

**TOWNSHIP OF UPPER  
2100 TUCKAHOE ROAD  
PETERSBURG, NJ 08270  
CAPE MAY COUNTY  
MINUTES FOR JANUARY 13, 2025**

**REGULAR MEETING OF THE TOWNSHIP COMMITTEE – 5:30 P.M.**

**CALL TO ORDER**

**SUNSHINE ANNOUNCEMENT**

Mayor Corson read the following Open Public meeting notice into the record:

“In compliance with the Open Public Meetings Law, I wish to state that on January 10, 2025, the notice of this meeting of the Upper Township Committee was posted on the official Township Bulletin Board, the Upper Township Website, and emailed to the Atlantic City Press, the Ocean City Sentinel-Ledger, the Herald Times and filed with the Township Clerk. Tonight’s meeting is being video recorded up until the closed session portion of this meeting and will be available on the Upper Township website. I hereby direct that this announcement be made a part of the minutes of this meeting.”

**SALUTE TO THE FLAG**

**ROLL CALL**

Tyler Casaccio	Present
Victor Nappen	Present
Samuel Palombo	Present
Zachary Palombo	Present
Curtis Corson	Present

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

**APPROVAL OF MINUTES** – December 16, 2024 Regular and Closed Session Minutes  
and January 3, 2025 Reorganization Minutes

Motion by Victor Nappen, second by Zachary Palombo, to approve the December 16, 2024 Regular and Closed Session Minutes as submitted. During roll call vote four Committee members voted in the affirmative. Committeeman Casaccio abstained.

Motion by Victor Nappen, second by Tyler Casaccio, to approve the January 3, 2025 Reorganization Minutes as submitted. During roll call vote all five Committee members voted in the affirmative.

**REPORT OF GOVERNING BODY MEMBERS**

**Samuel Palombo, Committeeman**, reported that he had a great meeting today with the parks and recreation employees to discuss upcoming projects and events.

**Zachary Palombo, Committeeman**, praised the employees of the Public Works Department for the great job they did with the snow removal during the recent snowstorm, and stated that he heard many compliments from residents.

**Tyler Casaccio, Committeeman**, reported that the Township will be holding free rabies clinics on January 25<sup>th</sup> and February 22<sup>nd</sup> at Shore Veterinarians from 1:00 pm to 3:00 pm. Last, he reported that he is hoping to start negotiations with Dennis Township to address the court situation.

**Victor Nappen, Committeeman**, also praised the Public Works Department for the snow removal. He stated that there were some issues with the County Roads which hopefully will be addressed soon. He next thanked everyone for coming to the reorganization meeting and stated that it is a very exciting time to see everyone moving forward in their new roles.

**Curtis Corson, Mayor**, also praised the Public Works Department and stated that they did a phenomenal job. Next, he acknowledged NJSP Station Commander Lt. MacNeil and asked if he had anything to report. Lt. MacNeill encouraged the new Committee members to reach out to him if they need anything. Last, he reported that the Committee members will be individually meeting with the Township's auditor to go over the budget process.

### **ADMINISTRATOR OVERVIEW**

**Gary DeMarzo, Township Administrator**, gave a brief report on several upcoming/ongoing projects including a Local Recreation Improvement Grant, special events, affordable housing, and the internal operations for managing the snowstorm.

**Ryan MacNeill, Township Engineer**, reported on several projects including the reconstruction of Putnam Avenue and the living shoreline project.

### **PUBLIC COMMENT ON AGENDA ITEMS ONLY - LIMITED TO FIVE (5) MINUTES PER PERSON**

**Nathalie Neiss, Block 456, Lot 13 and Block 476, Lot 29**, inquired about numbers 11 and 17 on the consent agenda. It was stated that number 11 is authorizing additional grant consultant services to Triad for a Local Recreation Improvement Grant application. Number 17 is to correct a mistake on the salary resolution for an employee who has taken on additional duties. Next, she inquired about the planning consultant services on the closed session agenda. It was stated that if there is any action to be taken on that matter, it will be done once the public portion reconvenes.

### **CONSENT AGENDA**

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

Motion by Victor Nappen, second by Tyler Casaccio, to approve the consent agenda items listed below. During roll call vote all five Committee members voted in the affirmative.

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

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

**RESOLUTIONS TO BE APPROVED BY CONSENT**

10. Affirming the Township of Upper's civil rights policy with respect to all officials, appointees, employees, prospective employees, volunteers, independent contractors, and members of the public that come into contact with Municipal employees, officials, and volunteers.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 026-2025**

**RE: AFFIRMING THE TOWNSHIP OF UPPER'S  
CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS,  
APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT  
CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH  
MUNICIPAL EMPLOYEES,  
OFFICIALS AND VOLUNTEERS**

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**WHEREAS**, it is the policy of the Township of Upper to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

**WHEREAS**, the governing body of the of the Township of Upper has determined that certain procedures need to be established to accomplish this policy; and

**NOW, THEREFORE BE IT RESOLVED** to affirm and adopt the Township of Upper's civil rights policy as follows:

**Section 1:** No official, employee, appointee or volunteer of the Township of Upper by whatever title known, or any entity that is in any way a part of the Township of Upper shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township of Upper's business or using the facilities or property of the Township of Upper.

**Section 2:** The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township of Upper to provide services that otherwise could be performed by the Township of Upper.

**Section 3:** Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

**Section 4:** The Township Committee shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such

procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

**Section 5:** No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

**Section 6:** The Personnel Officer shall establish written procedures that require all officials, employees, appointees and volunteers of the Township of Upper as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

**Section 7:** The Personnel Officer shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

**Section 8:** At least annually, the Personnel Officer shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township of Upper. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Township of Upper’s web site.

**Section 9:** This resolution shall take effect immediately.

**Section 10:** A copy of this resolution shall be published in the official newspaper of the Township of Upper in order for the public to be made aware of this policy and the Township of Upper’s commitment to the implementation and enforcement of this policy.

Resolution No. 26-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: January 13, 2025

Roll Call Vote:

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

11. Authorizing the Mayor to sign an authorization to proceed from Triad Associates for additional grant consultant services.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 027-2025**

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

**WHEREAS**, the Township acquired the services of Triad Advisory Services, Inc. (trading as Triad Associates) for grant consultant services as a non-fair and open contract pursuant to Resolution No. 168-2024 adopted on May 28, 2024; and

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

**WHEREAS**, the additional services consist of the preparation and submittal of a NJDCA Local Recreation Improvement Grant (LRIG) for the conversion of existing tennis courts into pickleball courts at Caldwell Park; and

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

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Mayor and Township Clerk are hereby authorized, directed and empowered to execute the attached Authorization to Proceed from Triad Associates for the additional services related to the preparation and submittal of a NJDCA LRIG application.
3. A certificate from the Chief Financial Officer of Upper Township showing the availability of adequate funds for this contract and showing the line-item appropriation of the official budget to which this contract will be properly charged has been provided to the governing body and shall be attached to this Resolution and kept in the files of the municipal clerk.
4. This Resolution shall be effective as of adoption.

Resolution No. 027-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: January 13, 2025

Roll Call Vote:

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

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

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 028-2025**

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

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

**WHEREAS**, the Township of Upper will use the grant funds for the conversion of existing tennis courts into pickleball courts at Caldwell Park, to include resurfacing and equipment improvements; and

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

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

Resolution No. 028-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: January 13, 2025

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

13. Canceling tax on exempt property Block 453, Lot 245.08.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 029-2025**

**CANCELING TAX ON EXEMPT PROPERTY  
BLOCK 453, LOT 245.08**

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**WHEREAS**, certain corrections have been recommended by the Upper Township Tax Collector in order to cancel taxes; and

**WHEREAS**, Matthew Mashura is a 100% disabled American veteran residing at 25 Luke Ct. Seaville, Block 453, Lot 245.08 on the municipal tax map of Upper Township, New Jersey; and

**WHEREAS**, said property became tax exempt in the year 2024; and

**WHEREAS**, it is necessary to cancel taxes on the 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2024; and

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Upper, Cape May County, that corrections to the Tax records are hereby authorized and the Tax Collector is hereby directed to correct said records or take such action as indicated below.

Resolution No. 029-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: January 13, 2025

Roll Call Vote:

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

**CANCEL TAX 2024**

**BLOCK/LOT**

453/245.08

**AMOUNT**

\$3,870.86

**NAME**

Matthew Mashura  
25 Luke Ct.  
Seaville, NJ 08230

100% Totally Disabled Veteran

14. Authorize payments from the Affordable Housing Trust Fund of Upper Township.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 030-2025**

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

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**WHEREAS**, the Township of Upper adopted an Affordable Housing Trust Fund Spending

Plan (hereinafter “Spending Plan”) on April 30, 2012 pursuant to Resolution No. 105-2012; and

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

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

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

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

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

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

Township’s Spending Plan:

Triad Associates (AA/MTA Wait List Maint./	\$ 200.00
AA Wait List Rentals/	\$ 200.00
AA Technical Assistance	<u>\$ 150.00</u>
	\$ 550.00
 Tiffany A. Cuviallo, PP, LLC (Affordable Housing Services)	 \$ 1,125.00
 Daniel J. Young, Esquire (Affordable Housing Services)	 \$ 90.00

Resolution No. 030-2025  
Offered By: Nappen  
Adopted: January 13, 2025  
Roll Call Vote:

Seconded By: Casaccio



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

15. 2025 Temporary Budget – Debt Service.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 031-2025**

**RE: 2025 TEMPORARY BUDGET – DEBT SERVICE**

**WHEREAS**, N.J.S.A. 40A:4-19 provides authority for appropriating in a temporary resolution the permanent debt service requirements for the coming fiscal year providing that such resolution is not made earlier than the last ten days of the preceding fiscal year; and

**WHEREAS**, the date of this resolution is subsequent to that date; and

**WHEREAS**, principal and interest will be due on various dates from January 1, 2025 to December 31, 2025, inclusive, on sundry bonds issued and outstanding.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Upper, in the County of Cape May, State of New Jersey, that the following appropriations be made to cover the period from January 1, 2025 to December 31, 2025, inclusive:

**DEBT SERVICE – TOWNSHIP OF UPPER**

Interest on \$7,840,000 General  
Obligation Bonds, Series 2024                      \$ 136,826.67

Resolution No. 031-2025

Offered By: Nappen

Seconded By: Casaccio

Adopted: January 13, 2025

Roll Call Vote:

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

16. Hiring Pamala Jones as a part-time employee to the Upper Township Division of Emergency Medical Services.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 032-2025**

**RE: HIRING PAMALA JONES AS A PART-TIME EMPLOYEE TO THE UPPER TOWNSHIP DIVISION OF EMERGENCY MEDICAL SERVICES**

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**WHEREAS**, a need exists to hire qualified personnel as part-time employee to the Upper Township Division of Emergency Medical Services to ensure optimal operation; and

**WHEREAS**, Pamala Jones possesses all the requisite qualifications for said position; and

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

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

2. Pamala Jones is hereby hired to the Division of Emergency Medical Services as a part-time Emergency Medical Technician effective January 14, 2025 at a rate of \$22.00 per hour, in accordance with the Salary Ordinance.

3. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 032-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: January 13, 2025

Roll Call Vote:

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

17. Amending Resolution No. 12-2025 establishing salaries for various officers and employees.

**TOWNSHIP OF UPPER  
CAPE MAY COUNTY  
RESOLUTION**

**RESOLUTION NO. 033-2025**

**RE: AMENDING RESOLUTION NO. 12-2025 ESTABLISHING SALARIES FOR VARIOUS OFFICERS AND EMPLOYEES**

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**WHEREAS**, Resolution No. 12-2025 fixes salaries for various administrative, clerical and other personnel for the year 2025; and

WHEREAS, the Township Committee has determined it necessary to amend said Resolution No. 12-2025 ; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. Resolution No. 12-2025 is hereby amended to reflect the following annual salaries effective January 1, 2025 in accordance with the Salary Ordinance.

Donna Heiler	Assistant Municipal Tax Collector	\$66,500.00
	Passport Acceptance Agent	No Salary
	Account Clerk	No Salary

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. 033-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: January 13, 2025

Roll Call Vote:

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

**ORDINANCES**

**CORRESPONDENCE**

**NEW BUSINESS**

**UNFINISHED BUSINESS**

18. Athletic Court Resurfacing project. **The Township Engineer reported that the original scope of this project included the resurfacing of the existing basketball and tennis courts at Caldwell Park and the hockey rink at Amanda’s Field. Today’s meeting discussed the possibility of expanding the scope to construct 12 pickleball courts at Caldwell Park. He reported that he will be finalizing a concept plan for the Committee’s review and approval. The Township will be applying for a Local Recreation Improvement grant for additional funding and some of the project will be able to be accomplished by the Department of Public Works.**

**PAYMENT OF BILLS**

19. "I hereby move that all claims submitted for payment at this meeting be approved and then incorporated in full in the minutes of this meeting." **Motion by Zachary Palombo, second by Victor Nappen. During roll call vote all five Committee members voted in the affirmative.**

Bills approved for payment: **\$1,243,659.21**  
Payroll: **\$228,895.10**

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

**Nathalie Neiss, Block 456, Lot 13 and Block 476, Lot 29**, spoke about a subdivision in the early 90s and questioned Mayor Corson on the matter. The Municipal Attorney advised that Committee members not answer questions or allegations unless they can recall all details with specificity. Ms. Neiss then spoke about several additional items including her family history, the Township Engineer, the Township Administrator, property taxes, Town Centers, and a K-12 school in Upper Township. Last, she welcomed the Municipal Attorney.

**Barbara Leary, Seaville**, thanked the Committee for changing the times of the meetings to be more consistent and for encouraging more transparency and public engagement by adding an additional public comment section specific to agenda items.

**Jon Grubb, Tuckahoe**, inquired about a notice he received regarding paving on Route 50 from Corbin City to Upper Bridge Road and asked when the project will be done. The Township Engineer stated that he would get an update on the project from the state. Mr. Grubb next spoke about the traffic and parking issues on Rt 50 near the Community Center, and asked if there can be a temporary solution to keep people from parking near driveways. It was stated that the issue will be addressed to temporarily block cars from parking near driveways.

**Lou Barbitto, Petersburg**, stated that the bumps on the Route 50 bridge are bad. It was stated that the bridge is scheduled for replacement. The Township Engineer will get an update on the project from the state.

**CLOSED SESSION**

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

**RESOLUTION NO. 034-2025  
MOTION GOING INTO CLOSED SESSION  
JANUARY 13, 2025**

I hereby move that a resolution be incorporated into the minutes authorizing the Township Committee to enter into an executive session for the following matters pursuant to the Open Public Meetings Act:

**MATTERS:**

1. Contract negotiation - Planning Consultant
2. Contract negotiation - Municipal Prosecutor
3. Contract negotiation - Labor Attorney
4. Contract negotiation - Special Legal Counsel
5. Contract negotiation - Safe Routes to School Grant

I also include in my motion the estimated time and the circumstances under which the discussion conducted in closed session can be disclosed to the public as follows:

- A. It is anticipated that the matters discussed in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.
- B. With respect to contract negotiations such matters will be made public when negotiations have ceased and there is no longer a reason for confidentiality.

Moved by: Victor Nappen  
 Motion seconded by: Tyler Casaccio  
 Roll Call Vote with all five Committee members voting in the affirmative.

**RECONVENE PUBLIC PORTION OF MEETING**

Motion by Curtis Corson, second by Zachary Palombo, to reconvene the public portion of the meeting. During roll call vote all five Committee members voted in the affirmative.

**RESOLUTION TO BE ADOPTED AFTER CLOSED SESSION**

- 21. Awarding a contract for professional services for Labor Attorney.

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

**RESOLUTION NO. 035-2025**

**RE: AWARDING A CONTRACT FOR PROFESSIONAL SERVICES FOR LABOR  
 ATTORNEY**

**WHEREAS**, there exists a need for the appointment of a Labor Attorney/Counsel for the Township of Upper; and

**WHEREAS**, the services to be performed by the Labor Attorney/Counsel on behalf of the Township of Upper are declared to be professional services performed by individuals authorized by law to practice in such profession, which profession is 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 of Upper has a need to acquire the services of a Municipal Labor Attorney/Counsel through the awarding of a non-fair and open contract pursuant to 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 this contract will exceed \$17,500.00; and

**WHEREAS**, the proposed Municipal Labor Attorney/Counsel will complete and submit a Business Entity Disclosure Certification which certifies that the contractor has 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 this contract, and that the contractor shall not make any such reportable contributions during the term of this contract; 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. The Township of Upper hereby appoints and awards a professional services contract to Blaney, Donohue & Weinberg, P.C., for Municipal Labor Attorney/Counsel services for a term of one (1) year, commencing as of the date of execution of this Resolution and continuing until such time as their successor is duly appointed and qualified.
3. Compensation for payment to the Municipal Labor Attorney/Counsel shall be on the basis of Professional Contracts to be negotiated with such individual and payment for professional services rendered shall be made by the Township of Upper based upon receipt of submitted invoices from the contractor that have been reviewed and approved by the Township Committee.
4. The Mayor and the Township Clerk are hereby authorized and directed to execute, on behalf of the Township of Upper, a professional services contract with the duly appointed Municipal Labor Attorney/Counsel in accordance with the terms and provisions of the Local Public Contracts Law.
5. Notices of the awarding of this contract shall be published in the Official Newspaper of the Township of Upper within ten (10) days from the date of adoption of this Resolution.
6. The Business Entity Certification and Determination of Value for the Municipal Labor Attorney/Counsel contract shall be placed on file with this Resolution.
7. 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. 035-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: January 13, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	X			
Nappen	X			

S. Palombo	X			
Z. Palombo	X			
Corson	X			

**ADJOURNMENT**

There being no further business this evening the meeting was adjourned at 6:50 P.M., with a motion by Curtis Corson, second by Victor Nappen, and all five Committee members present voting in the affirmative. The next regular Committee meeting is scheduled for January 27, 2025 at 5:30 P.M.

Minutes prepared by,

Joanne R. Herron, RMC  
Township Clerk

**Bills**

- 84751 01/13/25 A0075 ADAMS, JOSHUA 204.25 3401
- 84752 01/13/25 A0091 ATLANTIC CITY ELECTRIC 35,427.69 3401
- 84753 01/13/25 A0117 AT&T 419.40 3401
- 84754 01/13/25 A0191 ACTION UNIFORM CO. LLC 42.00 3401
- 84755 01/13/25 A0202 ACTIVE 911, INC 2,553.00 3401
- 84756 01/13/25 A0212 ANCERO, LLC 12,545.50 3401
- 84757 01/13/25 A0222 ANZELONE ELECTRIC COMPANY, LLC 295.00 3401
- 84758 01/13/25 A0235 AMAZON CAPITAL SERVICES, INC. 111.10 3401
- 84759 01/13/25 A0248 AIRESRING, INC. 1,227.60 3401
- 84760 01/13/25 A0257 ACCURATE LANGUAGE SERVICES 2,130.00 3401
- 84761 01/13/25 B0035 BELMONT & CRYSTAL SPRINGS 41.04 3401
- 84762 01/13/25 B0076 BOND, LAURENCE E. 4,192.80 3401
- 84763 01/13/25 B0278 BUSINESS INFORMATION SYSTEMS 19,328.55 3401
- 84764 01/13/25 B0287 BIGLEAF NETWORKS, INC. 697.00 3401
- 84765 01/13/25 B0288 KINGBARNES LLC 837.50 3401
- 84766 01/13/25 C0046 CAPE MAY COUNTY CLERK 6,226.64 3401
- 84767 01/13/25 C0068 COMCAST 3,287.40 3401
- 84768 01/13/25 C0078 CARTER, EDWARD, SR. 600.00 3401
- 84769 01/13/25 C0143 CODY'S POWER EQUIPMENT 115.97 3401
- 84770 01/13/25 C0223 CASA PAYROLL SERVICE 815.00 3401
- 84771 01/13/25 C0279 CASA REPORTING SERVICES LLC 158.10 3401
- 84772 01/13/25 C0346 CME ASSOCIATES 0.00 01/13/25 VOID 0
- 84773 01/13/25 C0346 CME ASSOCIATES 92,788.24 3401
- 84774 01/13/25 C0352 COLUMN SOFTWARE, PBC 278.00 3401
- 84775 01/13/25 C0356 ROBBIE CONLEY ARCHITECT LLC 7,000.00 3401
- 84776 01/13/25 C0359 CAMANO, ROCCO 134.02 3401
- 84777 01/13/25 D0040 DELTA DENTAL OF N.J. INC. 10,973.76 3401
- 84778 01/13/25 D0237 SCALFARO, KERRY 125.00 3401
- 84779 01/13/25 E0012 EHRlich PEST CONTROL INC 414.38 3401
- 84780 01/13/25 E0017 EDMUNDS & ASSOCIATES, INC. 16,812.05 3401
- 84781 01/13/25 F0222 FENTON, SEAN R 440.02 3401
- 84782 01/13/25 F0225 FIRE DEFENSE SYSTEMS LLC 2,445.61 3401
- 84783 01/13/25 G0147 GREATAMERICA FINANCIAL SVCS. 165.00 3401
- 84784 01/13/25 G0207 GORMAN D'ANELLA & MORLOCK LLC 735.00 3401
- 84785 01/13/25 G0211 GRACETOWN LUMBER CO., LLC 172.53 3401
- 84786 01/13/25 H0073 HOME DEPOT CRC/GEFC 49.98 3401
- 84787 01/13/25 H0097 HERRON, JOANNE R. 49.99 3401
- 84788 01/13/25 H0144 HOOVER TRUCK CENTERS, INC 32.70 3401
- 84789 01/13/25 H0148 THOMAS H. HEIST INS AGENCY INC 1,625.00 3401
- 84790 01/13/25 H0195 HOHMAN, CHRISTOPHER 378.84 3401
- 84791 01/13/25 H0213 HEILER, DONNA 25.00 3401
- 84792 01/13/25 I0002 IAAO 240.00 3401
- 84793 01/13/25 J0028 JESCO, INC. 479.16 3401
- 84794 01/13/25 K0014 KEENAN, BRIAN 590.05 3401
- 84795 01/13/25 K0047 KLINE, EDWARD T. 600.00 3401
- 84796 01/13/25 K0086 K D NATIONAL FORCE SECURITY 750.00 3401
- 84797 01/13/25 K0103 KYOCERA DOCUMENT SOLUTIONS 434.01 3401
- 84798 01/13/25 L0027 LASHLEY HEATING & COOLING INC. 11,500.00 3401
- 84799 01/13/25 L0031 LORCO PETROLEUM SERVICES 185.00 3401
- 84800 01/13/25 L0075 LEXISNEXIS 422.00 3401

84801 01/13/25 L0146 LAWSON PRODUCTS, INC. 54.48 3401  
84802 01/13/25 M0046 MASON, DAVID 4,192.80 3401  
84803 01/13/25 M0193 MAYNE, MICHAEL 312.30 3401  
84804 01/13/25 M0235 MODERN GROUP, LTD 1,066.75 3401  
84805 01/13/25 M0277 EQUITABLE FINANCIAL LIFE INS. 203.90 3401  
84806 01/13/25 M0303 MALEY GIVENS, A PROF CORP 233.50 3401  
84807 01/13/25 M0328 McCauley, Richard 180.97 3401  
84808 01/13/25 M0342 MC NAIR, RYAN 125.00 3401  
84809 01/13/25 N0004 NJ-AMERICAN WATER CO. 235.99 3401  
84810 01/13/25 N0043 NAPA AUTO PARTS 745.15 3401  
84811 01/13/25 N0070 MARSH & MCLENNAN AGENCY, LLC 2,000.00 3401  
84812 01/13/25 N0094 NEW JERSEY PLANNING OFFICIALS 370.00 3401  
84813 01/13/25 N0100 N.J. LEAGUE OF MUNICIPALITIES 1,053.00 3401  
84814 01/13/25 N0143 NATIONAL TIME SYSTEMS 1,694.80 3401  
84815 01/13/25 N0154 NEW HORIZON COMMUNICATIONS 1,132.88 3401  
84816 01/13/25 O0006 SJSHORE MARKETING,LLC 155.00 3401  
84817 01/13/25 O0055 OCEAN COUNTY UTILITIES AUTHORI 4,780.20 3401  
84818 01/13/25 O0066 OCHS Girls Soccer 300.00 3401  
84819 01/13/25 O0067 OCHS Boys Soccer 300.00 3401  
84820 01/13/25 O0076 OCHS Color Guard Boosters 300.00 3401  
84821 01/13/25 P0032 PEDRONI FUEL CO. 3,033.97 3401  
84822 01/13/25 P0214 PROSHRED SOUTHERN NEW JERSEY 825.00 3401  
84823 01/13/25 Q0014 QBE SPECIALTY INSURANCE CO. 46,363.30 3401  
84824 01/13/25 R0030 RIGGINS, INC. 0.00 01/13/25 VOID 0  
84825 01/13/25 R0030 RIGGINS, INC. 11,499.62 3401  
84826 01/13/25 R0100 ROBERTS OXYGEN COMPANY, INC. 111.00 3401  
84827 01/13/25 S0031 SCHULER SECURITY, INC. 195.00 3401  
84828 01/13/25 S0056 SEASHORE ASPHALT CORPORATION 1,192.18 3401  
84829 01/13/25 S0108 SJNIGP 100.00 3401  
84830 01/13/25 S0113 SMITH,THOMAS G. 2,664.50 3401  
84831 01/13/25 S0134 SO. JERSEY GAS COMPANY 4,985.50 3401  
84832 01/13/25 S0139 SOUTH JERSEY WATER COND SERV 241.00 3401  
84833 01/13/25 S0196 STEWART BUSINESS SYSTEMS LLC 274.40 3401  
84834 01/13/25 S0253 SAMPLE MEDIA, INC. 116.00 3401  
84835 01/13/25 S0292 SURENIAN EDWARDS BUZAK & NOLAN 5,137.00 3401  
84836 01/13/25 S0363 STARR SEPTIC, LLC. 360.00 3401  
84837 01/13/25 S0377 SHONE, JOSEPH 239.95 3401  
84838 01/13/25 S0397 SORENSEN, MICHAEL A. 500.00 3401  
84839 01/13/25 S0412 SPATIAL DATA LOGIC LLC 16,800.00 3401  
84840 01/13/25 S0413 S & S PIZZA, LLC 2,780.00 3401  
84841 01/13/25 T0032 THE PRESS OF ATLANTIC CITY 525.48 3401  
84842 01/13/25 T0067 TOWNSHIP OF UPPER PETTY CASH 100.00 3401  
84843 01/13/25 T0159 TRIAD ADVISORY SERVICES, INC. 1,931.25 3401  
84844 01/13/25 T0168 TOWNSHIP OF UPPER 410.70 3401  
84845 01/13/25 T0180 TRI-COUNTY PEST CONTROL, INC 25.00 3401  
84846 01/13/25 T0213 TREASURER, STATE OF NEW JERSEY 156,122.88 3401  
84847 01/13/25 U0067 UT HEALTH REIMB. ACCOUNT 12,111.64 3401  
84848 01/13/25 V0013 VERIZON WIRELESS 962.46 3401  
84849 01/13/25 V0022 VERIZON 536.43 3401  
84850 01/13/25 V0025 V.E. RALPH & SON,INC. 928.78 3401  
84851 01/13/25 V0052 VIKING TERMITE & PEST CONTROL 69.28 3401  
84852 01/13/25 W0050 MOTOROLA SOLUTIONS INC. 711,768.30 3401  
84853 01/13/25 X0008 XEROX FINANCIAL SERVICES 210.99 3401  
Total: \$1,243,659.21