

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR APRIL 14, 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 April 11, 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 Joe Verruni.

APPROVAL OF MINUTES - March 24, 2025 Regular and Closed Session Minutes

Motion by Zachary Palombo, second by Tyler Casaccio, to approve the March 24, 2025 Regular and Closed Session Minutes as submitted. During roll call vote five Committee members voted in the affirmative.

REPORT OF GOVERNING BODY MEMBERS

Victor Nappen, Committeeman, reported that he attended the Easter Egg hunt with his family, and it was a wonderful event. He next reported that he has created a simple easy to read recap of the Committee meetings which will be posted on the Township’s Facebook page each month.

Samuel Palombo, Committeeman, reported that the Easter Egg hunt was a wonderful success and thanked all involved. He next reported that the Township has received a Local Recreation Improvement grant award in the amount of \$86,000.00 which will be used for the athletic court improvement project at Caldwell Park.

Tyler Casaccio, Committeeman, reported that after a very productive meeting the owners of the Cedar Square shopping center have been working towards making improvements to the property and have committed to filling the vacancies at the center.

Zachary Palombo, Committeeman, reported that Township Offices will be closed on Good Friday. Friday's trash and recycling will be collected on Monday. He then requested the Superintendent of Public Works Craig Reeves to give a brief report on loose leaf, brush, and compost material collection procedures. He next reported on the continuing erosion on Strathmere beach and the closure of crossovers. Lastly, he thanked Public Works and Recreation for their work with the Easter Egg hunt.

Curtis Corson, Mayor, reported that the Township received \$19,500.00 in use of facility fees from the Spielberg movie production. The production also gave a \$2,000 donation to the Recreation Trust Fund, and a \$6,225 donation to the Rescue Squad.

PERSONNEL MATTER

The Municipal Attorney reported that a personnel matter had been placed on the agenda for discussion in closed session. Upon the receipt of the required Rice notice, employee Rhonda Sharp requested that the matter be discussed in open session. The Temporary Administrator then reported that Rhonda Sharp submitted her resignation from her stipend position as Personnel Officer effective immediately. He requested that the Committee work to find a replacement for the position as soon as possible. The resignation was accepted without comment.

ADMINISTRATOR OVERVIEW

Joe Verruni, Temporary Administrator, requested approval for the EMS Chief to attend a 5 day training session from June 2nd to June 6th at a cost of \$650.00. Motion by Victor Nappen, second by Tyler Casaccio, to approve the request. During roll call vote all five Committee members voted in the affirmative. Mr. Verruni next reported on the beach crossover closures and stated that the Township's Joint Insurance Fund is reviewing the Township's proposed signage to prevent access to the beach.

John Amenhauser, Municipal Attorney, reported that the Township recently received a letter from ACT Engineers related to the Beesley's Point Development Group and the project at the former BL England property. He stated that the Beesley's Point Development Group through ACT engineers will be sending a notice of a NJDEP CAFRA permit application to all property owners within 200 feet of the project. This permit is not issued from the Township but is one of many layers of administrative approvals needed for the proposed development. The notice includes a reduce sized concept plan of the proposed development. He stressed that the concept plan has not been approved by the Township and is subject to change. This concept plan is being submitted as part of the CAFRA permit application only.

Ryan MacNeill, Township Engineer, reported that the Township did receive a Local Recreation Improvement grant in the amount of \$86,000. Those funds will be added to the athletic court resurfacing project budget to allow for an expanded pickle ball area. The plans for the project are currently in internal review with construction anticipated in June.

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

There was no public comment on the agenda items.

2025 BUDGET

1. Public hearing and final adoption of Ordinance No. 001-2025 RE: CALENDAR YEAR 2025 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14). **During the public hearing portion there were no speakers. Motion by Victor Nappen, second by Zachary Palombo to adopt Ordinance No. 001-2025. During roll call vote all five Committee members voted in the affirmative.**

**TOWNSHIP OF UPPER
CALENDAR YEAR 2025
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

ORDINANCE NO. 001-2025

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to **2.5%** unless authorized by ordinance to increase it to **3.5%** over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the **3.5%** percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Upper in the County of Cape May finds it advisable and necessary to increase its CY 2025 budget by up to **3.5%** over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee of the Township of Upper hereby determines that a **1.0 %** increase in the budget for said year, amounting to **\$134,463.73** in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee of the Township of Upper hereby determines that any amount authorized hereinabove that is not appropriated, as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Upper, in the County of Cape May a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2025 budget year, the final appropriations of the Township of Upper shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by **3.5 %**, amounting to **\$470,622.76** and that the CY 2025 municipal budget for the Township of Upper be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 10TH DAY OF MARCH, 2025 AT THE TOWNSHIP HALL, AND WAS TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 14TH DAY OF APRIL, 2025 AT 5:30 P.M. AT THE TOWNSHIP HALL, PETERSBURG, NEW JERSEY, AT WHICH TIME SAID ORDINANCE WAS ADOPTED.

JOANNE R. HERRON, TOWNSHIP CLERK
TOWNSHIP OF UPPER

2. Authorizing the reading of the 2025 Annual Municipal Budget by title only.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 108-2025

**RE: AUTHORIZING THE READING OF THE 2025
ANNUAL MUNICIPAL BUDGET BY TITLE ONLY**

WHEREAS, N.J.S.A. 40:A4-8 authorizes the reading of the budget by title only at the public hearing thereon, provided certain requirements are met; and

WHEREAS, the Township Committee of the Township of Upper is satisfied that such conditions have been satisfied.

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 majority of the full membership concurring, as follows:

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township Committee of the Township of Upper finds and determines that:

A. At least one (1) week prior to the date of this hearing, a complete copy of the approved budget, as advertised, was posted on the Upper Township Website and in the Township Hall, the principal municipal building of the municipality, and was made available to each person requesting the same during the week immediately preceding the public hearing and is available to each person requesting a copy during the public hearing, as required by N.J.S.A. 40A:4-8.

B. The Township Committee of the Township of Upper hereby determines and declares that the conditions set forth in subsection 1.a and 1.b of N.J.S.A. 40A:4-8 have been met.

C. The Township Committee of the Township of Upper hereby determines that the 2025 Municipal Budget of the Township of Upper shall be read by its title only at the public hearing to be conducted

thereon.

Resolution No. 108-2025

Offered by: Casaccio

Seconded by: Z. Palombo

Adopted: April 14, 2025

Roll Call Vote:

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

3. 2025 Budget - Public Hearing.

Chief Financial Officer Barbara Ludy presented a budget slideshow and stated that the 2025 budget will increase \$594,385 or 2.9 cents with the major factor for the increase being the loss of \$645,000 in state aid. She stated that for the average house assessed at \$290,248 the increase will equate to an additional \$7.25 per month. She further stated that of the 45 million in taxes collected, the Township receives 6.2 million or 13.62 %. The remaining taxes go to the fire districts (4.82%), County (14.69%), and Schools (66.87%).

Mr. Costello stated that the loss of State Aid was felt by every Municipality and all are in the same position with a need for an increase this year. He stated that the Township is financially stable and this decrease in state aid will not impact next year’s budget.

Mayor Corson then opened the public hearing. During the public hearing there were the following speakers:

Nathalie Neiss, Petersburg, inquired as to how the Committee participated in the budget. Mayor Corson stated that in January each Committee member met with Mr. Costello and the CFO and reviewed each budget line item.

Blanch Adams, Steelmantown, inquired on the impact the development of Beesley’s Point will have on the budget. It was stated that the development of the former BL England property will positively impact the budget.

Mayor Corson then closed the public hearing.

The Clerk read the following resolution into the record:

Resolution No. 109-2025 - Be it Resolved by the Township Committee of the Township of Upper, County of Cape May, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$6,212,542.99 for municipal purposes.

Motion by Zachary Palombo, second by Tyler Casaccio, to adopt the 2025 Budget. During roll call vote all five Committee members voted in the affirmative.

4. Local Unit Budget Examination.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY**

RESOLUTION

RESOLUTION NO. 110-2025

LOCAL UNIT BUDGET EXAMINATION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7 through 7.5 the Township of Upper has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township of Upper meets the necessary conditions to participate in the program for the 2025 budget year.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, County of Cape May, that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officers' certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- a. Payment of interest and debt redemption charges
- b. Deferred charges and statutory expenditures
- c. Cash deficit of preceding year
- d. Reserve for uncollected taxes
- e. Other reserves and non-disbursement items
- f. Any inclusions of amount required for school purposes

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with "CAP" law.)

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate, and correctly stated.
- b. Items of appropriation are properly set forth.
- c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provision of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

Resolution No. 110-2025

Offered By: Z. Palombo

Seconded By: Casaccio

Adopted: April 14, 2025

Roll Call Vote:

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

CERTIFICATION OF APPROVED BUDGET

It is hereby certified that the Approved Budget complies with the requirements of the law and approval is given pursuant to N.J.S.A. 40A: 4-78(b) and N.J.A.C. 5:30-7.

It is further certified that the municipality has met the eligibility requirements of N.J.A.C. 5:30-7.4 and 7.5, and that I, as Chief Financial Officer, have completed the local examination in compliance with N.J.A.C. 5:30-7.6.

This certification form and resolution of the governing body executing such certification should be annexed to the adopted budget (N.J.A.C. 5:30-7.6(e)).

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

- 5. Animal Control
- 6. Clerk's Office
- 7. Construction Code
- 8. Division of EMS
- 9. Finance Office
- 10. MUA Report
- 11. Municipal Court
- 12. Public Works
- 13. Tax Collector

RESOLUTIONS TO BE APPROVED BY CONSENT

- 14. Congratulating the Upper Township Basketball Association's 8th Grade Girls Team on winning the South Shore Basketball League Championship.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 111-2025

**RE: CONGRATULATING THE UPPER TOWNSHIP BASKETBALL ASSOCIATION'S
8TH GRADE GIRLS TEAM ON WINNING
THE SOUTH SHORE BASKETBALL LEAGUE CHAMPIONSHIP**

WHEREAS, the Upper Township Basketball Association's 8th Grade Girls Team had an outstanding 2025 season, culminating with becoming the 8th Grade Girls 2025 South Shore Basketball League Champions; and

WHEREAS, the team finished the regular season with an impressive 19-5 record; and

WHEREAS, on March 8, 2025, the Upper Township Basketball Association participated in the 2025 South Shore Basketball League Championship games held at the Wildwood Crest Pier Recreation Center; and

WHEREAS, in the final championship game against North Wildwood the Upper Township 8th Grade Girls Team dominated for the win with a score of 39 to 21; and

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

Carymn Schiemer
Mya Dever
Brecklyn Foley
Carolena Polo
Maeve Daily
Ciara Cortes
Holly DeLong

WHEREAS, we also extend our recognition and appreciation to those that have generously given their personal time and service to coach this team, Don Polo and Brian Foley.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee on behalf of the citizens of the Township of Upper, that we extend to the Upper Township Basketball Association’s 8th Grade Girls Team congratulations on winning the South Shore Basketball League Championship, and to the coaches our heartfelt gratitude for the generous donation of their time and service to the young people of this community.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 14th day of April 2025.

Resolution No. 111-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: April 14, 2025

Roll Call Vote:

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

15. Authorizing the award of a professional services contract with the Coastal Research Center at Stockton University for shoreline monitoring and consulting services for beach related issues.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 112-2025

**RE: AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT
WITH THE COASTAL RESEARCH CENTER AT STOCKTON UNIVERSITY
FOR SHORELINE MONITORING AND CONSULTING SERVICES
FOR BEACH RELATED ISSUES**

WHEREAS, the Township of Upper has received a proposal from the Coastal Research Center at Stockton University, which outlines shoreline monitoring services to be performed on behalf of the Township during the calendar year 2025 and provides a rate schedule for the services to be provided; and

WHEREAS, the Township Committee has considered this matter and has determined that it is in the best interest of the Township to authorize a Professional Services Contract as hereinafter provided; and

WHEREAS, the Township Solicitor has determined that the services to be provided are professional services and that a contract may be awarded without competitive bid; and

WHEREAS, the Chief Financial Officer has certified the availability of funds to permit the Township to enter into a Professional Services Contract; and

WHEREAS, a Business Entity Disclosure Certification is not required since this contract is with an agency of the state government; and

WHEREAS, the Township has decided to acquire the services of the Coastal Research Center at Stockton University as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The proposal of the Coastal Research Center at Stockton University (hereinafter referred to as “Contractor”), is hereby accepted, subject to the provisions of this Resolution.
3. The Mayor and Township Clerk are hereby authorized, directed and empowered to enter into a Professional Services Contract with the Contractor aforesaid for a one (1) year term commencing January 1, 2025. The Township Clerk is further authorized, directed and empowered to seal said Contract with the seal of the Township of Upper.
4. The Township Clerk shall cause a Notice of Award of this Contract to be published in the official newspaper of the Township as required by N.J.S.A. 40A:11-5.

5. This Contract is a Professional Services Contract and has been awarded without competitive bidding for the following reasons:

(A) The services required are highly specialized or technical in nature;

(B) The services require peculiar ability or skill, and demand a high degree of specialized knowledge or expertise;

(C) The services required are professional services and/or unspecified extraordinary services within the meaning of N.J.S.A. 40A:11-5(a);

(D) The individual who will provide these services has demonstrated his competence and particular expertise in the services required; and

(E) The services to be provided are such that their nature, scope and duration are not capable of precise measurement, but rather require a flexibility and discretion that render competitive bidding impractical and inefficient.

6. A certified copy of this Resolution shall be provided to the Contractor.

7. This Resolution shall take effect immediately provided, however, that the Contract awarded herein shall be effective as of January 1, 2025.

Resolution No. 112-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: April 14, 2025

Roll Call Vote:

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

16. Authorizing a contract with Ancero, LLC for information technology services.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 113-2025

**RE: AUTHORIZING A CONTRACT WITH ANCERO, LLC FOR
INFORMATION TECHNOLOGY SERVICES**

WHEREAS, the Township of Upper has a need for Information Technology services; and

WHEREAS, Ancero, LLC has submitted a proposal to the Township to provide said services; and

WHEREAS, the Township wishes to accept said proposal and to authorize the execution of a contract with Ancero, LLC as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Ancero, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Ancero, LLC has not made any reportable contributions to a political or candidate committee in the Township that would bar the award of this contract and that the contract will prohibit Ancero, LLC from making any reportable contributions through the term of the contract; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Mayor and Township Clerk are hereby authorized, directed and empowered to execute a contract with Ancero, LLC with offices at 1001 Briggs Road, Suite 220, Mt. Laurel, New Jersey, to provide Information Technology services.
3. This contract shall have a term of one (1) year from date of full execution.
4. This Contract is awarded without competitive bidding as an Extraordinary Unspecifiable Services contract in accordance with N.J.S.A. 40A:11-5(1)(a)(ii) of the New Jersey Local Public Contract Law because the services provided by Ancero, LLC are specialized and qualitative in nature requiring expertise, extensive training and proven reputation in the field of endeavor, which is particularly valuable to the Township Committee, and this service is acquired as a non-fair and open contract pursuant to N.J.S.A. 19:44A-20.5

NOTICE OF CONTRACT AWARD

5. The Township Committee of the Township of Upper, State of New Jersey has awarded the contract without competitive bidding as an Extraordinary Unspecifiable Services contract pursuant to

N.J.S.A. 40A:11-5(1)(a)(ii) to Ancero, LLC for Information Technology services. This contract and the resolution authorizing same shall be available for public inspection in the office of the Municipal Clerk of the Township of Upper, State of New Jersey.

6. A certificate from the Chief Financial Officer of Upper Township showing the availability of adequate funds for this contract and showing the line-item appropriation of the official budget to which this contract will be properly charged has been provided to the governing body and shall be attached to this Resolution and kept in the files of the Municipal Clerk.

7. The contractor has registered with the State of New Jersey pursuant to c.57, Laws of 2004 and will provide proof of that registration to the Township of Upper.

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

9. This Resolution shall be effective as of adoption.

Resolution No. 113-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: April 14, 2025

Roll Call Vote:

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

17. Authorizing a contract with Trinity Code Inspections, LLC for interim building, electric, plumbing, and fire protection inspections and plan review services.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 114-2025

**RE: AUTHORIZING A CONTRACT WITH TRINITY CODE INSPECTIONS, LLC
FOR INTERIM BUILDING, ELECTRIC, PLUMBING, AND FIRE PROTECTION
INSPECTIONS AND PLAN REVIEW SERVICES**

WHEREAS, from time to time the Township requires interim building, electric, plumbing, and fire protection inspections and plan review services; and

WHEREAS, Trinity Code Inspections, LLC possesses the requisite skill and knowledge to perform these services; and

WHEREAS, a Resolution is required authorizing the award of a contract for professional services to Trinity Code Inspections, LLC as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Trinity Code Inspections, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Trinity Code Inspections, LLC has not made any reportable contributions to a political or candidate committee in the Township that would bar the award of this contract and that the contract will prohibit Trinity Code Inspections, LLC from making any reportable contributions through the term of the contract; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. Trinity Code Inspections, LLC with offices at 735 Shunpike Road, Cape May, New Jersey 08204, is hereby appointed to provide interim building, electric, plumbing, and fire protection inspections and plan review services.
3. This contract shall have a term of one (1) year commencing upon full execution.4. This Contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the New Jersey Local Public Contract Law because Trinity Code Inspections, LLC has professional knowledge as building, electric, plumbing, and fire protection inspections and plan review which knowledge is particularly valuable to the Township Committee.

NOTICE OF CONTRACT AWARD

5. The Township Committee of the Township of Upper, State of New Jersey has awarded the contract without competitive bidding as a professional service pursuant to N.J.S.A. 40A:11-5(1)(a) to Trinity Code Inspections, LLC. This contract and the resolution authorizing same shall be available for public inspection in the office of the Municipal Clerk of the Township of Upper, State of New Jersey.

6. A certificate from the Chief Financial Officer of Upper Township showing the availability of adequate funds for the contract and showing the line-item appropriation of the official budget to which the contract will be properly charged has been provided to the governing body and shall be attached to this Resolution and kept in the files of the Municipal Clerk.

7. The Mayor and the Township Clerk are hereby authorized and directed to execute, on behalf of the Township of Upper, a Professional Contract with Trinity Code Inspections, LLC in accordance with the terms and provisions of the Local Public Contracts Law, subject to and in accordance with the limitations imposed herein. Upon execution of all parties thereto said contract shall become effective.

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

9. This Resolution shall be effective as of adoption.

Resolution No. 114-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: April 14, 2025

Roll Call Vote:

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

18. Authorizing a contract with CASA Payroll Services, LLC.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 115-2025

RE: AUTHORIZING A CONTRACT WITH CASA PAYROLL SERVICES, LLC

WHEREAS, CASA Payroll Services, LLC (“CASA”) has submitted a proposal to the Township for payroll services; and

WHEREAS, N.J.A.C. 5:30-17.3 et seq. provides for electronic disbursement controls for payroll purposes and applies to entities which execute disbursements from and/or take possession of municipal bank accounts or funds; and

WHEREAS, the proposal of CASA does not permit CASA to execute disbursements from the Township’s bank account or give CASA possession of Township funds and as such N.J.A.C. 5:30-17.3 et seq. does not apply; and

WHEREAS, the Township wishes to accept said proposal and to authorize a contract with CASA; and

WHEREAS, the proposal has been reviewed and approved by the Municipal Attorney and will be on record in the office of the Township Clerk and available for public inspection; and

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 enter into a contract with CASA attached hereto as Exhibit “A”, to provide payroll service within the Township of Upper.
3. CASA 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.
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. 115-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: April 14, 2025

Roll Call Vote:

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

19. Authorizing a contract with CASA Reporting Services, LLC for Affordable Care Act reporting services.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 116-2025

**RE: AUTHORIZING A CONTRACT WITH CASA REPORTING SERVICES, LLC FOR
AFFORDABLE CARE ACT REPORTING SERVICES**

WHEREAS, the Affordable Care Act requires employers with 50 or more full-time employees to file annual information returns with the IRS and furnish statements to employees on healthcare plan coverage information; and

WHEREAS, CASA Reporting Services, LLC (“CRS”) has submitted a proposal to the Township for Affordable Care Act reporting services; and

WHEREAS, the Township wishes to accept said proposal and to authorize a contract with CRS; and

WHEREAS, the proposal has been reviewed and approved by the Municipal Attorney and will be on record in the office of the Township Clerk and available for public inspection; and

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 enter into a contract with CRS attached hereto as Exhibit “A”, to provide Affordable Care Act reporting services within the Township of Upper.
3. CRS 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.
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. 116-2025
Offered by: Nappen
Adopted: April 14, 2025

Seconded by: Casaccio

Roll Call Vote:

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

20. Authorizing the award of a contract with Campbell Supply Company for parts and equipment.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 117-2025

**RE: AUTHORIZING THE AWARD OF A CONTRACT WITH
CAMPBELL SUPPLY COMPANY FOR PARTS AND EQUIPMENT**

WHEREAS, from time to time the Township of Upper has a need to purchase construction parts and equipment from Campbell Supply Company as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Qualified Purchasing Agent has determined and certified in writing that the value of acquisitions with Campbell Supply Company for the year 2025 will exceed \$17,500 and a contract pursuant to N.J.S.A. 19:44A-20.5 is required; and

WHEREAS, Campbell Supply Company has completed and submitted a Business Entity Disclosure Certification which certifies that Campbell Supply Company has not made any reportable contributions to a political or candidate committee in the Township in the previous one year, and that the contract will prohibit Campbell Supply Company from making any reportable contributions through the term of the contract; and

WHEREAS, the total amount to be paid for the goods and/or services will not exceed the bid threshold of the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-3) and the contract has been approved by the Township's Qualified Purchasing Agent; and

WHEREAS, the Chief Financial Officer of the Township has certified the availability of funds to allow the award of contract for the purchase herein authorized and has certified that adequate funds

have been appropriated for this purpose in the 2025 Municipal Budget.

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, County of Cape May, New Jersey hereby authorizes the Qualified Purchasing Agent to enter into a contract with Campbell Supply Company as described herein.

3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

4. The Chief Financial Officer is hereby authorized, directed and empowered to execute any and all necessary documents in order to implement the intent of this Resolution.

Resolution No. 117-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: April 14, 2025

Roll Call Vote:

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

21. Authorizing a Memorandum of Understanding with the Strathmere Fishing & Environmental Association with regard to funding for the Strathmere Living Shoreline Marsh Sill Project.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 118-2025

RE: AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH THE STRATHMERE FISHING & ENVIRONMENTAL ASSOCIATION WITH REGARD TO FUNDING FOR THE STRATHMERE LIVING SHORELINE MARSH SILL PROJECT

WHEREAS, the Township of Upper is preparing to commence the project known as the Strathmere Living Shoreline Marsh Sill Project located at the marsh shoreline at the southern end of Bayview Drive; and

WHEREAS, the Strathmere Fishing & Environmental Association, (“SFEA”) has been awarded a grant from the National Oceanic and Atmospheric Administration in the amount of \$1,500,000.00 for shoreline protection purposes; and

WHEREAS, the SFEA has generously offered to partner with the Township of Upper, and upon the award of the grant funding referenced above, will provide a portion of said grant monies to the Township towards the costs of engineering services and the construction of the Strathmere Living Shoreline Marsh Sill Project; and

WHEREAS, a Memorandum of Understanding has been prepared setting forth the obligations of the Township of Upper and the SFEA with respect to the matters described herein; 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 is hereby authorized to sign the attached Memorandum of Understanding with the Strathmere Fishing & Environmental Association.
3. All Township officers and representatives are hereby authorized to take such action as necessary to carry out the intent and purpose of this resolution.

Resolution No. 118-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: April 14, 2025

Roll Call Vote:

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

22. Appointing the 2025 season Beach Patrol personnel.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY**

RESOLUTION

RESOLUTION NO. 120-2025

**RE: AMENDING RESOLUTION NO. 012-2025
ESTABLISHING SALARIES FOR VARIOUS OFFICERS AND EMPLOYEES**

WHEREAS, Resolution No. 012-2025 fixed the 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. 012-2025; 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. 012-2025 is hereby amended to reflect the positions and salary for Jacob Spiegel effective April 4, 2025 in accordance with the Salary Ordinance as follows:

Spiegel effective April 4, 2025 in accordance with the Salary Ordinance as follows:

NAME	POSITION	SALARY
Jacob Spiegel	Fire Protection Sub-Code Official	\$40,000.00
	Mechanical Sub-Code Official	No Salary on
	Lead Inspector	these titles
	Temporary Construction Official	
	Temporary Building Sub-Code Official	
	Temporary Plumbing Sub-Code Official	

3. The annual salary for Jacob Spiegel shall increase in the amount of \$8,000.00 upon completion of the necessary plumbing hours and awarded Plumbing Sub-Code Official license from the New Jersey Department of Community Affairs, and such other terms and conditions of employment as set forth in an employment agreement between the Township of Upper and Jacob Spiegel.

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. 120-2025

Offered by: Nappen

Seconded by: Casaccop

Adopted: April 14, 2025

Roll Call Vote:

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

24. Accepting a donation in the amount of \$1,900.00 for the purchase of concrete to be used for the disc golf course at Amanda’s Field.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 121-2025

**RE: ACCEPTING A DONATION IN THE AMOUNT OF \$1,900.00
FOR THE PURCHASE OF CONCRETE TO BE USED FOR THE
DISC GOLF COURSE AT AMANDA’S FIELD**

WHEREAS, Disc Print, Inc. has generously offered to donate the cost of concrete for the installation of Tee Pads located on the Disc Golf course at Amanda’s Field to the Township of Upper for use by the Upper Township residents, and visitors; and

WHEREAS, the Township of Upper deems it in the best interest of the Township and the Township will best be served by the acceptance of these funds in the amount of \$1,900.00; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township of Upper hereby accepts the donation of these funds from Disc Print, Inc., subject to any and all recommendations of the Solicitor and Risk Management Consultant of the Township.
3. The Township shall not be responsible for damage to, destruction of, or loss of the Tee Pads, and the Township is not responsible for replacement of the Tee Pads for any reason.
4. The Township Committee hereby authorizes the Mayor, CFO, and Township Administrator to execute any documents necessary, and otherwise perform all acts necessary to accomplish the intent of this resolution.

Resolution No. 121-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: April 14, 2025

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

25. Authorizing the disposal of personal property with no market value.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 122-2025

**RE: AUTHORIZING THE DISPOSAL OF PERSONAL PROPERTY
WITH NO MARKET VALUE**

WHEREAS, N.J.S.A. 40A:11-36 authorizes a municipality to sell or dispose of certain personal property or equipment which is not needed for public use; and

WHEREAS, the Township of Upper determines that the property and equipment set forth on Exhibit A attached hereto is not needed for public use and has no market value, and should be disposed of.

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 property and equipment aforementioned on Exhibit A hereto is hereby determined to be useless for any public purpose and is also determined to be of no market value such that the Township Committee directs its disposal.
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. 122-2025

Offered By: Nappen

Seconded By: Casaccio

Adopted: April 14, 2025

Roll Call Vote:

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

EXHIBIT "A"

<u>Asset No.</u>	<u>Division No.</u>	<u>Identifying Information</u>
63	20-120	Desk Assembly
245	25-260	1994 Trailer Serial No. 1WC200J22R1066448
282	20-117	Dell Computer-CPU Server Serial No. JWDMS22
283	20-117	Dell Computer-CPU Server Serial No. JV84R22
122	20-110	Lenova Computer-CPU Laptop Serial No. J1001CUSLR09LSJJ
118	20-165	Samsung Computer-CPU Tablet Serial No. 1344R52J5000CGH
98	20-165	Ricoh Printer-Blueprint Wide Format Serial No. A7820050034
90	20-130	Hewlett Packard Printer-Laser Serial No. JPRGL28711
119	20-117	Dell Powervault Controller Serial No. 5563D42
281	20-117	Tripp Lite UPS-Smart Rackmount AVR Serial No. 2421CY0SM71150037
333	28-372	NSS Floor Scrubber Machine Serial No. 04036807
48	26-290	1995 Toro Riding Mower Serial No. 119U612S6N016851

26. Requesting a six-month extension from the New Jersey Department of Transportation for the FY2023 Municipal Aid Program Grant for the Reconstruction of Putnam Avenue project.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY**

RESOLUTION

RESOLUTION NO. 123-2025

REQUESTING A SIX-MONTH EXTENSION FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE FY2023 MUNICIPAL AID PROGRAM GRANT FOR THE RECONSTRUCTION OF PUTNAM AVENUE PROJECT

WHEREAS, the Township of Upper is the recipient of a New Jersey Department of Transportation (NJDOT) FY2023 Municipal Aid Program grant in the amount of \$153,085.00 for the Reconstruction of Putnam Avenue project pursuant to a letter dated November 23, 2022; and

WHEREAS, the Township is currently working to obtain all required approvals for the project prior to initiating project advertisement and then awarding the project.

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 formally requests from the NJDOT a six-month extension to the FY2023 Municipal Aid Program grant award for the Reconstruction of Putnam Avenue project.

Resolution No. 123-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: April 14, 2025

Roll Call Vote:

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

27. Approving the application of the Seaville Fire Rescue Company for highway coin drops.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 124-2025

**RE: APPROVING THE APPLICATION OF THE SEAVILLE
FIRE RESCUE COMPANY FOR HIGHWAY COIN DROPS**

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

WHEREAS, approval is required from the Township of Upper and the State of New Jersey; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The application of the Seaville Fire Rescue Company to hold coin drops within the

Township of Upper is hereby approved for the following locations and dates:

Intersection of Route 50 & US Route 9 on
Saturday, May 24, 2025 from 9:00 a.m. to 3:00 p.m.
and
Saturday, August 30, 2025 from 9:00 a.m. to 3:00 p.m.

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

Resolution No. 124-2025
Offered by: Nappen
Adopted: April 14, 2025
Roll Call Vote:

Seconded by: Casaccio

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

ORDINANCES

CORRESPONDENCE

NEW BUSINESS

28. Steelmantown Church, a NJ nonprofit corp., request to purchase Township owned land Block 10, Lot 175. The Engineer reported that the Township’s lot is undersized and is not needed for any public purpose. Motion by **Zachary Palombo, second by Victor Nappen, to move forward with the request to obtain an appraisal and bring an Ordinance back for introduction at a future meeting. During roll call vote all five Committee members voted in the affirmative.**
29. Upper Township Democratic Club request to use the Upper Township Senior Center for monthly meetings. **Motion by Tyler Casaccio, second by Victor Nappen, to approve the request. During roll call vote all five Committee members voted in the affirmative.**

UNFINISHED BUSINESS

PAYMENT OF BILLS

30. “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 three Committee members voted in the affirmative. Committeeman Casaccio recused himself from voting on PO #25-00185, PO #25-00173, and PO #25-00222, and voted in the affirmative on the remaining items. Committeeman Nappen recused himself from voting on PO#25-00516, and voted in the affirmative on the remaining items.**

Bills approved for payment: **\$1,026,956.72**
Payroll: **\$212,938.33**

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

There was no public comment.

CLOSED SESSION

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

**RESOLUTION NO. 125-2025
MOTION GOING INTO CLOSED SESSION
APRIL 14, 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 - Tax Map Maintenance services
2. Contract negotiation - Engineering services
3. Contract negotiation - CMC MUA Host Community Benefit Agreement
4. Personnel

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.
- C. With respect to employment and personnel matters such discussions will be made public if and when formal action is taken or when the individuals involved consent that it can be made public.

Moved by: Zachary Palombo

Motion seconded by: Victor Nappen

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

RECONVENE PUBLIC PORTION OF MEETING

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

RESOLUTIONS TO BE ADOPTED AFTER CLOSED SESSION

- 32. Authorizing Consulting and Municipal Engineers, LLC to perform additional professional engineering services for the Reconstruction of Putnam Avenue project. **No action was taken on this resolution.**
- 33. Authorizing a Host Community Benefit Agreement between the Township of Upper and the Cape May County Municipal Utilities Authority.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 126-2025

RE: AUTHORIZING A HOST COMMUNITY BENEFIT AGREEMENT BETWEEN THE TOWNSHIP OF UPPER AND THE CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY

WHEREAS, the Cape May County Municipal Utilities Authority (“CMCMUA”) operates a solid waste complex located on the border of the Borough of Woodbine and the Township of Upper, in Cape May County, New Jersey; and

WHEREAS, said solid waste complex has been sited at said location pursuant to the “Cape May Solid Waste Management Plan”, as amended and adopted by the Cape May County Board of County Commissioners and approved by the New Jersey Department of Environmental Protection; and

WHEREAS, the Township of Upper is a host community for CMCMUA’s solid waste complex; and

WHEREAS, New Jersey Statutes (N.J.S.A. 13:1E-28) provide that a municipality within which an approved solid waste facility is located shall be entitled to an annual economic benefit in consideration of the amount of solid waste accepted for transfer or disposal at said facility; and

WHEREAS, the Township of Upper and CMCMUA have periodically entered into agreements since 1993 regarding an annual host community benefit to be paid by the CMCMUA to Upper Township for serving as a host community for CMCMUA’s solid waste complex; and

WHEREAS, the Township of Upper wishes to enter into a five year Host Community Benefit Agreement with the CMCMUA, effective January 1, 2026; 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 to sign the attached Host Community Benefit Agreement.
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. 126-2025

Offered by: Z. Palombo

Seconded by: Casaccio

Adopted: April 14, 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 8:47 P.M., with a motion by Zachary Palombo, second by Tyler Casaccio, and all five Committee members voting in the affirmative. The next regular Committee meeting is scheduled for April 28, 2025 at 5:30 P.M.

Minutes prepared by,

Joanne R. Herron, RMC
Township Clerk

Bills

85290 04/14/25 A0017 ATLANTIC CO. MUNICIPAL JIF 148,116.00 3417
85291 04/14/25 A0091 ATLANTIC CITY ELECTRIC 33,727.76 3417
85292 04/14/25 A0117 AT&T 418.28 3417
85293 04/14/25 A0176 ACTION FLAG COMPANY 1,072.94 3417
85294 04/14/25 A0191 ACTION UNIFORM CO. LLC 129.00 3417
85295 04/14/25 A0212 ANCERO, LLC 1,290.41 3417
85296 04/14/25 A0231 ALL UNIQUE GIFTS, INC. 5,622.00 3417
85297 04/14/25 A0248 AIRESRING, INC. 1,227.60 3417
85298 04/14/25 A0258 ACCLAIM INVENTORY, LLC 2,500.00 3417
85299 04/14/25 A0260 AMENHAUSER, JOHN P. 7,500.00 3417
85300 04/14/25 B0032 BLANEY DONOHUE & WEINBERG, PC 1,225.00 3417
85301 04/14/25 B0035 BELMONT & CRYSTAL SPRINGS 164.02 3417
85302 04/14/25 B0076 BOND, LAURENCE E. 942.00 3417
85303 04/14/25 B0090 BROADLEY'S MDI 458.55 3417
85304 04/14/25 B0093 BARRY, CORRADO & GRASSI, PC 200.00 3417
85305 04/14/25 B0196 BRT TECHNOLOGIES LLC 5,050.08 3417
85306 04/14/25 B0220 BERGEY'S TRUCK CENTERS 477.02 3417
85307 04/14/25 B0287 BIGLEAF NETWORKS, INC. 697.00 3417
85308 04/14/25 B0288 KINGBARNES LLC 750.00 3417
85309 04/14/25 C0042 CAMPBELL SUPPLY COMPANY 1,251.99 3417
85310 04/14/25 C0046 CAPE MAY COUNTY CLERK 26.00 3417
85311 04/14/25 C0068 COMCAST 1,147.29 3417
85312 04/14/25 C0072 CATERINA SUPPLY INC. 38.00 3417
85313 04/14/25 C0091 CHISHOLM, JOHN R. 59.99 3417
85314 04/14/25 C0223 CASA PAYROLL SERVICE 523.50 3417
85315 04/14/25 C0305 CM3 BUILDING SOLUTIONS, INC. 805.00 3417
85316 04/14/25 C0346 CME ASSOCIATES 52,574.08 3417
85317 04/14/25 D0149 DANZIGER & MARKOFF, LLP 2,550.00 3417
85318 04/14/25 D0186 DOCUTREND IMAGING SOLUTIONS 107.18 3417
85319 04/14/25 D0237 KERRY SCALFARO 125.00 3417
85320 04/14/25 D0251 THE DEWEESE LAW FIRM, P.C. 7,840.00 3417
85321 04/14/25 E0012 EHRlich PEST CONTROL INC 138.58 3417
85322 04/14/25 F0048 LESLIE G. FOGG INC 491.50 3417
85323 04/14/25 G0012 GANN LAW BOOKS 129.00 3417
85324 04/14/25 G0092 GRUND, BARBARA J. 320.69 3417
85325 04/14/25 G0120 PATRICK F. MARTIN 2,500.00 3417
85326 04/14/25 G0147 GREATAMERICA FINANCIAL SVCS. 217.00 3417
85327 04/14/25 G0182 GOLDENBERG, MACKLER & SAYEGH 2,070.33 3417
85328 04/14/25 G0207 GORMAN D'ANELLA & MORLOCK LLC 231.00 3417
85329 04/14/25 G0210 GLASS, GARY M. 3,000.00 3417
85330 04/14/25 H0002 H.A. DEHART & SON CORP. 881.15 3417
85331 04/14/25 H0073 HOME DEPOT CRC/GECF 137.13 3417
85332 04/14/25 H0180 HD SUPPLY FACILITIES MANT 63.47 3417
85333 04/14/25 I0016 INSTITUTE FOR PROF DEVELOPMENT 50.00 3417
85334 04/14/25 J0024 JERSEY CAPE DIAGNOSTIC 2,800.00 3417
85335 04/14/25 J0318 JERSEY PROFESSIONAL MANAGEMENT 15,009.50 3417
85336 04/14/25 L0031 LORCO PETROLEUM SERVICES 225.00 3417
85337 04/14/25 L0043 LEE RAIN, INC. 185.43 3417
85338 04/14/25 L0075 LEXISNEXIS 422.00 3417
85339 04/14/25 M0035 MARMORA FIRE CO. DISTRICT #3 199,298.53 3417
85340 04/14/25 M0088 MC SYSTEMS SOFTWARE LLC 600.00 3417
85341 04/14/25 M0188 MCCARTHY TIRE SERVICE OF PHILA 2,189.11 3417
85342 04/14/25 N0004 NJ-AMERICAN WATER CO. 319.25 3417
85343 04/14/25 N0043 NAPA AUTO PARTS 954.40 3417
85344 04/14/25 N0052 NATL YOUTH SPORTS COACHED ASSN 346.00 3417

85345 04/14/25 N0154 NEW HORIZON COMMUNICATIONS 1,128.81 3417
85346 04/14/25 N0165 Nappen, Victor 31.75 3417
85347 04/14/25 N0170 NRAAO 40.00 3417
85348 04/14/25 P0032 PEDRONI FUEL CO. 2,727.77 3417
85349 04/14/25 P0056 TURF EQUIPMENT AND SUPPLY CO 1,130.17 3417
85350 04/14/25 R0030 RIGGINS, INC. 4,242.72 3417
85351 04/14/25 R0153 RIORDAN, BRIAN 6,000.00 3417
85352 04/14/25 S0018 SUBURBAN PROPANE, LP 764.03 3417
85353 04/14/25 S0035 SCHOPPY WILLIAM TROPHY CO. 23.90 3417
85354 04/14/25 S0057 SERVICE TIRE TRUCK CENTERS 2,764.01 3417
85355 04/14/25 S0065 SEAVILLE FIRE CO. DISTRICT #4 159,241.50 3417
85356 04/14/25 S0134 SO. JERSEY GAS COMPANY 3,187.95 3417
85357 04/14/25 S0270 HOFFMAN SERVICES, INC 2,046.40 3417
85358 04/14/25 S0292 SURENIAN EDWARDS BUZAK & NOLAN 340.20 3417
85359 04/14/25 T0080 TREASURER STATE OF N.J. 100.00 3417
85360 04/14/25 T0117 TUCKAHOE FIRE DISTRICT #2 144,500.00 3417
85361 04/14/25 T0159 TRIAD ADVISORY SERVICES, INC. 675.00 3417
85362 04/14/25 T0168 TOWNSHIP OF UPPER 411.04 3417
85363 04/14/25 T0192 MARSH & McLENNAN AGENCY/TRION 232.75 3417
85364 04/14/25 T0213 TREASURER, STATE OF NEW JERSEY 160,313.12 3417
85365 04/14/25 U0062 UNITED RENTALS N. AMERICA INC. 1,960.28 3417
85366 04/14/25 U0067 UT HEALTH REIMB. ACCOUNT 17,513.18 3417
85367 04/14/25 V0013 VERIZON WIRELESS 975.30 3417
85368 04/14/25 V0022 VERIZON 604.56 3417
85369 04/14/25 V0052 VIKING TERMITES & PEST CONTROL 136.06 3417
85370 04/14/25 W0087 W.B. MASON EGG HARBOR 96.78 3417
85371 04/14/25 W0135 THE LAW OFFICE OF BRANDON D 1,048.46 3417
85372 04/14/25 X0008 XEROX FINANCIAL SERVICES 215.91 3417
85373 04/14/25 Z0014 MIKE ZYNDORF, LLC 3,000.00 3417
85374 04/14/25 Z0017 ZOLL DATA SYSTEMS, INC. 310.31 3417
Total: \$1,026,956.72