

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR AUGUST 25, 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 August 22, 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

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, and Township Administrator James Van Zlike.

APPROVAL OF MINUTES - August 11, 2025 Regular and Closed Session Minutes

Motion by Victor Nappen, second by Tyler Casaccio, to approve the August 11, 2025 Regular and Closed Session Minutes as submitted. During roll call vote four Committee members voted in the affirmative. Samuel Palombo abstained.

REPORT OF GOVERNING BODY MEMBERS

Zachary Palombo, Committeeman, gave a detailed timeline of events during Hurricane Erin that began on Wednesday August 20th with Public Works removing debris and placing barricades for public safety. Clean up of debris at the Beesley’s Point Beach began on Friday and at the Strathmere Beach on Saturday, with restoration of Strathmere Beach crossovers beginning on Sunday. The beach dunes received significant damage, but Public Works was able to restore and reopen seven beach access paths as of today, Monday, August 25th. He also reported that during all of the storm activities, Public Works also continued with all their regular daily services as well. He commended all Public Works employees for their amazing efforts. Lastly, he stated that while he knows that placing barricades at the beach entrances is an unpopular decision, the barricades are placed to ensure public safety.

Curtis Corson, Mayor, commended the Department of Public Works and also the Beach Patrol for their phenomenal efforts of guarding the beaches during the storm as well as helping with debris cleanup. He

then reported that members of the Beach Patrol facilitated an amazing water rescue of a driver of a capsized wave runner. They were able to get the individual to shore, evaluated, and transported quickly.

Victor Nappen, Deputy Mayor, also commended the great work from Public Works. He next thanked DeBlasio & Associates Engineers for providing pro bono engineered drawings to use for the construction of the Easton Alley memorial project at Amanda's Field in memory of a young athlete that was tragically killed last year. Next, he reported that the Emergency Medical Services' ambulances were equipped with glucometers last week. Lastly, he reported that anyone interested in attending a CPR course should contact the Division of EMS. Later in the meeting he reported that an agreement has been reached for shared emergency medical services with the Borough of Woodbine that will also provide additional revenue to the Township. He thanked Chief Brittin for his work on this agreement.

Samuel Palombo, Committeeman, thanked Public Works for their efforts in Strathmere and their additional work at Amanda's Field for the fall season. He then invited everyone to come out and support the Upper Township Fall Fest on October 5th at Amanda's Field.

Tyler Casaccio, Committeeman, stated that he is happy to report that the Township has reached an agreement for shared municipal court services with the Borough of Woodbine beginning January 1, 2026.

Curtis Corson, Mayor, reported that he recently attended a Mayor's Round Table meeting which included a discussion of the consolidation of Cape May County municipal courts.

ADMINISTRATOR OVERVIEW

James Van Zlike, Administrator, reported that Public Works will continue the restoration of the Strathmere beach and access paths in the following weeks. He next spoke passionately regarding the upcoming anniversary of September 11th and stated that the day is not a holiday to celebrate, but a day to remember. He encouraged all to honor and remember the sacrifices of that day, support our first responders, and choose public service.

Barbara Ludy, Chief Financial Officer, requested approval for all interested Township employees to attend the NJ League of Municipalities from November 18th through 20th. Motion by Curtis Corson, second by Victor Nappen, 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

Barbara Leary, Seaville, inquired about agenda item #26. It was stated that this matter is a closed session contract negotiation item and will be considered for adoption when the meeting reconvenes after closed session. It was further stated that the Township will open the meeting for public comment on this matter when the public portion of the meeting reconvenes.

Robert Grimley, Petersburg, spoke in favor of agenda item #22, the renaming of No Name Road.

Nathalie Neiss, Petersburg, inquired about agenda items #2 through #8 and spoke in opposition to the renaming of No Name Road.

Lou Barbato, Petersburg, spoke in opposition to renaming No Name Road.

CONSENT AGENDA

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

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

FILING OF REPORTS BY CONSENT

RESOLUTIONS TO BE APPROVED BY CONSENT

1. Commemorating the 24th Anniversary of September 11, 2001.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 248-2025

RE: COMMEMORATING THE 24TH ANNIVERSARY OF SEPTEMBER 11, 2001

WHEREAS, 24 years ago, on September 11, 2001, terrorists hijacked four civilian aircraft, crashing two into the World Trade Center in New York City, a third into the Pentagon outside of Washington, D.C., and a fourth into the countryside of Pennsylvania; and

WHEREAS, thousands of innocent people were killed and injured as a result of these reprehensible attacks; and

WHEREAS, countless fire departments, police departments, first responders, emergency medical personnel, and volunteers responded heroically to those horrific events; and

WHEREAS, in the 24 years since September 11th, hundreds of thousands of American troops have served — and sacrificed — around the world to deny terrorists safe haven and protect the American people; and

WHEREAS, on the 24th anniversary of this tragic day, the thoughts of the citizens of Upper Township are with all of the victims of the events of September 11, 2001 and their families.

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 we do hereby observe the 24th anniversary of September 11 as “Always Remember Day”, to honor the innocent victims of September 11, 2001, the heroic actions of those who rushed to help their fellow citizens, and those who continue to fight for the freedom of this great Nation; and

BE IT FURTHER RESOLVED, that all persons within this municipality are urged to remember and commemorate the 24th anniversary of September 11, 2001.

GIVEN UNDER OUR HANDS and the seal of the Township of Upper this 25th day of August, 2025.

Resolution No. 248-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 25, 2025

Roll Call Vote:

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

2. Canceling tax on exempt property Block 246, Lot 30.01.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 249-2025

**CANCELING TAX ON EXEMPT PROPERTY
BLOCK 246, LOT 30.01**

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

WHEREAS, certain properties became tax exempt in the year 2025; and

WHEREAS, Joseph Meduzia is a 100% disabled American veteran residing at 70 Narrows Road, Steelmantown, NJ 08270, Block 246, Lot 30.01 on the municipal tax map of Upper Township, New Jersey; and

WHEREAS, the Department of Veterans Affairs has determined that Mr. Meduzia's 100% permanent military service-connected disability was effective April 15, 2025; and

WHEREAS, Joseph Meduzia made application April 17, 2025 and requested a refund for taxes paid for the first half of 2025; and

WHEREAS, Resolution No. 163-2025 cancelled and refunded taxes for the first half of 2025; and

WHEREAS, in receipt of the 2025 tax rate, it is necessary to cancel taxes on the 3rd and 4th quarters of 2025 on the above mentioned property; and

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

Resolution No. 249-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 25, 2025

Roll Call Vote:

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

CANCEL TAX 2025

BLOCK/LOT

246/30.01

AMOUNT

\$4,308.07

NAME

Joseph Meduzia
70 Narrows Rd.
Steelmantown, NJ 08270

3. Canceling tax on exempt property Block 453.03, Lot 36.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 250-2025

**CANCELING TAX ON EXEMPT PROPERTY
BLOCK 453.03, LOT 36**

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

WHEREAS, certain properties became tax exempt in the year 2025; and

WHEREAS, Brandon Wheeley is a 100% disabled American veteran residing at 451 Dennisville/Petersburg Rd, Woodbine, NJ, Block 453.03, Lot 36 on the municipal tax map of Upper Township, New Jersey; and

WHEREAS, the Department of Veterans Affairs has determined that Mr. Wheeley's 100%

permanent military service-connected disability was effective January 1st, 2025; and

WHEREAS, Brandon Wheeley made application February 10th, 2025 and requested a refund for taxes paid for the first half of 2025; and

WHEREAS, Resolution No 069-2025 cancelled and refunded taxes for the first half of 2025; and

WHEREAS, in receipt of the 2025 tax rate; it is necessary to cancel taxes on the 3rd and 4th quarters of 2025 on the above mentioned property; and

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

Resolution No. 250-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 25, 2025

Roll Call Vote:

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

CANCEL TAX 2025

BLOCK/LOT

453.03/36

AMOUNT

\$ 3,278.30

NAME

Brandon Wheeley
451 Dennisville/ Petersburg Rd
Woodbine, NJ 08270

100% Totally Disabled Veteran

4. Canceling tax on exempt property Block 477, Lot 2.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 251-2025

**CANCELING TAX ON EXEMPT PROPERTY
BLOCK 477, LOT 2**

WHEREAS, certain corrections have been recommended by the Upper Township Tax

Collector in order to cancel taxes; and

WHEREAS, certain properties became tax exempt in the year 2025; and

WHEREAS, Dennis Bock is a 100% disabled American veteran residing at 503 Perry Road, Petersburg, NJ 08270, Block 477, Lot 2 on the municipal tax map of Upper Township, New Jersey; and

WHEREAS, the Department of Veterans Affairs has determined that Mr. Bock’s 100% permanent military service-connected disability was effective September 12, 2024; and

WHEREAS, Dennis Bock made application April 8, 2025 and requested a refund for the taxes paid for the first half of 2025; and

WHEREAS, Resolution No. 162-2025 cancelled and refunded taxes for the first half of 2025; and

WHEREAS, in receipt of the 2025 tax rate; it is necessary to cancel taxes on the 3rd and 4th quarters of 2025 on the above mentioned property; and

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

Resolution No. 251-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 25, 2025

Roll Call Vote:

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

CANCEL TAX 2025

BLOCK/LOT
477/2

AMOUNT
\$2,513.28

NAME
Dennis and Maryann Bock
503 Perry Rd.
Petersburg, NJ 08270

5. Canceling tax on exempt property Block 549, Lot 143.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 252-2025

**CANCELING TAX ON EXEMPT PROPERTY
BLOCK 549, LOT 143**

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

WHEREAS, certain properties became tax exempt in the year 2025; and

WHEREAS, Tully O’Clisham is a 100% disabled American veteran residing at 5 Williams Way, Seaville NJ, Block 549, Lot 143 on the municipal tax map of Upper Township, New Jersey; and

WHEREAS, the Department of Veterans Affairs has determined that Mr. O’Clisham’s 100% permanent military service-connected disability was effective June 4th, 2025; and

WHEREAS, Tully O’Clisham made application June 4th, 2025; and

WHEREAS, in receipt of the 2025 tax rate; it is necessary to cancel taxes on the 3rd and 4th quarters of 2025 on the above mentioned property; and

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

Resolution No. 252-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 25, 2025

Roll Call Vote:

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

CANCEL TAX 2025

BLOCK/LOT

549/143

AMOUNT

\$2,798.96

NAME

Tully O’Clisham
5 Williams Way
Seaville, NJ 08230

100% Totally Disabled Veteran

- 6. Canceling tax on exempt property Block 567.01, Lot 4.

TOWNSHIP OF UPPER

**CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 253-2025

**CANCELING TAX ON EXEMPT PROPERTY
BLOCK 567.01, LOT 4**

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

WHEREAS, certain properties became tax exempt in the year 2025; and

WHEREAS, Ryan Papperman is a 100% disabled American veteran residing at 5 East Katherine Ave, Seaville NJ, Block 567.01, Lot 4 on the municipal tax map of Upper Township, New Jersey; and

WHEREAS, the Department of Veterans Affairs has determined that Mr. Papperman’s 100% permanent military service-connected disability was effective March 31,2025; and

WHEREAS, Ryan Papperman made application March 31,2025; and

WHEREAS, in receipt of the 2025 tax rate; it is necessary to cancel taxes on the 3rd and 4th quarters of 2025 on the above mentioned property; and

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

Resolution No. 253-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 25, 2025

Roll Call Vote:

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

CANCEL TAX 2025

BLOCK/LOT
567.01/4

AMOUNT
\$ 3,001.99

NAME
Ryan & Jessie Papperman
5 E Katherine Ave
Seaville, NJ 08230

100% Totally Disabled Veteran

7. Canceling tax on exempt property Block 647, Lot 8.02.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 254-2025

**CANCELING TAX ON EXEMPT PROPERTY
BLOCK 647, LOT 8.02**

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

WHEREAS, certain properties became tax exempt in the year 2025; and

WHEREAS, David VanAltvorst is a 100% disabled American veteran residing at 3 Henry Rd., Marmora, Block 647, Lot 8.02 on the municipal tax map of Upper Township, New Jersey; and

WHEREAS, the Department of Veterans Affairs has determined that Mr. VanAltvorst’s 100% permanent military service-connected disability was effective October 24, 2021; and

WHEREAS, David VanAltvorst made application January 21, 2025;

WHEREAS, Resolution 068-2025 cancelled taxes for the first half of 2025; and

WHEREAS, in receipt of the 2025 tax rate, it is necessary to cancel taxes on the 3rd and 4th quarters of 2025 on the above mentioned property; and

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

Resolution No. 254-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 25, 2025

Roll Call Vote:

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

CANCEL TAX 2025

BLOCK/LOT	AMOUNT	NAME
647/8.02	\$2,048.63	David VanAltvorst 3 Henry Rd. Marmora, NJ 08223

8. Refunding tax on exempt property Block 600, Lot 14.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 255-2025

**REFUNDING TAX ON EXEMPT PROPERTY
BLOCK 600, LOT 14**

WHEREAS, certain corrections have been recommended by the Upper Township Tax Collector in order to refund monies; and

WHEREAS, certain properties became tax exempt in the year 2025; and

WHEREAS, Union Chapel By The Sea, 300 RT US 9 SO, Marmora, NJ, Block 600, Lot 14 on the municipal tax map of Upper Township, New Jersey is a charitable organization exempt from property taxes; and

WHEREAS, Union Chapel By The Sea paid property taxes on the 1st and 2nd quarters of 2025 creating a credit on the 3rd and 4th quarters of 2025; and

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

Resolution No. 255-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 25, 2025

Roll Call Vote:

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

REFUND TAX 2025

<u>BLOCK/LOT</u>	<u>AMOUNT</u>	<u>NAME</u>
-------------------------	----------------------	--------------------

9. Approving the draft Countywide Multi-Jurisdictional All Hazard Pre-Disaster Mitigation Plan.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 256-2025

**RE: APPROVING THE DRAFT COUNTYWIDE MULTI-JURISDICTIONAL ALL HAZARD
PRE-DISASTER MITIGATION PLAN**

WHEREAS, the property owners of Cape May County experience a high rate of repetitive property losses caused mainly by flooding and they reside in a unique geographic location that could experience a variety of natural and man-made disasters; and

WHEREAS, the County of Cape May received a grant from the Federal Emergency Management Agency (FEMA) to develop a Multi-Jurisdictional All Hazard Pre-Disaster Mitigation Plan to mitigate the potential life and property losses associated with man-made and natural disasters; and

WHEREAS, Cape May County, together with all sixteen municipalities, developed a Multi-Jurisdictional All Hazard Pre-Disaster Mitigation Plan that describes the hazards the County and Municipalities face and the risks associated with those hazards, and developed strategies for mitigating those hazards; and

WHEREAS, a Hazard Mitigation Steering Committee was formed and developed the Plan that worked with the selected contractor and public stakeholders to identify critical facilities, at-risk populations, potential losses, and producing historical records, studies, and reports relevant to this planning process; and

WHEREAS, the Township of Upper acknowledges that they will be required to adopt by Resolution, the All Hazard Pre-Disaster Mitigation Plan developed by the Hazard Mitigation Steering Committee after FEMA conditional approval. The Draft plan will be submitted to FEMA Region II for review.

NOW, THEREFORE, BE IT RESOLVED the Township Committee of the Township of Upper in the County of Cape May and State of New Jersey does hereby recommend for inclusion the attached jurisdiction annex for Upper Township in the Cape May County Multi-Jurisdictional All Hazard Pre-Disaster Mitigation Plan.

Resolution No. 256-2025

Offered by: Nappen
Adopted: August 25, 2025
Roll Call Vote:

Seconded by: Casaccio

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

10. Appointing Judge Vincent J. Morrison to serve as substitute Municipal Judge on an as needed basis.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 257-2025

**RE: APPOINTING JUDGE VINCENT J. MORRISON TO SERVE AS SUBSTITUTE
MUNICIPAL JUDGE ON AN AS NEEDED BASIS**

WHEREAS, the Township has decided to acquire the services of Judge Vincent J. Morrison, to serve as a substitute municipal judge, as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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

WHEREAS, Judge Vincent J. Morrison has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any contributions to a political or candidate committee in the Township that would bar the award of this contract and that the contract will prohibit him from making any contributions through the term of his 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. Judge Vincent J. Morrison is hereby appointed as a substitute municipal judge to serve on an as needed basis.
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 Judge Vincent J. Morrison has professional knowledge as to legal and municipal court matters, which knowledge is particularly valuable to the Township Committee, and this service is acquired as 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 have awarded a contract without competitive bidding as a professional service pursuant to N.J.S.A. 40A:11-5(1)(a) to Judge Vincent J. Morrison for municipal judge services. The 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 the contract will be properly charged has been provided to the governing body and shall be attached to this Resolution and kept in the files of the municipal clerk.

6. The Mayor and the Township Clerk are hereby authorized and directed to execute, on behalf of the Township of Upper, a Professional Contract with Judge Vincent J. Morrison 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.

7. A copy of this Resolution shall be published in the official newspaper of the Township of Upper within ten (10) days from the date of adoption.

8. This Resolution shall be effective as of adoption.

Resolution No. 257-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 25, 2025

Roll Call Vote:

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

11. Authorizing a contract with Quality Asset Recovery, LLC for collection services for Emergency Medical Service accounts.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 258-2025

**RE: AUTHORIZING A CONTRACT WITH QUALITY ASSET RECOVERY, LLC FOR
COLLECTION SERVICES FOR EMERGENCY MEDICAL SERVICE ACCOUNTS**

WHEREAS, the Township requires collection services for emergency medical service accounts; and

WHEREAS, Quality Asset Recovery, LLC possesses the requisite skill and knowledge to perform these services; and

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

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

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

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Mayor and Township Clerk are hereby authorized, directed and empowered to execute a contract with Quality Asset Recovery, LLC to provide collection services for emergency medical service accounts.

3. Quality Asset Recovery, LLC has registered with the State of New Jersey pursuant to c.57, Laws of 2004 and has provided proof of that registration to the Township of Upper.

4. 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 Quality Asset Recovery, LLC has professional knowledge which is particularly valuable to the Township Committee and this service is acquired as a non-fair and open contract pursuant to N.J.S.A. 19:44A-20.5.

NOTICE OF CONTRACT AWARD

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

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

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

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

Resolution No. 258-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 25, 2025

Roll Call Vote:

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

12. Authorizing a contract with Atlantic Investigations, LLC for an alcohol and controlled substances training and testing program.

TOWNSHIP OF UPPER

**CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 259-2025

**RE: AUTHORIZING A CONTRACT WITH ATLANTIC INVESTIGATIONS, LLC FOR AN
ALCOHOL AND CONTROLLED SUBSTANCES TRAINING
AND TESTING PROGRAM**

WHEREAS, the Omnibus Transportation Employee Testing Act of 1991 became applicable to the Township of Upper in 1996 in accordance with 49 C.F.R. §382.115(B) and mandates drug and alcohol testing for employees holding commercial driver’s licenses engaged in safety sensitive duties, and further requires each employer to maintain a testing policy as required by 49 C.F.R. §382.401(C)(6)(ib); and

WHEREAS, the Township has previously determined to extend that policy to all employees working in hazardous or safety sensitive areas and also to public safety employees including the Division of EMS and Township lifeguards; and

WHEREAS, to administer such a program in accordance with the Federal rules, regulations and guidelines, it is necessary to employ the services of a firm possessing such specialized skill and training; and

WHEREAS, Atlantic Investigations, LLC has the required expertise to provide such services; and

WHEREAS, the Township Committee intends to engage the services of Atlantic Investigations, LLC as a Professional Services Contract; and

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

WHEREAS, the Chief Financial Officer has certified the availability of funds to permit said Contract to be entered into.

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. Atlantic Investigations, LLC, with offices at 583 13th Street, Suite 101 Hammonton, NJ 08037, is hereby appointed to administer an alcohol and controlled substances training and testing program in compliance with Federal rules, regulations and guidelines and Township policy and to provide other training and testing services as the Township may request.

3. This Contract has been awarded without competitive bidding for the following reason or reasons:

- (A) Professional services of the type herein sought are of such a nature as to require a high degree of trust or confidence in the individual providing the service and, in fact, may require the creation of a confidential or fiduciary relationship between that individual and the municipality;
- (B) The services required are highly specialized or technical in nature;
- (C) The services require peculiar ability or skill and demand a high degree of specialized knowledge or expertise;
- (D) The services are such that their relative work must be judged by subjective considerations that are not susceptible of valuation by competitive bidding; and
- (E) The individual who will provide these services has demonstrated his competence and particular expertise in the services required.

4. This contract shall have a term of one (1) year commencing upon full execution.

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 Atlantic Investigations, LLC. This contract and the resolution authorizing same shall be available for public inspection in the office of the municipal clerk of the Township of Upper, State of New Jersey.

6. The Mayor and the Township Clerk are hereby authorized and directed to execute, on behalf of the Township of Upper, a Professional Contract with Atlantic Investigations, LLC in accordance with the terms and provisions of the Local Public Contracts Law, subject to and in accordance with the

limitations imposed herein. Upon execution of all parties thereto said contract shall become effective.

7. Atlantic Investigations, LLC 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.

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. 259-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 25, 2025

Roll Call Vote:

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

13. Authorizing a Shared Services Agreement with the Borough of Woodbine for Municipal Court Services.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 260-2025

**RE: AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF
WOODBINE FOR MUNICIPAL COURT SERVICES**

WHEREAS, the Uniform Shared Services Act, N.J.S.A. 40A:65-1, et seq., provides that any local governmental unit may enter into a contract with any other local governmental unit or units for the joint provision within their several jurisdictions of any service which any party to the agreement was empowered to render within its own jurisdiction; and

WHEREAS, the Borough of Woodbine has indicated a desire to enter into a Shared Services Agreement with the Township of Upper whereby the Township of Upper will provide all the usual and ordinary services of a Municipal Court for the Borough of Woodbine; and

WHEREAS, the Township Committee of the Township of Upper deems that a Shared Services Agreement with the Borough of Woodbine for the purposes expressed herein is in the mutual interest of all parties; and

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

1. SHARED SERVICES AGREEMENT. Pursuant to the provisions of the Uniform Shared Services Act, N.J.S.A. 40A:65-1, et seq., the Township of Upper is hereby authorized and empowered to enter into a Shared Services Agreement with the Borough of Woodbine to provide all the usual and ordinary services of a Municipal Court for the Borough of Woodbine.

2. SERVICES TO BE PROVIDED BY CONTRACT. The Shared Services Agreement authorized in paragraph 1 hereof shall cover those services, which are enumerated in said Agreement, a copy of which is attached hereto as Exhibit A.

3. ASSIGNMENT JUDGE APPROVAL. The authority to enter into this Shared Services Agreement is subject to the approval of the Assignment Judge.

4. AUTHORIZATION TO MUNICIPAL OFFICIALS. The appropriate Township officers and officials are hereby authorized to take any action necessary or advisable to carry out the intent and purpose of this Resolution. Specifically, the Mayor and Township Clerk are hereby authorized and directed to execute such Shared Services Agreement on behalf of the Township of Upper pursuant to the authority conferred by this Resolution. The Township Clerk is further authorized and directed to seal said Agreement with the official seal of the Township of Upper.

5. COMPLIANCE WITH STATUTORY REQUIREMENTS. The Shared Services Agreement between the Borough of Woodbine and the Township of Upper shall meet and satisfy the requirements of N.J.S.A. 40A:65-1, et seq., as may be amended and supplemented.

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

7. REPEALER. All Resolutions or parts of Resolutions inconsistent herewith are hereby repealed to the extent of such inconsistency only.

8. EFFECTIVE DATE. This Resolution shall take effect immediately upon final adoption

and publication in the manner provided by law.

Resolution No. 260-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 25, 2025

Roll Call Vote:

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

14. Authorizing a Shared Services Agreement with the Borough of Woodbine for Emergency Medical Services.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 261-2025

**RE: AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF
WOODBINE FOR EMERGENCY MEDICAL SERVICES**

WHEREAS, the Uniform Shared Services Act, N.J.S.A. 40A:65-1, et seq., provides that any local governmental unit may enter into a contract with any other local governmental unit or units for the joint provision within their several jurisdictions of any service which any party to the agreement was empowered to render within its own jurisdiction; and

WHEREAS, the Borough of Woodbine has indicated a desire to enter into a Shared Services Agreement with the Township of Upper whereby the Township of Upper will provide EMS services to the Borough of Woodbine; and

WHEREAS, the Township Committee of the Township of Upper deems that a Shared Services Agreement with the Borough of Woodbine for the purposes expressed herein is in the mutual interest of all parties and also is in the public interest and will promote the public health, safety and welfare; and

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

1. SHARED SERVICES AGREEMENT. Pursuant to the provisions of the Uniform Shared Services Act, N.J.S.A. 40A:65-1, et seq., the Township of Upper is hereby authorized and empowered to enter into a Shared Services Agreement with the Borough of Woodbine to provide emergency medical services.

2. SERVICES TO BE PROVIDED BY CONTRACT. The Shared Services Agreement authorized in paragraph 1 hereof shall cover those services, which are enumerated in said Agreement, a copy of which is attached hereto as Exhibit A.

3. AUTHORIZATION TO MUNICIPAL OFFICIALS. The appropriate Township officers and officials are hereby authorized to take any action necessary or advisable to carry out the intent and purpose of this Resolution. Specifically, the Mayor and Township Clerk are hereby authorized and directed to execute such Shared Services Agreement on behalf of the Township of Upper pursuant to the authority conferred by this Resolution. The Township Clerk is further authorized and directed to seal said Agreement with the official seal of the Township of Upper.

4. COMPLIANCE WITH STATUTORY REQUIREMENTS. The Shared Services Agreement between the Borough of Woodbine and the Township of Upper shall meet and satisfy the requirements of N.J.S.A. 40A:65-1, et seq., as may be amended and supplemented.

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

6. REPEALER. All Resolutions or parts of Resolutions inconsistent herewith are hereby repealed to the extent of such inconsistency only.

7. EFFECTIVE DATE. This Resolution shall take effect immediately upon final adoption and publication in the manner provided by law.

Resolution No. 261-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 25, 2025

Roll Call Vote:

NAME	YES	NO	ABSTAIN	ABSENT
------	-----	----	---------	--------

Casaccio	X			
Nappen	X			
S. Palombo	X			
Z. Palombo	X			
Corson	X			

15. Authorizing the reduction of the performance bond of Cedar Lane Development, LLC for the major subdivision known as Church Road Estates Subdivision, Block 647, Lot 8.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 262-2025

**RE: AUTHORIZING THE REDUCTION OF THE PERFORMANCE BOND OF
CEDAR LANE DEVELOPMENT, LLC FOR THE MAJOR SUBDIVISION KNOWN AS
CHURCH ROAD ESTATES SUBDIVISION, BLOCK 647, LOT 8**

WHEREAS, Cedar Lane Development, LLC (the “Developer”) received approval from the Upper Township Planning Board for the major subdivision known as Church Road Estates Subdivision, located on Block 647, Lot 8, as shown on the official Tax Map of the Township; and

WHEREAS, as a condition of said approval, the Developer posted a performance guarantee in the form of a cash bond in the amount of \$225,231.60, to ensure the proper installation and completion of certain public and site improvements as set forth in the Engineer’s estimate dated September 21, 2023; and

WHEREAS, the Developer has completed certain portions of the required improvements and has requested a reduction in the performance guarantee; and

WHEREAS, the Township Engineer has conducted an inspection and has certified in a report dated August 13, 2025, attached hereto as Exhibit A, that certain improvements have been satisfactorily completed and recommends that the cash performance guarantee be reduced, with the Township retaining \$179,817.48 to secure the completion of the remaining improvements; and

WHEREAS, pursuant to N.J.S.A. 40:55D-53(e), the governing body is authorized to approve such reductions upon certification by the Township Engineer; 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 cash performance guarantee posted by Cedar Lane Development, LLC in the amount of \$225,231.60 is hereby reduced to \$179,817.48, in accordance with the recommendation of the Township Engineer dated August 13, 2025 and attached hereto as Exhibit A.
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. 262-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 25, 2025

Roll Call Vote:

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

16. Appointing Donald Polo as School Traffic Guard.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 263-2025

RE: APPOINTING DONALD POLO AS SCHOOL TRAFFIC GUARD

WHEREAS, a need exists to appoint qualified part-time personnel as School Traffic Guard; and

WHEREAS, this resolution is intended to ratify the action heretofore taken; 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. Donald Polo is hereby appointed to the part-time position of School Traffic Guard effective September 4, 2025, on an as needed basis, at an hourly rate of \$17.00 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. 263-2025
Offered by: Nappen
Adopted: August 25, 2025
Roll Call Vote:

Seconded by: Casaccio

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

17. Appointing Paula Lechner as a full-time employee to the Upper Township Administration Office.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 264-2025

**RE: APPOINTING PAULA LECHNER AS A FULL-TIME EMPLOYEE TO THE
UPPER TOWNSHIP ADMINISTRATION OFFICE**

WHEREAS, a need exists to appoint qualified personnel as a full-time Keyboarding Clerk 1 to the Upper Township Administration Office to ensure optimal operation; and

WHEREAS, Paula Lechner 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. Paula Lechner is hereby appointed to the Upper Township Administration Office as a Keyboarding Clerk 1, effective September 8, 2025, at an annual salary of \$55,000.00 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. 264-2025
Offered by: Nappen
Adopted: August 25, 2025
Roll Call Vote:

Seconded by: Casaccio

NAME	YES	NO	ABSTAIN	ABSENT
Casaccio	X			
Nappen	X			

S. Palombo	X			
Z. Palombo	X			
Corson	X			

18. Appointing Raymond Brodowski as Tax Assessor for the Township of Upper.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 265-2025

**RE: APPOINTING RAYMOND BRODOWSKI AS TAX ASSESSOR
FOR THE TOWNSHIP OF UPPER**

WHEREAS, N.J.S.A. 40A:9-148 establishes the term of the Tax Assessor as four (4) years from the first day of July and further provides that a vacancy other than due to the expiration of said term shall be filled by appointment for the unexpired term; and

WHEREAS, the term of the current part-time Tax Assessor is July 1, 2024 to June 30, 2028; and

WHEREAS, the Township has a need to appoint a full-time Tax Assessor; 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 statements of the preamble above are incorporated herein by this reference.
2. Raymond Brodowski is hereby appointed as a full-time Tax Assessor for the Township of Upper, at an annual salary of \$70,000.00 in accordance with the Salary Ordinance.
3. Said appointment shall be for the unexpired term of Joseph Berrodin, effective September 8, 2025 to June 30, 2028.
4. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary to carry into effect the intent and purpose of this Resolution.

Resolution No. 265-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 25, 2025

Roll Call Vote:

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

Z. Palombo	X			
Corson	X			

19. Appointing Joseph Berrodin as part-time Deputy Tax Assessor for the Township of Upper.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 266-2025

**RE: APPOINTING JOSEPH BERRODIN AS PART-TIME
DEPUTY TAX ASSESSOR FOR THE TOWNSHIP OF UPPER**

WHEREAS, the Township has a need to appoint a part-time Deputy Tax Assessor; and

WHEREAS, N.J.S.A. 40A:9-148 establishes the term of a Deputy Tax Assessor as four (4) years from the first day of July; 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 statements of the preamble above are incorporated herein by this reference.
2. Joseph Berrodin is hereby appointed as a part-time Deputy Tax Assessor for the Township of Upper, at an hourly rate of \$50.00 in accordance with the Salary Ordinance.
3. Said appointment shall be effective September 8, 2025 to June 30, 2026 and July 1, 2026 to June 30, 2030.
4. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary to carry into effect the intent and purpose of this Resolution.

Resolution No. 266-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 25, 2025

Roll Call Vote:

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

20. Amending Resolution No. 012-2025 establishing salaries for various officers and employees.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY**

RESOLUTION

RESOLUTION NO. 267-2025

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

WHEREAS, Resolution No. 012-2025 fixed the salaries for various administrative, clerical, and other personnel for the year 2025; and

WHEREAS, the Township Committee has determined it necessary to amend said Resolution No. 012-2025; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. Resolution No. 012-2025 is hereby amended to reflect the positions and salary of the

following persons commencing August 22, 2025 as follows:

NAME	POSITION	SALARY
Rhonda Sharp	Tax Collector	\$ 93,450.00
	Tax Search Officer	No Salary on this title
Loren Ready	Claims Coordinator	\$ 1,750.00
	Municipal Court Administrator	\$ 82,000.00
	Assistant Personnel Officer	\$ 15,000.00
Kristen Snyder	Safety Coordinator	\$ 3,500.00
	Deputy Municipal Court Administrator	\$ 67,000.00
	Assistant Safety Coordinator	\$ 1,500.00
Donna Heiler	Assistant Municipal Tax Collector	\$ 62,500.00
	Account Clerk	\$ 4,000.00
	Passport Acceptance Agent	\$ 1,000.00
	Asst. Claims Coordinator	\$ 1,000.00
Sarah Steiner	Assistant Municipal Treasurer	\$ 72,500.00
	Recreation Finance Coordinator	No salary on this title
John Brittin	Passport Acceptance Agent	\$ 1,000.00
	Chief Emergency Medical Technician	\$ 93,000.00
	9-1-1 Coordinator/Right to Know Director	\$ 1,000.00
James M. Jones	Computer Director	\$ 2,000.00
	Assistant Public Works Superintendent	\$ 112,500.00
	Deputy Municipal Emergency Management Coordinator	No Salary on this title
	Deputy Right to Know Director	\$ 1,000.00

Richard Kaczmariski	Code Enforcement Officer	\$ 83,800.00
	Recycling Coordinator	\$ 5,700.00
Elizabeth Oaks	Zoning Officer	\$ 85,800.00

3. This Resolution shall be effective immediately and is further intended to ratify, confirm and approve any formal action taken by the Township Committee.

Resolution No. 267-2025

Offered by: Nappen

Seconded by: Casaccio

Adopted: August 25, 2025

Roll Call Vote:

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

ORDINANCES

21. Introduction and first reading of Ordinance No. 005-2025 RE: AN ORDINANCE VACATING A PORTION OF FILMORE AVENUE, WITHIN THE TOWNSHIP OF UPPER, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY. **Motion by Zachary Palombo, second by Tyler Casaccio, to introduce Ordinance 005-2025 with a public hearing and final adoption scheduled for September 22, 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. 005-2025

AN ORDINANCE VACATING A PORTION OF FILMORE AVENUE, WITHIN THE TOWNSHIP OF UPPER, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY

WHEREAS, N.J.S.A. 40:67-1 authorizes the Governing Body of a municipality to adopt an Ordinance, among other things, to vacate any street, highway, lane, alley, square, place or park, or any part thereof, dedicated to public use but not accepted by the municipality, whether or not the same, or any portion, has been actually opened or improved; and

WHEREAS, Morgan DeLany, the owner of Block 757, Lot 6 and Block 762, Lot 1, has requested that the Township vacate a portion of Filmore Avenue as described in this Ordinance and has agreed to pay the costs incurred by the Township to vacate said street including the costs of the revisions to the tax map; and

WHEREAS, the Township Committee has duly considered the matter, and it appears reasonable to agree to the request since there is no present or foreseeable need or intention to utilize said roadway; and

WHEREAS, it is deemed to be in the public interest to vacate a portion of Filmore Avenue within the Township of Upper, as hereinafter provided.

NOW, THEREFORE, 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: The public right in, along, upon and over the land designated on the “Description of Area of Filmore Avenue to be Vacated”, prepared by Mark G. DeVaul, New Jersey Professional Land Surveyor, and attached hereto as Exhibit A, is hereby vacated, surrendered and extinguished.

SECTION 2: This Ordinance vacates no portion of the street except that portion set forth and described in Exhibit A.

SECTION 3: EXCEPTION: This Ordinance expressly reserves and excepts from vacation all rights and privileges now possessed by public utilities, as defined in R.S. 48:2-13, and by any cable television company, as defined in the "Cable Television Act", P.L. 1972, c. 186, (C.48:5A-1, et seq.), to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, highway, lane, alley, square, place or park, or any part thereof, to be vacated, as hereinabove described.

SECTION 4: REPEALER: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency only.

SECTION 5: EFFECTIVE DATE: This Ordinance shall take effect immediately upon final adoption and publication as required by law.

SECTION 6: Morgan DeLany, owner of the Property, shall reimburse the Township of Upper for all expenses related to said vacation, including attorney’s fees, costs and any recording fees.

Exhibit A

**Description of Area of Filmore Avenue to be Vacated
Upper Township, New Jersey**

BEGINNING at a point in the Southwesterly line of Filmore Avenue (60 feet wide, unimproved) at its intersection with the Northwesterly line of Bayview Drive (50 feet wide)

said point being North 44 degrees 29 minutes 02 seconds East a distance of 221.20 feet as measured along the line of Bayview Drive from its intersection with the Northeasterly line of Taylor Avenue (60' wide) and runs thence;

- I. Along the Southwesterly line of Filmore Avenue and the Northeasterly line of Lot 6 Upper Township Tax Block 757 North 40 degrees 30 minutes 30 seconds West a distance of 75.00 feet more or less to a point in the high water line or tidelands claim line (whichever is more landward) of Whale Creek; thence
2. Along said line North 44 degrees 29 minutes 02 seconds East a distance of 30.12 feet to a point in the centerline of Filmore Avenue; thence
3. Still along the same North 56 degrees 30 minutes 10 seconds East a distance of 30.23 feet to a point at the Northwesterly corner of Lot 1 Upper Township Tax Block 762; thence
4. Along the Southwesterly line of Lot 1 and the Northeasterly line of Filmore Avenue South 40 degrees 30 minutes 30 seconds West a distance of 70.00 feet to a point in said line at its intersection with the Northwesterly line of Bayview Drive; thence
5. Along the extended Northwesterly line of Bayview Drive South 46 degrees 59 minutes 25 seconds West a distance of 30.02 feet to a point in the centerline of Filmore Avenue; thence
6. Still along the same South 44 degrees 29 minutes 02 seconds West a distance of 30.12 feet to the point and place of beginning

CONTAINING within these bounds 4,425 square feet of land be the same more or less.

BEING the area of Filmore Avenue to be vacated.

ALSO SUBJECT TO ANY AND ALL RIGHTS, RESTRICTIONS AND CONDITIONS OF RECORD.

MARK G. DEVAUL
New Jersey Professional Land Surveyor # 34844

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 25TH DAY OF AUGUST, 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 22ND DAY OF SEPTEMBER, 2025 AT 5:30 P.M. AT THE TOWNSHIP HALL, PETERSBURG, NEW JERSEY.

JOANNE R. HERRON, TOWNSHIP CLERK
TOWNSHIP OF UPPER

CORRESPONDENCE

NEW BUSINESS

22. Request to rename No Name Road. **The Township Administrator reported that the residents of No Name Road have requested changing the name to Empress Court. Motion by Tyler Casaccio, second by Victor Nappen, to move forward with an Ordinance adopting the requested name change. During roll call vote all five Committee members voted in the**

affirmative. An Ordinance will be prepared for introduction, with a public hearing scheduled before final adoption.

23. Proposal to combine the Planning Board and Zoning Board of Adjustment into a Joint Land Use Board. **The Municipal Attorney gave an overview of the process to combine the boards which will need to be done by Ordinance to dissolve the Zoning Board and the members of the Planning Board will be the members of the Joint Land Use Board. Some additional alternate members may be appointed. He stated that if the Township ever wants to reconstitute both boards it must go before the voters in a referendum. After a discussion there was a motion by Curtis Corson, second by Tyler Casaccio, to move forward with an Ordinance to combine the Planning Board and Zoning Board of Adjustment into a Joint Land Use Board beginning January 1, 2026. During roll call vote all five Committee members voted in the affirmative. An Ordinance will be prepared for introduction, with a public hearing scheduled before final adoption.**

UNFINISHED BUSINESS

PAYMENT OF BILLS

24. "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 Tyler Casaccio, second by Victor Nappen. During roll call vote five Committee members voted in the affirmative.**

Bills approved for payment: **\$650,195.99**

Payroll: **\$289,707.37**

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

John Battin, Tuckahoe, inquired if there is an ordinance regulating goats on residential properties. The Township Administrator was directed to look into this matter.

Nathalie Neiss, Petersburg, also spoke about goats and residential agriculture zoning. She then appeared to read a prepared statement regarding a subdivision of her property in the 1990s and comments made by the Municipal Attorney during previous Committee meetings. Lastly, she spoke about Empress Trees as possibly being invasive plant similar to bamboo.

Robert Grimley, Petersburg, thanked the Committee for their service.

CLOSED SESSION

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

**RESOLUTION NO. 268-2025
MOTION GOING INTO CLOSED SESSION
AUGUST 25, 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. Contract negotiation - Animal Control Services
3. Contract negotiation – Special Legal Counsel

4. Contract negotiation – Block 599, Lot 51

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 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: Tyler Casaccio

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

RECONVENE PUBLIC PORTION OF MEETING

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

Mayor Corson then opened the meeting up to public comment prior to action being taken on item #26 of the agenda. During this special comment portion there were the following speakers:

Barbara Leary, Seaville, inquired about the memorandum of understanding and with whom it is with. The Municipal Attorney stated that the MOU is with Fairhaven Development Holdings, LLC who is the contracted purchaser of Block 599, Lot 51, also known as 11 US Rt 9. The MOU essentially allows for negotiations regarding the development of the property to continue with Fairhaven, possibly designate the property as an area in need of redevelopment, and preventing any objections to the Township’s Housing Element and Fair Share Plan.

Lou Barbato, Petersburg, inquired if anyone is wanting to buy or develop the property. It was stated that Fairhaven Development Holdings, LLC is the contracted purchaser of the property and is looking to develop the property.

Nathalie Neiss, Petersburg, inquired as to what the rules are for the Township to designate the property in need of redevelopment. The Municipal Attorney stated that the Township will need to consult with the Township’s redevelopment counsel, James Maley, with regard to that process.

RESOLUTION FOR CONSIDERATION FOR ADOPTION AFTER CLOSED SESSION

- 26. Resolution authorizing the Township of Upper to enter into a Memorandum of Understanding with Fairhaven Development Holdings, LLC.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 269-2025

**RESOLUTION AUTHORIZING THE TOWNSHIP OF UPPER TO ENTER INTO
A MEMORANDUM OF UNDERSTANDING WITH FAIRHAVEN
DEVELOPMENT HOLDINGS, LLC**

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter the “Amended FHA”); and

WHEREAS, in accordance with the Amended FHA and the Administrative Office of the Court’s Directive No. 14-24, the Township filed a timely Fourth Round Declaratory Judgment complaint (“DJ Complaint”) with the Affordable Housing Dispute Resolution Program (“the Program”), along with its binding resolution, on January 28, 2025 entitled In the Matter of the Application of the Township of Upper, County of Cape May, Docket No. CPM-L-44-25, seeking a Compliance Certification and/or Judgment of Compliance and Repose approving its Housing Element and Fair Share Plan, in addition to related forms of relief; and

WHEREAS, on March 27, 2025, the Honorable John C. Porto, P.J.Cv., issued an Order setting the Fourth Round Obligations to include a Present Need obligation of 0 and a Prospective Need obligation of 47; and

WHEREAS, Fairhaven Development Holdings, LLC, is a New Jersey limited liability company (hereinafter referred to as “Developer”); and

WHEREAS, Developer is the contract purchaser of Block 599, Lot 51 as identified on the Township of Upper’s Tax Map (the “Property”); and

WHEREAS, the Property is part of the Township’s approved Round 3 HEFSP and proposed Round 4 HEFSP, and is included within the MTCO Marmora Town Center Overlay Zone (Township Code §20-4.20); and

WHEREAS, Developer seeks to develop the Property with an inclusionary residential community consisting of (i) 98 housing units consisting of townhomes and stacked townhomes, intended to be “resort-style” units with high-quality finishes, increased architectural detail, and high-end amenities, of which twenty (20) units would be affordable rental units that will be set-aside for occupancy by very low, low and moderate income households and ii) non-residential development to be constructed in one or two phases (the “Project”); and

WHEREAS, the Parties mutually seek to avoid an objection to the Township HEFSP by entering into this Memorandum of Understanding (“MOU”); and

WHEREAS, the Township seeks to authorize the execution of the MOU; 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 authorizes and directs the Mayor, or his designee, and the Township Clerk to execute the Memorandum of Understanding with Developer attached hereto as Exhibit A, subject to a final version of the MOU and any necessary revisions from Counsel; and
3. The Township hereby directs its Special Affordable Counsel to (a) file the fully executed Memorandum of Understanding with the Court to the extent necessary; (b) take all actions reasonable and necessary, including di minimis revisions, to finalize the Memorandum of Understanding; and (c) take all actions reasonable and necessary toward securing a compliance certification granting the Township immunity from Builder’s Remedy Lawsuits until July 1, 2035.

Resolution No. 269-2025

Offered by: Corson

Seconded by: Casaccio

Adopted: August 25, 2025

Roll Call Vote:

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

ADJOURNMENT

There being no further business this evening the meeting was adjourned at 7:24 P.M., with a motion by Victor Nappen, second by Zachary Palombo, and all five Committee members voting in the affirmative. The next regular Committee meeting is scheduled for September 8, 2025 at 5:30 P.M.

Minutes prepared by,

Joanne R. Herron, RMC
Township Clerk

Bill List

- 86072 08/25/25 A0091 ATLANTIC CITY ELECTRIC 2,694.69 3436
- 86073 08/25/25 A0117 AT&T 581.95 3436
- 86074 08/25/25 A0177 ALADTEC, LLC 528.00 3436
- 86075 08/25/25 A0212 ANCERO, LLC 989.98 3436
- 86076 08/25/25 A0231 ALL UNIQUE GIFTS, INC. 4,407.40 3436
- 86077 08/25/25 A0235 AMAZON CAPITAL SERVICES, INC. 850.20 3436
- 86078 08/25/25 A0251 ACT ENGINEERS, INC. 5,712.09 3436
- 86079 08/25/25 A0257 ACCURATE LANGUAGE SERVICES 420.00 3436
- 86080 08/25/25 B0032 BLANEY DONOHUE & WEINBERG, PC 2,117.50 3436
- 86081 08/25/25 B0039 BEESLEY'S PT. SEA DOO, INC. 59.96 3436
- 86082 08/25/25 B0288 KINGBARNES LLC 1,500.00 3436
- 86083 08/25/25 B0304 BLUE MOUNTAIN DISTRIBUTORS 196.75 3436
- 86084 08/25/25 C0019 CITY OF OCEAN CITY 69,232.50 3436
- 86085 08/25/25 C0048 CAPE MAY COUNTY MUA 51,655.19 3436
- 86086 08/25/25 C0068 COMCAST 1,025.71 3436
- 86087 08/25/25 C0081 CAPE MAY COUNTY TECHNICAL HIGH 250.00 3436
- 86088 08/25/25 C0223 CASA PAYROLL SERVICE 727.20 3436
- 86089 08/25/25 C0247 CMRS-FP 2,000.00 3436
- 86090 08/25/25 C0346 CME ASSOCIATES 16,758.00 3436
- 86091 08/25/25 C0352 COLUMN SOFTWARE, PBC 632.98 3436
- 86092 08/25/25 D0040 DELTA DENTAL OF N.J. INC. 5,405.60 3436
- 86093 08/25/25 D0186 DOCUTREND IMAGING SOLUTIONS 90.16 3436
- 86094 08/25/25 D0187 DATA SHEET SOLUTIONS 359.88 3436
- 86095 08/25/25 D0237 KERRY SCALFARO 125.00 3436

86096 08/25/25 G0016 GARDNER HARDWARE INC. 470.51 3436
86097 08/25/25 G0028 GENTILINI FORD, INC. 637.45 3436
86098 08/25/25 G0037 GOVT FINANCE OFFICER ASN OF NJ 450.00 3436
86099 08/25/25 G0120 PATRICK F. MARTIN 2,291.67 3436
86100 08/25/25 G0169 GROFF TRACTOR MID ATLANTIC LLC 341.97 3436
86101 08/25/25 G0199 GLOBAL INTERACTIVE SOLUTIONS 179.88 3436
86102 08/25/25 H0002 H.A. DEHART & SON CORP. 424,880.00 3436
86103 08/25/25 H0073 HOME DEPOT CRC/GECF 858.57 3436
86104 08/25/25 H0180 HD SUPPLY FACILITIES MANT 1,210.05 3436
86105 08/25/25 J0028 JESCO, INC. 1,252.43 3436
86106 08/25/25 K0100 KEEN COMPRESSED GAS CO. 475.00 3436
86107 08/25/25 M0188 MCCARTHY TIRE SERVICE OF PHILA 5,536.72 3436
86108 08/25/25 M0277 EQUITABLE FINANCIAL LIFE INS. 165.85 3436
86109 08/25/25 N0043 NAPA AUTO PARTS 0.00 08/25/25 VOID 0
86110 08/25/25 N0043 NAPA AUTO PARTS 1,296.45 3436
86111 08/25/25 N0052 NATL ALLIANCE FOR YOUTH SPORTS 360.50 3436
86112 08/25/25 N0070 MARSH & MCLENNAN AGENCY, LLC 2,000.00 3436
86113 08/25/25 N0163 NJ COASTAL COALITION, INC. 1,000.00 3436
86114 08/25/25 P0032 PEDRONI FUEL CO. 4,195.90 3436
86115 08/25/25 P0056 TURF EQUIPMENT AND SUPPLY CO 1,591.63 3436
86116 08/25/25 P0170 PEACH COUNTRY MULCH 1,850.00 3436
86117 08/25/25 P0201 PUBLIC SAFETY TRAINING OF SJ 300.00 3436
86118 08/25/25 P0221 PITNEY ELM, LLC 375.00 3436
86119 08/25/25 R0030 RIGGINS, INC. 3,869.98 3436
86120 08/25/25 S0057 SERVICE TIRE TRUCK CENTERS 3,501.36 3436
86121 08/25/25 S0072 SEGIN, STEWART S. 101.99 3436
86122 08/25/25 S0185 STOCKTON UNIVERSITY 8,958.97 3436
86123 08/25/25 S0196 STEWART BUSINESS SYSTEMS LLC 274.40 3436
86124 08/25/25 S0239 SHORE ANIMAL CONTROL SERV LLC 2,300.00 3436
86125 08/25/25 S0404 STRATHMERE VOL FIRE COMPANY 896.77 3436
86126 08/25/25 T0032 THE PRESS OF ATLANTIC CITY 623.48 3436
86127 08/25/25 T0093 TREASURER, STATE OF N.J. 1,000.00 3436
86128 08/25/25 T0159 TRIAD ADVISORY SERVICES, INC. 2,581.25 3436
86129 08/25/25 U0037 UT Parent Teacher Organization 1,000.00 3436
86130 08/25/25 U0043 ULINE, INC. 237.70 3436
86131 08/25/25 U0076 U.S.BANK NATIONAL ASSOCIATION 47.98 3436
86132 08/25/25 V0001 VCI EMERGENCY VEHICLE 852.74 3436
86133 08/25/25 V0013 VERIZON WIRELESS 699.65 3436
86134 08/25/25 V0022 VERIZON 536.43 3436
86135 08/25/25 V0025 V.E. RALPH & SON,INC. 584.79 3436
86136 08/25/25 W0135 THE LAW OFFICE OF BRANDON D 1,048.46 3436
86137 08/25/25 X0008 XEROX FINANCIAL SERVICES 209.00 3436
86138 08/25/25 Z0017 ZOLL DATA SYSTEMS, INC. 830.72 3436
Total: \$650,195.99