

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR APRIL 27, 2026**

WORKSHOP MEETING OF THE TOWNSHIP COMMITTEE – 5:00 P.M.

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 April 24, 2026 the notice of this Workshop meeting of the Upper Township Committee was posted on the official Township Bulletin Board and the Upper Township Website, emailed to the Atlantic City Press, the Ocean City Sentinel-Ledger, the Herald Times and filed with the Township Clerk. I hereby direct that this announcement be made a part of the minutes of this meeting.”

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.

DISCUSSION

1. Military & Veteran recognition banners. The Township Administrator presented a mock-up of a proposed banner to recognize military service members and veterans, to be displayed in Township parks. Applications will be made available for residents to order banners, which the Township will install seasonally between Memorial Day and Labor Day. The banners will be removed and stored for reuse each year. After a brief discussion, it was agreed to initially offer the program at Amanda’s Field and Caldwell Park.
2. Municipal curbing. The Township Administrator presented concerns regarding the lack of a uniform curbing requirement for new subdivisions and improved roadways, noting that current roadway designs without curbing have created ongoing maintenance and operational challenges for the Township, including roadway edge deterioration, stormwater drainage concerns, and damage associated with snow removal operations. The Administrator reviewed the current ordinance requirements and recommended amending the Land Development Ordinance to require concrete curbing for major subdivisions and site plans, establish a standardized curbing specification, and require curbing wherever sidewalks are installed in order to reduce long-term maintenance costs and improve roadway infrastructure. After a brief discussion there was a consensus to adopt the recommended revisions to the land use ordinance.

ADJOURNMENT OF WORKSHOP MEETING

Motion by Curtis Corson, second by Victor Nappen, to adjourn the workshop meeting. During roll call vote all five Committee members voted in the affirmative.

There was then a brief recess before the regular meeting began.

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 April 24 2026, the notice of this meeting of the Upper Township Committee was posted on 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

MOMENT OF SILENCE AND REFLECTION

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 – April 13, 2026 Workshop, Regular, and Closed Session Minutes

Motion by Victor Nappen, second by Tyler Casaccio, to approve the April 13, 2026 Workshop, Regular, and Closed Session Minutes as submitted. During roll call vote all five Committee members voted in the affirmative.

REPORT OF GOVERNING BODY MEMBERS

Sam Palombo, Committeeman, invited everyone to attend the Upper Township National Day of Prayer ceremony at Town Hall on May 7, 2026 at 10:00 am.

Tyler Casaccio, Committeeman, reported that last week he attended the Business Association Mixer at the Tavern in Seaville. The new owners have done a great job renovating the restaurant and are planning to sponsor future community events.

Zachary Palombo, Committeeman, reported that Public Works has collected over 672 tons of winter storm debris, with cleanup efforts continuing. He also noted that leaf collection will be completed this week. Next, he reported attending the U.S. Coast Guard Ball held on April 18th in Wildwood as the Township’s representative. He stated that \$425 million has been allocated to Cape May County for improvements to the Coast Guard Base and expressed appreciation to Congressman Van Drew for his assistance with this grant, as well as his work on the Strathmere beach replenishment project. Lastly, Committeeman Palombo recommended that the Township partner with the Upper Township Board of Education for the 2027 Feasibility Study Grant through the Department of Community Affairs. There was a motion by Curtis Corson, seconded by Tyler Casaccio, to appoint Zach Palombo as the point of contact to proceed with the partnership. During roll call vote, all five Committee members voted in the affirmative.

Victor Nappen, Deputy Mayor, reported that the first day of EMS seasonal beach orientation for new employees was held, and stated that EMS is continuing preparations for the Youth Camp scheduled for June 29th through July 2nd. Next, he reported that Senior EMT AJ Lamanna has returned after completing basic training with the New Jersey National Guard. Next, he reported that EMS recently observed National Public Safety Telecommunications Week to express appreciation to the Ocean City dispatchers for their service. He next reported that on April 23rd, EMT Mort Schmerling was remembered on the 10th anniversary of his line-of-duty death with Upper Township EMS, and that a memorial in his honor is located at Amanda’s Field. He next reported that EMS will hold its annual flower sale on May 8th, 9th, and 10th in advance of Mother’s Day. He also reported that updates to the Township website are ongoing. He next thanked The Tavern for its support of opening day of baseball. Lastly, he encouraged residents to contact the Township Committee or Municipal Building with any questions or concerns.

Curtis Corson, Mayor, reported that the Beach Patrol has begun moving into its new temporary headquarters for the summer season. He also reported that Public Works has received delivery of a bulldozer to begin opening the Strathmere beach paths from Whittier Avenue south.

ADMINISTRATOR OVERVIEW

James Van Zlike, Township Administrator, reported Easton’s Alley project has secured full funding and is advancing into the construction phase at Amanda’s Field. He then reported formal approval has been received from Cape May County for the “Our Land of the Free Celebration” grant with an award of \$25,000 to enhance the Township’s 4th of July celebration. Lastly, he reported that on the agenda is a Resolution to award the RFP for beach vending which will generate \$10,000 to \$15,000 revenue for the Township.

John Amenhauser, Municipal Attorney, reported that the title of agenda item #15 should be revised to read as follows: “An Ordinance vacating the paper street known as Bailey Road, aka Woods Road or Old Turnpike Road, situated within Block 414, Lots 4.02 and 40, within the Township of Upper, County of Cape May and State of New Jersey”.

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

Kevin McHale, Upper Township, spoke on agenda item #6 on behalf of the UT Soccer Association regarding the soccer association’s willingness to contribute to the installation of permanent lighting at Amanda’s Field.

Nathalie Neiss, Petersburg, inquired about agenda item #12, #3, and #2. The Resolutions were explained.

Walt Rada, Upper Township, inquired about agenda item #6 and spoke on importance of permanent lighting at Amanda’s Field. Lastly he thanked the Committee for the changes at Amanda’s Field.

Lou Barbutto, Petersburg, inquired about agenda item #11, #7, and #8. The Resolutions were explained.

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.

Committeeman Palombo requested that the Resolution authorizing payments from the Affordable Housing Trust Fund be removed from the consent agenda and placed under resolutions to be acted on

separately. Motion by Victor Nappen, second by Zachary Palombo, to approve the remaining consent agenda items listed below after the removal of that Resolution. During roll call vote all five Committee members present voted in the affirmative.

FILING OF REPORTS BY CONSENT

RESOLUTIONS TO BE APPROVED BY CONSENT

1. A Resolution designating the month of August as “Veterans and Military Appreciation Month” in the Township of Upper.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 153-2026

**A RESOLUTION DESIGNATING THE MONTH OF AUGUST AS “VETERANS AND
MILITARY APPRECIATION MONTH” IN THE TOWNSHIP OF UPPER**

WHEREAS, the freedoms and security enjoyed by citizens of the United States are the result of the dedicated service and sacrifices of the United States Armed Forces; and

WHEREAS, it is important to promote awareness and appreciation of the ongoing contributions of the Armed Forces in upholding the Constitution and protecting our liberties; and

WHEREAS, honoring the commitment, courage, and sacrifices of service members, along with the vital support provided by their families, is essential to maintaining national pride and morale; and

WHEREAS, it is vital to instill in all citizens, especially our youth, a deep respect for the Armed Forces and the significance of their role in safeguarding freedom, humanitarian values, and peace; and

WHEREAS, maintaining a strong, well-trained, and well-equipped military is critical to the continued protection and advancement of the Nation's ideals; and

WHEREAS, the Township Committee of the Township of Upper deems it appropriate to dedicate the month of August to recognize the significant contributions of the Armed Forces to the health, safety, and well-being of the citizens of Upper Township; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, County of Cape May, State of New Jersey, that August is hereby designated as "Veterans and Military Appreciation Month" in the Upper Township.

BE IT FURTHER RESOLVED that the Township Committee encourages all citizens to recognize and honor the dedication and commitment of the members of the United States Armed Forces and to observe the month with appropriate ceremonies and activities; and

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to Governor Mikie Sherrill, Congressman Jeff Van Drew, Senator Michael Testa, Assemblyman Erik Simonsen, Assemblyman Antwan McClellan, the Cape May County Board of Commissioners, and to all municipalities within Cape May County, New Jersey.

Resolution No. 153-2026

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: April 27, 2026

Roll Call Vote:

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

2. Authorizing a Shared Services Agreement with the County of Cape May to participate in litigation challenging NJ PACT/REAL Rules.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 154-2026

**RE: AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE
COUNTY OF CAPE MAY TO PARTICIPATE IN LITIGATION
CHALLENGING NJ PACT/REAL RULES**

WHEREAS, on February 26, 2024, the Township of Upper adopted Resolution 78-2024 opposing the proposed Protecting Against Climate Threat (PACT)/ Resilient Environments and Landscape (REAL) Rules; and

WHEREAS, on January 5, 2026 the PACT/REAL rules were published without any meaningful revision to address the substantive, well-supported concerns raised by the County of Cape May, all sixteen (16) municipalities within Cape May County, and multiple other counties, municipalities, and statewide organizations — including Monmouth and Ocean Counties; the New Jersey Association of Counties; the New Jersey State League of Municipalities; and the New Jersey Business & Industry Association; and

WHEREAS, on March 5, 2026 a Notice of Appeal was filed on behalf of Cape May, Ocean, and Monmouth Counties on the grounds that: (1) the NJDEP lacks legislative authority to adopt the Rules; (2) the Rules are unreasonable, arbitrary and capricious; (3) NJDEP failed to comply with the Administrative

Procedures Act; (4) the Rules violate New Jersey Constitution Article IV, Section VII, Paragraph 9; (5) the rules violate the Fair Housing Act and Mount Laurel doctrine; and (6) certain requirements constitute a regulatory taking without just compensation; and

WHEREAS, the Township of Upper finds that the PACT/REAL rules will have a negative impact on its residents and visitors and desires to join in the litigation to enjoin implementation the regulations; 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, attached hereto as Exhibit A, with the County of Cape May to join in the litigation seeking to enjoin implementation of the PACT/REAL regulations.

2. **SERVICES TO BE PROVIDED; CONTRACT.** The Shared Services Agreement authorized in paragraph 1 hereof shall cover those services, which shall be enumerated in said Agreement.

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.

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

5. **CONTRACT TERM.** The term of this Agreement is for the period as stipulated in the Shared Service Agreement.

6. **SEVERABILITY.** If any section, subsection, paragraph, sentence or other part of this Resolution is adjudged 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.

Resolution No. 154-2026

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: April 27, 2026

Roll Call Vote:

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

Z. Palombo	X			
Corson	X			

3. Authorizing a contract with Civil Solutions, a division of Adams, Rehmann & Heggan Associates, Inc. for maintenance of the official tax map and GIS support services.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 155-2026

**RE: AUTHORIZING A CONTRACT WITH CIVIL SOLUTIONS, A DIVISION OF ADAMS,
REHMANN & HEGGAN ASSOCIATES, INC. FOR MAINTENANCE OF THE OFFICIAL
TAX MAP AND GIS SUPPORT SERVICES**

WHEREAS, the Township requires a professional land surveyor for the maintenance of the official tax map and Web GIS data and viewer support services; and

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

WHEREAS, the Township has decided to acquire the services of Civil Solutions, a division of Adams, Rehmann & Heggan Associates, Inc. (hereinafter “ARH”) as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, ARH has completed and submitted a Business Entity Disclosure Certification which certifies that ARH has not made any reportable contributions to a political or candidate committee in the Township that would bar the award of the contract and that the contract will prohibit ARH 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 ARH, of 215 Bellevue Avenue, Hammonton, New Jersey 08037, for professional land surveying services for the maintenance of the official tax map of Upper Township and Web GIS data and viewer support services.

3. The Contract is awarded 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 ARH has professional knowledge as to land surveying issues which knowledge is particularly valuable to the Township Committee.

4. The contract shall have a term of one (1) year from full execution.

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

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

7. A notice of this contract award shall be posted on the Legal Notices page of the official website 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. 155-2026

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: April 27, 2026

Roll Call Vote:

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

4. Authorizing a contract amendment with Triad Advisory Services, Inc. for Housing Rehabilitation Program Management services.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 156-2026

**RE: AUTHORIZING A CONTRACT AMENDMENT WITH TRIAD ADVISORY SERVICES,
INC. FOR HOUSING REHABILITATION PROGRAM MANAGEMENT SERVICES**

WHEREAS, the Township acquired the services of Triad Advisory Services, Inc. (trading as Triad Associates) as a non-fair and open contract pursuant to Resolution No. 341-2025 adopted on November 10, 2025; and

WHEREAS, Triad Advisory Services, Inc. has proposed a contract amendment of the original contract in order to provide Housing Rehabilitation Program Management services; and

WHEREAS, the Township wishes to accept the proposed contract amendment with Triad Advisory Services, Inc. for additional services; and

WHEREAS, Triad Advisory Services, Inc. has completed and submitted a Business Entity Disclosure Certification, which certifies that Triad Advisory Services, Inc. has not made any contributions to a political or candidate committee in the Township that would bar the award of this contract and that the contract will prohibit Triad Advisory Services, Inc. from making any 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 amendment, attached hereto as Schedule A, to the original Professional Services Agreement, dated October 21, 2025, with Triad Advisory Services for Housing Rehabilitation Program Management services.
3. This Contract is awarded without competitive bidding as a professional service in accordance with N.J.S.A. 40A:11-5(1)(a) of the New Jersey Local Public Contract Law because Triad Advisory Services, Inc. has professional knowledge which is particularly valuable to the Township Committee and this service is acquired as a non-fair and open contract pursuant to N.J.S.A. 19:44A-20.5.
4. 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.
5. 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.
6. A notice of this contract award shall be posted on the Legal Notices page of the official website of the Township of Upper within ten (10) days from the date of adoption.

7. This Resolution shall be effective as of adoption.

Resolution No. 156-2026

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: April 27, 2026

Roll Call Vote:

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

- 5. Authorizing the award of a contract with Lashley Heating & Cooling, Inc. for HVAC installation and repair.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 157-2026

RE: AUTHORIZING THE AWARD OF A CONTRACT WITH LASHLEY HEATING & COOLING, INC. FOR HVAC INSTALLATION AND REPAIR

WHEREAS, from time to time the Township of Upper has a need for HVAC installation or repair from Lashley Heating & Cooling, Inc., (hereinafter “Lashley”) as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Qualified Purchasing Agent has determined and certified in writing that the value of acquisitions with Lashley for the year 2026 will exceed \$17,500; and

WHEREAS, Lashley has completed and submitted a Business Entity Disclosure Certification which certifies that Lashley has not made any reportable contributions to a political or candidate committee in the Township in the previous one year, and that the contract will prohibit Lashley from making any reportable contributions through the term of the contract; and

WHEREAS, the total amount to be paid for the goods and/or services will not exceed the bid threshold of the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-3) and the contract has been approved by the Township’s Qualified Purchasing Agent; and

WHEREAS, the Chief Financial Officer of the Township has certified the availability of funds to allow the award of contract for the purchase herein authorized and has certified that adequate funds have been appropriated for this purpose in the 2026 Municipal Budget.

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township Committee of the Township of Upper, County of Cape May, New Jersey hereby authorizes the Qualified Purchasing Agent to enter into a contract with Lashley as described herein.
3. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.
4. The Chief Financial Officer is hereby authorized, directed and empowered to execute any and all necessary documents in order to implement the intent of this Resolution.

Resolution No. 157-2026

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: April 13, 2026

Roll Call Vote:

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

6. Authorizing the purchase of certain items through the Sourcewell National Cooperative contract with funds from the 2026 Capital Improvement Bond Ordinance in the amount of \$1,500,541.90.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 158-2026

**RE: AUTHORIZING THE PURCHASE OF CERTAIN ITEMS THROUGH THE
SOURCEWELL NATIONAL COOPERATIVE CONTRACT WITH FUNDS FROM THE
2026 CAPITAL IMPROVEMENT BOND ORDINANCE IN THE AMOUNT OF \$1,500,541.90**

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

WHEREAS, the Township Committee has determined that purchases from a national cooperative contract will result in cost savings after all factors have been considered; and

WHEREAS, N.J.S.A. 52:34-6.2 allows the Township of Upper to utilize national cooperative contracts as a method of procurement; and

WHEREAS, the Township Committee adopted the 2026 Capital Improvement Bond

Ordinance No. 004-2026 on February 25, 2026; and

WHEREAS, the Township of Upper intends to purchase two (2) 2027 Western Start 47x single axle dump trucks with plows and spreaders in the amount of \$510,561.20 from W. Campbell Supply Company of Atlantic City, LLC of Bridgeton, New Jersey through Sourcewell National Cooperative Contract No. 032824-DAI as herein indicated; and

WHEREAS, the Township of Upper also intends to purchase an Elgin RegenX-RM 331 mounted on a 2025 Freightliner M2Chassis in the amount of \$314,890.70 from GranTurk Equipment Co., Inc. of Bridgeport, Pennsylvania through Sourcewell National Cooperative Contract No. 093021-ELG as herein indicated; and

WHEREAS, the Township of Upper also intends to seek professional design-build services for the development of an all concrete skatepark at Amanda's Field in the amount of \$675,000.00 from Spohn Ranch, Inc. through Sourcewell National Cooperative Contract No. 090425-SRI as herein indicated; and

WHEREAS, W. Campbell Supply Company of Atlantic City, LLC, GranTurk Equipment Co., Inc. and Spohn Ranch, Inc. have all completed and submitted Business Entity Disclosure Certifications which certify that W. Campbell Supply Company of Atlantic City, LLC, GranTurk Equipment Co., Inc. and Spohn Ranch, Inc. have not made any reportable contributions to a political or candidate committee in the Township in the previous one year, and that their contracts will prohibit them from making any reportable contributions through the term of their contracts; and

WHEREAS, the Chief Financial Officer of the Township has certified the availability of funds to allow the award of contract for the purchases herein authorized and has certified that adequate funds have been appropriated for these purposes from Capital Improvement Bond Ordinance No. 004-2026 and

WHEREAS, the Chief Financial Officer has confirmed that the Township has complied with N.J.S.A. 52:34-6.2 as well as all other legal requirements for this method of procurement.

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

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

2. The Township Committee of the Township of Upper, County of Cape May, New Jersey hereby authorizes the Qualified Purchasing Agent to enter into a contract with W. Campbell Supply Company of Atlantic City, LLC for the purchase of two (2) 2027 Western Start 47x single axle dump trucks with plows and spreaders in the amount of \$510,561.20 from the Capital Improvement Bond Ordinance No. 004-2026 through Sourcewell National Cooperative Contract No. 032824-DAI.

3. The Township Committee of the Township of Upper, County of Cape May, New Jersey hereby also authorizes the Qualified Purchasing Agent to enter into a contract with GranTurk Equipment Co., Inc. for the purchase of an Elgin RegenX-RM 33l mounted on a 2025 Freightliner M2Chassis in the amount of \$314,980.70 from Capital Improvement Bond Ordinance No. 004-2026 through Sourcewell National Cooperative Contract No. 093021-ELG.

4. The Township Committee of the Township of Upper, County of Cape May, New Jersey hereby further authorizes the Qualified Purchasing Agent to enter into a contract with Spohn Ranch, Inc. for the development of an all concrete skatepark at Amanda’s Field in the amount of \$675,000.00 from Capital Improvement Bond Ordinance No. 004-2026 through Sourcewell National Cooperative Contract No. 090425-SRI.

5. The Chief Financial Officer is hereby authorized, directed and empowered to execute any and all necessary documents in order to implement the intent of this Resolution.

Resolution No. 158-2026

Offered By: Nappen

Seconded By: Z. Palombo

Adopted: April 27, 2026

Roll Call Vote:

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

7. Requesting a six-month extension from the New Jersey Department of Transportation Safe Routes to School grant program for the Upper Township School District Pedestrian and Bike Safety project.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 159-2026

REQUESTING A SIX-MONTH EXTENSION FROM THE NEW JERSEY DEPARTMENT

OF TRANSPORTATION SAFE ROUTES TO SCHOOL GRANT PROGRAM FOR THE UPPER TOWNSHIP SCHOOL DISTRICT PEDESTRIAN AND BIKE SAFETY PROJECT

WHEREAS, the Township of Upper is the recipient of a grant from the New Jersey Department of Transportation (NJDOT) Safe Routes to School Program in the amount of \$925,000.00 for the Upper Township School District Pedestrian and Bike Safety Project, as set forth in a grant award letter dated July 10, 2024; and

WHEREAS, the Township is currently in the pre-construction phase of the project and is working to obtain all required approvals prior to initiating project advertisement and award; and

WHEREAS, the Township has encountered delays that may impact its ability to meet the current grant deadline, including the time required to obtain necessary approvals from Cape May County, the New Jersey Department of Transportation, and DelAtlantic, together with delays in securing a required sidewalk easement from the County for the project; and

WHEREAS, the scope of the project remains unchanged, and the Township is continuing to advance the project toward construction; and

WHEREAS, the Township requires additional time to complete all necessary approvals and proceed to the bidding and construction phases of the project.

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 hereby formally requests from the NJDOT a six-month extension to the Safe Routes to School Program grant award for the Upper Township School District Pedestrian and Bike Safety Project.
3. The Mayor, Township Clerk, and any other appropriate Township officials are hereby authorized to execute any and all documents and to take any action necessary to effectuate this request.

Resolution No. 159-2026

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: April 27, 2026

Roll Call Vote:

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

8. Appointing Ronald Reign as a part-time seasonal Beach Sweeper for the Upper Township Public Works Department.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 160-2026

**RE: APPOINTING RONALD REIGN AS A PART-TIME SEASONAL BEACH SWEEPER
FOR THE UPPER TOWNSHIP PUBLIC WORKS DEPARTMENT**

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

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

1. The allegations of the preamble are incorporated herein by this reference.
2. Ronald Reign is hereby appointed as part-time seasonal beach sweeper, effective May 1, 2026, at a salary of \$20.70 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. 160-2026

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: April 27, 2026

Roll Call Vote:

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

9. Appointing William Shallcross 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. 161-2026

**RE: APPOINTING WILLIAM SHALLCROSS 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 employees to the Upper Township Division of Emergency Medical Services to ensure optimal operation; and

WHEREAS, William Shallcross 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. William Shallcross 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 \$22.71 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. 161-2026

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: April 27, 2026

Roll Call Vote:

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

10. Adopting revisions to the Upper Township Personnel Policies and Procedures Manual.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 162-2026

RE: ADOPTING REVISIONS TO THE UPPER TOWNSHIP PERSONNEL POLICIES AND PROCEDURES MANUAL

WHEREAS, the Township Committee of the Township of Upper has determined there is a need to adopt revisions to the Township’s Personnel Policies and Procedures Manual (the “Manual”) to revise the sections entitled “Family and Medical Leave”, “New Jersey Family Leave”, and “Working Test Period” and add a “Fitness for Duty” policy; and

WHEREAS, the Township Committee of the Township of Upper has reviewed and approve such revisions attached hereto as Exhibit A; and

WHEREAS, the Township Committee has determined that these revisions should be adopted to revise the existing Township Personnel Policies and Procedures Manual; 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 revisions to the Personnel Policies and Procedures Manual as set forth in the attached Exhibit A are hereby adopted and approved and modify the existing personnel policies, procedures, manuals and handbooks of the Township.

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. 162-2026

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: April 27, 2026

Roll Call Vote:

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

11. Amending Resolution No. 012-2026 establishing salaries for various officers and employees.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 163-2026

**RE: AMENDING RESOLUTION NO. 012-2026
ESTABLISHING SALARIES FOR VARIOUS OFFICERS AND EMPLOYEES**

WHEREAS, Resolution No. 012-2026 fixed the salaries for various administrative, clerical, and other personnel for the year 2026; and

WHEREAS, the Township Committee has determined it necessary to amend said Resolution No. 012-2026; 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. 012-2026 is hereby amended to reflect the positions and salary for the

following employee effective May 1, 2026 in accordance with the Salary Ordinance as follows:

NAME	POSITION	SALARY
Paula Lechner	Keyboarding Clerk 1, Administration	\$61,800.00*
	Safety Coordinator	\$3,500.00
	Computer Director	\$4,000.00

3. The asterisk notation indicates that the listed salaries are the pensionable salary according to the criteria outlined in the New Jersey Statute Annotated (NJSA) 43:15A-25.2 and NJAC 17:2-2.2.

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.

Resolution No. 163-2026

Offered by: Nappen

Seconded by: Z. Palombo

Adopted: April 27, 2026

Roll Call Vote:

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

RESOLUTIONS TO BE ACTED ON SEPARATELY

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

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 164-2026

**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, on March 9, 2026, pursuant to Resolution No. 83-2026, the Township of Upper further replaced the most recent Spending Plan noted above and requested that the Program and/or Court review and approve the Township’s Fourth Round Spending Plan; 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:

The DeWeese Law Firm (Affordable Housing Services)	\$ 600.00
Triad Associates (AA Wait List Rentals/AA/MTA Wait List Maint. Sales/ AA Technical Assistance	\$ 1,278.75
Surenian, Edwards, Buzak & Nolan (Affordable Housing Service)	\$ 2,243.00
Maley Givens, P.C. (Affordable Housing Service)	\$ 860.00

Resolution No. 164-2026

Offered By: Nappen

Seconded By: Z. Palombo

Adopted: April 27, 2026

Roll Call Vote:

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

ORDINANCES

13. Public hearing and final adoption of Ordinance No. 008-2026 RE: AN ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION) AND CHAPTER 5 (PERSONNEL) OF THE CODE OF UPPER TOWNSHIP. **During the public hearing portion there were the following speakers:**

Barbara Leary, Seaville, inquired about the posting of the position.

Nathalie Neiss, Petersburg, inquired about the reclassification of the position.

Mayor Corson then closed the public hearing. Motion by Victor Nappen, second by Zachary Palombo, to adopt Ordinance No. 008-2026. 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. 008-2026

RE: AN ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION) AND CHAPTER 5 (PERSONNEL) OF THE CODE OF UPPER TOWNSHIP

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

SECTION 1. Chapter 2, Section 2-2.5 of the Revised General Ordinance of the Township of Upper, also known as the Code of Upper Township, shall be amended and supplemented as hereinafter provided:

2-2.5 - Deputy Township Administrator.

a. Appointment and Term. The Deputy Township Administrator shall be appointed by the majority vote of the Township Committee, upon recommendation of the Township Administrator, and subject to the provisions of the New Jersey Civil Service Act, codified at

N.J.S.A. 11A:1-1, *et seq.*

- b. Compensation. Compensation to perform the duties and responsibilities of Deputy Township Administrator shall be determined and established by the Township Committee according to law.
- c. Qualifications. The Deputy Township Administrator shall possess knowledge and experience in local government for the appointment as Deputy Township Administrator.
- d. Powers and Duties. The Deputy Township Administrator shall have the following powers and duties:
 - a. Oversight of the Township’s personnel system, including, but not limited to, recruitment, selection, and onboarding of Township employees;
 - b. Primary point of contact for employee grievances, disciplinary matters involving employees, and labor contract interpretation issues involving Township employees;
 - c. Responsibility for maintaining the Township Personnel Manual and Township Employee Handbook for legal compliance purposes;
 - d. Assistance with employee benefit programs issues, workers’ compensation matters, and risk management issues; and
 - e. In the absence of a Township Administrator, the Deputy Township Administrator shall have all the powers and duties associated with the role of Township Administrator, as set forth in subsection 2-2.4(e)(1) – 2:2.4(e)(8) of this Chapter.

SECTION 2. Chapter 2, Section 2-2.5 through 2-2.9 (existing), of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, shall be revised and identified hereafter as Chapter 2, Section 2-2.6 through 2-2.10.

SECTION 3. Chapter 5-6.2 of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, shall be revised and supplemented to add the following position of employment to the list of classified positions within the Township of Upper, subject to the qualifications established by the New Jersey Civil Service Commission for such position, including any applicable knowledge, experience, or certification requirements:

Deputy Township Administrator

SECTION 4: REPEALER: All Ordinances or parts of Ordinances which are in conflict or inconsistent herewith are hereby repealed to the extent of such inconsistency or conflict only.

SECTION 5: SEVERABILITY: If any section, paragraph, subdivision, subsection, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, subsection, clause or provision declared invalid and the remainder of this Ordinance shall remain in full force and effect and shall be enforceable.

SECTION 6: EFFECTIVE DATE: This Ordinance shall take effect upon final adoption and publication as required by law.

SECTION 7: CODIFICATION: This Ordinance shall be codified in the Upper Township Code in the sections referred to above.

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 23RD DAY OF MARCH, 2026, 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 HELD ON THE 27TH DAY OF APRIL, 2026, AT 5:30 P.M. AT THE TOWNSHIP HALL, PETERSBURG, NEW JERSEY.

JOANNE R. HERRON, TOWNSHIP CLERK
TOWNSHIP OF UPPER

14. Public hearing and final adoption of Ordinance No. 009-2026 RE: AN ORDINANCE AMENDING CHAPTER 7 (TRAFFIC) OF THE CODE OF UPPER TOWNSHIP. **During the public hearing portion there were no speakers. Motion by Victor Nappen, second by Tyler Casaccio, to adopt Ordinance No. 009-2026. During roll call vote all five Committee members voted in the affirmative.**

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
ORDINANCE**

ORDINANCE NO. 009-2026

**RE: AN ORDINANCE AMENDING CHAPTER 7 (TRAFFIC)
OF THE CODE OF UPPER TOWNSHIP**

WHEREAS, the Township desires to amend various parking regulations of the Code of Upper Township as contained herein.

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

SECTION 1. Chapter 7 (entitled “Traffic”) of the Revised General Ordinances of the Township of Upper, also known as the Code of Upper Township, shall be amended and supplemented as hereinafter provided:

Replace Chapter 7, Section 3.7 in its entirety with the following:

7-3.7 LICENSED VEHICLES ONLY.

Unless authorized otherwise by Township Ordinance, the parking of anything other than a licensed vehicle on public streets or alleys shall be unlawful and a violation of this chapter.

Add the following section to Chapter 7:

7-3.9 ROLL-OFF CONTAINER REGULATIONS.

7-3.9.1 Definitions.

Roll-Off Container shall be defined as any large waste or refuse container, whether containing an open or closed top, that is used for temporary storage of personal property or temporary storage of waste disposal.

7-3.9.2 Parking Requirements for Roll-Off Containers.

- a. No person shall park or leave unattended any roll-off container on or along any roadway or right of way located within the Township of Upper without first obtaining a permit for parking from the Township Construction Office. The permit application must indicate the exact location and the length of time requested for parking. Upon recommendation of the Township Engineer, the Township Construction Office may issue a permit for a specific space for a maximum of 30 days.
- b. Permit Fees and Duration:
 1. The fee for the issuance of any such permit is hereby fixed at one hundred dollars (\$100.00), which amount may be amended from time to time by resolution duly adopted by the Township Committee.
 2. Permits may be renewed for additional thirty-day periods up to a maximum of 180 days.
 3. Upon expiration of any permit, a new permit is required for the container to continue to be parked on any roadway or right of way.
- c. Safety and Placement Standards:
 1. Permittees must adhere to specific parameters including the maintenance of sight triangles, maintenance of ADA compliant sidewalks, and providing clear sidewalk width for pedestrians.
 2. Containers must display yellow reflective diamond shaped panels at least eighteen inches by eighteen inches.
 3. Panels must be mounted at the edge of the container at both ends nearest the path of passing vehicles and facing oncoming traffic.
 4. Markers shall have a minimum mounting height of three feet from the bottom of the panels to the roadway surface.
 5. Wood blocks or metal plates must be installed between the container and the street to prevent damage to the underlying surface.
 6. All containers must be covered at all times when not in active use, including those situated on private property.
- d. Maintenance and Enforcement:

1. No leakage or odors shall be released from the container while situated on a roadway or right of way.
2. Any debris released must be cleared immediately upon removal of the container.
3. Any roll off container parked or standing in violation of this section is declared a nuisance and a menace to the safe and proper regulation of traffic.
4. Any person convicted of a violation of this section shall pay a fine of one hundred dollars (\$100.00) for each violation.
5. Upon a second or subsequent violation not remedied within three days of receipt of notice, the Township may remove the container.
6. The permittee shall be charged the actual and reasonable costs of relocation and storage incurred by the Township.
7. The requirements of N.J.S.A. 27:5I-1 are incorporated herein by reference.

e. Appeals and Denials:

1. The Township Construction Office may deny an application upon the recommendation of the Township Engineer if denial is in the best interest of public health, safety, or traffic circulation.
2. Any denial may be appealed to the Township Committee for a hearing.

7-3.9.3 Exemptions to Parking Requirements.

The Township of Upper is exempted from these requirements when utilizing roll off containers for governmental or public use. In the event of an emergency, the responsible party shall apply for a permit as promptly as possible and will not be liable for a violation if the Code Enforcement Official deems the emergent need reasonable and necessary.

SECTION 2: EFFECTIVE DATE: This ordinance shall take effect immediately upon the following publication as required by law.

SECTION 3: REPEALER: All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

SECTION 4: SEVERABILITY: If any section, paragraph, subdivision, subsection, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, subsection, clause, or provision declared invalid and the remainder of this Ordinance shall remain in full force and effect and shall be enforceable.

SECTION 5: CODIFICATION: This Ordinance shall be codified in the Upper Township Code at the sections referred to above.

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 23RD DAY OF MARCH, 2026, 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 HELD ON THE 27TH DAY OF APRIL, 2026, AT 5:30 P.M. AT THE TOWNSHIP HALL, PETERSBURG, NEW JERSEY.

JOANNE R. HERRON, TOWNSHIP CLERK
TOWNSHIP OF UPPER

15. Introduction and first reading of Ordinance No. 010-2026 RE: AN ORDINANCE VACATING THE PAPER STREET KNOWN AS BAILEY ROAD, AKA WOODS ROAD OR OLD TURNPIKE ROAD, SITUATED WITHIN BLOCK 414, LOTS 4.02 AND 40, WITHIN THE TOWNSHIP OF UPPER, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY. **Motion**

by Victor Nappen, second by Tyler Casaccio, to introduce Ordinance 010-2026 with a public hearing and final adoption scheduled for May 26, 2026. 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. 010-2026

**AN ORDINANCE VACATING THE PAPER STREET KNOWN AS BAILEY ROAD, AKA
WOODS ROAD OR OLD TURNPIKE ROAD, SITUATED WITHIN
BLOCK 414, LOTS 4.02 AND 40, 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, Christian Pittman, the owner of Block 414, Lots 4.02 and 40, has requested that the Township vacate the paper street known as Bailey Road, aka Woods Road or Old Turnpike Road, 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 the paper street known as Bailey Road, aka Woods Road or Old Turnpike Road, 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 survey description prepared by George Swensen, PLS, of Cape Land Surveying, LLC dated March 14, 2026, 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: Christian Pittman, 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.

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 APRIL, 2026 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 HELD ON THE 26TH DAY OF MAY, 2026 AT 5:30 P.M. AT THE TOWNSHIP HALL, PETERSBURG, NEW JERSEY.

JOANNE R. HERRON, TOWNSHIP CLERK
TOWNSHIP OF UPPER

CORRESPONDENCE

NEW BUSINESS

16. Stewart and Marion Segin request to purchase Township owned land Block 324, Lots 2 and 31. **Motion by Tyler Casaccio, second by Z. Palombo, to move forward with the request to obtain an appraisal and bring an Ordinance back for introduction at a future meeting. During roll call vote all five Committee members voted in the affirmative.**
17. Upper Township Rescue Squad request to hold raffles RA-622, RA-623, and RA-624 at Mosquito Landing Beach on August 1, 2026. **Motion by Victor Nappen, second by Zachary Palombo, to approve the request. During roll call vote all five Committee members voted in the affirmative.**
18. Commonwealth Survival Backyard Ultra running event to be held on Commonwealth Avenue, Strathmere, August 15 and 16, 2026. **This matter was tabled for further review.**
19. RFP results for beach vending services. **The CFO reported that the Township received two bids. Per the evaluation criteria set forth in the RFP, the CFO recommended awarding the**

contract to SJ Aladdin. A Resolution for formal action will be placed on the next agenda.

UNFINISHED BUSINESS

PAYMENT OF BILLS

20. "I hereby move that all claims submitted for payment at this meeting be approved and then incorporated in full in the minutes of this meeting." **Motion by Victor Nappen, second by Zachary Palombo. During roll call vote four Committee members voted in the affirmative. Committeeman Casaccio abstained from voting on PO #26-00245 and #26-00246 and voted in the affirmative on the remaining items.**

Bills approved for payment: **\$2,457,885.59**

Payroll: **\$240,413.53**

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

Alice March, Strathmere, spoke on tabled agenda item #18 and asked the Committee to consider the heavy traffic on Commonwealth Avenue in August when making a decision.

Jeff Schnell, Mt. Pleasant Road, spoke on the introduced Ordinance 010-2026 and the closure of Bailey Road.

Nathalie Neiss, Petersburg, spoke about her concerns for the schools and the need for more money in the tax base.

Mike Donnelly, requested clarification on Ordinance 010-2026.

Lou Barbuto, Petersburg, spoke on the lighting at Amanda's Field.

Elsie Jamison, Seaville, thanked Zachary Palombo for advocating for the DCA Feasibility Study grant.

CLOSED SESSION

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

**RESOLUTION NO. 165-2026
MOTION GOING INTO CLOSED SESSION
APRIL 27, 2026**

I hereby move that a resolution be incorporated into the minutes authorizing the Township Committee to enter into an executive session for the following matters pursuant to the Open Public Meetings Act:

MATTERS:

1. Contract negotiation - Life Insurance
2. Contract negotiation – Information Technology Services
3. Contract negotiation – Shore Protection

I also include in my motion the estimated time and the circumstances under which the discussion conducted in closed session can be disclosed to the public as follows:

- A. It is anticipated that the matters discussed in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.
- B. With respect to contract negotiations such matters will be made public when negotiations have ceased and there is no longer a reason for confidentiality.

Moved by: Zachary Palombo

Motion seconded by: Victor Nappen

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

RECONVENE PUBLIC PORTION OF MEETING

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

ADJOURNMENT

There being no further business this evening the meeting was adjourned at 6:54 P.M., with a motion by Tyler Casaccio, second by Samuel Palombo, and all five Committee members voting in the affirmative. The next regular Committee meeting is scheduled for May 11, 2026 at 5:30 P.M.

Minutes prepared by,

Joanne R. Herron, RMC
Township Clerk

Bills

- 87372 04/27/26 A0017 ATLANTIC CO. MUNICIPAL JIF 153,293.00 3491
- 87373 04/27/26 A0018 ACTION SUPPLY INC. 91.60 3491
- 87374 04/27/26 A0091 ATLANTIC CITY ELECTRIC 39,603.01 3491
- 87375 04/27/26 A0117 AT&T 491.68 3491
- 87376 04/27/26 A0193 ATLANTIC INVESTIGATIONS, LLC 740.00 3491
- 87377 04/27/26 A0212 ANCERO, LLC 985.60 3491
- 87378 04/27/26 A0219 ALTERNATIVE MICROGRAPHICS, INC 2,064.00 3491
- 87379 04/27/26 A0235 AMAZON CAPITAL SERVICES, INC. 150.87 3491
- 87380 04/27/26 A0251 ACT ENGINEERS, INC. 1,153.60 3491
- 87381 04/27/26 A0257 ACCURATE LANGUAGE SERVICES 240.00 3491
- 87382 04/27/26 A0258 ACCLAIM INVENTORY, LLC 2,200.00 3491
- 87383 04/27/26 A0264 American Coastal Coalition 500.00 3491
- 87384 04/27/26 A0265 ARC REPROGRAPHICS SJ, INC 1,049.95 3491
- 87385 04/27/26 B0032 BLANEY WEINBERG & CURIO PC 647.50 3491
- 87386 04/27/26 B0093 BARRY,CORRADO & GRASSI,PC 360.00 3491
- 87387 04/27/26 B0288 KINGBARNES LLC 1,375.00 3491
- 87388 04/27/26 B0304 BLUE MOUNTAIN DISTRIBUTORS 437.27 3491
- 87389 04/27/26 B0306 BCHEX 960.45 3491
- 87390 04/27/26 C0019 CITY OF OCEAN CITY 71,309.25 3491
- 87391 04/27/26 C0048 CAPE MAY COUNTY MUA 50,040.42 3491
- 87392 04/27/26 C0052 CAPE MAY COUNTY TREASURER 1,603,454.57 3491
- 87393 04/27/26 C0056 CAPE MEDIATION SERVICE, INC. 383.04 3491
- 87394 04/27/26 C0068 COMCAST 1,067.44 3491
- 87395 04/27/26 C0091 CHISHOLM, JOHN R. 130.00 3491
- 87396 04/27/26 C0223 CASA PAYROLL SERVICE 288.60 3491
- 87397 04/27/26 C0346 CME ASSOCIATES 3,868.50 3491
- 87398 04/27/26 C0352 COLUMN SOFTWARE, PBC 47.08 3491
- 87399 04/27/26 D0186 DOCUTREND IMAGING SOLUTIONS 190.77 3491
- 87400 04/27/26 D0251 THE DEWEESE LAW FIRM, P.C. 4,900.00 3491
- 87401 04/27/26 E0052 EDWARDS, MATTHEW 48.00 3491

87402 04/27/26 E0079 EVANS III, WILLIAM 48.00 3491
87403 04/27/26 F0053 FORD SCOTT & ASSOCIATES 16,000.00 3491
87404 04/27/26 G0016 GARDNER HARDWARE INC. 19.95 3491
87405 04/27/26 G0067 GLOBAL EQUIPMENT COMPANY INC 156.31 3491
87406 04/27/26 G0086 W.W. GRAINGER, INC. 1,592.32 3491
87407 04/27/26 G0092 GRUND, BARBARA J. 120.00 3491
87408 04/27/26 G0120 PATRICK F. MARTIN 2,083.33 3491
87409 04/27/26 G0147 GREATAMERICA FINANCIAL SVCS. 217.00 3491
87410 04/27/26 H0002 H.A. DEHART & SON CORP. 2,404.94 3491
87411 04/27/26 H0073 HOME DEPOT CRC/GECF 108.00 3491
87412 04/27/26 H0180 HD SUPPLY FACILITIES MANT 137.96 3491
87413 04/27/26 L0007 LC EQUIPMENT, INC. 150.00 3491
87414 04/27/26 L0031 LORCO PETROLEUM SERVICES 210.00 3491
87415 04/27/26 L0043 LEE RAIN,INC. 363.53 3491
87416 04/27/26 L0146 LAWSON PRODUCTS, INC. 430.47 3491
87417 04/27/26 M0193 MAYNE, MICHAEL 120.00 3491
87418 04/27/26 M0217 MUNICIPAL EMERGENCY SERVICES 1,512.00 3491
87419 04/27/26 M0308 McHENRY PRESSURE CLEAN SYSTEMS 4,771.82 3491
87420 04/27/26 M0345 MAJESTIC OIL 4,342.36 3491
87421 04/27/26 N0052 NATL ALLIANCE FOR YOUTH SPORTS 550.00 3491
87422 04/27/26 N0176 NJ SOLUTIONS JOINT HEALTH 165,170.66 3491
87423 04/27/26 O0006 SJSHORE MARKETING,LLC 325.00 3491
87424 04/27/26 O0068 OCHS Crew Boosters Girls Team 300.00 3491
87425 04/27/26 P0140 PIONEER MANUFACTURING CO, INC 3,985.21 3491
87426 04/27/26 P0170 PEACH COUNTRY MULCH 5,550.00 3491
87427 04/27/26 R0030 RIGGINS, INC. 10,889.76 3491
87428 04/27/26 R0100 ROBERTS OXYGEN COMPANY, INC. 403.75 3491
87429 04/27/26 S0057 SERVICE TIRE TRUCK CENTERS 1,151.84 3491
87430 04/27/26 S0134 SO. JERSEY GAS COMPANY 4,257.55 3491
87431 04/27/26 S0185 STOCKTON UNIVERSITY 13,088.71 3491
87432 04/27/26 S0363 STARR SEPTIC, LLC. 900.00 3491
87433 04/27/26 S309 Sharp, Joseph 140.00 3491
87434 04/27/26 S312 SPATOL, DANIEL 48.00 3491
87435 04/27/26 T0067 TOWNSHIP OF UPPER PETTY CASH 70.00 3491
87436 04/27/26 T0080 TREASURER STATE OF N.J. 114.00 3491
87437 04/27/26 T0131 TROUT, ROSEMARY 15.00 3491
87438 04/27/26 T0159 TRIAD ADVISORY SERVICES, INC. 631.25 3491
87439 04/27/26 T0179 TUCKAHOE TURF FARMS, INC. 703.40 3491
87440 04/27/26 T0180 TRI-COUNTY PEST CONTROL, INC 25.00 3491
87441 04/27/26 T0230 THINK PAVERS HARDSCAPING LLC 262,099.48 3491
87442 04/27/26 U0076 U.S.BANK NATIONAL ASSOCIATION 71.98 3491
87443 04/27/26 V0013 VERIZON WIRELESS 630.31 3491
87444 04/27/26 V0022 VERIZON 589.00 3491
87445 04/27/26 V0025 V.E. RALPH & SON,INC. 1,552.60 3491
87446 04/27/26 W0087 W.B. MASON EGG HARBOR 257.28 3491
87447 04/27/26 W0123 WIRELESS ELECTRONICS, INC. 6,381.72 3491
87448 04/27/26 W0131 WEX BANK 35.04 3491
87449 04/27/26 W0135 THE LAW OFFICE OF BRANDON D 1,048.46 3491
87450 04/27/26 X0008 XEROX FINANCIAL SERVICES 41.40 3491
Total: \$2,457,885.59