

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR TUESDAY MAY 27, 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 May 23, 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 - May 12, 2025 Regular and Closed Session Minutes

Motion by Victor Nappen, second by Zachary Palombo, to approve the May 12, 2025 Regular and Closed Session Minutes as submitted. During roll call vote all five Committee members voted in the affirmative.

REPORT OF GOVERNING BODY MEMBERS

Zachary Palombo, Committeeman, reported that at the May 12th Committee meeting the Township approved by resolution to support the recertification of Cape May County as a Coast Guard Community. He encouraged residents to participate in the great local CMC Coast Guard Community events. He then thanked Public Works for the great job getting the beaches ready for the Memorial Day weekend. Lastly, he made a motion to authorize Public Works employee John Hope to attend classes for the Certified Public Works Manager state certification. The motion was seconded by Curtis Corson. During roll call vote all five Committee Members voted in the affirmative.

Tyler Casaccio, Committeeman, reported that he enjoyed attending the Memorial Day service at Osprey Point and that it was a very nice event for all who attended.

Samuel Palombo, Committeeman, reported he is looking forward to the Committee presenting a Resolution congratulating Upper Township Basketball Association’s 8th grade girls tonight. Next, he reported the Township’s Summer Celebration and Fireworks event will be held this year on June 28, 2025, at Amanda’s Field.

Victor Nappen, Deputy Mayor, reported the Committee will also be honoring Township EMTs with a presentation tonight. He then reported that he enjoyed attending the wonderful Memorial Day service at Osprey Point. Next, he sincerely thanked Joe Verruni for his work as temporary administrator and stated that it was great working with him. Lastly, he reported that the Township's website is being updated in the coming months.

Curtis Corson, Mayor, thanked Joe Verruni on the honor and pleasure of working with him, and stated that he is looking forward to a smooth transition with Jim Van Zlike starting on June 2. He then thanked Public Works on a stellar job on the beach access work. Lastly, he reported that he has received numerous complaints of dogs on the beach and warned that Code Enforcement will be enforcing the Township Ordinance of no dogs allowed on the beach.

ADMINISTRATOR OVERVIEW

Joe Verruni, Temporary Township Administrator, welcomed Jim Van Zlike, who he feels is ready to hit the ground running. He then thanked the Mayor and Township Committee for their support through this transition and making it a seamless process. Next, he thanked all the employees and professional staff for all of their help and stated that he enjoyed working with the residents who feel so strongly about the Township. Lastly, he requested authorization for 10 EMTs to attend training for an Emergency Pediatric Care course for a total cost of \$2,660.00. Motion by Victor Nappen, second by Curtis Corson, to approve the request. During roll call vote all five Committee Members voted in the affirmative.

Joanne Herron, Municipal Clerk, thanked Joe on his leadership through a difficult time.

Barbara Ludy, Chief Financial Officer, also thanked Joe for the pleasure of working with him and on his leadership through the transition.

Ryan MacNeill, Municipal Engineer, wished Joe all the best and thanked him for the great experience of working together. He then reported that the Athletic Court Fencing Improvement project is out to bid. Next, he reported that the Township has received DEP permitting on the Strathmere Living Shore Line project and gave a timeline for additional permitting needs and eventual bid and construction. Last he gave an update on the County's Mill Road paving project which is anticipated to start in mid to late June.

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

There was no public comment

PRESENTATIONS

1. 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:

Camryn 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			

2. Honoring Upper Township EMT Anthony Lamanna, EMT Ryan Schaefer, and Rescue Squad Volunteer Abrianna Hoover on receiving the Shore Medical Center Clinical Excellence Award.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 169-2025

**RE: HONORING UPPER TOWNSHIP EMT ANTHONY LAMANNA,
EMT RYAN SCHAEFER, AND RESCUE SQUAD VOLUNTEER
ABRIANNA HOOVER ON RECEIVING THE SHORE MEDICAL CENTER
CLINICAL EXCELLENCE AWARD**

WHEREAS, on December 29, 2024, our Upper Township EMS crew consisting of EMT Anthony Lamanna, EMT Ryan Schaefer, and Upper Township Rescue Squad volunteer Abrianna Hoover, responded to a critical respiratory emergency at a residence in Seaville; and

WHEREAS, upon arrival, the crew was informed that the patient had lost consciousness, and a bystander was attempting CPR; and

WHEREAS, the EMS team quickly confirmed that the patient was pulseless and immediately began lifesaving measures, including CPR, use of an AED, and assisted ventilations with a bag valve mask; and

WHEREAS, additional units arrived to assist with patient transport and the original EMS crew transported the patient to Shore Medical Center; and

WHEREAS, as a part of National EMS week, Shore Medical Center recognized this outstanding response during its EMS Awards Ceremony whereby EMT Anthony Lamanna, EMT Ryan Schaefer, and Rescue Squad volunteer Abrianna Hoover were presented with the Clinical Excellence Award, an honor based on feedback from the hospital's nursing staff regarding the high level of lifesaving care the patient received; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Upper, on behalf of our community, that we extend heartfelt congratulations and gratitude to Anthony, Ryan, and Abrianna for their dedication, professionalism, and exemplary service; and

IT IS FURTHER RESOLVED, that their swift actions reflect the very best of Upper Township EMS and the vital role our emergency responders perform every day.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 27th day of May, 2025.

Resolution No. 169-2025

Offered by: Corson

Seconded by: Nappen

Adopted: May 27, 2025

Roll Call Vote:

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

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

- 3. Animal Control
- 4. Public Works

RESOLUTIONS TO BE APPROVED BY CONSENT

- 5. Resolution and certification with respect to the 2024 annual audit and in compliance with the Local Finance Board of the State of New Jersey.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 170-2025

RESOLUTION AND CERTIFICATION WITH RESPECT TO THE 2024 ANNUAL AUDIT AND IN COMPLIANCE WITH THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY

WHEREAS, N.J.S.A. 40A:5-4 required the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year **2024** has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing

body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

GENERAL COMMENTS
AND
RECOMMENDATIONS

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

GENERAL COMMENTS
AND
RECOMMENDATIONS

as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S.52:27BB-52 -"A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE BE IT RESOLVED, that the governing body of the Township of Upper, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968, and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Resolution No. 170-2025
Offered by: Nappen

Seconded by: Casaccio

Adopted: May 27, 2025

Roll Call Vote:

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

6. Authorizing a contract with Coastal Emergency Medical Training & Consulting, LLC and Dr. Michael Westrol, M.D. for medical director services.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 171-2025

**RE: AUTHORIZING A CONTRACT WITH COASTAL EMERGENCY MEDICAL TRAINING
& CONSULTING, LLC AND DR. MICHAEL WESTROL, M.D. FOR
MEDICAL DIRECTOR SERVICES**

WHEREAS, the Township of Upper has received a proposal from Coastal Emergency Medical Training & Consulting, LLC and Dr. Michael Westrol, M.D., (hereinafter collectively referred to as “Coastal”), for Medical Director Services for the Upper Township Division of Emergency Services; and

WHEREAS, the Township Committee has considered this matter and has determined that it is in the best interest of the Township to acquire the services of Coastal as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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

WHEREAS, Coastal has completed and submitted a Business Entity Disclosure Certification which certifies that Coastal 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 Coastal from making any reportable contributions through the term of the contract; and

WHEREAS, the Township Chief Financial Officer, to the extent required, has certified the availability of funds to permit the Township to enter into said professional services 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 enter into a contract for Medical Director Services with Coastal.
3. 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.
4. 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.
5. 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. 171-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: May 27, 2025

Roll Call Vote:

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

7. Authorizing a contract with Triad Advisory Services, Inc. for professional grant consultant services.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 172-2025

RE: AUTHORIZING A CONTRACT WITH TRIAD ADVISORY SERVICES, INC. FOR PROFESSIONAL GRANT CONSULTANT SERVICES

WHEREAS, the Township of Upper has a need for professional grant consultant services; and

WHEREAS, Triad Advisory Services, Inc. has submitted a proposal to the Township to provide said consultant services; and

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

WHEREAS, Triad Advisory Services, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Triad Advisory Services, Inc. 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 Triad Advisory Services, Inc. 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 Triad Advisory Services, Inc. with offices at 1301 W. Forest Grove Road, Vineland, New Jersey, to provide professional grant consultant 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 a professional service in accordance with N.J.S.A. 40A:11-5(1)(a) of the New Jersey Local Public Contract Law because Triad Advisory Services, Inc. has professional knowledge 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 a professional service pursuant to N.J.S.A. 40A:11-5(1)(a) to Triad Advisory Services, Inc. for professional grant consultant 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. 172-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: May 27, 2025

Roll Call Vote:

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

8. Authorizing a contract with Danziger & Markhoff, LLP for actuarial services.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 173-2025

**RE: AUTHORIZING A CONTRACT WITH DANZIGER & MARKHOFF, LLP
FOR ACTUARIAL SERVICES**

WHEREAS, the Township of Upper has a need for an actuarial analysis of the Township's financial liability in compliance with GASB Statement No. 75 – Accounting and Financial Reporting by Employers for Post-employment Benefits Other than Pensions; and

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

WHEREAS, the Township has decided to acquire the services of Danziger & Markhoff, LLP as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Danziger & Markhoff, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that Danziger & Markhoff, LLP 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 Danziger & Markhoff, LLP 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 Danziger & Markhoff, LLP, of 123 Main Street 9th Floor, White Plains, New York 10601, for GASB Statement No. 75 related Actuarial Services.
3. The contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-3 of the New Jersey Local Public Contract Law because the aggregate cost of the contract awarded to Danziger & Markhoff, LLP will not exceed the bid threshold during the term of said contract.
4. The contract shall have a term of one (1) year commencing upon full execution.
5. A certificate from the Chief Financial Officer of Upper Township showing the availability of adequate funds for this contract and showing the line-item appropriation of the official budget to which 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.
6. Danziger & Markhoff, LLP has registered with the State of New Jersey pursuant to c.57, Laws of 2004 and has provided proof of that registration to the Township of Upper.

7. 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.

8. This Resolution shall be effective as of adoption.

Resolution No. 173-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: May 27, 2025

Roll Call Vote:

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

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

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 174-2025

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

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:

Maley Givens, P.C.
(Affordable Housing Services) \$ 172.00

Resolution No. 174-2025

Offered By: Nappen Seconded By: Casaccio

Adopted: May 27, 2025

Roll Call Vote:

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

10. Authorizing the purchase of certain items with funds from Capital Improvement Bond Ordinance No. 012-2024 in an amount not to exceed \$18,500.00.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 175-2025

**RE: AUTHORIZING THE PURCHASE OF CERTAIN ITEMS
WITH FUNDS FROM CAPITAL IMPROVEMENT BOND ORDINANCE NO. 012-2024
IN AN AMOUNT NOT TO EXCEED \$18,500.00**

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

WHEREAS, the Township Committee adopted the 2024 Capital Improvement Bond Ordinance No. 012-2024 on July 8, 2024; and

WHEREAS, the Township's Qualified Purchasing Agent has reviewed and approved the quote for installation of a GASBOY Site Prime UX fuel system at Department of Public Works from E.M.

Grant of Huntingdon Valley, Pennsylvania and the quote for the purchase of milled asphalt and fine millings from Seashore Asphalt of Woodbine, New Jersey; and

WHEREAS, the Chief Financial Officer of the Township has certified the availability of funds to allow the award of contract for the purchases herein authorized and has certified that adequate funds have been appropriated for these purposes from Capital Improvement Bond Ordinance No. 012-2024.

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 installation of a GASBOY Site Prime UX fuel system at Department of Public Works from E.M. Grant of Huntingdon Valley, Pennsylvania in an amount not to exceed **\$13,800.00** and the purchase of milled asphalt and fine millings from Seashore Asphalt of Woodbine, New Jersey in an amount not to exceed **\$4,700.00** with funds from 2024 Capital Improvement Bond Ordinance No. 012-2024.

3. 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. 175-2025

Offered By: Nappen

Seconded By: Casaccio

Adopted: May 27, 2025

Roll Call Vote:

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

11. Chapter 159 Resolution for the insertion of a special item of revenue into the 2025 budget that was not determined at the time of the adoption of the budget—State of New Jersey 2025 Clean Communities Grant program in the amount of \$46,710.40.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 176-2025

RE: CHAPTER 159 RESOLUTION FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE INTO THE 2025 BUDGET THAT WAS NOT DETERMINED AT THE TIME OF THE ADOPTION OF THE BUDGET—STATE OF NEW JERSEY 2025 CLEAN COMMUNITIES GRANT PROGRAM IN THE AMOUNT OF \$46,710.40

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township of Upper will receive an amount of \$46,710.40 from the State of New Jersey 2025 Clean Communities Grant Program and wishes to amend its 2025 budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Upper hereby requests the Director of the Division of Local Government Services approve the insertion of an additional item of revenue in the budget of the year 2025 in the sum of \$46,710.40, which is now available as a revenue from:

REVENUE: STATE & FEDERAL REVENUE OFFSET WITH APPROPRIATIONS:
2025 CLEAN COMMUNITIES GRANT PROGRAM, AND

BE IT FURTHER RESOLVED that a like sum of \$46,710.40 be and the same is hereby appropriated under the caption of:

APPROPRIATION: STATE AND FEDERAL PROGRAMS OFFSET BY REVENUE:
2025 CLEAN COMMUNITIES GRANT PROGRAM, AND

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

Resolution No. 176-2025

Offered By: Nappen

Seconded By: Casaccio

Adopted: May 27, 2025

Roll Call Vote:

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

12. Amending Resolution No. 120-2025 establishing salaries for various officers and employees.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 177-2025

**RE: AMENDING RESOLUTION NO. 120-2025
ESTABLISHING SALARIES FOR VARIOUS OFFICERS AND EMPLOYEES**

WHEREAS, Resolution No. 120-2025 amended the positions and salary for Jacob Spiegel effective April 4, 2025; and

WHEREAS, the Township Committee has determined it is necessary to amend Resolution No. 120-2025; 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. 120-2025 is hereby amended to reflect the positions and salary for Jacob

Spiegel effective May 26, 2025 in accordance with the Salary Ordinance as follows:

NAME	POSITION	SALARY
Jacob Spiegel	Fire Protection Sub-Code Official	\$25,000.00
	Lead Inspector	No Salary on
	Temporary Construction Official	these titles
	Temporary Building Sub-Code Official	

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

Resolution No. 177-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: May 27, 2025

Roll Call Vote:

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

13. Appointing the Designated Employer Representatives for the Township of Upper.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 178-2025

**RE: APPOINTING THE DESIGNATED EMPLOYER REPRESENTATIVES
FOR THE TOWNSHIP OF UPPER**

WHEREAS, the US Department of Transportation Commercial Driver's License (CDL) regulations require organizations with one or more CDL drivers to designate at least one individual with

the responsibility to make formal decisions regarding the drug and alcohol testing program, and this person shall be called the Designated Employer Representative (DER); and

WHEREAS, the DER must be an employee of the municipality, must have a complete understanding of the CDL drug and alcohol testing procedures and the employer’s policies, and must be available to receive confidential test results and other communications concerning testing of employees; and

WHEREAS, the DER must be authorized to take immediate action to remove employees from safety-sensitive duties if test results warrant that action in compliance with federal laws; and

WHEREAS, Loren Ready and James Van Zlike possess all of the requisite qualifications to be designated as DER and Alternate DER for the Township of Upper; 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. Assistant Personnel Officer Loren Ready is hereby designated as the DER, and Township Administrator James Van Zlike is hereby designated as the Alternate DER, for the Township of Upper.
3. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 178-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: May 27, 2025

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

14. Credit card tax refund Block 818, Lot 1.03.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 179-2025

CREDIT CARD TAX REFUND

BLOCK 818, LOT 1.03

WHEREAS, certain corrections have been recommended by the Upper Township Tax Collector in order to refund a credit card payment made in error using the Upper Township Online Tax Payment Portal, known as Edmunds WIPP; and

WHEREAS, the property owner paid the 2025 2nd quarter taxes on the above property via Edmunds WIPP program by credit card; and

WHEREAS, the mortgage company paid the 2025 2nd quarter taxes on the above property; and

WHEREAS, the property owner has requested a refund of this credit card payment in the amount of \$ 7,234.35 via the Edmunds WIPP program; 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. 179-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: May 27, 2025

Roll Call Vote:

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

REFUND BLOCK/LOT

818/1.03

AMOUNT

\$7,234.35

NAME

Timothy & Maxine O'Brien
1001 S Commonwealth Ave.
Strathmere, NJ 08248

15. Certification of costs for abatement of nuisance on Block 653.01, Lot 4.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 180-2025

**CERTIFICATION OF COSTS FOR ABATEMENT OF NUISANCE
ON BLOCK 653.01, LOT 4**

WHEREAS, pursuant to Township Code Section 11-1, the Code Enforcement Officer is empowered to enforce the Township's Property Maintenance Code; and

WHEREAS, in accordance with Township Code, the Code Enforcement Officer served a notice of violation of Section 11-1.9 (Grass, Weeds and Debris), to the property owners/agents of Block 653.01, Lot 4; and

WHEREAS, 10 days passed from the date of such notice of violation with no response from the property owners/agents and the Township thereafter remedied the violation; and

WHEREAS, pursuant to Township Code Section 11-1.19(a) and N.J.S.A. 40:48-2.14, the Code Enforcement Officer has certified the costs of remedying the said violations as set forth on the attached list; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township Committee hereby declares that the costs as set forth on the attached list shall be certified to the Township Tax Collector as a lien against the properties in question which lien shall become and form a part of the taxes assessed and levied upon the properties pursuant to Township Code Section 11-1.19(b) and N.J.S.A. 40:48-2.14.
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. 180-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: May 27, 2025

Roll Call Vote:

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

ABATEMENT OF GRASS, WEEDS, AND DEBRIS

<u>BLOCK/LOT</u>	<u>LOCATION</u>	<u>COST</u>	<u>ADMIN FEE</u>	<u>TOTAL</u>
653.01/4	10 Rt 9	\$250.00	\$50.00	\$300.00

Alt. Deputy Reg. Vital Statistics (P/T)	No Min.	3,000.00
Public Information Officer	No Min.	10,000.00
Data Information Coordinator/COOP	No Min.	3,500.00
Fund Commissioner	No Min.	3,500.00
Alt. Fund Commissioner	No Min.	1,000.00
Claims Coordinator	No Min.	2,000.00
Mun. Improvement Official (P/T)	No Min.	1,850.00
Tax Search Officer (P/T)	No Min.	1,850.00
Director of Public Asst. (P/T)	No Min.	1,000.00
Assistant Personnel Officer (P/T)	No Min.	15,000.00
Benefits Coordinator(P/T)	No Min.	10,000.00
Safety Coordinator	No Min.	3,500.00
Asst. Safety Coordinator	No Min.	1,500.00
Municipal Housing Liaison	No Min.	3,000.00
Passport Acceptance Agent	No Min.	1,000.00
ADA Coordinator	No Min.	3,000.00
Wellness Coordinator	No Min.	2,000.00
IT Specialist	No Min.	45.00/Hr.
Recreation Finance Coordinator	No Min.	5,000.00

B. MUNICIPAL COURT:

Municipal Judge (P/T)	15,000.00	70,000.00
Municipal Court Administrator	15,000.00	125,000.00
Deputy Mun. Court Administrator	15,000.00	80,000.00

C. CODE ENFORCEMENT / ZONING ENFORCEMENT:

Construction Official	15,000.00	125,000.00
Building Subcode Official (P/T)	No Min.	7,000.00
Electrical Subcode Official (P/T)	No Min.	38,000.00
Electrical Inspector (P/T)	No Min.	30,000.00
Zoning Officer	15,000.00	100,000.00
Assistant Zoning Officer (P/T)	No Min.	3,000.00
Supervisor Code Enforcement/Parking (Seasonal)	1,000.00	3,000.00
Code Enforcement Officer	No Min.	10,000.00
Code Enforcement Officer (P/T)	18.00/Hr.	35.00/Hr.
Housing Officer/Code Enforce. (P/T)	No Min.	35.00/Hr.
Fire Prevention Official (P/T)	No Min.	3,000.00
Plumbing Sub-Code Official (P/T)	No Min.	38,000.00
Plumbing Inspector (P/T)	No Min.	6,600.00
Fire Protection Subcode Official (P/T)	No Min.	45,000.00
Mechanical Sub-Code Official (P/T)	No Min.	25,000.00
Fire Protection Inspector (P/T)	No Min.	5,000.00
Temp. Building Subcode Official	No Min.	2,500.00
Temp. Construction Official	No Min.	2,500.00
Temp. Elect. Subcode Official/Inspector	No Min.	45.00/Hr.
Temp. Plumbing Subcode Official	No Min.	45.00/Hr.

Temp. Fire Protection Subcode Official	No Min.	35.00/Hr.
Technical Assistant to the Construction Official	No Min.	80,000.00
Technical Assistant to the Construction Official (P/T)	No Min.	35.00/Hr.
Lead Inspector	No Min.	2,500.00

D. PUBLIC SAFETY / EMERGENCY MANAGEMENT:

Mun. Emergency Management Coordinator (P/T)	No Min.	35,000.00
Coord. 911 Emergency Response, RTK	No Min.	2,000.00
Deputy Right to Know	No Min.	1,000.00
Deputy Director Emergency Management (P/T)	No Min.	4,100.00
Assistant Emergency Management (P/T)	No Min.	1,200.00
Parking Enforcement Officer (P/T)	18.00/Hr.	35.00/Hr.
Parking/Code Enforcement Officer (Seasonal)	18.00/Hr.	70.00/Hr.
Lifeguard, 1st yr. to 2 nd yr. (Seasonal)		18.50/Hr.
Lifeguard, 3rd yr. to 4th yr. (Seasonal)		19.20/Hr.
Lifeguard, 5th yr. and higher (Seasonal)		20.00/Hr.
EMT/Lifeguard (Seasonal)		22.00/Hr.
Chief Lifeguard (Seasonal)		34.00/Hr.
Captain Lifeguard (Seasonal)		32.00/Hr.
Senior Lieutenant (Seasonal)		28.00/Hr.
Lieutenant Lifeguard (Seasonal)		26.00/Hr.
Senior Lifeguard (Seasonal)		22.75/Hr.
Emergency Medical Technician 10+ year	15,000.00	66,000.00
Emergency Medical Technician 6-9 year	15,000.00	64,000.00
Emergency Medical Technician-4-5 year	15,000.00	62,000.00
Emergency Medical Technician-2-3 year	15,000.00	60,000.00
Emergency Medical Technician- 1 st year	15,000.00	58,000.00
Emergency Medical Technician-(P/T)-10+ year		28.00/Hr.
Emergency Medical Technician-(P/T)-6-9 year		26.00/Hr.
Emergency Medical Technician-(P/T)-4-5 year		24.00 Hr.
Emergency Medical Technician-(P/T)-2-3 year		23.00/Hr.
Emergency Medical Technician (P/T)-1 st year	No Min.	22.00/Hr.
Beach EMT (Seasonal)	23.50/Hr.	27.50/Hr.
School Traffic Guard (P/T)	No Min.	20.00/Hr.
Chief Emergency Medical Technician	15,000.00	125,000.00
Deputy Chief Emergency Medical Technician	15,000.00	100,000.00
Sr. Emergency Medical Technician	15,000.00	80,000.00
Supervising Emergency Medical Technician	15,000.00	85,000.00

E. PUBLIC WORKS / SPORTS AND RECREATIONAL PROGRAMS:

Superintendent of Public Works	12,500.00	130,000.00
Assistant Public Works Superintendent	12,500.00	125,000.00
General Supervisor Public Works	12,500.00	100,000.00
Supervisor Sanitation	12,500.00	100,000.00
Supervising Mechanic	12,500.00	100,000.00

Supervising Carpenter	12,500.00	100,000.00
Supervisor Equipment Operator	12,500.00	100,000.00
Supervisor Maintenance Repairer	12,500.00	100,000.00
Maintenance Supervisor, Grounds	12,500.00	100,000.00
Maintenance Worker 3, Grounds	12,500.00	100,000.00
Sr. Carpenter (0-9 yrs.)	No Min.	73,548.00
Sr. Carpenter (10 or more yrs.)	No Min.	74,608.00
Carpenter (0-9 yrs.)	No Min.	71,427.00
Carpenter (10 or more yrs.)	No Min.	72,487.00
Carpenter's Helper	No Min.	69,305.00
Senior Mechanic (0-9 yrs.)	No Min.	73,548.00
Senior Mechanic (10 or more yrs.)	No Min.	74,608.00
Mechanic (0-9 yrs.)	No Min.	71,427.00
Mechanic (10 or more yrs.)	No Min.	72,487.00
Mechanics Helper (0-9 yrs.)	No Min.	69,305.00
Mechanics Helper (10 or more yrs.)	No Min.	70,366.00
Equipment Operator (0-9yrs.)	No Min.	71,427.00
Equipment Operator (10 or more yrs.)	No Min.	74,487.00
Truck Driver, Heavy (0-9 yrs.)	No Min.	69,305.00
Truck Driver, Heavy (10 or more yrs.)	No Min.	70,366.00
Truck Driver (0-9 yrs.)	No Min.	67,182.00
Truck Driver (10 or more yrs.)	No Min.	68,244.00
Laborer 1, Probational	No Min.	40,280.00
Laborer 1, 1st year	No Min.	53,785.00
Laborer 1, 2nd year	No Min.	56,245.00
Laborer 1, 3rd year	No Min.	58,707.00
Laborer 1, 4th year	No Min.	61,169.00
Laborer 1, 5th year	No Min.	63,631.00
Laborer 1 (6-9 yrs.)	No Min.	65,511.00
Laborer 1 (10 or more yrs.)	No Min.	67,248.00
Laborer (P/T)	No Min.	17.92/Hr.
Laborer (Seasonal)	No Min.	17.92/Hr.
Sr. Sanitation Inspector	No Min.	74,608.00
Sanitation Inspector (0-9 yrs.)	No Min.	72,487.00
Sanitation Inspector (10 or more yrs.)	No Min.	73,548.00
Recycling Coordinator (P/T)	No Min.	5,700.00
Assistant Recycling Coordinator (P/T)	No Min.	2,850.00
Building Maintenance Worker (0-9 yrs.)	No Min.	52,725.00
Building Maint. Worker (10 or more yrs.)	No Min.	53,785.00
Maint. Worker 2, Grounds (0-9 yrs)	No Min.	71,427.00
Maint. Worker 2, Grds (10 or more yrs.)	No Min.	72,487.00
Maintenance Repairer (0-9 yrs.)	No Min.	71,427.00
Maintenance Repairer (10 or more yrs.)	No Min.	72,487.00
Senior Maintenance Repairer	No Min.	73,548.00
Maint. Worker 1, Grounds (0-9 yrs.)	No Min.	69,305.00
Maint. Worker 1, Grds (10 or more yrs.)	No Min.	70,366.00
Beach Sweeper (Seasonal)	No Min.	18.00/Hr.

Boat Ramp Attendant	No Min.	17.00/Hr.
Playground Safety Inspector	No Min.	1,000.00
Backflow Prevention Technician	No Min.	1,000.00
CDL Training Coordinator	No Min.	2,000.00
Air Brake Specialist	No Min.	1,000.00
Automotive Refrigerant Specialist	No Min.	1,000.00
Assistant CDL Training Coordinator	No. Min	1,000.00

F. BOARD OF HEALTH / ZONING BOARD / PLANNING BOARD:

Secretary Planning Board		
Per Meeting		200.00
Secretary Zoning Board of Adjustment		
Per Meeting		200.00
Secretary Board of Health (P/T)	No Min.	550.00

G. TOWNSHIP COMMITTEE MEETING ATTENDANCE: The Township Assistant Personnel Officer, in lieu of receiving compensatory time for attendance at meetings during non-business hours, will receive \$200.00 per meeting.

H. MILEAGE: The standard rate per mile in accordance with I.R.S. regulations.

I. ADDITIONAL COMPENSATION-REWARD-HOLIDAY GIFT CARD:

Additional Compensation: In addition to the salary set forth in this Ordinance, the Township Committee may compensate any employee or Department for additional work not to exceed a total amount of \$5,000.00 for the year. Said additional compensation shall be by resolution of the Township Committee setting forth the amount of the additional compensation. Said additional compensation shall be based on the following: Employees or Departments that meet one or all of the following criteria, may receive additional compensation in accordance with this salary ordinance.

1. A departmental staffing shortage which lasted 6 months or more.
2. A savings to the Township of \$20,000 or more through the execution of official duties.
3. A catastrophic life event which would result in a hardship for the employee.

Reward: In addition to the salary set forth in this Ordinance, the Township Committee may award any employee a Reward for Conduct Above and Beyond the Call of Duty.

Holiday Food Gift Card or Article of Clothing: In addition to the salary set forth in this Ordinance, the Township Committee may provide each employee in the Township with a Holiday Food Gift Card or certificate in the amount of \$50 in advance of the Thanksgiving Holiday. Part-time employees may only receive up to half of the consideration. In lieu of a Holiday Gift Card, the Township may provide an Article of Clothing to the employee of equal value.

J. EDUCATIONAL CERTIFICATION PAY RAISE: In addition to the salary ranges set forth in this Ordinance upon resolution of the Township Committee, the Township Committee may give an increase in salary of \$1,000.00 to any employee that has satisfied educational certification requirements for his or her position in accordance with current Township policy. The Township Committee shall by resolution fix the pay increase in this regard and certify that the employee has satisfied the educational certification requirement.

K. ADDITIONAL PAY TO CREW OF SANITATION VEHICLES: Laborers employed in the collection of trash and assigned to the rear of a trash truck shall, in addition to any other compensation payable pursuant to this Ordinance, receive an additional sum to be known as “Hazardous Duty Pay”, which

shall be payable at the rate of \$.25 per hour.

L. ADDITIONAL PAY TO PART-TIME EMTs: Part-time EMTs will receive an additional sum of \$1.00/hour for hours worked on the beach in the summer season. This is compensation for working on the beach in extreme conditions in the summer season.

M. ADDITIONAL PAY TO SEASONAL LIFEGUARDS: Lifeguards will receive an additional sum which shall be payable in accordance with the following schedule:

- Lifeguards who work a total of 300 hours in the same summer season as of August 20th will receive an additional \$1.00 per hour bonus for each hour worked during the current season.
- Lifeguards who work the Saturday proceeding Labor Day until the second weekend after Labor Day will receive a \$25.00 bonus for each full day worked during the current season.
- The above additional compensation only applies to those employees guarding the beaches in the course of their daily duties.
- EMT/Lifeguards assigned by the Division of EMS as the Beach Medic will receive an additional \$4.00 per hour.

N. DEFINING AND COMPENSATION FOR STATUTORY AND EXEMPT CLASSES OF EMPLOYEES:

Statutory Employees:

- The Municipality recognizes the requirement, by appropriate Statute, that every Municipality shall have: a Chief Financial Officer (40A:9-140.10), a Municipal Clerk (40A:9-133), A Tax Collector (40A:9-141) and a Tax Assessor (40A:9-146).
- This above class of employee shall have exempt status under the Fair Labor Standards Act (FLSA) (Section 13(a)(1)) and as defined in section 3 of the “New Jersey Employer-Employee Relations Act” P.L.1941, c.100(C.34:13A-3).
- This class of employees are required to work outside of “Fixed Hours”. This class of employees will be compensated accordingly.
- The Salaries, wages and/or compensation shall be set according to (40A:9-165).

Managerial, Executive, Confidential Employees, including members of the Governing Body and the Mayor :

- This above class of employee shall have exempt status under the Fair Labor Standards Act (FLSA) (Section 13(a)(1))
- These employees are defined in section 3 of the “New Jersey Employer-Employee Relations Act” P.L.1941,c.100 (C.34:13A-3), and The Office of Emergency Medical Services (OEMS).
- This specifically includes Public Works Superintendent, Assistant Public Works Superintendent, Township Administrator, Personnel Officer, Chief EMT, Deputy Chief EMT, and members of the Township Committee including the Mayor.
- This class of employee is not eligible for Compensatory Time or Overtime. This class of employee is required to work outside of: “Fixed Hours”. This class of employee will be compensated accordingly.
- Salaries, wages and/or compensation shall be set according to (40A:9-165).

SECTION 3: LONGEVITY: In addition to the compensation and benefits otherwise payable, certain employees shall be paid an additional sum based on longevity. Any payment based on longevity shall be in accordance with the following schedule:

YEARS OF SERVICE

**AMOUNT OF INCREASE
BASED ON LONGEVITY**

After 5 years	2%
After 10 years	4%
After 15 years	6%
After 20 years	8%
After 25 years	10%

SECTION 3A: RESTRICTIONS ON LONGEVITY PAYMENTS: Notwithstanding the provisions of Section 3 hereof, a longevity payment or longevity bonus to any single official, officer or employee of the Township of Upper shall not exceed the sum of Three Thousand (\$3,000.00) Dollars. If, as of January 1, 1997, any such official, officer or employee of the Township of Upper was entitled to a longevity payment in excess of Three Thousand (\$3,000.00) Dollars, then such individual shall be entitled to receive the amount to which he or she would have been entitled as of January 1, 1997 and each such official, officer or employee shall thereafter, in all subsequent years, receive a longevity payment or bonus in the amount paid as of January 1, 1997. In no event shall the amount of longevity payments exceed the sum of Three Thousand (\$3,000.00) Dollars, except for those individuals who are entitled to receive in excess of Three Thousand (\$3,000.00) Dollars as of January 1, 1997 and all such individuals shall in 1997 and all succeeding years be restricted to a payment which does not exceed that which was payable on January 1, 1997.

SECTION 3B: LONGEVITY PAY ABOLISHED FOR CERTAIN EMPLOYEES: Any official, officer or employee who was employed by the Township of Upper on or after January 1, 1996 shall not be entitled to any longevity payment. Longevity pay is abolished for any and all officials, officers and employees hired on or subsequent to that date.

SECTION 4: RESOLUTION AS TO SALARIES: The salary ranges set forth in this Ordinance are the maximum salaries to be paid for the various positions during 2025 and for such period or periods as this Ordinance shall remain in effect. Such maximum salaries shall be paid for each of the positions indicated unless the Township Committee, by Resolution shall fix a lesser salary, in which event such lesser amount shall be paid.

SECTION 5: EFFECTIVE DATE OF PAYMENT: All salaries authorized by this Ordinance shall be paid commencing as follows:

- (A) As of January 1, 2025 for all officials, officers and employees of the Township who were employed or appointed as of December 31, 2024. For those officials, officers and employees appointed at the Reorganization Meeting of the Township Committee, such persons shall be deemed appointed and employed by the Township as of January 1, 2025. This provision shall not apply to members of a Collective Bargaining Unit.
- (B) The payment of any salary increment and longevity payment for members of a Collective Bargaining Unit shall be made in accordance with the provisions of the Collective Bargaining Agreement currently in effect, any other provisions herein to the contrary notwithstanding.
- (C) Upon the effective date of appointment for all officers and employees appointed subsequent to January 1, 2025.
- (D) Any salary increases provided for in this Ordinance shall not apply to any official, officer or employee of the Township who has resigned or otherwise terminated his or her employment with the Township of Upper prior to the effective date of this Ordinance.

SECTION 6: ANNUAL SALARY INCREASES: Annual salary increases to Statutory Employees, Managerial, Executive or Confidential Employees and non-union employees will be fixed and provided as to the same salary increases given to the members of AFSCME Local 63 employees.

SECTION 7: REPEALER: All Ordinances or parts of Ordinances inconsistent herewith are

hereby repealed to the extent of such inconsistency.

SECTION 8: SEVERABILITY: If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance, but shall be confined in its effects to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

SECTION 9: EFFECTIVE DATE: This Ordinance shall take effect immediately upon passage and publication as required by law.

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 27th DAY OF MAY, 2025 AT THE TOWNSHIP HALL, AND WILL BE TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER TO BE HELD ON THE 23rd DAY OF JUNE, 2025 AT 5:30 P.M. AT THE TOWNSHIP HALL, PETERSBURG, NEW JERSEY.

JOANNE R. HERRON, TOWNSHIP CLERK
TOWNSHIP OF UPPER

CORRESPONDENCE

NEW BUSINESS

17. Bid results for Replacement of Roof for Historic Structure. **The CFO stated that bids were received on May 15th from 2 companies and recommended awarding the bid to the lowest bidder Kupex Exteriors, LLC. After a brief discussion the Committee directed that a resolution for formal action be placed on the next agenda to award the bid to Kupex Exteriors, LLC.**
18. Upper Township Rescue Squad request to hold Raffles RA #596 and RA #597 at Mosquito Landing Beach in Tuckahoe on August 2, 2025. **Motion by Victor Nappen, second by Tyler Casaccio, to approve the request. During roll call vote all five Committee members voted in the affirmative.**
19. South Shore Stitchers request to hold a Raffle RA #598 at the Upper Township Community Center on November 22, 2025. **Motion by Tyler Casaccio, second by Zachary Palombo, to approve the request. During roll call vote all five Committee members voted in the affirmative.**

UNFINISHED BUSINESS

PAYMENT OF BILLS

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

Bills approved for payment: **\$153,999.28**
Payroll: **\$221,865.43**

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

Nathalie Neiss, Route 50, stated that she is looking forward to Jim Van Zlike coming to Upper Township and stated that he has an impressive resume. She next thanked Joe Verruni for his work and wished him well.

CLOSED SESSION

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

**RESOLUTION NO. 181-2025
MOTION GOING INTO CLOSED SESSION
MAY 27, 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 - Fairhaven Proposed Development Project
2. Contract negotiation - Block 382, Lots 11.01 and 11.02
3. Contract negotiation - Special Legal Counsel
4. Litigation - DeMarzo v. Upper Township, et al.
5. 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 litigation matters such discussions will be made public when litigation is complete and the applicable appeal period has expired.
- D. 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 Zachary Palombo, second by Tyler Casaccio, to reconvene the public portion of the meeting. During roll call vote all five Committee members voted in the affirmative.

ADJOURNMENT

There being no further business this evening the meeting was adjourned at 7:01 P.M., with a motion by Curtis Corson, second by Samuel Palombo, and all five Committee members voting in the affirmative. The next regular Committee meeting is scheduled for June 9, 2025 at 5:30 P.M.

Minutes prepared by,

Joanne R. Herron, RMC
Township Clerk

Bills

85589 05/27/25 A0018 ACTION SUPPLY INC. 688.50 3424
85590 05/27/25 A0075 ADAMS, JOSHUA 114.97 3424
85591 05/27/25 A0081 ARMSTRONG, RALON I. 499.80 3424
85592 05/27/25 A0091 ATLANTIC CITY ELECTRIC 1,165.83 3424
85593 05/27/25 A0117 AT&T 265.30 3424
85594 05/27/25 A0191 ACTION UNIFORM CO. LLC 657.00 3424
85595 05/27/25 A0212 ANCERO, LLC 19,090.00 3424
85596 05/27/25 A0231 ALL UNIQUE GIFTS, INC. 376.40 3424
85597 05/27/25 A0235 AMAZON CAPITAL SERVICES, INC. 394.04 3424
85598 05/27/25 A0251 ACT ENGINEERS, INC. 2,373.60 3424
85599 05/27/25 B0032 BLANEY DONOHUE & WEINBERG, PC 1,680.00 3424
85600 05/27/25 B0232 BLUE FLAME GAS 700.08 3424
85601 05/27/25 B0288 KINGBARNES LLC 750.00 3424
85602 05/27/25 C0042 CAMPBELL SUPPLY COMPANY 2,042.09 3424
85603 05/27/25 C0048 CAPE MAY COUNTY MUA 48,571.24 3424
85604 05/27/25 C0068 COMCAST 977.86 3424
85605 05/27/25 C0143 CODY'S POWER EQUIPMENT 399.87 3424
85606 05/27/25 C0223 CASA PAYROLL SERVICE 284.80 3424
85607 05/27/25 C0346 CME ASSOCIATES 6,237.50 3424
85608 05/27/25 C0352 COLUMN SOFTWARE, PBC 180.18 3424
85609 05/27/25 D0186 DOCUTREND IMAGING SOLUTIONS 78.32 3424
85610 05/27/25 D0237 KERRY SCALFARO 250.00 3424
85611 05/27/25 F0233 FORERUNNER INDUSTRIES, INC. 8,185.00 3424
85612 05/27/25 F0242 Frame, Robert 51.75 3424
85613 05/27/25 G0016 GARDNER HARDWARE INC. 243.00 3424
85614 05/27/25 G0086 W.W. GRAINGER, INC. 943.79 3424
85615 05/27/25 G0120 PATRICK F. MARTIN 2,291.67 3424
85616 05/27/25 G0182 GOLDENBERG, MACKLER & SAYEGH 822.04 3424
85617 05/27/25 G0211 GRACETOWN LUMBER CO., LLC 539.86 3424
85618 05/27/25 I0016 INSTITUTE FOR PROF DEVELOPMENT 50.00 3424
85619 05/27/25 J0318 JERSEY PROFESSIONAL MANAGEMENT 11,517.00 3424
85620 05/27/25 K0086 K D NATIONAL FORCE SECURITY 1,500.00 3424
85621 05/27/25 L0027 LASHLEY HEATING & COOLING INC. 350.00 3424
85622 05/27/25 L0117 LETS PARTY EVENTS, LLC 525.00 3424
85623 05/27/25 M0277 EQUITABLE FINANCIAL LIFE INS. 177.02 3424
85624 05/27/25 N0052 NATL ALLIANCE FOR YOUTH SPORTS 128.00 3424
85625 05/27/25 N0070 MARSH & MCLENNAN AGENCY, LLC 2,000.00 3424
85626 05/27/25 O0028 OAR HOUSE LLC 2,660.00 3424
85627 05/27/25 O0063 OTT HYDROMET CORP 623.40 3424
85628 05/27/25 O0064 OC & UT Rotary 300.00 3424
85629 05/27/25 P0032 PEDRONI FUEL CO. 2,689.95 3424
85630 05/27/25 P0056 TURF EQUIPMENT AND SUPPLY CO 252.91 3424
85631 05/27/25 P0136 POSTNET 3.99 3424
85632 05/27/25 P0140 PIONEER MANUFACTURING CO, INC 1,999.30 3424
85633 05/27/25 R0030 RIGGINS, INC. 4,586.87 3424
85634 05/27/25 R0100 ROBERTS OXYGEN COMPANY, INC. 127.75 3424
85635 05/27/25 R0152 REEF FAMILY PHARMACY LLC 283.00 3424
85636 05/27/25 R120 RAFFAELE, ZACHARY 55.99 3424
85637 05/27/25 S0056 SEASHORE ASPHALT CORPORATION 5,836.82 3424
85638 05/27/25 S0057 SERVICE TIRE TRUCK CENTERS 1,561.99 3424
85639 05/27/25 S0113 LAW OFFICES OF THOMAS G SMITH 1,242.50 3424
85640 05/27/25 S0134 SO. JERSEY GAS COMPANY 878.16 3424
85641 05/27/25 S0139 SOUTH JERSEY WATER COND SERV 374.55 3424
85642 05/27/25 S0154 SOUTH JERSEY OVERHEAD DOOR 530.00 3424
85643 05/27/25 S0196 STEWART BUSINESS SYSTEMS LLC 274.40 3424
85644 05/27/25 S0239 SHORE ANIMAL CONTROL SERV LLC 2,300.00 3424
85645 05/27/25 S0253 SAMPLE MEDIA, INC. 11.00 3424

85646 05/27/25 S0361 SOUTH JERSEY WATER TEST, LLC 363.00 3424
85647 05/27/25 S0363 STARR SEPTIC, LLC. 1,100.00 3424
85648 05/27/25 T0080 TREASURER STATE OF N.J. 3,000.00 3424
85649 05/27/25 T0159 TRIAD ADVISORY SERVICES, INC. 387.50 3424
85650 05/27/25 T0180 TRI-COUNTY PEST CONTROL, INC 25.00 3424
85651 05/27/25 U0043 ULINE, INC. 493.37 3424
85652 05/27/25 U0076 U.S.BANK NATIONAL ASSOCIATION 591.32 3424
85653 05/27/25 V0013 VERIZON WIRELESS 649.73 3424
85654 05/27/25 V0022 VERIZON 604.56 3424
85655 05/27/25 V0025 V.E. RALPH & SON,INC. 987.25 3424
85656 05/27/25 W0135 THE LAW OFFICE OF BRANDON D 1,048.46 3424
85657 05/27/25 Z0014 MIKE ZYNDORF, LLC 1,055.00 3424
Total: \$153,999.28