

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR JUNE 9, 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 June 6, 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 James Van Zlike.

APPROVAL OF MINUTES - May 27, 2025 Regular and Closed Session Minutes

Motion by Victor Nappen, second by Tyler Casaccio, 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

Samuel Palombo, Committeeman, invited all community members to attend the Township’s Summer Celebration and Fireworks event on June 28, 2025 at Amanda’s Field. He then thanked the Public Works Department on their attentiveness to the issues with the Amanda’s Field skate park.

Tyler Casaccio, Committeeman, welcomed the new Township Administrator, Jimmy Van Zlike, to his first meeting. He then reported that tomorrow, June 10th, is Election Day, and reminded everyone to come out and vote.

Zachary Palombo, Committeeman, asked for patience from the community while repairs are in progress on the skate park. He then made a motion to appoint Michael Gift as a full time Laborer 1 at a probational salary of \$40,280.00 in accordance with the Salary Ordinance pending completion of pre-

employment testing. The motion was seconded by Samuel Palombo. During roll call vote all five Committee Members voted in the affirmative. Lastly, he welcomed the Township Administrator.

Victor Nappen, Deputy Mayor, also welcomed Jimmy to his first official meeting with the Committee. He then commended the Upper Township EMS on their quick response to an incident involving a teenager on Tuckahoe Road which resulted in no major injuries.

Curtis Corson, Mayor, reported the US Coast Guard is looking for public input on the CMC Bridge Commission's proposal to convert the Corson's Inlet Bridge, currently classified as a functioning open clearance bridge, to a permanently fixed span bridge. He then made a motion, seconded by Victor Nappen, to direct the Township Clerk to notify the US Coast Guard of the Committee's objection to reclassifying the Corson Inlet Bridge to a fixed span bridge. During roll call vote all five Committee members voted in the affirmative. He next reported on the lack of regulation by the State on procedures for recovery of construction microplastic dust and debris. He then made a motion, second by Victor Nappen, to prepare a resolution to the NJ State Legislators to adopt regulations on procedures for containment and safe disposal of microplastic dust and debris. During roll call vote all five Committee members voted in the affirmative. Lastly, he reported that the Strathmere beach access paths south of Williams Avenue are still in place and the paths north of Williams will remain closed. He thanked Public Works for the great job of maintaining the beach access paths.

ADMINISTRATOR OVERVIEW

James Van Zlike, Township Administrator, thanked the Committee and Mayor for putting their trust in him to fulfill the duties and obligations of the role of Township Administrator. He also thanked the residents present tonight for being involved members of the community.

Barbara Ludy, Chief Financial Officer, requested approval for Sarah Steiner to attend the last four CFO classes over the next year. Motion by Curtis Corson, second by Tyler Casaccio, to approve the request. During roll call vote all five Committee Members voted in the affirmative.

Ryan MacNeill, Township Engineer, reported that bids on the Athletic Court Fencing Improvement project have been received and award of the bid will be placed on the June 23rd agenda meeting. He then reported that he inspected the street opening on Bayview for soil boring testing on behalf of the Army Corps of Engineers and requested approval to release the performance bond for this street opening application. Motion by Tyler Casaccio, second by Zachary Palombo, to approve the request. During roll call vote all five Committee Members voted in the affirmative.

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

There was no public comment on agenda items.

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 Zachary Palombo, to approve the consent agenda items listed below. During roll call vote all five Committee members voted in the affirmative.

FILING OF REPORTS BY CONSENT

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

RESOLUTIONS TO BE APPROVED BY CONSENT

8. Amending Resolution No. 151-2025 appointing Ronald Reign as seasonal Beach Sweeper for the Upper Township Department of Public Works.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 182-2025

**RE: AMENDING RESOLUTION NO. 151-2025 APPOINTING RONALD REIGN
AS SEASONAL BEACH SWEEPER FOR THE UPPER TOWNSHIP
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 151-2025 appointed Ronald Reign as Seasonal Beach Sweeper for the Upper Township Department of Public Works; and

WHEREAS, the Township Committee has determined it necessary to amend said Resolution No. 151-2025 to reflect the correct salary; 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. Ronald Reign is hereby appointed to the Upper Township Department of Public Works effective May 20, 2025 as a Seasonal Beach Sweeper at a salary of \$20.00 per hour in accordance with the Salary Ordinance.
3. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No.182-2025
Offered by: Nappen
Adopted: June 9, 2025
Roll Call Vote:

Seconded by: Z. Palombo

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

9. Certification of costs for abatement of nuisance on Block 453.11, Lot 1.02.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 183-2025

**CERTIFICATION OF COSTS FOR ABATEMENT OF NUISANCE
ON BLOCK 453.11, LOT 1.02**

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 453.11, Lot 1.02; 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. 183-2025

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: June 9, 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>
453.11/1.02	12 Wyncroft Dr.	\$150.00	\$30.00	\$180.000

10. Authorizing the award of a contract with All Unique Gifts Inc., dba Turf Trade for parts and supplies.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 184-2025

**RE: AUTHORIZING THE AWARD OF A CONTRACT WITH
ALL UNIQUE GIFTS INC., DBA TURF TRADE FOR PARTS AND SUPPLIES**

WHEREAS, from time to time the Township of Upper has a need to purchase parts and supplies from All Unique Gifts Inc., dba Turf Trade 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 All Unique Gifts Inc., dba Turf Trade for the year 2025 has exceeded \$17,500 and a contract pursuant to N.J.S.A. 19:44A-20.5 is required; and

WHEREAS, All Unique Gifts Inc., dba Turf Trade has completed and submitted a Business Entity Disclosure Certification which certifies that All Unique Gifts Inc., dba Turf Trade 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 All Unique Gifts Inc., dba Turf Trade 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 All Unique Gifts Inc., dba Turf Trade 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. 184-2025

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: June 9, 2025

Roll Call Vote:

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

11. Authorizing the award of a contract with Starr General Contracting Corporation for equipment rental.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 185-2025

**RE: AUTHORIZING THE AWARD OF A CONTRACT WITH
STARR GENERAL CONTRACTING CORPORATION FOR EQUIPMENT RENTAL**

WHEREAS, the Township of Upper must rent portable toilets for various recreation facilities, and to do so desires to enter into a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Starr General Contracting Corporation has indicated they will provide the weekly equipment rental service; and

WHEREAS, the Qualified Purchasing Agent has determined and certified in writing that the value of acquisitions with Starr General Contracting Corporation 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, Starr General Contracting Corporation has completed and submitted a Business Entity Disclosure Certification which certifies that Starr General Contracting Corporation 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 Starr General Contracting Corporation 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 Starr General Contracting Corporation 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. 185-2025

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: June 9, 2025

Roll Call Vote:

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

12. Appointing Daniel J. Young to act as Special Legal Counsel.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 186-2025

**RE: APPOINTING DANIEL J. YOUNG
TO ACT AS SPECIAL LEGAL COUNSEL**

WHEREAS, the Township requires special legal counsel services as determined by the Township Committee; and

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

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

WHEREAS, Daniel J. Young has completed and submitted a Business Entity Disclosure Certification which certifies that Daniel J. Young 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 Daniel J. Young 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. Daniel J. Young with offices at 293B US Route 9 South, Marmora, New Jersey is hereby appointed Special Legal Counsel to handle matters as directed by the Township Committee.
3. This contract shall have a term of one (1) year from date of full execution.

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

NOTICE OF CONTRACT AWARD

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

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

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

7. The Mayor and the Township Clerk are hereby authorized and directed to execute, on behalf of the Township of Upper, a Professional Contract with Daniel J. Young 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. 186-2025
Offered by: Nappen
Adopted: June 9, 2025
Roll Call Vote:

Seconded by: Z. Palombo

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

13. Chapter 159 Resolution requesting approval of items of revenue and appropriation into the 2025 budget—State of New Jersey 2025 Local Recreational Improvement Grant in the Amount of \$86,000.00.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 187-2025

RE: CHAPTER 159 RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION INTO THE 2025 BUDGET—STATE OF NEW JERSEY 2025 LOCAL RECREATIONAL IMPROVEMENT GRANT IN THE AMOUNT OF \$86,000.00

WHEREAS, N.J.S.A. 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, the Director may also approve the insertion of an item of appropriation for an equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Upper, County of Cape May, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2025 in the sum of \$86,000.00, which is now available as a revenue from:

REVENUE: STATE & FEDERAL REVENUE OFFSET WITH APPROPRIATIONS:
2025 LOCAL RECREATIONAL IMPROVEMENT GRANT, AND

BE IT FURTHER RESOLVED that a like sum of \$86,000.00 is hereby appropriated under the caption of:

APPROPRIATION: STATE AND FEDERAL PROGRAMS OFFSET BY REVENUE:
2025 LOCAL RECREATIONAL IMPROVEMENT GRANT, AND

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

Resolution No. 187-2025
Offered By: Nappen
Adopted: June 9, 2025
Roll Call Vote:

Seconded By: Z. Palombo

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

14. Accepting the bid and authorizing the execution of a contract with Kupex Exteriors LLC of Trenton, New Jersey, for the project known as Replacement of Roof for Historic Structure at a cost of \$96,238.00.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 188-2025

**RE: ACCEPTING THE BID AND AUTHORIZING THE EXECUTION OF A
CONTRACT WITH KUPEX EXTERIORS LLC OF TRENTON, NEW JERSEY, FOR THE
PROJECT KNOWN AS REPLACEMENT OF ROOF FOR HISTORIC STRUCTURE AT A
COST OF \$96,238.00**

WHEREAS, the Township of Upper solicited bids for the Replacement of Roof for Historic Structure project, which bids were received on May 15, 2025; and

WHEREAS, the aforesaid bids were thereafter reviewed by the Qualified Purchasing Agent and a recommendation was submitted to the Township Committee with respect to the award of said bids; and

WHEREAS, the Chief Financial Officer of the Township of Upper has certified the availability of funds attached hereto as “Exhibit A” in a sufficient amount to award a contract in the amount of \$96,238.00 for the Tuckahoe Train Station Roof; and

WHEREAS, the Township intends to take formal action awarding the bid to the lowest responsible bidder as hereinafter provided;

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

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

2. The Township hereby accepts the bid submitted by Kupex Exteriors LLC, 1278 East State Street, Trenton, New Jersey, for the project known as Replacement of Roof for Historic Structure, in the amount of \$96,238.00 for the Tuckahoe Train Station Roof, subject to the following:

(A) The Bidder shall comply with all Bid Documents, including the Notice to Bidders, all of which are hereby incorporated herein by this reference.

(B) The Contract to be entered into must comply in all respects with applicable federal, state and local laws and regulations.

3. The Mayor and Township Clerk are further authorized to execute a Contract with the successful bidder and/or the Chief Financial Officer is hereby authorized, directed and empowered to issue a Purchase Order to the successful bidder in the amount authorized in this Resolution.

Resolution No. 188-2025

Offered By: Nappen

Seconded By: Z. Palombo

Adopted: June 9, 2025

Roll Call Vote:

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

15. Renewal of Alcoholic Beverage Licenses for the 2025/2026 license year.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 189-2025

**RE: RENEWAL OF ALCOHOLIC BEVERAGE LICENSES
FOR THE 2025/2026 LICENSE YEAR**

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

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

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

the Township of Upper.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Upper in the County of Cape May and State of New Jersey, that the following licenses be authorized for the license year effective July 1, 2025:

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

Tyans Inc.
DBA Tuckahoe Inn
1 Harbor Road and Route 9, Upper Township, NJ 08223
License # 0511-33-004-005
Plenary Retail Consumption License
Municipal Fee Paid: \$700.00
State Fee Paid: \$200.00

The Tavern PBJJ LLC
DBA The Tavern
S/S Route 50 & New Bridge, Ocean View, NJ 08230
License # 0511-33-008-006
Plenary Retail Consumption License
Municipal Fee Paid: \$700.00
State Fee Paid: \$200.00

301 Roosevelt Liquor, LLC
DBA Captain Obadiahs Seafood Market; Inky's Cantina
301, 311 & 321 Roosevelt Boulevard, Marmora, NJ 08223
License # 0511-33-007-009
Plenary Retail Consumption License
Municipal Fee Paid: \$700.00
State Fee Paid: \$200.00

316 Roosevelt Liquor LLC
DBA Yesterdays Creekside Tavern
316 Roosevelt Boulevard, Marmora, NJ 08223
License # 0511-32-005-006
Plenary Retail Consumption License with Broad C
Municipal Fee Paid: \$700.00
State Fee Paid: \$200.00

Boulevard Liquor Store Inc.
501 & 503 Roosevelt Boulevard, Marmora, NJ 08223
License # 0511-44-002-004
Plenary Retail Distribution License

Municipal Fee Paid: \$400.00
State Fee Paid: \$200.00

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

Resolution No. 189-2025

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: June 9, 2025

Roll Call Vote:

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

RESOLUTIONS TO BE ACTED ON SEPARATELY

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

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 190-2025

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

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

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

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

WHEREAS, Norman W. Briggs, Esquire has completed and submitted a Business Entity Disclosure Certification which certifies that Norman W. Briggs, Esquire has not made any reportable contributions to a political or candidate committee in the Township that would bar the award of this contract

and that the contract will prohibit Norman W. Briggs, Esquire from making any reportable contributions through the term of the contract; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. Norman W. Briggs, Esquire with offices at 110 Roosevelt Boulevard, Suite 201, Marmora, New Jersey is hereby appointed Special Legal Counsel to handle matters in which the regular Township Solicitor has a conflict of interest as well as other matters directed by the Township Committee.
3. This contract shall have a term of one (1) year from date of full execution.
4. This Contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the New Jersey Local Public Contract Law because Norman W. Briggs, Esquire has professional knowledge as to legal matters which knowledge is particularly valuable to the Township Committee and this service is acquired as a non-fair and open contract pursuant to N.J.S.A. 19:44A-20.5.

NOTICE OF CONTRACT AWARD

The Township Committee of the Township of Upper, State of New Jersey has awarded the contract without competitive bidding as a professional service pursuant to N.J.S.A. 40A:11-5(1)(a) to Norman W. Briggs, Esquire for legal services. This contract and the resolution authorizing same shall be available for public inspection in the office of the municipal clerk of the Township of Upper, State of New Jersey.

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

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

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

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

9. This Resolution shall be effective as of adoption.

Resolution No. 190-2025

Offered by: Casaccio

Seconded by: Nappen

Adopted: June 9, 2025

Roll Call Vote:

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

ORDINANCES

17. Introduction and first reading of Ordinance No. 003-2025 RE: AN ORDINANCE AUTHORIZING SALE OF LANDS, TO WIT BLOCK 802, LOT 1. **Motion by Tyler Casaccio, second by Victor Nappen, to introduce Ordinance 003-2025 with a public hearing scheduled for July 14, 2025. During roll call vote all five Committee Members voted in the affirmative.**

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

ORDINANCE NO. 003-2025

**RE: AN ORDINANCE AUTHORIZING SALE OF LANDS,
TO WIT BLOCK 802, LOT 1**

WHEREAS, the Township of Upper is the owner, in fee, of a certain parcel of vacant ground located within the Township of Upper, County of Cape May, and State of New Jersey, set forth on the municipal tax map as Block 802, Lot 1; and

WHEREAS, the Township has received an offer from Michelle and Robert Salvucci, the owners of real property contiguous with said parcel owned by the Township, to purchase said parcel; and

WHEREAS, after discussion and deliberation the Township Committee is of the opinion that the sale of said parcel will be in the best interest of the Township and will provide for the consolidation of said lot with an existing lot; and

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

SECTION 1: The Township of Upper is hereby authorized to sell the real property commonly known as follows:

Block 802, Lot 1

to the highest bidder from among all owners of real property contiguous thereto in accordance with N.J.S.A. 40A:12-13(b)(5). Such sale shall not be for less than the fair market value of said real property and the minimum bid for such parcel sold is hereby established as follows:

Block 802, Lot 1

Minimum Bid: \$1,600.00

SECTION 2: Prior to said sale, the Township will obtain a title report from a title company or abstract company licensed to do business in the State of New Jersey. Said report shall be available to all prospective bidders.

SECTION 3: The list of property authorized to be sold together with the minimum price thereof shall be posted at Township Hall and advertisement of the sale shall be made in a newspaper circulating in the Township within 5 days following enactment of this ordinance. Offers for the property may thereafter be made to the Township Committee for 20 days following said advertisement. The Township Committee may reconsider this ordinance not later than 30 days after enactment and thereafter advertise the property for public sale pursuant to N.J.S.A. 40A:12-13(a). The Township Clerk shall file with the Director of the Division of Local Government Services in the Department of Community Affairs sworn affidavits verifying the publication of the foregoing advertisements.

SECTION 4: Michelle and Robert Salvucci shall pay \$1,500.00 to the Township Clerk prior to the adoption of this Ordinance. \$500.00 of this payment will be used by the Township to defray Township expenses involved in Authorizing the Sale and terms thereof; Engineer's review; Attorney's

review; legal advertising, certified mail notices, closing costs and other expenses. \$1,000.00 of this payment will be used to cover title search costs, which if same are less than this sum the difference will be credited back to the ultimate payor. If the parcel is not sold, \$500.00 of this amount will be retained by the Township as **LIQUIDATED DAMAGES** and will be used to pay for the review of the title report and other documents. If the highest bidder at the auction sale is not the original applicant, the highest bidder will be required to pay, in addition to the purchase price and other expenses, an additional sum of \$1,500.00, representing pre-sale amounts paid by the original applicant requesting the sale and the original applicant (who is not the highest bidder) will then be entitled to a refund of all sums paid (\$1,500.00) except for the non-refundable application fee (\$50.00).

SECTION 5: The aforesaid parcel of real property shall be offered for sale at an auction to be conducted by the Township Clerk at a date and time to be set by the Township Clerk after the appropriate notice of sale has been sent to contiguous owners of the subject real property. Said notice shall be sent certified and regular mail to the owners of contiguous property at the address set forth on the tax assessor's records. Said notice shall be sent no greater than 30 days prior to the date of sale and no less than 14 days prior to the date of sale. At any time, the Township Clerk may adjourn said sale and renounce in accordance with the provisions of this Ordinance and N.J.S.A. 40A:12-13.

SECTION 6: The Township Committee expressly reserves the right to reject any and all bids in the exercise of its sole judgment and discretion. The Township Committee is authorized to confirm the sale by resolution and complete the transaction pursuant to this Ordinance and N.J.S.A. 40A:12-13.

SECTION 7: In the event the highest bid at such auction exceeds the minimum bid established herein and the Township Committee rejects same in the exercise of its sole judgment and discretion, then, in such event, all deposits made by the original applicant or the highest bidder, as the case may be, shall be refunded except for the \$50.00 application fee which shall be non-refundable.

SECTION 8: All payments required to be made pursuant to said sale to the Township Clerk must be made by personal check, cash or certified check, or any combination of the foregoing. All payments required to be made hereunder to a title company or abstract company conducting the closing shall be made in collected funds, that is, by cash, certified check, cashier's check or wire transfer.

SECTION 9: A sum equal to ten percent (10%) of the highest bid for said parcel or parcels shall be paid to the Township of Upper by the highest bidder or bidders at the time of the sale. The remaining balance of ninety percent (90%) of the highest bid for the parcel or parcels shall be paid to the Township of Upper, and must be received by the Township Clerk, not later than thirty (30) days after the date of the sale. In addition to the deposit of ten percent (10%), the highest bidder or bidders shall also be required to pay or tender at the time of sale the following:

IF THE BIDDER IS THE ORIGINAL APPLICANT:

- (A) (i) The sum of \$100.00 for the preparation of the Deed; and
- (ii) the sum of \$70.00 for recording the Deed.

IF THE BIDDER IS NOT THE ORIGINAL APPLICANT:

- (B) The sum of \$1,500.00, payable to the Township of Upper, representing payment to the Township for expenses of \$1,500.00 to defray Township expenses, which amounts were required of the original applicant.
- (C) (i) The sum of \$100.00 for the preparation of the Deed.
- (ii) The sum of \$70.00 for recording the Deed.

AT THE TIME OF CLOSING the successful bidder shall be required to pay the following sums:

- (D) Any additional sum required for title search or title insurance.
- (E) The cost of any survey ordered by the successful bidder. Successful bidder shall place such order directly with the surveyor or with the title company conducting closing, but the survey must be prepared in time to permit the closing to take place as scheduled.
- (F) Title company settlement fees covering services to both the Seller and the Buyer.
- (G) Any additional fees or costs chargeable by the title company or otherwise necessary to complete the transaction on behalf of the purchaser.

SECTION 10: The closing of title shall take place as designated by the Township as follows:

- (A) Township Hall, Petersburg, New Jersey; or
- (B) Office of the Township Solicitor; or
- (C) At the office of a title insurance company or title abstract company located within Cape May County.

SECTION 11: If the bidder fails to close or fails to comply with the provisions hereof, such bidder shall be in default and all amounts paid to the Township by or on behalf of the bidder shall be retained by the Township as **LIQUIDATED DAMAGES AND NOT AS A PENALTY.**

SECTION 12: The Deed from the Township of Upper shall be what is commonly known as a Quitclaim Deed.

SECTION 13: The title to be delivered by the Township shall be free and clear of all taxes up to and including the date when the Deed is delivered and closing takes place. Purchaser shall be responsible for all taxes thereafter. Unless otherwise specified herein, the purchaser shall be liable for payment of all assessments, of any nature, against said land.

SECTION 14: The title to be delivered by the Township shall be under and subject to all easements and rights of way, recorded and unrecorded, whether for utilities or for others, and shall also be subject to all conditions, reservations and restrictions of record, if any. If the title report discloses an unmarketable condition of title, except as specified herein, the remedy of the bidder shall be limited to the return of payments made to the Township of Upper on account of the purchase price and closing costs only. Any and all other amounts paid to the Township shall be non-refundable. This sale is under and subject to any riparian claim which may affect said property. If any such claim exists, it shall be the sole responsibility of the purchaser to meet and satisfy all requirements of the State of New Jersey with respect to said riparian claim and the payment of any compensation to the State of New Jersey on account thereof. Nothing herein shall be construed as obligating the Township of Upper to construct or maintain access roads to any portion of the property being sold. Such property may not qualify for a building permit due to lack of water supply, lack of sewer or septic facilities, lack of access, inadequate lot size, or other reasons, including those reasons set forth below. The purchaser is required to comply with all applicable zoning, building and health ordinances and codes and regulations. The property being sold may be situated in a Flood Hazard Zone.

The Township of Upper makes no warranties or representations, expressed or implied, as to the property being offered for sale, the condition or marketability of the title or any other matter. The Township of Upper makes no warranties or representations, expressed or implied, as to whether or not the property being offered for sale contains wetlands anywhere on the property. The Township makes no warranties or representations as to any matter of an environmental nature, or otherwise, which may prevent or limit building or construction.

SECTION 15: All references to Lots and Blocks described herein are to the Lots and Blocks as shown on the Current Official Tax Map of the Township of Upper.

SECTION 16: The successful bidder shall be required, at the time of the sale, to execute a document acknowledging that the sale is governed by the provisions of this Ordinance as well as N.J.S.A. 40A:12-13.

SECTION 17: The provisions of this Ordinance pertaining to this sale shall survive the closing of title and shall not merge into the Deed.

SECTION 18: It is a requirement of this sale that the purchaser of the subject property be a contiguous property owner. Said purchaser shall be required to take immediate action to cause a consolidation of the property being purchased with all of the bidder's existing adjacent property so as to constitute a single parcel of ground which shall not be further subdivided into more than one lot. This restriction shall be included in the deed of conveyance and shall run with the land. The successful bidder shall complete the consolidation as a condition of the sale. The provisions of this Section shall survive closing and shall not merge into the Deed.

SECTION 19: This Ordinance shall take effect immediately upon final adoption 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 9th DAY OF JUNE, 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 14th DAY OF JULY, 2025 AT 5:30 P.M. AT THE TOWNSHIP HALL, PETERSBURG, NEW JERSEY.

JOANNE R. HERRON, TOWNSHIP CLERK
TOWNSHIP OF UPPER

18. Introduction and first reading of Ordinance No. 004-2025 RE: AN ORDINANCE AUTHORIZING SALE OF LANDS, TO WIT BLOCK 10, LOT 175. **Motion by Tyler Casaccio, second by Victor Nappen, to introduce Ordinance 004-2025 with a public hearing scheduled for July 14, 2025. During roll call vote all five Committee Members voted in the affirmative.**

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

ORDINANCE NO. 004-2025

**RE: AN ORDINANCE AUTHORIZING SALE OF LANDS,
TO WIT BLOCK 10, LOT 175**

WHEREAS, the Township of Upper is the owner, in fee, of a certain parcel of vacant ground located within the Township of Upper, County of Cape May, and State of New Jersey, set forth on the municipal tax map as Block 10, Lot 175; and

WHEREAS, the Township has received an offer from Edward Bixby, on behalf of Steelmantown Church, a NJ nonprofit corp., the owner of real property contiguous with said parcel owned by the Township, to purchase said parcel; and

WHEREAS, after discussion and deliberation the Township Committee is of the opinion that the sale of said parcel will be in the best interest of the Township and will provide for the consolidation of said lot with an existing lot; and

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

SECTION 1: The Township of Upper is hereby authorized to sell the real property commonly known as follows:

Block 10, Lot 175

to the highest bidder from among all owners of real property contiguous thereto in accordance with N.J.S.A. 40A:12-13(b)(5). Such sale shall not be for less than the fair market value of said real property and the minimum bid for such parcel sold is hereby established as follows:

Block 10, Lot 175

Minimum Bid: \$2,700.00

SECTION 2: Prior to said sale, the Township will obtain a title report from a title company or abstract company licensed to do business in the State of New Jersey. Said report shall be available to all prospective bidders.

SECTION 3: The list of property authorized to be sold together with the minimum price thereof shall be posted at Township Hall and advertisement of the sale shall be made in a newspaper circulating in the Township within 5 days following enactment of this ordinance. Offers for the property may thereafter be made to the Township Committee for 20 days following said advertisement. The Township Committee may reconsider this ordinance not later than 30 days after enactment and thereafter advertise the property for public sale pursuant to N.J.S.A. 40A:12-13(a). The Township Clerk shall file with the Director of the Division of Local Government Services in the Department of Community Affairs sworn affidavits verifying the publication of the foregoing advertisements.

SECTION 4: Edward Bixby, on behalf of Steelmantown Church, a NJ nonprofit corp., shall pay \$1,500.00 to the Township Clerk prior to the adoption of this Ordinance. \$500.00 of this payment will be used by the Township to defray Township expenses involved in Authorizing the Sale and terms thereof; Engineer's review; Attorney's review; legal advertising, certified mail notices, closing costs and other expenses. \$1,000.00 of this payment will be used to cover title search costs, which if same are less than this sum the difference will be credited back to the ultimate payor. If the parcel is not sold, \$500.00 of this amount will be retained by the Township as **LIQUIDATED DAMAGES** and will be used to pay for the review of the title report and other documents. If the highest bidder at the auction sale is not the original applicant, the highest bidder will be required to pay, in addition to the purchase price and other expenses, an additional sum of \$1,500.00, representing pre-sale amounts paid by the original applicant requesting the sale and the original applicant (who is not the highest bidder) will then be entitled to a refund of all sums paid (\$1,500.00) except for the non-refundable application fee (\$50.00).

SECTION 5: The aforesaid parcel of real property shall be offered for sale at an auction to be conducted by the Township Clerk at a date and time to be set by the Township Clerk after the appropriate notice of sale has been sent to contiguous owners of the subject real property. Said notice shall

be sent certified and regular mail to the owners of contiguous property at the address set forth on the tax assessor's records. Said notice shall be sent no greater than 30 days prior to the date of sale and no less than 14 days prior to the date of sale. At any time, the Township Clerk may adjourn said sale and renote in accordance with the provisions of this Ordinance and N.J.S.A. 40A:12-13.

SECTION 6: The Township Committee expressly reserves the right to reject any and all bids in the exercise of its sole judgment and discretion. The Township Committee is authorized to confirm the sale by resolution and complete the transaction pursuant to this Ordinance and N.J.S.A. 40A:12-13.

SECTION 7: In the event the highest bid at such auction exceeds the minimum bid established herein and the Township Committee rejects same in the exercise of its sole judgment and discretion, then, in such event, all deposits made by the original applicant or the highest bidder, as the case may be, shall be refunded except for the \$50.00 application fee which shall be non-refundable.

SECTION 8: All payments required to be made pursuant to said sale to the Township Clerk must be made by personal check, cash or certified check, or any combination of the foregoing. All payments required to be made hereunder to a title company or abstract company conducting the closing shall be made in collected funds, that is, by cash, certified check, cashier's check or wire transfer.

SECTION 9: A sum equal to ten percent (10%) of the highest bid for said parcel or parcels shall be paid to the Township of Upper by the highest bidder or bidders at the time of the sale. The remaining balance of ninety percent (90%) of the highest bid for the parcel or parcels shall be paid to the Township of Upper, and must be received by the Township Clerk, not later than thirty (30) days after the date of the sale. In addition to the deposit of ten percent (10%), the highest bidder or bidders shall also be required to pay or tender at the time of sale the following:

IF THE BIDDER IS THE ORIGINAL APPLICANT:

- (A) (i) The sum of \$100.00 for the preparation of the Deed; and
- (ii) the sum of \$70.00 for recording the Deed.

IF THE BIDDER IS NOT THE ORIGINAL APPLICANT:

- (B) The sum of \$1,500.00, payable to the Township of Upper, representing payment to the Township for expenses of \$1,500.00 to defray Township expenses, which amounts were required of the original applicant.
- (C) (i) The sum of \$100.00 for the preparation of the Deed.
(ii) The sum of \$70.00 for recording the Deed.

AT THE TIME OF CLOSING the successful bidder shall be required to pay the following sums:

- (D) Any additional sum required for title search or title insurance.
- (E) The cost of any survey ordered by the successful bidder. Successful bidder shall place such order directly with the surveyor or with the title company conducting closing, but the survey must be prepared in time to permit the closing to take place as scheduled.
- (F) Title company settlement fees covering services to both the Seller and the Buyer.
- (G) Any additional fees or costs chargeable by the title company or otherwise necessary to complete the transaction on behalf of the purchaser.

SECTION 10: The closing of title shall take place as designated by the Township as follows:

- (A) Township Hall, Petersburg, New Jersey; or
- (B) Office of the Township Solicitor; or
- (C) At the office of a title insurance company or title abstract company located within Cape May County.

SECTION 11: If the bidder fails to close or fails to comply with the provisions hereof, such bidder shall be in default and all amounts paid to the Township by or on behalf of the bidder shall be retained by the Township as **LIQUIDATED DAMAGES AND NOT AS A PENALTY.**

SECTION 12: The Deed from the Township of Upper shall be what is commonly known as a Quitclaim Deed.

SECTION 13: The title to be delivered by the Township shall be free and clear of all taxes up to and including the date when the Deed is delivered and closing takes place. Purchaser shall be responsible for all taxes thereafter. Unless otherwise specified herein, the purchaser shall be liable for payment of all assessments, of any nature, against said land.

SECTION 14: The title to be delivered by the Township shall be under and subject to all easements and rights of way, recorded and unrecorded, whether for utilities or for others, and shall also be subject to all conditions, reservations and restrictions of record, if any. If the title report discloses an unmarketable condition of title, except as specified herein, the remedy of the bidder shall be limited to the return of payments made to the Township of Upper on account of the purchase price and closing costs only. Any and all other amounts paid to the Township shall be non-refundable. This sale is under and subject to any riparian claim which may affect said property. If any such claim exists, it shall be the sole responsibility of the purchaser to meet and satisfy all requirements of the State of New Jersey with respect to said riparian claim and the payment of any compensation to the State of New Jersey on account thereof. Nothing herein shall be construed as obligating the Township of Upper to construct or maintain access roads to any portion of the property being sold. Such property may not qualify for a building permit due to lack of water supply, lack of sewer or septic facilities, lack of access, inadequate lot size, or other reasons, including those reasons set forth below. The purchaser is required to comply with all applicable zoning, building and health ordinances and codes and regulations. The property being sold may be situated in a Flood Hazard Zone. The Township of Upper makes no warranties or representations, expressed or implied, as to the property being offered for sale, the condition or marketability of the title or any other matter. The Township of Upper makes no warranties or representations, expressed or implied, as to whether or not the property being offered for sale contains wetlands anywhere on the property. The Township makes no warranties or representations as to any matter of an environmental nature, or otherwise, which may prevent or limit building or construction.

SECTION 15: All references to Lots and Blocks described herein are to the Lots and Blocks as shown on the Current Official Tax Map of the Township of Upper.

SECTION 16: The successful bidder shall be required, at the time of the sale, to execute a document acknowledging that the sale is governed by the provisions of this Ordinance as well as N.J.S.A. 40A:12-13.

SECTION 17: The provisions of this Ordinance pertaining to this sale shall survive the closing of title and shall not merge into the Deed.

SECTION 18: It is a requirement of this sale that the purchaser of the subject property be a contiguous property owner. Said purchaser shall be required to take immediate action to cause a consolidation of the property being purchased with all of the bidder's existing adjacent property so as to constitute a single parcel of ground which shall not be further subdivided into more than one lot. This restriction shall be included in the deed of conveyance and shall run with the land. The successful bidder shall complete the consolidation as a condition of the sale. The provisions of this Section shall survive closing and shall not merge into the Deed.

SECTION 19: This Ordinance shall take effect immediately upon final adoption 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 9th DAY OF JUNE, 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 14th DAY OF JULY, 2025 AT 5:30 P.M. AT THE TOWNSHIP HALL, PETERSBURG, NEW JERSEY.

JOANNE R. HERRON, TOWNSHIP CLERK
TOWNSHIP OF UPPER

CORRESPONDENCE

NEW BUSINESS

19. SJ Aladdin LLC request to become a registered and licensed vendor for the sale of ice cream on Township beaches. **Motion by Tyler Casaccio, second by Samuel Palombo, to approve the request pending the receipt of the required insurance, Cape May County health inspection and fees. During roll call vote all five Committee members voted in the affirmative.**
20. Morgan DeLany request to vacate a portion of Filmore Avenue in Strathmere. **After a brief discussion, a motion was made by Zachary Palombo, second by Tyler Casaccio to move forward with the matter. An Ordinance will be brought back for introduction at a future meeting. During roll call vote all five Committee members voted in the affirmative.**

21. Strathmere Fishing and Environmental Association request to hold a Raffle RA #599 at 9 Commonwealth Avenue, Strathmere on August 23, 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.**
22. Strathmere Fishing and Environmental Association request to hold a Raffle RA #600 at Prescott Beach, Strathmere on August 16, 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.**

UNFINISHED BUSINESS

PAYMENT OF BILLS

23. “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 Zachary Palombo. During roll call vote four Committee members voted in the affirmative. Committeeman Casaccio recused himself from voting on PO #25-00615, PO #25-00173 and PO #25-00212 and voted in the affirmative on the remaining items.**

Bills approved for payment: **\$775,084.30**
 Payroll: **\$221,865.43**

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

Michelle Schaffer, South Jersey Aladdin at the Ice Cream Company, stated that SJ Aladdin would be happy to sponsor any Township special event programs.

Ralph Cooper, Green Team, commented on the construction debris matter and stated that a few area municipalities have adopted regulations.

CLOSED SESSION

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

**RESOLUTION NO. 191-2025
 MOTION GOING INTO CLOSED SESSION
 JUNE 9, 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. Personnel
2. Litigation – DeMarzo v. Upper Township, et al.
3. Contract negotiation – Engineering Services
4. Contract negotiation – Block 382, Lots 11.01 and 11.02
5. Contract negotiation – Municipal Court Services
6. Contract negotiation – Prescott Avenue

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 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.
- 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 contract negotiations such matters will be made public when negotiations have ceased and there is no longer a reason for confidentiality.

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 Victor Nappen, 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 6:45 P.M., with a motion by Tyler Casaccio, second by Victor Nappen, and all five Committee members voting in the affirmative. The next regular Committee meeting is scheduled for June 23, 2025 at 5:30 P.M.

Minutes prepared by,

Joanne R. Herron, RMC
Township Clerk

Bills

85662 06/09/25 A0025 ADVANTAGE RENTAL & SALES 270.82 3427
85663 06/09/25 A0091 ATLANTIC CITY ELECTRIC 6,558.32 3427
85664 06/09/25 A0191 ACTION UNIFORM CO. LLC 1,091.00 3427
85665 06/09/25 A0193 ATLANTIC INVESTIGATIONS, LLC 217.00 3427
85666 06/09/25 A0195 ADVANTAGE BUSINESS EQUIPMENT 1,175.00 3427
85667 06/09/25 A0212 ANCERO, LLC 989.98 3427
85668 06/09/25 A0218 ATLANTIC CITY CYCLE CENTER LLC 518.39 3427
85669 06/09/25 A0231 ALL UNIQUE GIFTS, INC. 4,500.00 3427
85670 06/09/25 A0235 AMAZON CAPITAL SERVICES, INC. 341.52 3427
85671 06/09/25 A0248 AIRESPRING, INC. 1,227.60 3427
85672 06/09/25 A0251 ACT ENGINEERS, INC. 1,967.00 3427
85673 06/09/25 A0260 AMENHAUSER, JOHN P. 7,500.00 3427
85674 06/09/25 B0076 BOND, LAURENCE E. 942.00 3427
85675 06/09/25 B0287 BIGLEAF NETWORKS, INC. 697.00 3427
85676 06/09/25 C0019 CITY OF OCEAN CITY 450.00 3427
85677 06/09/25 C0068 COMCAST 522.00 3427
85678 06/09/25 C0143 CODY'S POWER EQUIPMENT 74.80 3427

85679 06/09/25 C0223 CASA PAYROLL SERVICE 366.90 3427
85680 06/09/25 C0247 CMRS-FP 2,000.00 3427
85681 06/09/25 C0307 CNS ACQUISITION CORPORATION 2,000.00 3427
85682 06/09/25 C0352 COLUMN SOFTWARE, PBC 328.48 3427
85683 06/09/25 C0358 CASTAGNA, CHRISTOPHER 141.86 3427
85684 06/09/25 D0237 KERRY SCALFARO 125.00 3427
85685 06/09/25 D0251 THE DEWEESE LAW FIRM, P.C. 5,360.00 3427
85686 06/09/25 E0012 EHRlich PEST CONTROL INC 138.58 3427
85687 06/09/25 G0028 GENTILINI FORD, INC. 220.28 3427
85688 06/09/25 G0086 W.W. GRAINGER, INC. 202.10 3427
85689 06/09/25 G0120 PATRICK F. MARTIN 2,291.67 3427
85690 06/09/25 G0147 GREATAMERICA FINANCIAL SVCS. 139.00 3427
85691 06/09/25 H0002 H.A. DEHART & SON CORP. 2,466.11 3427
85692 06/09/25 H0073 HOME DEPOT CRC/GEFC 2,593.81 3427
85693 06/09/25 J0023 JED'S SHEDS, INC. 650.00 3427
85694 06/09/25 J0036 JOHNSON, MICHELLE 50.00 3427
85695 06/09/25 J0079 JAMES WYERS LANDSCAPING, LLC 250.00 3427
85696 06/09/25 K0106 KOHLER, MARSHALL J 600.00 3427
85697 06/09/25 L0031 LORCO PETROLEUM SERVICES 225.00 3427
85698 06/09/25 L0075 LEXISNEXIS 422.00 3427
85699 06/09/25 M0035 MARMORA FIRE CO. DISTRICT #3 199,298.53 3427
85700 06/09/25 N0004 NJ-AMERICAN WATER CO. 75.59 3427
85701 06/09/25 N0154 NEW HORIZON COMMUNICATIONS 1,129.44 3427
85702 06/09/25 O0006 SJSHORE MARKETING,LLC 240.00 3427
85703 06/09/25 O0068 OCHS Crew Boosters Girls Team 300.00 3427
85704 06/09/25 O0069 OCHS Crew Boosters Boys Team 300.00 3427
85705 06/09/25 P0032 PEDRONI FUEL CO. 1,090.89 3427
85706 06/09/25 P0076 POSTMASTER-TUCKAHOE 324.00 3427
85707 06/09/25 P0136 POSTNET 3.99 3427
85708 06/09/25 P0201 PUBLIC SAFETY TRAINING OF SJ 650.00 3427
85709 06/09/25 R0030 RIGGINS, INC. 3,909.29 3427
85710 06/09/25 S0018 SUBURBAN PROPANE, LP 365.27 3427
85711 06/09/25 S0035 SCHOPPY WILLIAM TROPHY CO. 27.45 3427
85712 06/09/25 S0057 SERVICE TIRE TRUCK CENTERS 1,238.84 3427
85713 06/09/25 S0065 SEAVILLE FIRE CO. DISTRICT #4 159,241.50 3427
85714 06/09/25 S0075 SHARP, RHONDA L. 82.44 3427
85715 06/09/25 S0102 SHORE CLEAN CAR WASH LLC 900.00 3427
85716 06/09/25 S0134 SO. JERSEY GAS COMPANY 360.31 3427
85717 06/09/25 S0191 STRATHMERE FIRE CO.DISTRICT #1 27,835.08 3427
85718 06/09/25 S0253 SAMPLE MEDIA, INC. 64.50 3427
85719 06/09/25 S0254 SHOPRITE 101.64 3427
85720 06/09/25 S0292 SURENIAN EDWARDS BUZAK & NOLAN 826.89 3427
85721 06/09/25 S0303 SITEONE LANDSCAPE SUPPLY, LLC 2,427.93 3427
85722 06/09/25 T0028 TRACTOR SUPPLY COMPANY CREDIT 94.99 3427
85723 06/09/25 T0080 TREASURER STATE OF N.J. 3,500.00 3427
85724 06/09/25 T0117 TUCKAHOE FIRE DISTRICT #2 144,500.00 3427
85725 06/09/25 T0159 TRIAD ADVISORY SERVICES, INC. 2,025.00 3427
85726 06/09/25 T0168 TOWNSHIP OF UPPER 199.61 3427
85727 06/09/25 T0192 MARSH & McLENNAN AGENCY/TRION 199.50 3427
85728 06/09/25 T0213 TREASURER, STATE OF NEW JERSEY 152,843.45 3427
85729 06/09/25 U0067 UT HEALTH REIMB. ACCOUNT 13,127.53 3427
85730 06/09/25 V0001 VCI EMERGENCY VEHICLE 2,339.86 3427
85731 06/09/25 V0013 VERIZON WIRELESS 325.51 3427
85732 06/09/25 V0025 V.E. RALPH & SON,INC. 270.60 3427
85733 06/09/25 V0052 VIKING TERMITE & PEST CONTROL 136.06 3427
85734 06/09/25 V0053 VERIZON CONNECT FLEET USA LLC 545.60 3427
85735 06/09/25 W0087 W.B. MASON EGG HARBOR 21.20 3427
85736 06/09/25 W0123 WIRELESS ELECTRONICS, INC. 2,808.00 3427
85737 06/09/25 W0131 WEX BANK 24.13 3427
85738 06/09/25 W0135 THE LAW OFFICE OF BRANDON D 1,048.46 3427
85739 06/09/25 Y0003 Y-PERS INC 668.00 3427

TOTAL: \$775,084.30