

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
AGENDA FOR FEBRUARY 23, 2026**

REGULAR MEETING OF THE TOWNSHIP COMMITTEE – 6:30 P.M.

CALL TO ORDER

SUNSHINE ANNOUNCEMENT

SALUTE TO THE FLAG

MOMENT OF SILENCE AND REFLECTION

ROLL CALL

APPROVAL OF MINUTES – February 9, 2026 Workshop, Regular, and Closed Session
Minutes

REPORT OF GOVERNING BODY MEMBERS

ADMINISTRATOR OVERVIEW

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

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.

FILING OF REPORTS BY CONSENT

1. Division of EMS
2. Municipal Court
3. Public Works

RESOLUTIONS TO BE APPROVED BY CONSENT

4. Authorizing the Mayor and Township Clerk to sign a contract with Phoenix Advisors, a Division of First Security Municipal Advisors, Inc., for municipal advisory services.
5. Appointing Thomas G. Smith, Esquire to act as special legal counsel regarding tax court matters and matters in which the regular Township Solicitor may have a conflict of interest.
6. Authorizing execution of an Eighth Amended Memorandum of Understanding for Block 479, Lots 76, 76.01 and 94.01.
7. Appointing members to the Upper Township Cannabis Subcommittee.

8. Authorize payments from the Affordable Housing Trust Fund of Upper Township.
9. Authorizing the purchase of certain items through the Omnia Partners Cooperative contract with funds from Capital Improvement Bond Ordinance No. 012-2024 in the amount of \$37,678.00.
10. Appointing James M. Jones as Superintendent of Public Works.
11. Appointing Nicholas Mason as Assistant Public Works Superintendent.

ORDINANCES

Please note that any public comment made during public hearings on the below ordinances shall be limited to a maximum of five (5) minutes per speaker. Speakers providing comments that are general in nature and/or do not pertain specifically to the ordinance that is being considered for adoption by the Township Committee may be stopped and asked to instead provide their comments during the general public comment session at the end of the meeting.

12. Public hearing and final adoption of Ordinance No. 001-2026 RE: AN ORDINANCE AMENDING CHAPTER 20, ZONING, OF THE CODE OF UPPER TOWNSHIP TO CREATE A CANNABIS OVERLAY ZONE WITHIN THE CM2 ZONING DISTRICT AND TO ALLOW CLASS 5 CANNABIS RETAIL SALES WITHIN THE CANNABIS OVERLAY DISTRICT.
13. Public hearing and final adoption of Ordinance No. 002-2026 RE: AN ORDINANCE AMENDING CHAPTER 4, GENERAL LICENSING, OF THE CODE OF UPPER TOWNSHIP, IN ORDER TO ESTABLISH ANNUAL LICENSING AND REGISTRATION FEES IN RELATION TO CANNABIS RETAIL AND DELIVERY BUSINESSES.
14. Public hearing and final adoption of Ordinance No. 003-2026 RE: AN ORDINANCE AMENDING CHAPTER 27, TAXATION, OF THE CODE OF UPPER TOWNSHIP, TO IMPOSE A TRANSFER TAX ON THE SALE OF CANNABIS BY LICENSED BUSINESSES OPERATING WITHIN THE TOWNSHIP OF UPPER.
15. Public hearing and final adoption of Ordinance No. 004-2026 RE: BOND ORDINANCE PROVIDING FOR VARIOUS 2026 CAPITAL IMPROVEMENTS BY AND IN THE TOWNSHIP OF UPPER, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY; APPROPRIATING \$5,143,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,898,094 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.
16. Introduction and first reading of Ordinance No. 005-2026 RE: AN ORDINANCE OF THE TOWNSHIP OF UPPER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY AMENDING, REVISING AND SUPPLEMENTING CHAPTER 20 ENTITLED "ZONING" OF THE MUNICIPAL CODE BY REPEALING SECTIONS 20-14 THROUGH 20-14.5 AND REPLACING WITH NEW SECTIONS 20-14 THROUGH SECTION 20-14.21 AND REPEALING SECTION 20-15 THROUGH 20-15.10 AND REPLACING WITH SECTION 20-15 THROUGH 20-15.10 AND AMENDING IN PART SECTION 20-4.19 AFFORDABLE ACCESSORY APARTMENTS.

17. Introduction and first reading of Ordinance No. 006-2026 RE: AN ORDINANCE AMENDING REVISED GENERAL ORDINANCE CHAPTER 13 (STREETS, SIDEWALKS AND SANITATION) OF THE CODE OF UPPER TOWNSHIP TO ESTABLISH A MAILBOX DAMAGE AND RESTORATION POLICY.

CORRESPONDENCE

NEW BUSINESS

18. Tuckahoe Volunteer Fire Company request to hold Raffles RA #615 on July 2, 2026, RA #616 on September 17, 2026, and RA #617 on November 19, 2026 at 2170 Route 50, Tuckahoe.
19. Cape Regional Auxiliary request to hold Bingo BA #618 and Raffle RA #619 at the Upper Township Community Center on April 19, 2026.

UNFINISHED BUSINESS

PAYMENT OF BILLS

20. "I hereby move that all claims submitted for payment at this meeting be approved and then incorporated in full in the minutes of this meeting."

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

CLOSED SESSION

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

RECONVENE PUBLIC PORTION OF MEETING

ADJOURNMENT

**Please note—the order of the agenda may be changed at the discretion of the Township Committee.