

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR JUNE 23, 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 19, 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

After the salute to the flag, Mayor Corson requested a moment of silence for the passing of Dan Lockwood, a former Middle Township Mayor.

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 - June 9, 2025 Regular and Closed Session Minutes

Motion by Tyler Casaccio, second by Victor Nappen, to approve the June 9, 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

Victor Nappen, Deputy Mayor, reminded everyone that during this heat wave to check on friends, family and pets. He next reported that the EMS Kids Camp began today and is being enjoyed by all. Lastly, he offered his condolences to Dan Lockwood’s family.

Zachary Palombo, Committeeman, reported Public Works is doing a great job on keeping the Strathmere beach pathways open. Next, he reported that he recently attended the Bubbles on the Beach for Brain Tumors event in Strathmere and stated that it was a great event for a good cause. Last, he also reminded everyone to stay hydrated during the heat wave.

Samuel Palombo, Committeeman, reported that the Summer Celebration and Fireworks event will be held on Saturday June 28th and encourage all to come out and support this wonderful event. He then thanked Public Works and Larry Cole for their work in planning this event.

Tyler Casaccio, Committeeman, reported he attended a productive meeting with a neighboring municipality for preliminary discussions for shared municipal court services. He then reported that there have been several meetings with regards to affordable housing and on-going projects but nothing to report on yet.

Curtis Corson, Mayor, cautioned everyone if setting off fireworks on their own property to be cognizant of the current extreme heat and dry conditions. He then invited everyone to attend the annual 4th of July Strathmere parade on July 4th at 10:00 AM.

ADMINISTRATOR OVERVIEW

James Van Zlike, Township Administrator, reported he has been working diligently to insure a seamless transition with our change in Engineering firms. He next reported he has completed his first round of meet and greet with the staff and is very impressed with their knowledge and professionalism. Lastly, he reported he is in continual engagements with the NJDEP and DeBlasio Associates to ensure the Township is in compliance with all emergency beach dune permits.

John Amenhauser, Municipal Attorney, reported that the Township is diligently acting to remediate some of the ongoing issues with Osprey Cove and ensuring that any conditions of site plan approval for that property are being adhered to by the current owner. However, the Township will not get involved in a private landlord tenant dispute.

Barbara Ludy, Chief Financial Officer, thanked Ryan MacNeill and stated that it was a pleasure working with him and wished him well.

Ryan MacNeill, Township Engineer, thanked the Township Committee and the great Township staff for all their support. Mayor Corson thanked Ryan and stated that it has been pleasure of working with him. He also stated that Ryan will still be working on a few of the Township's ongoing projects.

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

Nathalie Neiss, Petersburg, inquired about consent agenda items 5 and 9.

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.

John Amenhauser requested that item #17 be removed from the agenda. Motion by Victor Nappen, second by Tyler Casaccio, to approve the consent agenda items listed below after removal of item #17. During roll call vote all five Committee members voted in the affirmative.

FILING OF REPORTS BY CONSENT

1. Animal Control
2. Municipal Court

RESOLUTIONS TO BE APPROVED BY CONSENT

3. Amending Resolution 014-2025, imposing a fee on all checks given to the Township of Upper which are dishonored for any reason.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 192-2025

RE: AMENDING RESOLUTION 014-2025, IMPOSING A FEE ON ALL CHECKS GIVEN TO THE TOWNSHIP OF UPPER WHICH ARE DISHONORED FOR ANY REASON

WHEREAS, Resolution 014-2025, adopted on January 3, 2025, imposed a fee of \$35.00 on all checks given to the Township of Upper which are dishonored for any reason; and

WHEREAS, there is a need to amend Resolution 014-2025 to comply with N.J.S.A. 40:5-18; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township of Upper is hereby authorized to impose a charge of twenty dollars (\$20.00) against any person who tenders a check to the Township, which check is dishonored by the bank upon which it is drawn for insufficient funds or for any other reason. The twenty dollar (\$20.00) fee shall be in addition to all other fees which are due and payable to the Township and shall be collected in the same manner as are taxes and penalties.
3. An appropriate notice shall be posted by the Municipal Clerk in a conspicuous location, advising all persons that such charge will be imposed effective immediately.
4. This Resolution shall take effect immediately.

Resolution No. 192-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: June 23, 2025

Roll Call Vote:

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

4. Authorizing the Mayor to sign and submit a Fiscal Year 2026 Municipal Aid Grant application for roadway preservation.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 193-2025

RE: AUTHORIZING THE MAYOR TO SIGN AND SUBMIT A FISCAL YEAR 2026 MUNICIPAL AID GRANT APPLICATION FOR ROADWAY PRESERVATION

WHEREAS, the Township of Upper wishes to take advantage of Municipal Aid Grants that will be available for Fiscal Year 2026; and

WHEREAS, the Township Committee fully supports and endorses the actions of the Township Engineer in his filing of the grant application for the following grant program:

FY 2026 Municipal Aid for Roadway Preservation

This program provides grants to municipalities for roadway improvements. The project will involve the reconstruction of Klains Lane, Phase 2 in the Palermo section of 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. The Township formally approves the grant application for the above stated project.
3. The Mayor, Engineer, and Clerk of the Township of Upper are hereby authorized, directed and empowered to submit an electronic grant application identified as MA-2026 – Reconstruction of Klains Lane, Phase 2 to the New Jersey Department of Transportation on behalf of the Township of Upper.
4. The Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Upper and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.
5. All Township officials, officers and employees are empowered to take such action as may be necessary or advisable in order to carry out the intent and purpose of this Resolution.

Resolution No. 193-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: June 23, 2025

Roll Call Vote:

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

- 5. Adopting procedures for administration and inspection of federal aid highway projects.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 194-2025

**ADOPTING PROCEDURES FOR ADMINISTRATION AND INSPECTION OF FEDERAL AID
HIGHWAY PROJECTS**

WHEREAS, the Federal Highway Administration (FHWA) provides opportunities for Local Public Agencies (LPA), such as Upper Township, to receive Federal Aid Highway Program (FAHP or federal-aid) funds through New Jersey Department of Transportation (NJDOT); and

WHEREAS, Upper Township is presently the recipient of federal-aid funds through a project awarded under the NJDOT Safe Routes to Schools Program (SRTS) for the Upper Township School District Pedestrian & Bike Safety Improvements project; and

WHEREAS, Upper Township as an LPA, is responsible for administering federal-aid funded projects in compliance with all federal-aid requirements established by the FHWA; and

WHEREAS, the NJDOT, through its Stewardship Agreement with FHWA, is responsible for ensuring that Upper Township is adequately staffed and suitably equipped to undertake federal-aid projects, and ensure that federal requirements are met; and

WHEREAS, Upper Township, as required by the NJDOT, has developed a Policy outlining the required procedures for the Administration of Federally Funded Transportation Projects administered through the NJDOT; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of Upper Township, County of Cape May, State of New Jersey, that Upper Township adopts the policy entitled, “Upper Township Procedure for Administration and Inspection of federal Aid Highway Projects” dated June 23, 2025.

Resolution No. 194-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: June 23, 2025

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

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

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 195-2025

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:

Daniel J. Young (Affordable Housing Services)	\$ 1,260.00
Surenian Edwards Buzak & Nolan (Affordable Housing Services)	\$ 7,882.59
Tiffany A. CuvIELLO, PP, LLC (Affordable Housing Services)	\$ 1,562.50

Offered By: Nappen
Adopted: June 23, 2025
Roll Call Vote:

Seconded By: Casaccio

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

7. Authorizing the repair of certain items and for the Chief Financial Officer to withdraw funds in an amount not to exceed \$12,500.00 from the account entitled Recycling Trust Account for such purposes.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 196-2025

RE: AUTHORIZING THE REPAIR OF CERTAIN ITEMS AND FOR THE CHIEF FINANCIAL OFFICER TO WITHDRAW FUNDS IN AN AMOUNT NOT TO EXCEED \$12,500.00 FROM THE ACCOUNT ENTITLED RECYCLING TRUST ACCOUNT FOR SUCH PURPOSES

WHEREAS, it is necessary for the Township of Upper to repair and maintain our pickup truck dedicated to recycling purposes; and

WHEREAS, the Township of Upper has available an amount not to exceed \$12,500.00 in the Recycling Trust account to make such repairs; and

WHEREAS, the Township's QPA has reviewed and approved the quote from Kindle Auto Plaza of Cape May Court House, New Jersey.

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township Committee of the Township of Upper, Cape May County, New Jersey hereby authorizes the repairs to our recycling pickup truck in an amount not to exceed \$12,500.00 from Kindle Auto Plaza of Cape May Court House, New Jersey.
3. The Chief Financial Officer of the Township of Upper is hereby authorized, directed and empowered to withdraw funds in an amount not to exceed \$12,500.00 from the Recycling Trust Account

to pay for the repairs to the recycling pickup truck and is empowered to execute any and all necessary documents in order to implement the intent of this Resolution.

Resolution No. 196-2025

Offered By: Nappen

Seconded By: Casaccio

Adopted: June 23, 2025

Roll Call Vote:

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

8. Accepting the bid and authorizing the execution of a contract with All Vinyl Fencing, LLC of Hammonton, New Jersey, for the project known as Athletic Court – Fencing Improvements at a cost of \$91,140.00.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 197-2025

**RE: ACCEPTING THE BID AND AUTHORIZING THE EXECUTION OF A
CONTRACT WITH ALL VINYL FENCING, LLC OF HAMMONTON, NEW JERSEY,
FOR THE PROJECT KNOWN AS ATHLETIC COURT – FENCING IMPROVEMENTS
AT A COST OF \$91,140.00**

WHEREAS, the Township of Upper solicited bids for the Athletic Court – Fencing Improvements project, which bids were received on June 5, 2025; and

WHEREAS, the aforesaid bids were thereafter reviewed by the Township Engineer 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 \$91,140.00; 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 All Vinyl Fencing, LLC of 453 Middle Road, Hammonton, New Jersey for the project known as Athletic Court-Fencing Improvements, in the amount of \$91,140.00, 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. 197-2025

Offered By: Nappen

Seconded By: Casaccio

Adopted: June 23, 2025

Roll Call Vote:

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

9. Appointing DeBlasio & Associates, PC as the Township Engineer for the Township of Upper.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 198-2025

**RE: APPOINTING DEBLASIO & ASSOCIATES, PC AS THE TOWNSHIP ENGINEER FOR
THE TOWNSHIP OF UPPER**

WHEREAS, the Township requires a Township Engineer; and

WHEREAS, the Township has decided to acquire the services of DeBlasio & Associates, PC, hereinafter referred to as “DeBlasio”, as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, DeBlasio has completed and submitted a Business Entity Disclosure Certification which certifies that DeBlasio 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 DeBlasio 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. DeBlasio with offices at 4701 New Jersey Ave, Wildwood, NJ 08260 is hereby appointed as Township Engineer for the Township of Upper.
3. The Mayor and Township Clerk are hereby authorized, directed, and empowered to execute a contract with DeBlasio for professional engineering services.
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 DeBlasio has professional knowledge as to engineering issues 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

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 DeBlasio for engineering 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 has provided proof of that registration to the Township of Upper.
8. A notice of the 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. 198-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: June 23, 2025

Roll Call Vote:

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

10. Appointing Michael Gift as a full-time Laborer 1, probational to the Upper Township Department of Public Works.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 199-2025

**RE: APPOINTING MICHAEL GIFT AS A FULL-TIME LABORER 1, PROBATIONAL TO
THE UPPER TOWNSHIP DEPARTMENT OF PUBLIC WORKS**

WHEREAS, a need exists to appoint qualified personnel as a full-time employee to the Upper Township Department of Public Works to ensure optimal operation; and

WHEREAS, Michael Gift possesses all the requisite qualifications for appointment to said position; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. Michael Gift is hereby appointed to the Upper Township Department of Public Works as a full-time Laborer 1, effective July 2, 2025, at a Probational salary of \$40,280.00 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. 199-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: June 23, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	X			
Nappen	X			

S. Palombo	X			
Z. Palombo	X			
Corson	X			

11. Appointing the 2025 season Beach Patrol personnel.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 200-2025

RE: APPOINTING THE 2025 SEASON BEACH PATROL PERSONNEL

WHEREAS, the individuals hereinafter named have been determined to possess the requisite skills, training and are otherwise eligible for appointment to the position of lifeguard; 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 following individuals are appointed as lifeguards in the Township of Upper, contingent upon successful pre-employment testing, at a salary as stated below in accordance with the Salary Ordinance:

NEW GUARDS

Logan Manning	1 st yr	\$18.50 per hour
William Jenkins	1 st yr	\$18.50 per hour
Daniel Corcoran	1 st yr	\$18.50 per hour
Katie Carlos	1 st yr	\$18.50 per hour
James Carr	1 st yr	\$18.50 per hour
Chris White	1 st yr	\$18.50 per hour

3. The following individuals are appointed as lifeguards in the Township of Upper, effective June 24, 2025, at a salary as stated below in accordance with the Salary Ordinance:

RETURNING GUARDS

Caleb Aristizabal	3 rd yr	\$19.20 per hour
Wayne MacMurray	5 th yr	\$20.00 per hour

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

Offered by: Nappen
Adopted: June 23, 2025
Roll Call Vote:

Seconded by: Casaccio

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

12. Appointing Valerie McKim as a part-time Emergency Medical Technician to the Upper Township Division of Emergency Medical Services.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 201-2025

**RE: APPOINTING VALERIE MCKIM AS A PART-TIME
EMERGENCY MEDICAL TECHNICIAN TO THE UPPER TOWNSHIP
DIVISION OF EMERGENCY MEDICAL SERVICES**

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

WHEREAS, Valerie McKim possesses all the requisite qualifications for appointment to said position; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. Valerie McKim is hereby appointed to the Division of Emergency Medical Services as a part-time Emergency Medical Technician, pending successful pre-employment testing, at a rate of \$28.00 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. 201-2025
Offered by: Nappen
Adopted: June 23, 2025
Roll Call Vote:

Seconded by: Casaccio

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

14. Authorizing a salary increase for Donna Heiler.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 203-2025

RE: AUTHORIZING A SALARY INCREASE FOR DONNA HEILER

WHEREAS, on January 13, 2025, Donna Heiler, along with Township officials, executed a letter of understanding that provided for a salary increase of \$1,000.00 for each successful six-month working test period during 2025.

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. Donna Heiler’s annual salary will increase to \$68,500.00 in accordance with the Salary Ordinance effective July 1, 2025.
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. 203-2025

Offered By: Nappen

Seconded By: Casaccio

Adopted: June 23, 2025

Roll Call Vote:

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

15. Authorizing the Upper Township Tax Collector to extend the 3rd quarter grace period.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 204-2025

**AUTHORIZING THE UPPER TOWNSHIP TAX COLLECTOR
TO EXTEND THE 3RD QUARTER GRACE PERIOD**

WHEREAS, the tax rate or bills were not received in time to meet the statutory mailing and due dates; and

WHEREAS, N.J.S.A. 54:4-66.3(d) prohibits the accrual of interest until the later of the 10-day grace period authorized by N.J.S.A.54:4-67 or 25 days after the bills are mailed.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Upper, Cape May County, that in accordance with the law the third quarter taxes of 2025 shall not be subject to interest until 25 days after mailing. Anyone paying after the extended grace period shall pay interest from the due date of August 1st.

Resolution No. 204-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: June 23, 2025

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

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

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 205-2025

**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. 205-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: June 23, 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 US 9 SO	\$250.00	\$50.00	\$300.00

17. Renewal of Alcoholic Beverage License for the 2025/2026 license year for Levariland, Inc. **No action was taken on this item.**

PUBLIC HEARING

18. 201 Willard Liquor, LLC, dba Deauville Inn – Renewal of Alcoholic Beverage License for the 2025/2026 license year. **Due to a conflict Committee Nappen did not participate in this matter.**

Mr. Amenhauser first invited Dorothy McCrosson to speak on behalf of the applicant, 201 Willard Liquor, LLC.

Dorothy McCrosson, attorney for 201 Willard Liquor, LLC, dba Deauville Inn Deauville Inn, stated that the property owners of the Deauville fully understand they can only operate in accordance with their site plan approval and that they have and are making good faith efforts to comply with the approval and its many conditions. She stated that the site plan conditions are not needed to be placed as a special condition of their liquor license as well. They are already required to comply. Attaching site plan conditions only complicates the issue.

John Amenhauser, Municipal Attorney, noted that special conditions of Zoning Board approvals are not required to be attached to the liquor license. The recourse for a complaint of zoning violations would be to go to the Township Zoning office to complain of the issues and a citation would be issued if warranted.

Dodie Reagan, Strathmere, presented documents to the Committee members and stated in detail her objection to renewal of the liquor license for 201 Willard Liquor, LLC unless the special conditions previously imposed on the Deauville Inn's liquor license are included.

Ted Kingston, Strathmere, spoke in support of placing special conditions on the Deauville Inn's liquor license.

Nathalie Neiss, Petersburg, stated opposition to placing special conditions on the Deauville Inn's liquor license.

Victoria, Strathmere, spoke in support of placing special conditions on the Deauville Inn's liquor license.

Mark, Strathmere, spoke in support of placing special conditions on the Deauville Inn's liquor license.

Linda Bateman, Strathmere, spoke in support of placing special conditions on the Deauville Inn's liquor license.

Sophia Wisniewska, Strathmere, spoke in support of placing special conditions on the Deauville Inn's liquor license.

Mike Jones, Upper Township, stated that he worked near the Deauville Inn during the 2024 summer season as a parking enforcement officer and did not observe any of the complaints stated against the Deauville tonight.

Mayor Corson then closed the public hearing.

Dorothy McCrosson, attorney for Deauville Inn, stated that the Deauville Inn is serious about a good faith effort to comply with site plan conditions and continue to upgrade the property and address the concerns of the Township residents.

Mayor Corson then inquired with Ms. McCrosson as to whether there is signage or snow fencing on the beach to designate the licensed area. Ms. McCrosson stated that the area is highly regulated by the DEP with regards to fencing, however there are signs prohibiting the taking of open containers off the property. The owners are willing to look into the feasibility of fencing if permitted.

There being no further questions or comments by the Committee, Mr. Amenhauser provide guidance as to the next steps. There was then a motion by Committeeman Casaccio to approve the renewal of the Deauville Inn's liquor license without any special conditions. There was no second and the motion was not considered for a vote. There was then a motion by Samuel Palombo, second by Zachary Palombo, to approve the renewal of the alcoholic beverage license

for 201 Willard Liquor, LLC, dba Deauville Inn for the 2025/2026 license year with the special condition that the licensee maintain security guards at all entrances to the licensed premises, including the entrance adjacent to the Corson's Inlet Bridge property, during all hours when alcohol is available for purchase between Memorial Day and Labor Day, inclusive. Such guards shall be trained to prevent removal of open containers of alcohol from the licensed premises. During roll call vote four Committee members voted in the affirmative. Committeeman Nappen abstained. Mayor Corson then stated for the record that the Deauville Inn is governed by the Planning Board resolution of approval. If there is a violation residents can reach out to Code Enforcement, the Zoning Officer, or the Township Administrator and the matter will be addressed.

RESOLUTIONS TO BE ACTED ON SEPARATELY

19. Renewal of Alcoholic Beverage License for the 2025/2026 license year for 201 Willard Liquor, LLC.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 206-2025

**RE: RENEWAL OF ALCOHOLIC BEVERAGE LICENSE FOR THE
2025-2026 LICENSE YEAR FOR 201 WILLARD LIQUOR, LLC**

WHEREAS, 201 Willard Liquor, LLC , the holder of the alcoholic beverage license in the Township of Upper, has applied for renewal of the license in the prescribed manner; and

WHEREAS, the Township Clerk received one or more written objections to the renewal of said license; and

WHEREAS, in accordance with law and regulations, a hearing on said objections was held by the Township Committee on June 23, 2025; and

WHEREAS, the Township Committee did, at the conclusion of the hearing, determine that said holder of alcoholic beverage license has complied with all requirements of law and regulations of the Division of Alcoholic Beverage Control ("Division"), and did vote to renew said license for the ensuing license year, subject to special conditions.

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 license be authorized for issue for the license year effective July 1, 2025:

201 Willard Liquor, LLC
DBA Deauville Inn
201 Willard Road
Strathmere, NJ 08248
License # 0511-33-003-008
Plenary Retail Consumption License

Municipal Fee Paid: \$700.00
State Fee Paid: \$200.00

BE IT FURTHER RESOLVED, that the aforesaid alcoholic beverage license shall be subject to the following special conditions for the license year beginning July 1, 2025:

1. The licensee shall maintain security guards at all entrances to the licensed premises, including the entrance adjacent to the Corson’s Inlet Bridge property, during all hours when alcohol is available for purchase between Memorial Day and Labor Day, inclusive. Such guards shall be trained to prevent removal of open containers of alcohol from the licensed premises.

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

Resolution No. 206-2025

Offered by: S. Palombo

Seconded by: Z. Palombo

Adopted: June 23, 2025

Roll Call Vote:

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

ORDINANCES

20. Public hearing and final adoption of Ordinance No. 002-2025 RE: AN ORDINANCE ESTABLISHING SALARY RANGES FOR THE TOWNSHIP OF UPPER FOR THE CALENDAR YEAR 2025. **It was stated that several amendments to this Ordinance are needed. Motion by Curtis Corson, second by Tyler Casaccio, to approve the recommended amendments to Ordinance 002-2025 and schedule the public hearing of Ordinance 002-2025, as amended, to be held on 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. 002-2025

**AN ORDINANCE ESTABLISHING SALARY RANGES FOR THE
TOWNSHIP OF UPPER FOR THE CALENDAR YEAR 2025**

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

SECTION 1: TITLE: This Ordinance shall be known as the Salary Ordinance of 2025.

SECTION 2: SALARIES: Salary ranges for the various officials and employees of the Township of Upper for the calendar year 2025 shall be as follows:

<u>POSITION</u> (P/T denotes "Part-Time Position")	<u>MINIMUM</u>	<u>MAXIMUM- 2025</u>
<u>A. ADMINISTRATIVE / REVENUE AND FINANCE:</u>		
Mayor	3,750.00	6,000.00
Township Committee Member	7,000.00	13,500.00
Township Administrator	15,000.00	175,000.00
Personnel Officer	15,000.00	125,000.00
Township Clerk	15,000.00	125,000.00
Deputy Township Clerk	15,000.00	80,000.00
Chief Financial Officer	15,000.00	125,000.00
Assistant Municipal Treasurer	15,000.00	80,000.00
Township Tax Assessor	15,000.00	100,000.00
Tax Assessor P/T	No Min.	65.00/Hr.
Deputy Tax Assessor	15,000.00	80,000.00
Township Tax Collector	15,000.00	125,000.00
Assistant Municipal Tax Collector	15,000.00	80,000.00
Senior Account Clerk	15,000.00	80,000.00
Account Clerk	15,000.00	5,000.00
Township Engineer	15,000.00	150,000.00
Keyboarding Clerk 2	15,000.00	75,000.00
Keyboarding Clerk 1	15,000.00	70,000.00
Keyboarding Clerk 1 (MAC)	No Min.	4,450.00
Keyboarding Clerk 1 (P/T)	10.00/Hr.	30.00/Hr.
Purchasing Agent/QPA	No Min.	5,000.00
Registrar of Vital Statistics/CMR(P/T)	No Min.	5,000.00
Deputy Reg. Vital Statistics (P/T)	No Min.	3,000.00
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
Assistant Claims Coordinator	No Min.	1,000.00
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
Computer Director	No. Min	2,000.00
Municipal Housing Liaison	No Min.	3,000.00
Floodplain Manager	No. Min.	1,000.00

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
Zoning Officer (P/T)	No Min.	5,000.00
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, Grounds (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, Grounds (10 or more yrs.)	No Min.	70,366.00
Recreational Program Coordinator	No Min.	70,000.00
Recreation Supervisor	No Min.	70,000.00
Recreation Leader	No Min.	70,000.00
Recreation Aide	No Min.	60,000.00
Beach Sweeper (Seasonal)	No Min.	20.00/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.

- a. A departmental staffing shortage which lasted 6 months or more.
- b. A savings to the Township of \$20,000 or more through the execution of official duties.
- c. 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 preceding 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.

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

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:

<u>YEARS OF SERVICE</u>	<u>AMOUNT OF INCREASE BASED ON LONGEVITY</u>
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, WAS AMENDED BY THE TOWNSHIP COMMITTEE AT A PUBLIC MEETING HELD ON THE 23rd DAY OF JUNE, 2025, 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 TOWNSHIP HALL, PETERSBURG, NEW JERSEY,

JOANNE R. HERRON, TOWNSHIP CLERK
TOWNSHIP OF UPPER

CORRESPONDENCE

NEW BUSINESS

21. South Shore Stitchers request to hold a Raffle RA #601 at the Upper Township Community Center on October 18, 2026. **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

22. "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: **\$178,509.31**
Payroll: **\$255,909.18**

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

Robert Lynn, Osprey Cove, spoke about trash removal and lawn maintenance issues in Osprey Cove under the new ownership. It was stated that the Township is working on site plan compliance and code enforcement issues with the ownership of Osprey Cove.

Maureen Stahl, Osprey Cove, also spoke about issues with Osprey Cove under the new ownership. Committeeman Casaccio asked the Municipal Attorney to explain the steps the Township has taken regarding Osprey Cove and the procedures in place regarding compliance and violations of site plan approvals. Mr. Amenhauser stated that the owner has been notified that they were in violation of their site plan approval regarding curbside trash pickup, at which time he temporarily adhered, but is now in violation again. A citation has been issued, and if not remedied, he will be brought to municipal court and face potential violations and fines.

Greg Heffron, Osprey Cove, inquired if the Osprey Cove property owner has the right to change the site plan. It was stated that he has the right to apply to the Planning Board for a site plan amendment. It would be up to the Board to approve or deny.

Betty Reilly, Osprey Cove, also spoke about trash removal issues with Osprey Cove under the new ownership.

Nancy McKluskey, Osprey Cove, also spoke about trash removal issues with Osprey Cove under the new ownership.

Susan Studel, Osprey Cove, inquired if part of the Osprey Cove site plan approval includes anything regarding snow removal. It was stated that a copy of the site plan approval can be obtained through the Clerk's Office.

Nathalie Neiss, Petersburg, stated that she is sad to see Ryan MacNeill leave. She then spoke about the Township's engineering services and who will be her point of contact for any issues she may have. It was stated that she should contact the Township Administrator or Clerk with any questions or issues.

CLOSED SESSION

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

**RESOLUTION NO. 207-2025
MOTION GOING INTO CLOSED SESSION
JUNE 23, 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 – EMS Services
4. Contract negotiation – Municipal Court Services
5. Contract negotiation – Video Recording Services

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 Curtis Corson, 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 7:37 P.M., with a motion by Curtis Corson, second by Tyler Casaccio, and all five Committee members voting in the affirmative. The next regular Committee meeting is scheduled for July 14, 2025 at 5:30 P.M.

Minutes prepared by,

Joanne R. Herron, RMC
Township Clerk

Bills

85741 06/23/25 A0018 ACTION SUPPLY INC. 34.24 3428
85742 06/23/25 A0078 ANCHOR RUBBER STAMP & PRINTING 57.00 3428
85743 06/23/25 A0091 ATLANTIC CITY ELECTRIC 25,279.34 3428
85744 06/23/25 A0193 ATLANTIC INVESTIGATIONS, LLC 651.00 3428
85745 06/23/25 A0212 ANCERO, LLC 13,590.00 3428
85746 06/23/25 A0225 AUTOZONE NORTHEAST LLC 1,298.54 3428
85747 06/23/25 A0235 AMAZON CAPITAL SERVICES, INC. 215.88 3428
85748 06/23/25 C0042 CAMPBELL SUPPLY COMPANY 3,005.11 3428
85749 06/23/25 C0068 COMCAST 587.46 3428
85750 06/23/25 C0143 CODY'S POWER EQUIPMENT 407.96 3428
85751 06/23/25 C0194 CUMMINS EQUIPMENT COMPANY, INC. 126.87 3428
85752 06/23/25 C0246 CRAFT OIL CORPORATION 588.00 3428
85753 06/23/25 C0305 CM3 BUILDING SOLUTIONS, INC. 2,028.00 3428
85754 06/23/25 C0330 CAPE MAY ENTERTAINMENT LLC 2,800.00 3428
85755 06/23/25 C0346 CME ASSOCIATES 0.00 06/23/25 VOID 0
85756 06/23/25 C0346 CME ASSOCIATES 69,606.83 3428
85757 06/23/25 C0352 COLUMN SOFTWARE, PBC 595.12 3428
85758 06/23/25 D0040 DELTA DENTAL OF N.J. INC. 5,459.61 3428
85759 06/23/25 D0186 DOCUTREND IMAGING SOLUTIONS 82.21 3428
85760 06/23/25 D0237 KERRY SCALFARO 125.00 3428
85761 06/23/25 F0016 FAZZIO, JOSEPH INC. 484.74 3428
85762 06/23/25 G0016 GARDNER HARDWARE INC. 195.97 3428
85763 06/23/25 G0028 GENTILINI FORD, INC. 132.00 3428
85764 06/23/25 G0120 PATRICK F. MARTIN 2,291.67 3428
85765 06/23/25 G0169 GROFF TRACTOR MID ATLANTIC LLC 624.57 3428
85766 06/23/25 G0211 GRACETOWN LUMBER CO., LLC 175.34 3428
85767 06/23/25 H0022 HR DIRECT 401.80 3428
85768 06/23/25 H0073 HOME DEPOT CRC/GECF 344.96 3428
85769 06/23/25 H0096 HARBOR OUTFITTERS 4,392.00 3428
85770 06/23/25 H0180 HD SUPPLY FACILITIES MANT 716.74 3428
85771 06/23/25 H0185 Hogan Steve 31.75 3428
85772 06/23/25 J0079 JAMES WYERS LANDSCAPING, LLC 150.00 3428
85773 06/23/25 L0007 LC EQUIPMENT, INC. 572.00 3428
85774 06/23/25 L0043 LEE RAIN, INC. 1,926.04 3428
85775 06/23/25 L0128 LONE WOLF GAMING, LLC 1,400.00 3428
85776 06/23/25 L0146 LAWSON PRODUCTS, INC. 533.05 3428
85777 06/23/25 M0188 MCCARTHY TIRE SERVICE OF PHILA 764.96 3428
85778 06/23/25 M0193 MAYNE, MICHAEL 110.00 3428
85779 06/23/25 N0043 NAPA AUTO PARTS 1,191.18 3428
85780 06/23/25 N0052 NATL ALLIANCE FOR YOUTH SPORTS 48.00 3428
85781 06/23/25 N0070 MARSH & MCLENNAN AGENCY, LLC 2,000.00 3428
85782 06/23/25 N0100 N.J. LEAGUE OF MUNICIPALITIES 25.00 3428
85783 06/23/25 O0006 SJSHORE MARKETING, LLC 330.00 3428
85784 06/23/25 P0032 PEDRONI FUEL CO. 4,377.95 3428
85785 06/23/25 P0136 POSTNET 19.95 3428
85786 06/23/25 P0140 PIONEER MANUFACTURING CO, INC 976.67 3428
85787 06/23/25 P0219 Primo Brands 518.22 3428
85788 06/23/25 R0030 RIGGINS, INC. 4,216.32 3428
85789 06/23/25 R0092 RUTGERS, THE STATE UNIVERSITY 596.00 3428
85790 06/23/25 R0152 REEF FAMILY PHARMACY LLC 440.00 3428
85791 06/23/25 S0037 SCHNEIDER'S NURSERY LLC 390.00 3428

85792 06/23/25 S0057 SERVICE TIRE TRUCK CENTERS 1,120.40 3428
85793 06/23/25 S0196 STEWART BUSINESS SYSTEMS LLC 274.40 3428
85794 06/23/25 S0239 SHORE ANIMAL CONTROL SERV LLC 4,450.00 3428
85795 06/23/25 S0275 SCHAEFER FIREWORKS 8,000.00 3428
85796 06/23/25 S0363 STARR SEPTIC, LLC. 1,923.50 3428
85797 06/23/25 S0413 S & S PIZZA, LLC 1,320.00 3428
85798 06/23/25 T0028 TRACTOR SUPPLY COMPANY CREDIT 174.65 3428
85799 06/23/25 T0032 THE PRESS OF ATLANTIC CITY 103.12 3428
85800 06/23/25 T0180 TRI-COUNTY PEST CONTROL, INC 25.00 3428
85801 06/23/25 V0022 VERIZON 1,209.12 3428
85802 06/23/25 W0030 WEST PUBLISHING CO. 848.00 3428
85803 06/23/25 W0087 W.B. MASON EGG HARBOR 880.62 3428
85804 06/23/25 W0135 THE LAW OFFICE OF BRANDON D 1,048.46 3428
85805 06/23/25 X0008 XEROX FINANCIAL SERVICES 216.99 3428
Total: \$178,509.31