to practice recognized professions, which professions are regulated by law within the meaning of the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) and, hence, are exempt from competitive bidding; and

WHEREAS, the Township has a need to acquire the services of the Municipal Auditor, Township Solicitor, Bond Counsel, Municipal Prosecutor, and Municipal Public Defender as non-fair and open contracts pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Township's Chief Financial Officer has determined and certified in writing that the value of each of the contracts for the Municipal Auditor, Township Solicitor, Bond Counsel, Municipal Prosecutor, and Municipal Public Defender will exceed \$17,500.00; and

WHEREAS, the proposed Municipal Auditor, Township Solicitor, Bond Counsel, Municipal Prosecutor, and Municipal Public Defender have completed and submitted Business Entity Disclosure Certifications which certify that the contractors have not made any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c.19 would bar the award of these contracts, and that the contractors shall not make any such reportable contributions during the term of these contracts; and

WHEREAS, funds are available for the purposes set forth above.

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. **Leon Costello, C.P.A., R.M.A., is hereby appointed as Registered Municipal Accountant** for the Township of Upper for a term of one (1) year, commencing January 1, 2025, and until his successor is duly appointed and qualified.

3. **John P. Amenhauser, Esquire is hereby appointed as Township Solicitor** for the Township of Upper for a term of one (1) year commencing January 1, 2025, and until his successor is duly appointed and qualified.

4. **John M. Cantalupo, Esquire is hereby appointed as Bond Counsel** for the Township of Upper for a term of one (1) year commencing January 1, 2025, and until his successor is duly appointed and qualified.

4. **Patrick F. Martin, Esquire is hereby appointed as Municipal Prosecutor** for the Township of Upper for a term of one (1) year, commencing January 1, 2025, and until his successor is duly appointed and qualified.

5. **Brandon D. Walcott, Esquire is hereby appointed as Municipal Public Defender** for the Township of Upper for a term of one (1) year, commencing January 1, 2025, and until his successor is duly appointed and qualified.

6. Compensation for the Municipal Auditor, Township Solicitor, Bond Counsel, Municipal Prosecutor, and Municipal Public Defender shall be on the basis of Professional Contracts to be negotiated with such individuals and payment shall be made by the Township of Upper for such professional services based upon invoices to be submitted and approved by the Township Committee.

7. The Mayor and the Township Clerk are hereby authorized and directed to execute, on behalf of the Township of Upper, professional Contracts with the Municipal Auditor, Township Solicitor, Bond Counsel, Municipal Prosecutor, and Municipal Public Defender in accordance with the terms and provisions of the Local Public Contracts Law, subject to and in accordance with the limitations imposed in Paragraph 8 hereof.

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

9. The Business Disclosure Entity Certification and the Determination of Value for the Municipal Auditor, Township Solicitor, Bond Counsel, Municipal Prosecutor, and Municipal Public Defender contracts shall be placed on file with this Resolution.

Resolution No. 003-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: January 3, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	X			
Nappen	X			
S. Palombo	X			
Z. Palombo	X			
Corson	X			

4. Appointment of official to certify municipal improvement searches.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 004-2025

**RE: APPOINTMENT OF OFFICIAL TO CERTIFY
MUNICIPAL IMPROVEMENT SEARCHES**

WHEREAS, it is necessary to have an authorized official of the Township of Upper, in the County of Cape May and State of New Jersey, to execute, on behalf of the Township of Upper, certificates for municipal improvements; and

WHEREAS, the Township Committee of the Township of Upper desires to make such an appointment.

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. Joanne R. Herron, the Township Clerk of the Township of Upper, is hereby designated as the official of the Township of Upper authorized to execute certificates as to liability for municipal improvements for the year 2025.
3. This Resolution shall become effective immediately upon its adoption.

Resolution No. 004-2025

Offered by: Casaccio

Seconded by: Nappen

Adopted: January 3, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	X			
Nappen	X			
S. Palombo	X			
Z. Palombo	X			
Corson	X			

5. Designation of banking institutions as official depositories.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 005-2025

**RE: DESIGNATION OF BANKING INSTITUTIONS
AS OFFICIAL DEPOSITORIES**

WHEREAS, it is necessary that the Township Committee of the Township of Upper, in the County of Cape and State of New Jersey, designate certain banking institutions as official depositories for Township funds.

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. Ocean First Bank is hereby designated as the principal depository of the Township of Upper.
3. The following banking institutions are hereby designated as secondary depositories of the Township of Upper:
 - A. PNC Bank, New Jersey

- B. First Bank of Sea Isle City
- C. Municipal Investors Corp
- D. N.J. Cash Management Plan
- E. Bank of America, N.A.
- F. Sturdy Savings Bank
- G. TD Bank
- H. Wells Fargo
- I. Fulton Bank
- J. Truist Bank

4. The Mayor, the Township Clerk and the Township Chief Financial Officer, as well as such other officials as may be designated by law, are hereby authorized, directed and empowered to execute any Resolutions of any of the aforesaid banking institutions which may be reasonably required in order to carry out the intent and purpose of this Resolution.

5. This Resolution shall become effective immediately upon adoption.

Resolution No. 005-2025

Offered by: S. Palombo

Seconded by: Casaccio

Adopted: January 3, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	X			
Nappen	X			
S. Palombo	X			
Z. Palombo	X			
Corson	X			

6. Designation of official newspapers.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 006-2025

RE: DESIGNATION OF OFFICIAL NEWSPAPERS

WHEREAS, it is necessary to designate one (1) or more newspapers as an official newspaper 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, as follows:

1. The allegations of the preamble are incorporated herein by this reference.
2. The following newspapers are hereby designated as the official newspapers of the Township of Upper:

The Ocean City Sentinel

and
The Press of Atlantic City

Resolution No. 006-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: January 3, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	X			
Nappen	X			
S. Palombo	X			
Z. Palombo	X			
Corson	X			

7. Payment of real estate taxes and penalty for late payments.

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

RESOLUTION NO. 007-2025

**RE: PAYMENT OF REAL ESTATE TAXES AND
PENALTY FOR LATE PAYMENTS**

WHEREAS, N.J.S.A. 54:4-66 mandates the date on which real estate taxes shall be paid to the municipality; and

WHEREAS, N.J.S.A. 54:4-67 mandates the rate of interest to be charged on the payment of all real estate taxes which are delinquent; 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. In accordance with N.J.S.A. 54:4-66, all real estate taxes shall be payable quarterly in accordance with the following schedule:
 - First Installment - February 1
 - Second Installment - May 1
 - Third Installment - August 1
 - Fourth Installment - November 1
3. In the event that the real estate taxes are not paid in accordance with the foregoing quarterly payment schedule, said taxes shall become delinquent and remain delinquent until such time as all unpaid taxes, including taxes and other liens subsequently due and unpaid, together with interest, have been fully paid and satisfied.
4. In accordance with N.J.S.A. 54:4-67, if taxes and municipal liens and charges are not paid when due, and are delinquent, then, in addition to the taxes, municipal liens and charges due and payable an additional sum shall be added equal to eight (8%) percent per annum on the first

\$1,500.00 of delinquency and eighteen (18%) percent per annum on any amount in excess of \$1,500.00, to be calculated from the date same was payable until the date that actual payment to the Tax Collector is made.

5. No interest shall be charged pursuant to Paragraph 4 of this Resolution if payment of any installment is made within the tenth (10th) calendar day following the date upon which the same became payable.
6. In addition to the interest penalty imposed pursuant to Section 4 of this Resolution, a further penalty shall be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the fiscal year. The fiscal year for the Township of Upper shall be the calendar year. The penalty so fixed shall equal six (6%) percent of the amount of the delinquency.
7. If delinquent taxes, municipal liens and charges in excess of \$10,000.00 are fully paid and satisfied by the holder of any outstanding Tax Sale Certificate, the holder shall be entitled to receive the amount of the penalty, that is, six (6%) percent of the amount of the delinquency, as part of the amount required to redeem such Certificate of Sale.
8. It is the policy of the Upper Township Tax Collector's Office to accept small coins as payment only when coins are wrapped or the balance is \$.50 cents or less.
9. A copy of this Resolution shall be prominently posted in the office of the Tax Collector of the Township of Upper and shall also be prominently posted upon the bulletin board in the Township Hall.
10. This Resolution shall take effect immediately.

Resolution No. 007-2025

Offered by: S. Palombo Seconded by: Z. Palombo

Adopted: January 3, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	X			
Nappen	X			
S. Palombo	X			
Z. Palombo	X			
Corson	X			

8. Schedule of Township Committee meetings for 2025.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 008-2025

**RE: SCHEDULE OF
TOWNSHIP COMMITTEE MEETINGS FOR 2025**

WHEREAS, N.J.S.A. 10:4-18 requires that every public body give notice concerning the schedule of regular meetings to be held during the succeeding year, which schedule shall contain the location of each meeting, to the extent that it is known, and the time and date of each meeting; and

WHEREAS, regular meetings of the Upper Township Committee may be held remotely by electronic means due to a declared emergency.

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 hereby by this reference.
2. Regular meetings of the Upper Township Committee shall be held at 2100 Tuckahoe Road, Petersburg, New Jersey, on the second (2nd) and the fourth (4th) Monday of each month at 5:30 P.M., unless otherwise indicated, in accordance with the following schedule:

2025 SCHEDULE - REGULAR MEETINGS

			<u>Work Session</u>	<u>Regular Meeting</u>
January	13	Regular Meeting	5:00 p.m.	5:30 p.m.
January	27	Regular Meeting	5:00 p.m.	5:30 p.m.
February	10	Regular Meeting	5:00 p.m.	5:30 p.m.
February	24	Regular Meeting	5:00 p.m.	5:30 p.m.
March	10	Regular Meeting	5:00 p.m.	5:30 p.m.
March	24	Regular Meeting	5:00 p.m.	5:30 p.m.
April	14	Regular Meeting	5:00 p.m.	5:30 p.m.
April	28	Regular Meeting	5:00 p.m.	5:30 p.m.
May	12	Regular Meeting	5:00 p.m.	5:30 p.m.
May (Tues)	27	Regular Meeting	5:00 p.m.	5:30 p.m.
June	09	Regular Meeting	5:00 p.m.	5:30 p.m.
June	23	Regular Meeting	5:00 p.m.	5:30 p.m.
July	14	Regular Meeting	5:00 p.m.	5:30 p.m.
July	28	Regular Meeting	5:00 p.m.	5:30 p.m.
August	11	Regular Meeting	5:00 p.m.	5:30 p.m.
August	25	Regular Meeting	5:00 p.m.	5:30 p.m.
September	08	Regular Meeting	5:00 p.m.	5:30 p.m.
September	22	Regular Meeting	5:00 p.m.	5:30 p.m.
Oct. (Tues)	14	Regular Meeting	5:00 p.m.	5:30 p.m.
October	27	Regular Meeting	5:00 p.m.	5:30 p.m.
November	10	Regular Meeting	5:00 p.m.	5:30 p.m.
November	24	Regular Meeting	5:00 p.m.	5:30 p.m.

December	08	Regular Meeting	5:00 p.m.	5:30 p.m.
December	15	Regular Meeting	5:00 p.m.	5:30 p.m.

3. Unless otherwise indicated, all regular meetings of the Township Committee will be held on the dates indicated, at the Township Hall, Petersburg, New Jersey. A work session may precede a regular meeting of the Township Committee. The work session will be open to the public unless the matter under discussion involves one or more matters set forth in N.J.S.A. 10:4-12(b). In the event that any such matter is discussed, the public will be excluded from that portion of the meeting pursuant to Resolution which shall be adopted in accordance with N.J.S.A. 10:4-13. The meetings may recess and will then continue until 10:30 p.m., at which time the public portion of the meeting will be adjourned, and the Township Committee will further consider matters set forth in N.J.S.A. 10:4-12(b) and the public shall be excluded from that portion of the meeting. At the conclusion of such closed session, the meeting shall be reopened to the public. All meetings of the Township Committee, whether closed or open, will end at 11:00 p.m.

4. In the event of a necessity for holding a meeting of the Township Committee, in addition to the meeting schedule set forth in Paragraph 2 of this Resolution, the Township Clerk shall give written advance notice of at least forty-eight (48) hours giving the date, time, location and, to the extent known, the agenda, of any regular, special, or rescheduled meeting, which notice shall state whether formal action may or may not be taken. Such notice shall be:

- (A) Prominently posted on the bulletin board in the Township Hall; and
- (B) Mailed, telephoned, telegrammed, emailed, or hand delivered to the newspapers hereinafter set forth in this Resolution; and
- (C) Filed in the Township Clerk's office.

5. The Township Clerk shall post either a copy of this Resolution or a copy of the scheduled meetings for the current year on the bulletin board in the Township Hall and, in addition, shall mail a copy of this Resolution to the following:

The Ocean City Sentinel
218 West Avenue
Ocean City, NJ 08226

The Press of Atlantic City
Cornerstone Building
1201 New Road Suite 240
Linwood, NJ 08221

County of Cape May
Office of the County Clerk
PO Box 5000
Cape May Court House, NJ 08210-5000

6. Any person requesting to be mailed copies of any regular meeting schedule or revision thereof and any advance written notice of such meetings as permitted by N.J.S.A. 10:4-19, shall pay a fee to the Township Clerk as follows:

Schedule of Fees

For copy of schedule of regular meetings and revisions thereto:	\$10.00
For advance written notice of a particular meeting designated in the request:	\$10.00
For advanced written notice of all regular, special or rescheduled meetings during the calendar year:	\$25.00

All notices sent to any person requesting same in accordance with N.J.S.A. 10:4-19 shall terminate December 31, 2025.

Resolution No. 008-2025

Offered by: S. Palombo

Seconded by: Z. Palombo

Adopted: January 3, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	X			
Nappen	X			
S. Palombo	X			
Z. Palombo	X			
Corson	X			

9. Providing for a bi-weekly payroll.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 009-2025

RE: PROVIDING FOR A BI-WEEKLY PAYROLL

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. All of the employees of the Township of Upper covered by the Salary Ordinance shall be paid bi-weekly on alternate Fridays, commencing January 1, 2025, unless such employees elect to be paid monthly or quarterly and notify the Chief Financial Officer of such fact, in which case, such employees shall be paid in accordance with such election.

2. All permanent employees and elected public officials who receive compensation from the Township of Upper are mandated to have direct deposit of their net pay. Seasonal and temporary employees who are employed by the Township of Upper may be exempt from the direct deposit mandate upon their written request for said exemption to the Township Administrator. If such request is authorized by resolution by the Township Committee, payroll checks will be mailed to the employee on days designated as a payday. The Chief Financial Officer shall not be required to present such payroll payments for approval at a meeting of the Township Committee when such

payment is for salaries and wages which have been approved by the Salary Ordinance currently in effect in the Township of Upper.

3. This Resolution shall take effect immediately.

Resolution No. 009-2025

Offered by: S. Palombo

Seconded by: Z. Palombo

Adopted: January 3, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	X			
Nappen	X			
S. Palombo	X			
Z. Palombo	X			
Corson	X			

10. Appointments to the Upper Township Zoning Board of Adjustment.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 010-2025

**RE: APPOINTMENTS TO THE UPPER TOWNSHIP
ZONING BOARD OF ADJUSTMENT**

WHEREAS, N.J.S.A. 40:55D-69 provides for the appointment of a Zoning Board of Adjustment, which shall consist of seven (7) regular members and may have not more than four (4) alternate members and prescribes the term of office for such regular and alternate members; and

WHEREAS, such Statute further provides that the members of the Zoning Board of Adjustment shall be appointed by the Governing Body of the municipality; and

WHEREAS, it is necessary to make certain appointments or re-appointments to the Zoning Board of Adjustment of the Township of Upper, as hereinafter provided.

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 following appointments are hereby made to the Zoning Board of Adjustment:

Christopher Phifer – is hereby appointed to a four (4) year term commencing January 1, 2025 and expiring December 31, 2028.

Matthew Unsworth – is hereby appointed to a four (4) year term commencing January 1, 2025 and expiring December 31, 2028.

Lynn Petrozza – is hereby appointed to a four (4) year term commencing January 1, 2025 and expiring December 31, 2028.

Sherrie Lisa Galderisi – is hereby appointed to a four (4) year term commencing January 1, 2025 and expiring December 31, 2028.

Travis Tomlin – is hereby appointed to a two (2) year term as Alternate #1, commencing January 1, 2025 and expiring December 31, 2026.

2. The following appointments are hereby recognized as continuing in their existing terms:

Paul Casaccio – appointed to a four (4) year term commencing January 1, 2024 and expiring on December 31, 2027.

Andrew L. Shawl – appointed to a four (4) year term commencing January 1, 2024 and expiring December 31, 2027.

Richard Masura – appointed to a four (4) year term commencing January 1, 2022 and expiring December 31, 2025.

Tom Jackson – appointed to a two (2) year term as Alternate #2, commencing January 1, 2024 and expiring December 31, 2025.

Donald Rainear – appointed to a two (2) year term as Alternate #3, commencing January 1, 2024 and expiring December 31, 2025.

Hobart Young – appointed to a two (2) year term as Alternate #4, commencing January 1, 2024 and expiring December 31, 2025.

Resolution No. 010-2025

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: January 3, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	X			
Nappen	X			
S. Palombo	X			
Z. Palombo	X			
Corson	X			

11. Appointment of Class 3 member to the Upper Township Planning Board.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 011-2025

**RE: APPOINTMENT OF CLASS 3 MEMBER TO THE
UPPER TOWNSHIP PLANNING BOARD**

WHEREAS, it is necessary to appoint a member of the Governing Body to the Planning Board of the Township of Upper to serve as a Class 3 member of such Planning Board.

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 Committee person Samuel J. Palombo is hereby appointed as a Class 3 member of the Upper Township Planning Board for a term of one (1) year, effective immediately.

Resolution No. 011-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: January 3, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
------	-----	----	---------	--------

Casaccio	X			
Nappen	X			
S. Palombo	X			
Z. Palombo	X			
Corson	X			

12. Establishing salaries for various officers and employees.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 012-2025

RE: ESTABLISHING SALARIES FOR VARIOUS OFFICERS AND EMPLOYEES

WHEREAS, a need exists in the Township of Upper to fix salaries for various administrative, clerical and other personnel for the ensuing 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 following persons shall be paid the annual salary or hourly rate opposite their name

commencing *January 1, 2025*:

NAME	POSITION	SALARY
Curtis Corson	Emergency Information Officer	No Salary
Gary DeMarzo	Township Administrator	\$36,300.00
	Personnel Officer	\$84,700.00
	Fund Commissioner	No Salary on
	Municipal Housing Liaison	these titles
	ADA Coordinator	
Joanne Herron	Township Clerk	\$97,000.00
	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	\$115,200.00
	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	\$67,000.00
Barbara Ludy	Chief Financial Officer	\$115,200.00
	QPA/Purchasing Agent	No Salary on
	Benefits Coordinator	these titles

James Birchmeier	Judge, Municipal Court	\$64,000.00
Loren Ready	Municipal Court Administrator	\$85,500.00
	Safety Coordinator	No Salary
Kristen Snyder	Deputy Municipal Court Administrator	68,500.00
	Assistant Safety Coordinator	No Salary
Carol Marcolongo	Keyboarding Clerk 1	\$25.00/Hr.
Theodore Cooper	Construction Code Official	\$97,000.00
	Building Sub-Code Official	No Salary
Charles Clunn	Plumbing Sub-Code Official	\$200.00/Day
Jacob Spiegel	Fire Protection Sub-Code Official	15,000.00
	Temporary Plumbing Sub-Code Official	\$45.00/Hr.
	Lead Inspector	\$50.00/Hr.
	Temporary Construction Official	\$200.00/Day
	Temporary Building Sub-Code Official	\$200.00/Day
	IT Specialist	\$45.00/Hr.
William Marsden	Electrical Sub-Code Official	\$33,444.00
April Johnston	Keyboarding Clerk 1, Construction Office	\$67,000.00
	Technical Assistant to Construction Official	No Salary on
	Assistant Zoning Officer	these titles
Rosemary Trout	Keyboarding Clerk 2, Clerk's Office	\$63,750.00
	Alternate Deputy Registrar	No Salary on
	Alternate Fund Commissioner	these titles
	Wellness Coordinator	
Donna Heiler	Assistant Municipal Tax Collector	\$63,500.00
	Passport Acceptance Agent	
Janet McBride	Keyboarding Clerk 2, Clerk's Office	\$63,750.00
	Deputy Registrar	No Salary on
	Wellness Coordinator	these titles
Elizabeth Oaks	Zoning Officer	\$81,000.00
	Assistant Technical Assistant to the Construction Official	No salary on
	Secretary Planning Board	these titles
	Secretary Zoning Board of Adjustment	
Sarah Steiner	Assistant Municipal Treasurer	\$68,500.00
	Passport Acceptance Agent	No salary on
	Recreation Finance Coordinator	these titles
Edward Carter	Deputy Municipal Emergency Management Coordinator	\$3,100.00
	Backflow Prevention Technician	\$1,000.00
Nick Mason	CDL Training Coordinator	\$2,000.00
John Hope	Air Brake Inspector	\$1,000.00
	Automotive Refrigerant Specialist	\$1,000.00
Marshall Kohler	Assistant CDL Training Coordinator	\$1,000.00
	Air Brake Inspector	\$1,000.00
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	\$99,000.00
John Brittin	Deputy Chief Emergency Medical Technician	\$89,000.00
Johnathan Carter	9-1-1 Coordinator/Right to Know Director	No Salary
Jennifer Teasenfitz	Supervising Emergency Medical Technician	\$70,000.00
Paula Wiel	Senior EMT	\$68,000.00
Carolyn A. Raff	Emergency Medical Technician (2-3yr)	\$60,000.00
Ryan Couse	Emergency Medical Technician (2-3yr)	\$60,000.00
Ryan Schaefer	Emergency Medical Technician (2-3yr)	\$60,000.00
Matthew Blaker	Emergency Medical Technician (1 st yr)	\$58,000.00
Anthony Lamanna, Jr.	Emergency Medical Technician (1 st yr)	\$58,000.00
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.
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.
Timothy Leeds	P/T Emergency Medical Technician (4-5 yr)	\$24.00/Hr.
Kyle Lindholm	P/T Emergency Medical Technician (4-5 yr)	\$24.00/Hr.
Joseph Maccarone	P/T Emergency Medical Technician (4-5 yr)	\$24.00/Hr.
Eric Shane	P/T Emergency Medical Technician (2-3 yr)	\$23.00/Hr.
Timothy Brittin	P/T Emergency Medical Technician (2-3 yr)	\$23.00/Hr.
William Handley	P/T Emergency Medical Technician (2-3 yr)	\$23.00/Hr.
Jessica Wriggins	P/T Emergency Medical Technician (2-3 yr)	\$23.00/Hr.
Bruckner Chase	P/T Emergency Medical Technician (1 st yr)	\$22.00/Hr.
Jeff Taccarino	P/T Emergency Medical Technician (1 st yr)	\$22.00/Hr.
John (Jay) Newman	P/T Emergency Medical Technician (1 st yr)	\$22.00/Hr.
Craig Reeves	Superintendent of Public Works	\$119,000.00
James M. Jones	Assistant Public Works Superintendent	\$113,500.00
	Deputy Municipal Emergency Management Coordinator	No Salary on
	Deputy Right to Know Director	these titles
John Adams	Maintenance Supervisor, Grounds	\$87,000.00
Nicholas Mason	General Supervisor	\$87,000.00
John Hope	Supervising Mechanic	\$87,000.00

Richard Kaczmariski	Supervisor Sanitation Recycling Coordinator Code Enforcement Officer	\$89,500.00 No Salary on these titles
Richard McCauley	Supervising Equipment Operator	\$77,000.00
David Pennello	Supervising Maintenance Repairer	\$77,000.00
Sean Ferrier	Maintenance Worker 3, Grounds	\$77,000.00
Brian Keenan	Sanitation Inspector	\$72,487.00
Marshall Kohler	Mechanic	\$71,427.00
Sean Fenton	Equipment Operator (0-9)	\$71,427.00
Andrew Mangam	Equipment Operator (0-9)	\$71,427.00
Stewart Segin	Maintenance Repairer (0-9)	\$71,427.00
Edward Kline	Truck Driver, Heavy (10+)	\$70,366.00
Ralon Armstrong	Truck Driver, Heavy (10+)	\$70,366.00
John Chisholm	Truck Driver, Heavy (0-9)	\$69,305.00
Christopher Hohman	Truck Driver, Heavy (0-9)	\$69,305.00
Joseph Shone	Truck Driver, Heavy (0-9)	\$69,305.00
Jeremiah Williams	Maintenance Worker 2, Grounds (10+)	\$72,487.00
Edward Carter	Maintenance Worker 2, Grounds (0-9)	\$71,427.00
Roger Van Order	Maintenance Worker 2, Grounds (0-9)	\$71,427.00
John Kohler	Maintenance Worker 2, Grounds (0-9)	\$71,427.00
Michael Mayne	Laborer 1 (10+)	\$67,248.00
Josh Adams	Laborer 1 (10+)	\$67,248.00
Matthew Edwards	Laborer 1 (10+)	\$67,248.00
William Evans	Laborer 1 (6 th - 9 th yr)	\$65,511.00
Joseph Sharp	Laborer 1 (2 nd yr)	\$56,245.00
Zachary Burns	Laborer 1 (2 nd yr)	\$56,245.00
Wesley Yakopcic	Laborer 1 (2 nd yr)	\$56,245.00
Christopher Castagna	Laborer 1 (2 nd yr)	\$56,245.00
Michael Bruno	Laborer 1 (1 st yr)	\$53,785.00
Zachary Raffaele	Laborer 1 (1 st yr)	\$53,785.00
Ryan McNair	Laborer 1 (1 st yr)	\$53,785.00
Rocco Camano	Laborer 1 (1 st yr)	\$53,785.00
Lawrence Cole	Recreation Supervisor MAC Coordinator	\$67,000.00 \$ 4,450.00 (Fiscal Year)
Barbara Grund	Bldg. Maintenance Worker (10+)	\$53,785.00

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. 012-2025

Offered by: Z. Palombo

Seconded by: Casaccio

Adopted: January 3, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	X			
Nappen	X			
S. Palombo	X			
Z. Palombo	X			
Corson	X			

13. Meeting procedures.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 013-2025

RE: PROCEDURE TO BE FOLLOWED IN WORK SESSION MEETINGS AND REGULAR MEETINGS OF THE TOWNSHIP COMMITTEE; LIMITING THE TIME OF SUCH MEETINGS; AND PROVIDING A SCHEDULE FOR THE ORDERLY CONDUCT OF SUCH MEETINGS AND ESTABLISHING CERTAIN OTHER RULES AND REGULATIONS PERTAINING TO SAME

WHEREAS, the Open Public Meetings Law of the State of New Jersey requires that meetings of the Governing Body be open to the public, except in certain limited instances; and

WHEREAS, the Township Committee may hold a work session meeting prior to the regularly scheduled meeting of the Township Committee, which work session meeting shall be open to the public in accordance with the provisions of Resolution No. 008-2025, unless the subject matter under discussion involves one or more matters set forth in N.J.S.A. 10:4-12(b), in which event the public shall be excluded from that portion of the meeting; and

WHEREAS, regular meetings of the Township Committee may be held remotely by electronic means due to a declared emergency; and

WHEREAS, it is necessary to establish a procedure for the orderly transaction of such business.

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 regular meeting of the Township Committee will commence at 5:30 p.m., on those dates which have been designated as meeting dates by Resolution 008-2025. The Township Committee may convene publicly, however, at 5:00 p.m. for a work session meeting.
3. Any member of the Township Committee, is hereby authorized to attend and participate in a meeting of the Township Committee remotely/electronically for any reason.

4. At regular meetings of the Township Committee, the agenda may set forth a Consent Agenda wherein proposed resolutions are considered to be routine in nature and will be enacted by one motion for all such resolutions; provided however, the Mayor or any Committee Member may direct that a particular resolution be considered separately at which time said resolution shall be removed from the Consent Agenda and shall be acted on separately.

5. Promptly at 5:30 p.m., on those dates which have been designated as meeting dates by Resolution 008-2025, the work session of the Township Committee, whether opened or closed to the public, shall terminate and the regular meeting of the Township Committee shall commence. All meetings shall continue unless a recess occurs, until 10:30 p.m., at which time the public shall be excluded from the meeting in order to permit the Township Committee to take up one or more of the matters enumerated in Section 6 of this Resolution. Such closed session shall terminate so as to permit the meeting to be reopened to the public and to be adjourned not later than 11:00 p.m.

6. The public may be excluded from a meeting upon the adoption of an appropriate Resolution in order to discuss one or more of the following subject matters:

(A) Any matter which, by express provision of Federal Law or State Statute or Rule of Court shall be rendered confidential or excluded from the provisions of subsection a. of N.J.S.A. 10:4-12;

(B) Any matter in which the release of information would impair a right to receive funds from the Government of the United States;

(C) Any material, the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, dates, reports, recommendations, or other personal material of any educational, training, social service, medical health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request, in writing, that the same be disclosed publicly;

(D) Any Collective Bargaining Agreement, or the terms and conditions which are proposed for inclusion in any Collective Bargaining Agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body;

(E) Any matter involving the purchase, lease, or acquisition of real property with public funds, the setting of bank rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed;

(F) Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law;

(G) Any pending or anticipated litigation or contract negotiations other than in subsection (D) herein in which the public body is, or may become, a party. Any matter falling within the attorney-client

privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer;

(H) Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request, in writing, that such matter or matters be discussed at a public meeting;

(I) Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act or omission for which the responding party bears responsibility.

7. The Resolution which shall be adopted closing the meeting to the public shall be adopted in accordance with the provisions of N.J.S.A. 10:4-13, which shall state the general nature of the subject to be discussed and shall state, as precisely as possible, the time when and the circumstances under which the discussion conducted in closed session of the Governing Body can be disclosed to the public.

RULES PERTAINING TO PUBLIC COMMENT:

8. In the conduct of public meetings and the course of receiving public comments, the following procedures shall apply:

(A) Any member of the public wishing to address the Township Committee on any matter, including public hearings on the adoption of Ordinances or the adoption of the Township Budget, shall be limited to a total of five (5) minutes, at which point such individual shall cease speaking and shall not thereafter be recognized, except in the exercise of the sound discretion of the Mayor or other presiding officer, which discretion should only be exercised after all other persons desiring to address the Township Committee on any issue have had an opportunity to do so.

(B) In receiving public comments on a particular issue or in conducting public hearings on the adoption of an Ordinance or the Annual Budget, or in conducting any other public hearing, the Mayor, or the presiding officer in the absence of the Mayor, shall determine, either in the exercise of his discretion or on a motion adopted by a majority of the members of the Township Committee, the amount of time that is to be devoted to the particular issue and discussion thereon shall be limited accordingly. Any such determination made by the Mayor or presiding officer may be the subject of an appeal to the Township Committee as a whole, which may overrule such determination by majority vote.

(C) In calling for public comment, the Mayor or presiding officer shall recognize a particular member of the public. Upon being recognized, such person shall state his or her full name, address, and general nature of the matter to be commented upon, unless such comments are in the course of a public hearing on a particular subject, in which event such comments must be limited to the matter under discussion and shall not relate to any other issue.

(D) The Mayor or other presiding officer shall give preference to residents of the Township of Upper who shall be afforded an opportunity to speak first before any non-resident is recognized. Such determination shall not apply to any public official seeking to address the Township Committee, nor shall it apply to any attorney or other representative appearing on behalf of any resident of the Township, provided that the identity and address of the Township Resident is first disclosed.

(E) All comments made by the public shall be addressed to the Township Committee and shall not be addressed to any other member of the public, nor shall such comments provide a forum for debate between or among members of the public. Any person violating this provision shall be declared "out of order" and shall thereupon forfeit his or her right to address the Governing Body.

9. The procedures outlined in this Resolution are intended to encourage and to foster the greatest possible participation in municipal government by members of the public and in order to achieve that purpose, these rules and regulations are intended to reduce multiplicitous comments by a single individual, as well as comments of long duration or which are or may be repetitive or argumentative in nature.

Resolution No. 013-2025

Offered by: Z. Palombo

Seconded by: Casaccio

Adopted: January 3, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	X			
Nappen	X			
S. Palombo	X			
Z. Palombo	X			
Corson	X			

14. Imposing a fee of thirty-five dollars on all checks given to the Township of Upper, which are dishonored for any reason.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 014-2025

**RE: IMPOSING A FEE OF THIRTY-FIVE (\$35.00) DOLLARS
ON ALL CHECKS GIVEN TO THE TOWNSHIP OF UPPER WHICH ARE
DISHONORED FOR ANY REASON**

WHEREAS, the Chief Financial Officer of the Township of Upper has reported to the Township Committee an increase in the number of checks which are returned by the maker's bank due to insufficient funds or for other reasons; and

WHEREAS, such circumstances have greatly increased the time involved in the processing of transactions and has otherwise increased the administrative costs to the Township; and

WHEREAS, a returned check item results in a charge to the Township of Upper by the depository bank; and

WHEREAS, the Chief Financial Officer has recommended to the Township Committee the imposition of a charge to cover all such checks which are returned or dishonored by the maker's bank for any reason.

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 is hereby authorized to impose a charge of thirty-five dollars (\$35.00) against any person who tenders a check to the Township, which check is dishonored by the bank upon which it is drawn for insufficient funds or for any other reason. The thirty-five dollar (\$35.00) fee shall be in addition to all other fees which are due and payable to the Township and shall be collected in the same manner as are taxes and penalties.
3. An appropriate notice shall be posted by the Municipal Clerk in a conspicuous location, advising all persons that such charge will be imposed effective immediately.
4. This Resolution shall take effect immediately.

Resolution No. 014-2025

Offered by: Z. Palombo Seconded by: S. Palombo

Adopted: January 3, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	X			
Nappen	X			
S. Palombo	X			
Z. Palombo	X			
Corson	X			

15. Authorizing the Chief Financial Officer to maintain a petty cash fund.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 015-2025

**RE: AUTHORIZING THE CHIEF FINANCIAL OFFICER TO
MAINTAIN A PETTY CASH FUND IN THE AMOUNT OF \$100.00**

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund for the Chief Financial Officer; and

WHEREAS, said Petty Cash Fund was established by Resolution dated June 28, 1993 by the Township Committee of the Township of Upper; and

WHEREAS, said Petty Cash Fund received approval from the Director of Local Government Services on July 13, 1993; and

WHEREAS, it is the desire of the Township Committee that said fund be continued under the direction of the Chief Financial Officer;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Upper that:

1. The allegations of the preamble are incorporated in full.
2. During the year 2025, Barbara Ludy, Chief Financial Officer, be and is hereby authorized and permitted to establish a Petty Cash Fund in the amount not to exceed \$100.00 pursuant to the provisions of N.J.S.A. 40A:5-21. Said Petty Cash Fund will be used by such office or department to pay claims for small miscellaneous expenses.
3. Barbara Ludy, Chief Financial Officer, having custody of the Fund be bonded in an amount not less than \$1,000.00 or the amount of the fund, whichever is greater and will maintain said Fund in accordance with the laws and regulations governing its operation.

Resolution No. 015-2025

Offered by: S. Palombo

Seconded by: Casaccio

Adopted: January 3, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	X			
Nappen	X			
S. Palombo	X			
Z. Palombo	X			
Corson	X			

16. Authorizing the Tax Assessor to file a petition of appeal or appeals for the tax year 2025 with the Cape May County Board of Taxation and/or the Tax Court of New Jersey to seek corrections of errors and proper values.

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

RESOLUTION NO. 016-2025

**RE: AUTHORIZING THE TAX ASSESSOR TO FILE A
PETITION OF APPEAL OR APPEALS FOR THE TAX YEAR 2025 WITH THE
CAPE MAY COUNTY BOARD OF TAXATION AND OR THE TAX COURT OF NEW JERSEY TO
SEEK CORRECTION OF ERRORS AND PROPER VALUES.**

WHEREAS, from time to time the Tax Assessor of the Township of Upper discovers an error in calculation, transposition, measurement or typographical error in the tax assessment on the tax list after the time within which the County Board of Taxation has certified the tax rates of the tax year; and

WHEREAS, the governing body of the taxing district of the Township of Upper is desirous that every taxpayer shall pay their fair share of taxes; and

WHEREAS, if said error is discovered by the Tax Assessor in the normal course of business and is not corrected, the affected taxpayers would be paying more or less than their fair share of taxes; and

WHEREAS, in each instance, the error discovered was not caused by any act or omission of the taxpayer.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Township Committee of the taxing district of the Township of Upper that the Tax Assessor is hereby authorized and permitted to file a Petition of Appeal or Appeals for the tax year 2025 with the Cape May County Board of Taxation and or the Tax Court of New Jersey to seek correction of such errors, and in each instance, to either raise or lower the assessment to the correct and proper value; and

BE IT FURTHER RESOLVED that in each such instance, a copy of any Petition of Appeal filed with the Cape May County Board of Taxation and or the Tax Court of New Jersey pursuant to the authorization extended by this Resolution shall be filed with the Township Clerk of the Township of Upper; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded by the Clerk of the Township of Upper to the Cape May County Board of Taxation and or the Tax Court of New Jersey upon passage of this Resolution; and

BE IT FINALLY RESOLVED that a certified copy of this Resolution shall be forwarded to the Cape May County Board of Taxation and or the Tax Court of New Jersey accompanying any Petition of Appeal which may be filed by the Assessor under this authority extended herein.

Resolution No. 016-2025

Offered by: Z. Palombo Seconded by: Nappen

Adopted: January 3, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	X			
Nappen	X			
S. Palombo	X			
Z. Palombo	X			
Corson	X			

17. Adopting the Cash Management Plan for the Township of Upper.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 017-2025

**RE: ADOPTING THE CASH MANAGEMENT PLAN OF
THE TOWNSHIP OF UPPER**

WHEREAS, N.J.S.A. 40A:5-14 requires each municipality adopt a Cash Management Plan and that all municipal funds shall be managed pursuant to that Plan; and

WHEREAS, the cash management plan shall include the designation of a depository or depositories as permitted in section 4 of P.L. 1970, c235(C:17:9-44); and

WHEREAS, the cash management plan shall be designed to assure to the extent practicable, the investment of local funds in interest bearing accounts and may be modified from time to time in order to reflect changes in federal or state law or regulations and other reasons; and

WHEREAS, the cash management plan shall be subject to the annual audit conducted pursuant to N.J.S.A. 40A:5-4.

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 to the preamble are incorporated herein by this reference.
2. The Cash Management Plan for the Township of Upper for the year January 1, 2025 through December 31, 2025, a copy of which is on record in the office of the Township Clerk and in the office of the Township Chief Financial Officer, is hereby adopted.
3. The Cash Management Plan shall remain in full force and effect for the term January 1, 2025 through December 31, 2025, unless sooner modified or amended, as permitted by law, and until such time as a replacement Cash Management Plan is approved by the Governing Body through the adoption of a formal Resolution.

BE IT FURTHER RESOLVED that the proper officials be and are hereby authorized to do all things necessary to carry out the intent of this Resolution.

Resolution No. 017-2025

Offered by: S. Palombo Seconded by: Casaccio

Adopted: January 3, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	X			
Nappen	X			
S. Palombo	X			
Z. Palombo	X			
Corson	X			

**TOWNSHIP OF UPPER
COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

CASH MANAGEMENT PLAN

I. STATEMENT OF PURPOSE:

This Cash Management Plan (the “Plan”) is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits (“Deposits”) and investment (“Permitted Investments”) of certain public funds of the Township, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions

made with regard to the Deposits and the Permitted Investments will be done to ensure the safety, the liquidity (regarding its availability for the intended purposes) and the maximum investment return within such limits. The Plan is intended to ensure that any Deposit or Permitted Investments matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. **IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN.**

The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Township.

Current Fund
Trust Fund
General Capital Fund
Public Assistance Fund
Payroll Fund

III. **DESIGNATION OF OFFICIALS OF THE TOWNSHIP AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN.**

The Chief Financial Officer and the Treasurer of the Township (the “Designated Officials”) are hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investment, such officials of the Township are directed to supply all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

IV. **DESIGNATION OF DEPOSITORIES.**

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of Deposit which are not otherwise invested in Permitted Investments as provided for in this Plan.

Ocean First Bank
PNC Bank, New Jersey
First Bank of Sea Isle City
Municipal Investors Corp.
N.J. Cash Management Plan
Bank of America, N.A.
Sturdy Savings Bank
TD Bank
Wells Fargo
Fulton Bank
Truist Bank

All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official(s) referred to in Section III.

V. **DESIGNATION OF OFFICIALS TO SIGN CHECK AND WITHDRAWALS OF THE TOWNSHIP OF UPPER.**

Pursuant to N.J.S.A. 40A:5-17B(2), that the following named officials shall sign checks and authorized withdrawals for the Township of Upper for the Current Fund, Public Assistance Fund, Operating Fund and Payroll Fund:

Curtis T. Corson, Jr.
Mayor

Joanne Herron, RMC
Township Clerk

Barbara Ludy
CFO

OR

Sarah Steiner
Assistant Municipal Treasurer

All checks and withdrawals shall be signed with three (3) signatures, namely, the Mayor, Township Clerk and Township Chief Financial Officer or in the Township Chief Financial Officer's absence, the Assistant Municipal Treasurer.

The following named officials shall sign checks and authorize withdrawals for the Township of Upper for the Trust Fund and the General Capital Fund:

Barbara Ludy
CFO

OR

Sarah Steiner
Assistant Municipal Treasurer

All checks and withdrawals shall be signed with one (1) signature, namely, the Township Chief Financial Officer or in the Township Chief Financial Officer's absence, the Assistant Municipal Treasurer.

VI. **DESIGNATION OF BROKERAGE FIRMS AND DEALERS WITH WHOM THE DESIGNATED OFFICIALS MAY DEAL**

The following brokerage firms and/or dealers and other institutions are hereby designated as firms with whom the Designated Official(s) of the Township referred to in this Plan may deal for purposes of buying and selling securities identified in this Plan as Permitted Investments or otherwise providing for Deposits. All such brokerage firms and/or dealers shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official(s) referred to in Section III above.

None Designated

VII **AUTHORIZED INVESTMENTS.**

- A. Except as otherwise specifically provided for herein, the Designated Officials are hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:
- 1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
 - 2) Government money market mutual funds;
 - 3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
 - 4) Bonds or other obligations of the Local unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located;
 - 5) Bonds or other obligations, which have a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units;
 - 6) Local government investment pools;
 - 7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c.281 (C.52:18A-90.4); or
 - 8) Agreements for the repurchase of fully collateralized securities if:
 - (a) the underlying securities are permitted investments pursuant to Paragraphs (1) and

- (3) of this subsection;
- (b) the custody of collateral is transferred to a third party;
- (c) the maturity of the agreement is not more than 30 days;
- (d) the underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (C17:9-41); and
- (e) a master repurchase agreement providing for the custody and security of collateral is executed.

B. For purposes of the above language, the terms “government money market mutual fund” and “local government investment pool” shall have the following definitions:

- 1) Government Money Market Mutual Fund. An investment company or investment trust:
 - (a) which is registered with the Securities and Exchange Commission Under the "investment Company Act of 1940", 15 U.S.C. sec. 80a-1 et seq. And operated in accordance with 17 C.F.R. sec 270.2a-7.
 - (b) the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
 - (c) which has:
 - (i) attained the highest ranking or the highest letter and Numerical rating of a nationally recognized statistical rating organization; or
 - (ii) retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission Pursuant to the “Investment Advisors Act of 1940,” 15 U.S.C. sec.80b-1 et seq., with experience investing in U.S. government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

- 2) Local Government Investment Pool. An investment pool:
 - (a) which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
 - (b) which is rated in the highest category by a nationally recognized statistical rating organization;
 - (c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec.270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;
 - (d) which is in compliance with rules adopted pursuant to this “Administrative Procedure Act,” P.L. 1968, c.410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investment.
 - (e) which does not permit investments in instruments that are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
 - (f) which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9

(C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.

- C. Notwithstanding the above authorization, the monies on hand in the following funds and accounts shall be further limited as to maturities, specific investments or otherwise as follows:

- 1) Limited only to maturities, 1 year or less

VIII. **SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN.**

To the extent that any Deposit or Permitted Investments involve a document or security which is not physically held by the Township, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Township to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a “delivery versus payment” method to insure that such Permitted Investments are either received by the Township or by a third party custodian prior to or upon the release of the Township’s funds. To assure that all parties with whom the Township does business either by way of Deposits or Permitted Investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official(s).

IX **REPORTING REQUIREMENTS**

On the first day of each month during which this Plan is in effect, the Designated Official(s) referred to in Section III hereof shall supply to the governing body of this Township, a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the Township as a Deposit or Permitted Investment.
- B. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- C. The class or type of securities purchased or Deposits made.
- D. The book value of such Deposits or Permitted investments.
- E. The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- F. The fees incurred to undertake such Deposits or Permitted Investments.
- G. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- H. All other information which may be deemed reasonable from time to time by the governing body of the Township.

X **TERM OF PLAN.**

This Plan shall be in effect **from January 1, 2025 to December 31, 2025**. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Township Committee, the Designated Officials are directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 018-2025

RE: 2025 TEMPORARY BUDGET

WHEREAS, N.J.S.A. 40A:4-19 provides that the governing body shall by Resolution adopted prior to January 31 of the fiscal year make appropriations to provide for the period between the beginning of the fiscal year and the adoption of the budget; and

WHEREAS, the total of the appropriations so made shall not exceed 26.25% of the total of the appropriations made for all purposes in the Budget for the preceding year excluding public assistance, such amount being **\$4,062,468.05.**

NOW, THEREFORE BE IT RESOLVED, that the following appropriations shall constitute the Temporary Budget for the year 2025:

ADMINISTRATIVE & EXECUTIVE

Salary and Wages \$ 42,600.00
Other Expenses \$ 2,000.00

MAYOR AND COMMITTEE

Salary and Wages \$ 20,000.00
Mayor and Committee O/E \$ 5,000.00
Cape Mediation \$ 3,400.00
Cape Assist EAP \$ 2,751.00

MUNICIPAL CLERK

Salary and Wages \$ 60,500.00
Miscellaneous O/E \$ 10,000.00

FINANCIAL ADMINISTRATION

Salaries & Wages \$ 62,400.00
Miscellaneous O/E \$ 5,000.00
Computer Hardware/Software \$ 45,000.00
Annual Audit \$ 25,000.00

ASSESSMENT OF TAXES

Salaries & Wages \$ 26,250.00
Miscellaneous O/E \$ 4,000.00

COLLECTION OF TAXES

Salaries & Wages \$ 56,000.00
Miscellaneous O/E \$ 1,500.00

LEGAL SERVICES AND COSTS

Other Expenses \$ 40,000.00

MUNICIPAL COURT

Salaries & Wages \$ 60,000.00
Miscellaneous O/E \$ 8,000.00

PUBLIC DEFENDER

Other Expenses \$ 7,400.00

MUNICIPAL PROSECUTOR

Other Expenses \$ 16,100.00

ENGINEERING SERVICES & COSTS

Salaries & Wages \$ 0.00
Other Expenses \$ 90,000.00

PUBLIC BUILDINGS & GROUNDS

	Salaries & Wages	\$ 224,000.00
	Other Expenses	\$ 95,000.00
PLANNING BOARD		
	Salaries & Wages	\$ 7,000.00
	Other Expenses	\$ 4,000.00
BOARD OF ADJUSTMENT		
	Salaries & Wages	\$ 7,000.00
	Other Expenses	\$ 4,000.00
CONSTRUCTION CODE		
	Salaries & Wages	\$ 69,000.00
	Other Expenses	\$ 1,500.00
INSURANCE		
	Group Insurance for Employees	\$ 660,000.00
	Other Insurance Premiums	\$ 80,000.00
	Workers Compensation	\$ 130,000.00
SCHOOL CROSSING GUARD		
	Salaries & Wages	\$ 3,800.00
	Miscellaneous O/E	\$ 200.00
BEACH PATROL		
	Salaries & Wages	\$ 1,000.00
	Other Expenses	\$ 1,000.00
EMERGENCY MANAGEMENT/RTK		
	Salaries & Wages	\$ 1,800.00
	Miscellaneous O/E	\$ 8,000.00
ROAD REPAIRS & MAINTENANCE		
	Salaries & Wages	\$ 269,000.00
	Miscellaneous O/E	\$ 55,000.00
SURFACING OF ROADS CONTRACTUAL		\$ 0.00
STREET LIGHTING		\$ 150,000.00
GARBAGE & TRASH REMOVAL		
	Salaries & Wages	\$ 132,000.00
	Miscellaneous O/E	\$ 20,000.00
	Tipping Fees	\$ 130,000.00
BOARD OF HEALTH		
	Miscellaneous O/E	\$ 100.00
DOG REGULATION		
	Miscellaneous O/E	\$ 34,000.00
ZONING/CODE OFFICIAL		
	Salaries & Wages	\$ 5,500.00
	Miscellaneous O/E	\$ 1,000.00
SPORTS & RECREATION		
	Salaries & Wages	\$ 18,500.00
	Miscellaneous O/E	\$ 8,000.00
DIVISION OF EMS		
	Salaries & Wages	\$ 290,000.00
	Miscellaneous O/E	\$ 15,000.00
RECYCLING		
	Salaries & Wages	\$ 95,500.00
	Miscellaneous O/E	\$ 20,000.00
AFFORDABLE HOUSING		
	Salaries & Wages	\$ 0.00
	Miscellaneous O/E	\$ 500.00
COMMUNITY CENTER		
	Miscellaneous O/E	\$ 10,000.00

CELEBRATION OF PUBLIC EVENTS	\$ 5,000.00
SOCIAL SECURITY SYSTEM	\$ 165,000.00
SPECIAL LITIGATION	\$ 35,000.00
SUI CONTRIBUTION	\$ 3,500.00
CENTRAL DISPATCH	\$ 70,000.00
ALCOHOL & DRUG TESTING	\$ 1,000.00
COMP. ABSENCES RESERVES	\$ 100.00
PERS	\$ 626,782.00
DCRP	\$ 3,800.00
GYPSY MOTH MISC.	\$ 100.00
Total	\$4,054,483.00

Resolution No. 018-2025

Offered by: Z. Palombo Seconded by: S. Palombo

Adopted: January 3, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	X			
Nappen	X			
S. Palombo	X			
Z. Palombo	X			
Corson	X			

19. Appointment of Thomas H. Heist IV as Risk Management Consultant.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 019-2025

**RE: AUTHORIZING THE APPOINTMENT OF THOMAS H. HEIST IV
AS RISK MANAGEMENT CONSULTANT TO PERFORM VARIOUS
PROFESSIONAL SERVICES ON BEHALF OF THE TOWNSHIP OF UPPER RELATIVE TO THE
ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND AND MUNICIPAL EXCESS
LIABILITY JOINT INSURANCE FUND**

WHEREAS, the Township Committee of the Township of Upper is a member of the Atlantic County Municipal Joint Insurance Fund, a self insurance pooling fund; and

WHEREAS, the Bylaws of said Fund require that each municipality appoint a Risk Management Consultant to perform various professional services as detailed in the Bylaws; and

WHEREAS, the JIF Bylaws indicate a fee Not To Exceed six percent (6%) of the municipal assessment (as dictated by the accompanying agreement) which expenditure represents reasonable compensation for the services required and was included in the cost considered by the governing body; and

WHEREAS, NJSA 40A:11-5 (1)(m), specifically exempts the hiring of insurance consultants from competitive bidding as an extraordinary unspecifiable service; and

WHEREAS, the experience, knowledge of public insurance and risk management issues and judgmental nature required of a Risk Management Consultant are clearly an extraordinary unspecifiable service which therefore render competitive bidding impractical:

WHEREAS, the Township purchasing agent has determined and certified in writing that the value of the contract for the Risk Management Consultant will not exceed \$17,500.00; and

WHEREAS, Thomas H. Heist IV has completed and submitted a Business Entity Disclosure Certification which certifies that Thomas H. Heist IV has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c.19 would bar the award of this contract and that Thomas H. Heist IV shall not make any such reportable contributions during the term of this contract; and

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Upper does hereby appoint Thomas H. Heist IV as its Risk Management Consultant in accordance with 40A:11-5 and;

BE IT FURTHER RESOLVED that the governing body is hereby authorized and directed to execute the Consultant’s Agreement annexed hereto as “Exhibit A”; and

1. The Township Clerk is hereby authorized and directed to cause a Notice of Award of this Contract to be published in the official newspaper of the Township of Upper, as required by N.J.S.A. 40A:11-5(1),(a),(i), within ten (10) days of its passage.
2. 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.
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. 019-2025

Offered by: Z. Palombo

Seconded by: Casaccio

Adopted: January 3, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	X			
Nappen	X			
S. Palombo	X			
Z. Palombo	X			
Corson	X			

20. Confirming appointments to various positions required by the Atlantic County Municipal Joint Insurance Fund.

TOWNSHIP OF UPPER

**CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 020-2025

**RE: CONFIRMING APPOINTMENTS TO VARIOUS POSITIONS REQUIRED BY THE ATLANTIC
COUNTY MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, the Township of Upper is a member of the Atlantic County Municipal Joint Insurance Fund (“JIF”); and

WHEREAS, the Township, as a participating member of JIF, is required to create certain positions and to fill those positions; and

WHEREAS, the Township Committee duly considered this matter and made certain appointments which are hereby ratified and confirmed through 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 Committee hereby makes the following appointments as Township representatives or Township committees with respect to Township participation in the Atlantic County JIF:

Fund Commissioner: Gary S. DeMarzo, Township Administrator

Alternate Fund Commissioner: Rosemary Trout

Risk Management Consultant: Thomas H. Heist, IV; Thomas Heist Insurance Agency

Alternate Risk Management Consultant: Mike Connolly

Claims Coordinator: Rhonda Sharp

Safety Coordinator: Loren Ready

Asst. Safety Coordinator: Kristen Snyder

Wellness Coordinator: Janet McBride

Township Committee Member: Curtis T. Corson, Jr.

Safety and Wellness Committee:

Curtis T. Corson, Jr.

Gary DeMarzo

Loren Ready

Craig Reeves

Rhonda Sharp

Alt. Kristen Snyder

2. The following persons be and are hereby appointed to the Sports and Recreation Advisory Board of the Township of Upper for a one (1) year term, commencing January 1, 2025 and expiring on December 31, 2025, provided, however, that such member shall continue to serve until his/her successor is duly appointed and qualified:

**Member in charge of the
Department of Sports and Recreational Programs**

Samuel J. Palombo

**Member in charge of the
Department of Public Works**

Zachary H. Palombo

Volunteer Resident Members

**Christine Lentz
Bruce DiNardo
Joseph Loteck**

Volunteer Alternate Resident Member

Richard Hoag

3. The forgoing appointees shall constitute the sole members of the Sports and Recreation Advisory Board for 2025, subject to the provision of Paragraph 4 hereof.

4. The Township Committee expressly reserves the right to supplement this Resolution at any time it deems it appropriate to change the membership of the Sports and Recreation Advisory Board or change the policies, programs and personnel with respect to any recreational activity of the Township.

Resolution No. 021-2025

Offered by: Nappen Seconded by: Casaccio

Adopted: January 3, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	X			
Nappen	X			
S. Palombo	X			
Z. Palombo	X			
Corson	X			

22. Adoption of the National Incident Management System.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 022-2025

RE: ADOPTION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM

WHEREAS, the United States Department of Homeland Security has developed a National Incident Management System (“NIMS”) to provide a consistent nationwide approach for Federal, State, local and tribal governments to work effectively and efficiently together to prepare for, prevent, respond to, and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, the NIMS incorporates the best-practices currently in use by incident managers at all levels; and

WHEREAS, the Township Committee has determined that it is in the best interest of the Township of Upper to adopt the NIMS and that by doing so the Township will satisfy a condition for Federal preparedness assistance; 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 adopts the National Incident Management System as administered by the U.S. Department of Homeland Security.
3. A copy of this Resolution shall be forwarded to the Cape May County Board of Commissioners and the Cape May County Office of Emergency Management.
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. 022-2025

Offered by: V. Nappen

Seconded by: Z. Palombo

Adopted: January 3, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	X			
Nappen	X			
S. Palombo	X			
Z. Palombo	X			
Corson	X			

23. Appointing members to the Upper Township Municipal Court Security Committee.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 023-2025

**RE: APPOINTING MEMBERS TO THE UPPER TOWNSHIP
MUNICIPAL COURT SECURITY COMMITTEE**

WHEREAS, in compliance with Municipal Court Directive #15-06, the Township of Upper created a Municipal Court Security Committee to address security issues within the Upper Township Municipal Court; and

WHEREAS, a need exists to appoint suitable persons to this committee.

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 a Municipal Court Security Committee, tasked with surveying the security of the Upper Township Municipal Court and reporting their findings to the Township Committee.
3. The following persons be and are hereby appointed to the Municipal Court Security Committee of the Township of Upper.

Mun. Court Judge: James R. Birchmeier, Esquire

Mun. Court Administrator: Loren Ready

OEM: Frank Donato

Alternate: James M. Jones

Chief EMT: Mellissa Coker

Upper Twp. Mayor: Curtis T. Corson, Jr.

Upper Twp. Administrator: Gary DeMarzo

Risk Management Consultant: Thomas H. Heist IV, Thomas Heist Insurance Agency

4. The forgoing appointees shall constitute the sole members of the Municipal Court Security Committee, 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 of the Municipal Court Security Committee or change the policies, programs and personnel with respect to any security activity of the Township.
6. A certified copy of this Resolution shall be sent to the Division Manager, Superior Court of New Jersey Municipal Division and a copy of this Resolution shall be provided to each of the persons named herein.

Resolution No. 023-2025

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: January 3, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	X			
Nappen	X			
S. Palombo	X			
Z. Palombo	X			
Corson	X			

24. Appointment of various persons to Township positions.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 024-2025

**RE: APPOINTMENT OF VARIOUS PERSONS
TO TOWNSHIP POSITIONS**

WHEREAS, a need exists in the Township of Upper to appoint various administrative, clerical and other personnel in order to staff the various positions of the Township for the ensuing 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 following persons shall be appointed to the Board of Health of the Township of Upper:

Township Committee
Joanne Herron, Clerk for the Board
3. The following persons shall be appointed to the Lighting Committee of the Township of Upper:

Township Committee
4. The following persons shall be appointed to the Finance Committee of the Township of Upper:

Mayor
Chief Financial Officer
Municipal Clerk
Township Committee Member in Charge of Finance

Resolution No. 024-2025

Offered by: Nappen

Seconded by: S. Palombo

Adopted: January 3, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	X			
Nappen	X			
S. Palombo	X			
Z. Palombo	X			
Corson	X			

25. Appointing the Upper Township Green Team Advisory Committee.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 025-2025

RE: APPOINTING THE UPPER TOWNSHIP GREEN TEAM ADVISORY COMMITTEE

WHEREAS, the Upper Township Green Team Advisory Committee is an established committee consisting of volunteer members who shall meet throughout the year to develop plans, recommend programs, assist with educational opportunities that support the creation of a sustainable community, and advise the Township Committee on ways to improve municipal operations with “Green” initiatives which are economically and environmentally sound; and

WHEREAS, Township of Upper hereby acknowledges that the residents of the Township of Upper desire a stable, sustainable future for themselves and future generations; and

WHEREAS, as elected representatives of the Township of Upper, we have a significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community.

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 persons are hereby appointed to the Green Team Advisory Committee of the Township of Upper for a term of one year:

Samuel J. Palombo, Upper Township Committeeman
Gary DeMarzo, Upper Township Administrator
Ralph Cooper, Chairperson
Wanda Adamson

3. The forgoing appointees shall constitute the sole members of the Green Team Advisory Committee, subject to the provision of Paragraph 4 hereof.

4. The Township Committee expressly reserves the right to supplement this Resolution at any time it deems it appropriate to change the membership or policies of the Green Team Advisory Committee.

Resolution No. 025-2025

Offered by: Nappen Seconded by: Casaccio

Adopted: January 3, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	X			
Nappen	X			
S. Palombo	X			
Z. Palombo	X			
Corson	X			

Executive Order of the Mayor - Planning Board Appointments.

TOWNSHIP OF UPPER

EXECUTIVE ORDER OF THE MAYOR

Pursuant to the authority vested in me as Mayor of the Township of Upper, I hereby make the following appointments to the Upper Township Planning Board, pursuant to the provisions of the Municipal Land Use Act of the State of New Jersey:

CLASS II:

Richard Kaczmarek, is hereby appointed to a one (1) year term commencing on January 1, 2025 and expiring on December 31, 2025.

The foregoing appointee shall serve with the other members of the Upper Township Planning Board, who are as follows:

CLASS I:

Mayor Curtis T. Corson, Jr.

CLASS III:

Samuel J. Palombo, (Member of the Governing Body, appointed by the Governing Body)

CLASS IV:

Theodore Kingston, is hereby appointed to a four (4) year term commencing on January 1, 2025 and expiring on December 31, 2028.

Joseph Harney, appointed to a four (4) year term commencing on January 1, 2025 and expiring on December 31, 2028.

The following Class IV appointees shall continue to serve in their existing terms, as follows:

CLASS IV:

Gary Riordan, appointed to a four (4) year term commencing on January 1, 2023 and expiring on December 31, 2026.

Christopher McGuire, II, appointed to a four (4) year term commencing on January 1, 2023 and expiring on December 31, 2026.

Matthew R. Davidson, appointed to the unexpired four (4) year term of Janet McCrosson commencing on January 1, 2022 and expiring on December 31, 2025.

Sean Whelan, appointed to a four (4) year term commencing on January 1, 2022 and expiring on December 31, 2025.

ALTERNATE MEMBERS:

Colby Meloy, appointed to a two (2) year term as Alternate #1 commencing on January 1, 2024 and expiring on December 31, 2025.

Brooke Handley, appointed to a two (2) year term as Alternate #2 commencing on January 1, 2024 and expiring on December 31, 2025.

Effective January 1, 2025

Comments by Members of the Governing Body

Zachary Palombo, Committeeman, thanked his mom, his wife Lori, his children, his cousin Sam and his wife, and all of his family members for their support. He next thanked Republican Chairman Mike Donohue, Assemblyman Erik Simonsen, Commissioner Melanie Collette, Assemblyman Antwan McClellan, Upper Township Republican Leader Larry Trulli, and all of the members of the Cape GOP and County Committee team. He thanked the residents and stated that he will make every decision in the best interest of all Upper Township residents. Last, he thanked his late grandfather Aldo Palombo and his father Richard Palombo for being models of public leadership.

Samuel Palombo, Committeeman, thanked his wife and daughter for their support. He then thanked all for giving him this opportunity and stated that he is grateful for this day and happy that Upper Township is moving forward.

Tyler Casaccio, Committeeman, thanked his wife and children. He then thanked the Upper Township Republican County Committee and Cape GOP for their support. He then thanked the residents of Upper Township and promised to bring honesty, transparency, and accessibility to the Committee.

Victor Nappen, Committeeman, thanked all for coming out in support. He then thanked his mom, dad, and his beautiful wife for their support.

Curtis Corson, Mayor, congratulated his fellow members of the Committee and thanked them for their support of him as Mayor. He next thanked his family and Karen Mitchell for supporting him, and thanked all in the audience for coming out to support the Committee and the Township tonight. He stated that in the upcoming year the Township will face many challenges including the reduction in State Aid, the Beesley's Point redevelopment project, and the erosion of Township beaches. He stated that he is looking forward to working with the Committee and State legislators to tackle these issues.

Public Comment

Nathalie Neiss, Petersburg, thanked the Committee for considering her as one of the three nominees to fill the vacancy on the Township Committee, and congratulated Committeeman Casaccio.

Nelson Dice, Ocean City, spoke about an incident he had with the Ocean City Police and Superior Court.

Benediction by Father Piotr Szamocki, Saint Maximilian Kolbe Parish

Adjournment – Motion to adjourn by Zachary Palombo, seconded by Victor Nappen, with all five Committee members voting in the affirmative.

The next regular meeting is scheduled for January 13, 2025, at 5:30 P.M.

Minutes prepared by:

Joanne R. Herron, RMC
Municipal Clerk