

**TOWNSHIP OF UPPER
2100 TUCKAHOE ROAD
PETERSBURG, NJ 08270
CAPE MAY COUNTY
MINUTES FOR JULY 13, 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 July 10, 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	Absent
Samuel Palombo	Present
Zachary Palombo	Absent
Curtis Corson	Present

Also present were Municipal Clerk Joanne Herron, Municipal Attorney Scott DeWeese, Assistant Municipal Treasurer Sarah Steiner, and Township Administrator James Van Zlike.

DISCUSSION

1. Strathmere Beach Tags. The Township Administrator presented a proposal for the potential implementation of a beach tag program for Strathmere beginning in Summer 2027. The Committee discussed proposed pricing, sales methods, exemptions, enforcement options, and the use of potential revenue to offset beach-related costs.

ADJOURNMENT OF WORKSHOP MEETING

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 July 10, 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 (Please remain standing)

ROLL CALL

Tyler Casaccio	Present
Victor Nappen	Absent
Samuel Palombo	Present
Zachary Palombo	Absent
Curtis Corson	Present

Also present were Municipal Clerk Joanne Herron, Attorney Scott DeWeese, Assistant Municipal Treasurer Sarah Steiner, Construction Official Dory Cooper, and Township Administrator James Van Zlike.

APPROVAL OF MINUTES – June 22, 2026 Regular Minutes

PRESENTATION

1. New Jersey American Water 2026 Volunteer Fire and EMS Grant Award. **Kim Schalek Downes, Vice President of Business Development, Government & External Affairs, and Margaret Cruz, Major Accounts Manager, of New Jersey American Water, presented a check in the amount of \$2,282.09.**

REPORT OF GOVERNING BODY MEMBERS

Tyler Casaccio, Committeeman, thanked Committeeman Zach Palombo for his work as a member of the Beach Tag Subcommittee and thanked Mayor Corson for his prior efforts on the beach tag initiative, which provided a helpful starting point and roadmap for the Subcommittee's work.

Samuel Palombo, Committeeman, thanked Public Works and all Township employees involved in the 4th of July celebration event. He stated that the event was a great success, received positive feedback from attendees, and highlighted the continued improvements made each year. He commended the team effort that went into organizing the event, including the successful fireworks display despite inclement weather, and expressed appreciation for the dedication and hard work of everyone involved.

Curtis Corson, Mayor, thanked Public Works for their efforts in preparing for the Strathmere Parade and July 4th fireworks celebration, noting the events were successful despite adjustments due to the heat and weather. He provided an update on the upcoming beach replenishment project, advising that sand pumping was scheduled to begin this week and that weekly coordination meetings would be held by the Army Corps of Engineers. He noted that Township Administrator Van Zlike would serve as the Township point of contact and that temporary beach closures would occur in active work areas during the project.

ADMINISTRATOR OVERVIEW

James Van Zlike, Administrator, reported that the Township recently held a surplus asset online auction through GovDeals, which concluded on July 8th. He thanked Public Works employee John Hope and the Municipal Clerk's Office for their efforts in preparing the assets for auction and reported that the sale of nine assets generated \$62,225.00, exceeding expectations. He next thanked Public Works, EMS, Recreation, and all Township personnel involved in the 4th of July celebration at Amanda's Field, and emphasized the significant planning and coordination required for the successful event.

Joanne Herron, Municipal Clerk, requested that Item No. 27 be removed from the Consent Agenda and advised that no action would be taken on the matter.

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

Nathalie Neiss, Petersburg, inquired regarding Agenda Item No. 14. The Committee advised that three applications were received and that special counsel is being retained to review the applications.

Lou Barbuto, Petersburg, thanked the Township for addressing the NJDOT Route 50 Bridge over Cedar Swamp Creek reconstruction project and inquired about the proposed detour route and project duration. The Committee advised that the project was expected to take approximately 15 to 17 months and that the detour would utilize Tyler Road, Tuckahoe Road, and Roosevelt Boulevard, with temporary traffic signals to be installed at affected intersections.

Janice Holden, Woodbine Road, spoke in favor of Agenda Item No. 29 and described the accumulation of debris and hazardous materials, the uninhabitable condition of the structure, and the need for action to address the property.

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 Tyler Casaccio, second by Sam Palombo, to approve the consent agenda items listed below. During roll call vote all three Committee members present voted in the affirmative.

FILING OF REPORTS BY CONSENT

2. Animal Control
3. Clerk's Office
4. Construction Code
5. Finance Office
6. Municipal Court
7. MUA Report
8. Public Works
9. Tax Collector

RESOLUTIONS TO BE APPROVED BY CONSENT

10. Supporting the New Jersey Department of Transportation's detour plan for the Route 50 Bridge over Cedar Swamp Creek Bridge reconstruction project.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N**

RESOLUTION NO. 251-2026

**SUPPORTING THE NEW JERSEY DEPARTMENT OF TRANSPORTATION'S
DETOUR PLAN FOR THE ROUTE 50 BRIDGE OVER CEDAR SWAMP CREEK
RECONSTRUCTION PROJECT**

WHEREAS, the New Jersey Department of Transportation (NJDOT) is undertaking the Route 50 Bridge over Cedar Swamp Creek reconstruction project in Upper Township; and

WHEREAS, NJDOT has coordinated the proposed Detour Plan with Upper Township, Cape May County, emergency service providers, school transportation officials, and other affected agencies to minimize impacts during the temporary roadway closure; and

WHEREAS, although the temporary full roadway closure will result in inconvenience to motorists, the Township Committee recognizes that the NJDOT Detour Plan will substantially reduce the overall construction period, thereby minimizing the duration of impacts to residents, businesses, emergency service providers, and the traveling public; and

WHEREAS, the Township Committee finds that expediting completion of this critical transportation infrastructure project is in the best interests of the Township and the traveling public.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Upper, County of Cape May, State of New Jersey, that the Township hereby supports the New Jersey Department of Transportation's Detour Plan, under which its contractor, ACCI ASIBACC JV LLC, will utilize Tuckahoe Road (C.R. 636), Tyler Road (C.R. 616), and Roosevelt Boulevard (C.R. 623) as the temporary northbound and southbound detour routes during the phase of construction requiring the full closure of the Route 50 Bridge over Cedar Swamp Creek, in accordance with the NJDOT Directive Plans for the Detour dated April 29, 2025.

BE IT FURTHER RESOLVED that the Township Clerk is hereby directed to forward certified copies of this Resolution to the New Jersey Department of Transportation, the Cape May County Board of County Commissioners, and ACCI ASIBACC JV LLC.

Resolution No. 251-2026

Offered by: Casaccio

Seconded by: S. Palombo

Adopted: July 13, 2026

Roll Call Vote:

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

11. Chapter 159 Resolution requesting approval of items of revenue and appropriation into the 2026 Budget—New Jersey American Water Volunteer Fire & EMS Grant program in the amount of \$2,282.09 and rescinding Resolution No. 242-2026.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 252 -2026

**RE: CHAPTER 159 RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATION INTO THE 2026 BUDGET—NEW JERSEY AMERICAN WATER
VOLUNTEER FIRE & EMS GRANT PROGRAM
IN THE AMOUNT OF \$2,282.09 AND RESCINDING RESOLUTION NO. 242-2026**

WHEREAS, pursuant to Resolution No. 242-2026 adopted on June 22, 2026, the Township of Upper requested approval of items of revenue and appropriation into the 2026 budget from South Jersey Gas First Responders Grant Program in the amount of \$2,282.09; and

WHEREAS, the Resolution erroneously stated the grant program as South Jersey Gas First Responders Grant Program and now wishes to rescind Resolution No. 242-2026 to correctly state the proper grant program; and

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Upper, County of Cape May, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2026 in the sum of \$2,282.09, which is now available as a revenue from:

REVENUE: STATE & FEDERAL REVENUE OFFSET WITH APPROPRIATIONS:
NEW JERSEY AMERICAN WATER VOLUNTEER FIRE & EMS GRANT PROGRAM, AND

BE IT FURTHER RESOLVED that a like sum of \$2,282.09 is hereby appropriated under the caption of:

APPROPRIATION: STATE & FEDERAL REVENUE OFFSET WITH APPROPRIATIONS:
NEW JERSEY AMERICAN WATER VOLUNTEER FIRE & EMS GRANT PROGRAM, AND

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

Resolution No. 252-2026

Offered By: Casaccio

Seconded By: S. Palombo

Adopted: July 13, 2026

Roll Call Vote:

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

12. Authorizing a refund of Hometown Hero Banner program fees in the amount of \$110.00 to Daniel Beyel.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY**

RESOLUTION

RESOLUTION NO. 253-2026

RE: AUTHORIZING A REFUND OF HOMETOWN HERO BANNER PROGRAM FEES IN THE AMOUNT OF \$110.00 TO DANIEL BEYEL

WHEREAS, on June 5, 2026, Daniel Beyel submitted a Hometown Hero Banner application along with a payment that exceeded the required fee; and

WHEREAS, the Township has received a request from Daniel Beyel for a refund of said overpayment; and

WHEREAS, the Township Committee has determined that the refund of the overpayment is warranted.

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. A refund in the amount of \$110.00 is hereby authorized to be issued to:

Daniel Beyel
529 N. Shore Road
Marmora, NJ 08223

3. The Chief Financial Officer is hereby authorized and directed to process and issue said refund.

Resolution No. 253-2026

Offered by: Casaccio

Seconded by: S. Palombo

Adopted: July 13, 2026

Roll Call Vote:

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

13. Authorizing a refund of Upper Township Fourth of July Celebration Event vendor fees in the amount of \$40.00 to Sassy Scallop Designs.

TOWNSHIP OF UPPER CAPE MAY COUNTY RESOLUTION

RESOLUTION NO. 254-2026

**RE: AUTHORIZING A REFUND OF UPPER TOWNSHIP FOURTH OF JULY
CELEBRATION EVENT VENDOR FEES IN THE AMOUNT OF \$40.00 TO SASSY SCALLOP
DESIGNS**

WHEREAS, Kaitlin Kee Dayton of Sassy Scallop Designs submitted a vendor application along with the required vendor fee to participate in the Upper Township Fourth of July Celebration event on July 4, 2026; and

WHEREAS, due to the excessive heat on the day of the event, Sassy Scallop Designs was unable to attend and requested a refund of the vendor fee paid; and

WHEREAS, the Township Committee has determined that a refund of the vendor fee paid is warranted.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Upper, Cape May County, that a refund is hereby authorized and the Chief Financial Officer is hereby directed to refund monies as indicated below:

AMOUNT	NAME
\$40.00	Sassy Scallop Designs
	Attn: Kaitlin Kee Dayton
	427 Franklin Ave
	Northfield, NJ 08225

Resolution No. 254-2026

Offered By: Casaccio

Seconded By: S. Palombo

Adopted: July 13, 2026

Roll Call Vote:

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

14. Appointing Maley Givens, PC and M. James Maley, Jr. to act as Special Legal Counsel with regard to Class 5 Cannabis Retail Sales License matters.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N**

RESOLUTION NO. 255-2026

**RE: APPOINTING MALEY GIVENS, PC AND M. JAMES MALEY, JR. TO ACT AS SPECIAL
LEGAL COUNSEL WITH REGARD TO THE CLASS 5 CANNABIS RETAIL SALES LICENSE
MATTERS**

WHEREAS, the Township requires legal counsel to provide legal services for the evaluation, review, and contracting phases of the Class 5 Cannabis Retail Sales License RFP process; and

WHEREAS, the Township has decided to acquire the services of the firm of Maley Givens, PC and M. James Maley, Jr. 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 contract for professional services; and

WHEREAS, the firm of Maley Givens, PC and M. James Maley, Jr. have completed and submitted a Business Entity Disclosure Certification which certifies that said firm and said individual have 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 said firm and said individual 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. Maley Givens, PC and M. James Maley, Jr. with offices at 1150 Haddon Avenue, Suite 210, Collingswood, New Jersey are hereby appointed as Special Legal Counsel with regard to Class 5 Cannabis Retail Sales License matters at the direction of the Township Administrator and as directed by the Township Committee.
3. This contract shall have a term of one (1) year effective June 23, 2026.
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 Maley Gives, PC and M. James Maley, Jr. have professional knowledge as to legal matters which knowledge is particularly valuable to the Township Committee.

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

Maley Givens, PC and M. James Maley, Jr. for legal services. This contract and the resolution authorizing same shall be available for public inspection in the office of the municipal clerk of the Township of Upper, State of New Jersey.

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

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

8. The Mayor and Township Clerk are hereby authorized and directed to execute, on behalf of the Township of Upper, a Professional Contract with Maley Givens, PC and M. James Maley, Jr. 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.

9. 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.

10. This Resolution shall be effective as of adoption.

Resolution No. 255-2026

Offered by: Casaccio

Seconded by: S. Palombo

Adopted: July 13, 2026

Roll Call Vote:

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

15. Reappointing James R. Birchmeier as Municipal Court Judge for the Township of Upper.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N**

RESOLUTION NO. 256-2026

RE: REAPPOINTING JAMES R. BIRCHMEIER

AS MUNICIPAL COURT JUDGE FOR THE TOWNSHIP OF UPPER

WHEREAS, N.J.S.A. 2B:12-1 et seq. requires each municipality to establish a Municipal Court, and N.J.S.A. 2B:12-4 provides that each Judge of a Municipal Court shall serve for a term of three (3) years and until a successor is appointed and qualified; and

WHEREAS, the Township Committee has determined to reappoint the Municipal Court Judge as set forth herein; and

WHEREAS, the Honorable James R. Birchmeier, J.M.C., presently serves as Municipal Court Judge of the Township of Upper and is eligible for reappointment effective August 1, 2026;

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. James R. Birchmeier, an attorney at law of the State of New Jersey, is hereby reappointed as Municipal Court Judge for the Township of Upper for a three-year term effective August 1, 2026, and expiring July 31, 2029.
3. Said appointment shall be effective upon the taking and subscribing of the required oath of office, to be administered by a Judge of the Superior Court, and upon the filing of said oath with the Municipal Clerk of the Township of Upper, and upon compliance with all requirements established by N.J.S.A. 2B:12-1 et seq.
4. A certified copy of this Resolution, attested by the Municipal Clerk and sealed with the seal of the Township of Upper, shall be conclusive evidence of said appointment for the term prescribed by law.
5. This Resolution ratifies, confirms, and approves the aforesaid action taken by the Township Committee of the Township of Upper.

Resolution No. 256-2026

Offered by: Casaccio

Seconded by: S. Palombo

Adopted: July 13, 2026

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

Z. Palombo				X
Corson	X			

16. Authorizing the award of a contract with Beesley's Point Sea Doo, Inc. for equipment.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N**

RESOLUTION NO. 257-2026

**RE: AUTHORIZING THE AWARD OF A CONTRACT WITH
BEESLEY'S POINT SEA DOO, INC. FOR EQUIPMENT**

WHEREAS, the Township of Upper has a need to purchase equipment from Beesley's Point Sea Doo, Inc. 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 Beesley's Point Sea Doo, Inc. for the year 2026 will exceed \$17,500; and

WHEREAS, Beesley's Point Sea Doo, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Beesley's Point Sea Doo, Inc. 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 Beesley's Point Sea Doo, Inc. 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 Beesley's Point Sea Doo, Inc. as described herein.

3. The Business Entity Disclosure Certification and the Determination of Value shall 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. 257-2026

Offered by: Casaccio

Seconded by: S. Palombo

Adopted: July 13, 2026

Roll Call Vote:

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

17. Authorizing the award of a contract with Baker Turf Solutions, LLC for recreation field maintenance supplies.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 258-2026

**RE: AUTHORIZING THE AWARD OF A CONTRACT WITH BAKER TURF SOLUTIONS,
LLC FOR RECREATION FIELD MAINTENANCE SUPPLIES**

WHEREAS, the Township of Upper has a need to purchase recreation field maintenance supplies from Baker Turf Solutions, LLC 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 Baker Turf Solutions, LLC for the year 2026 will exceed \$17,500; and

WHEREAS, Baker Turf Solutions, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Baker Turf Solutions, LLC 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 Baker Turf Solutions, LLC 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 Baker Turf Solutions, LLC as described herein.
3. The Business Entity Disclosure Certification and the Determination of Value shall 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. 258-2026

Offered by: Casaccio

Seconded by: S. Palombo

Adopted: July 13, 2026

Roll Call Vote:

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

18. Authorizing banking services with OceanFirst Bank, N.A.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N**

RESOLUTION NO. 259-2026

RE: AUTHORIZING BANKING SERVICES WITH OCEANFIRST BANK, N.A.

WHEREAS, the Township of Upper, through its Chief Financial Officer, requested and received proposals from financial institutions for the purpose of evaluating banking services and associated costs for the Township; and

WHEREAS, proposals submitted by financial institutions were reviewed and evaluated by the Chief Financial Officer based upon pricing, services offered, and overall benefit to the Township; and

WHEREAS, the Chief Financial Officer has determined that the proposal submitted by OceanFirst Bank, N.A. is the most advantageous to the Township, price and other factors considered; and

WHEREAS, the Township Committee has reviewed the recommendation of the Chief Financial Officer and has determined that it is in the best interest of the Township to authorize banking services with OceanFirst Bank, N.A. based upon the proposals received and evaluated; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township Committee hereby selects OceanFirst Bank, N.A. as the provider of banking services for the Township based upon the solicitation and evaluation of proposals conducted by the Chief Financial Officer.
3. The proposal submitted by OceanFirst Bank, N.A. is hereby accepted and incorporated herein by reference as Exhibit A, which shall govern the terms of banking services provided to the Township.
4. Banking services shall be provided in accordance with the terms and conditions set forth in the accepted proposal.
5. 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. 259-2026

Offered by: Casaccio

Seconded by: S. Palombo

Adopted: July 13, 2026

Roll Call Vote:

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

19. Authorizing Township Officials to execute agreements with OceanFirst Bank, N.A. for the Recreation Trust Online Payments account.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 260-2026

**RE: AUTHORIZING TOWNSHIP OFFICIALS TO EXECUTE AGREEMENTS WITH
OCEANFIRST BANK, N.A. FOR THE
RECREATION TRUST ONLINE PAYMENTS ACCOUNT**

WHEREAS, the Township of Upper has designated OceanFirst Bank N.A. as an approved depository for the Municipality's funds for the performance of banking transactions; and

WHEREAS, OceanFirst Bank, N.A. has provided agreements to the Township for the establishment and maintenance of an account entitled Recreation Trust Online Payments; and

WHEREAS, the Chief Financial Officer has reviewed said agreements and has determined them to be acceptable for execution by the Township; and

WHEREAS, the Township Committee desires to authorize the execution of said agreements and the establishment of the Recreation Trust Online Payments account; 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 agreements between the Township of Upper and OceanFirst Bank, N.A. for the Recreation Trust Online Payments account are hereby approved, and the Mayor, Chief Financial Officer, Township Clerk, and such other officials as may be required are hereby authorized to execute said agreements on behalf of the Township.
3. The Township Clerk is hereby authorized to attest to said agreements and affix the official seal of the Township of Upper thereto where required.
4. The Mayor, Chief Financial Officer, Township Clerk, and all other Township officials are hereby authorized and directed to take any and all actions necessary to effectuate the intent of this Resolution.

Resolution No. 260-2026

Offered by: Casaccio

Seconded by: S. Palombo

Adopted: July 13, 2026

Roll Call Vote:

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

Z. Palombo				X
Corson	X			

20. Confirming sale of certain land, to wit: Block 802, Lot 1 to Michelle Salvucci and Robert M. Salvucci, Jr.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N**

RESOLUTION NO. 261-2026

**RE: CONFIRMING SALE OF CERTAIN LAND, TO WIT: BLOCK 802, LOT 1
TO MICHELLE SALVUCCI AND ROBERT M. SALVUCCI, JR.**

WHEREAS, a public auction land sale was held on June 22, 2026, pursuant to Ordinance No. 003-2025; and

WHEREAS, Michelle Salvucci and Robert M. Salvucci, Jr. submitted the highest bid for the purchase of Block 802, Lot 1; and

WHEREAS, the Township Committee is satisfied that all conditions precedent were complied with and that said sale was conducted in accordance with the requirements of the Ordinance aforesaid and that proper notice was given to all owners of property contiguous to the subject property being offered for sale; and

WHEREAS, the Township Committee believes that it is in the public interest to confirm the sale of such parcel.

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 sale of Block 802, Lot 1 to Michelle Salvucci and Robert M. Salvucci, Jr., at a sale price of \$1,600.00, is hereby confirmed, under and subject to the terms, conditions, and provisions of Ordinance No. 003-2025 and further subject to and conditioned upon the purchasers' compliance with said Ordinance.
3. The Mayor and Township Clerk are hereby authorized, directed and empowered to execute and deliver, on behalf of the Township of Upper, to the aforesaid purchasers, a Quitclaim Deed conveying the Township's right, title and interest in the above described property and the Township Clerk

is further authorized, directed and empowered to seal said Deed with the official seal of the Township of Upper.

Resolution No. 261-2026

Offered by: Casaccio

Seconded by: S. Palombo

Adopted: July 13, 2026

Roll Call Vote:

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

21. Requesting a six-month extension of time from the New Jersey Department of Transportation Local Aid Infrastructure Fund grant for award of a construction contract for the Upper Township North Shore Road Pedestrian Improvements project.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 262-2026

**REQUESTING A SIX-MONTH EXTENSION OF TIME FROM THE NEW JERSEY
DEPARTMENT OF TRANSPORTATION LOCAL AID INFRASTRUCTURE FUND GRANT
FOR AWARD OF A CONSTRUCTION CONTRACT FOR THE UPPER TOWNSHIP NORTH
SHORE ROAD PEDESTRIAN IMPROVEMENTS PROJECT**

WHEREAS, the Township of Upper is the recipient of a grant from the New Jersey Department of Transportation (NJDOT) LA-2024 Local Aid Infrastructure Fund in the amount of \$1,000,000.00 for the Upper Township North Shore Road Pedestrian Improvements project, as set forth in a grant award letter dated August 29, 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's Engineer has encountered delays in the project development process, including the time required to obtain necessary approvals from the New Jersey Department of Transportation, which may impact the Township's ability to meet the current grant deadline; 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 an additional six months 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 that the New Jersey Department of Transportation grant a six-month extension of the LA-2024 Local Aid Infrastructure Fund grant for the Upper Township North Shore Road Pedestrian Improvements Project from August 29, 2026 to February 28, 2027.
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. 262-2026

Offered by: Casaccio

Seconded by: S. Palombo

Adopted: July 13, 2026

Roll Call Vote:

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

22. Authorizing the disposal of personal property with no market value.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N**

RESOLUTION NO. 263-2026

**RE: AUTHORIZING THE DISPOSAL OF PERSONAL PROPERTY
WITH NO MARKET VALUE**

WHEREAS, N.J.S.A. 40A:11-36 authorizes a municipality to sell or dispose of certain personal property or equipment which is not needed for public use; and

WHEREAS, the Township of Upper determines that the property and/or equipment set forth on Exhibit A attached hereto is not needed for public use, has no market value, and should be disposed of.

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 property and/or equipment identified on Exhibit A attached hereto is hereby determined to be useless for any public purpose and to have no market value, and the Township Committee hereby authorizes its disposal.

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. 263-2026

Offered by: Casaccio

Seconded by: S. Palombo

Adopted: July 13, 2026

Roll Call Vote:

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

EXHIBIT "A"

Asset

Department

VIN/Serial Number

1994 Wells Cargo Trailer

Division of EMS

1WC200J22R1066448

2000 Spectrum Genset Generator

Town Hall

90165-1-11-00

23. Accepting the Performance Guarantee from Parc 28 LLC for major site plan approval for Block 600, Lot 45.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N**

RESOLUTION NO. 264-2026

**RE: ACCEPTING THE PERFORMANCE GUARANTEE FROM PARC 28 LLC FOR MAJOR
SITE PLAN APPROVAL FOR BLOCK 600, LOT 45**

WHEREAS, Parc 28 LLC (hereinafter the "Developer") is the owner and/or developer of certain property within the Township of Upper known as Block 600, Lot 45; and

WHEREAS, pursuant to N.J.S.A. 40:55D-53, the Upper Township Planning Board granted major site plan approval for the subject property, which included a condition requiring the Developer to furnish a performance guarantee in accordance with the Municipal Land Use Law and the Upper Township Land Development Ordinance; and

WHEREAS, the Developer has submitted a performance guarantee to the Township in the form of a subdivision improvements bond, as follows:

Subdivision Improvements Bond No.: 019097352

Principal: Parc 28 LLC

Surety: The Ohio Casualty Insurance Company

Issue Date: June 18, 2026

Bond Amount, Surety: \$99,240.00

Bond Amount, Cash: \$ 16,540.00

Inspection Escrow, Cash: \$64,146.00

Safety and Stabilization, Cash: \$ 5,000.00

WHEREAS, the Municipal Engineer has reviewed the performance guarantee and has determined that the amount, form, and sufficiency are satisfactory and in compliance with Township requirements established pursuant to N.J.S.A. 40:55D-53; and

WHEREAS, the Municipal Attorney has reviewed the Performance Bond and has determined that the same complies with the New Jersey Statutes and Township Ordinances applicable thereto and has recommended acceptance of same by the Township Committee; 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 accepts and approves the performance guarantee submitted by Parc 28 LLC in connection with the Planning Board approval for Block 600, Lot 45.
3. The performance guarantee shall be maintained in accordance with N.J.S.A. 40:55D-53 and the Upper Township Land Development Ordinance, and shall remain in effect until released or reduced by further resolution of the Township Committee upon recommendation of the Municipal Engineer.
4. The Mayor, Township Clerk, Municipal Engineer, Chief Financial Officer, and any other appropriate Township officials are hereby authorized and directed to take all action necessary to effectuate the intent of this Resolution.

Resolution No. 264-2026

Offered by: Casaccio

Seconded by: S. Palombo

Adopted: July 13, 2026

Roll Call Vote:

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

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

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N**

RESOLUTION NO. 265-2026

**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

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

Maley Givens, P.C.	\$ 3,458.00
(Affordable Housing Service)	

Roll Call Vote:

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

25. Authorizing the purchase of certain items through the Sourcewell National Cooperative Contract with funds from the 2024 and 2026 Capital Improvement Bond Ordinances in the amount of \$268,480.80.

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
RESOLUTION**

RESOLUTION NO. 266-2026

**RE: AUTHORIZING THE PURCHASE OF CERTAIN ITEMS THROUGH THE
SOURCEWELL NATIONAL COOPERATIVE CONTRACT
WITH FUNDS FROM THE 2024 AND 2026 CAPITAL IMPROVEMENT BOND ORDINANCES
IN THE AMOUNT OF \$268,480.80**

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 2024 Capital Improvement Bond Ordinance No. 012-2024 on July 8, 2024; 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 manufactured two multiuser restrooms with a concession stand in the amount of \$268,480.80 from CXT Incorporated of Pittsburgh, PA through Sourcewell National Cooperative Contract No. 052725-CXT as herein indicated; and

WHEREAS, CXT Incorporated of Pittsburgh, PA, have completed and submitted Business Entity Disclosure Certifications which certify that, CXT Incorporated of Pittsburgh, PA 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 Nos. 012-2024 and 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 CXT Incorporated of Pittsburgh, PA for the purchase of manufactured two multiuser restrooms with a concession stand in the amount of \$268,480.800 from the Capital Improvement Bond Ordinance Nos. 012-2024 and 004-2026

through Sourcewell National Cooperative Contract No. 052725-CXT.

3. 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. 266-2026

Offered By: Casaccio

Seconded By: S. Palombo

Adopted: July 13, 2026

Roll Call Vote:

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

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

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N**

RESOLUTION NO. 267-2026

**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 “Vacation Leave Policy”, and “Time Clock”; 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. 267-2026

Offered by: Casaccio

Seconded by: S. Palombo

Adopted: July 13, 2026

Roll Call Vote:

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

27. Certification of costs for abatement of nuisance on Block 549, Lot 85. - **No action was taken on this matter.**

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

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
R E S O L U T I O N**

RESOLUTION NO. 268-2026

**CERTIFICATION OF COSTS FOR ABATEMENT OF NUISANCE
ON BLOCK 653.01, LOT 4**

WHEREAS, pursuant to Township Code Section 11-1, the Code Enforcement Officer is empowered to enforce the Township's Property Maintenance Code; and

WHEREAS, in accordance with Township Code, the Code Enforcement Officer served a notice of violation of Section 11-1.9 (Grass, Weeds and Debris), to the property owners/agents of Block 653.01, Lot 4; and

WHEREAS, 10 days passed from the date of such notice of violation with no response from the property owners/agents and the Township thereafter remedied the violation; and

WHEREAS, pursuant to Township Code Section 11-1.19(a) and N.J.S.A. 40:48-2.14, the Code Enforcement Officer has certified the costs of remedying the said violations as set forth on the attached list; and

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

1. The allegations of the preamble are incorporated herein by this reference.
2. The Township Committee hereby declares that the costs as set forth on the attached list shall be certified to the Township Tax Collector as a lien against the properties in question which lien shall become and form a part of the taxes assessed and levied upon the properties pursuant to Township Code Section 11-1.19(b) and N.J.S.A. 40:48-2.14.
3. All Township officials and officers are hereby authorized and empowered to take all action deemed necessary or advisable to carry into effect the intent and purpose of this Resolution.

Resolution No. 268-2026

Offered by: Casaccio

Seconded by: S. Palombo

Adopted: July 13, 2026

Roll Call Vote:

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

ABATEMENT OF GRASS, WEEDS, AND DEBRIS

<u>BLOCK/LOT</u>	<u>LOCATION</u>	<u>COST</u>	<u>ADMIN FEE</u>	<u>TOTAL</u>
653.01/4	10 RT US 9 SO	\$275.00	\$55.00	\$330.00

RESOLUTIONS TO BE ACTED ON SEPARATELY

29. Authorizing the demolition of an unsafe structure located at 390 Woodbine Road, Block 10, Lot 132, and the imposition of a municipal lien for the costs thereof.

Although not a public hearing, Mayor Corson provided the property owner, Frank Bowker, Woodbine Road, Steelmantown, an opportunity to comment on Agenda Item No. 29. Mr. Bowker requested additional time to make repairs to the structure and discussed personal circumstances related to the property.

Dory Cooper, Construction Official, provided a timeline of events regarding the property, including prior notices, inspections, photographs documenting the condition of the structure, and an air quality report. He advised that the property owner had been provided time to remediate the conditions, but the required repairs and permits had not been completed.

There followed a discussion among the Committee. Following advice from the Township Solicitor regarding the statutory process, the Committee adopted the following resolution authorizing the demolition of the unsafe structure and the imposition of a municipal lien for the costs associated with the demolition.

TOWNSHIP OF UPPER CAPE MAY COUNTY R E S O L U T I O N

RESOLUTION NO. 269-2026

**RE: AUTHORIZING THE DEMOLITION OF AN UNSAFE STRUCTURE LOCATED
AT 390 WOODBINE ROAD, BLOCK 10, LOT 132, AND THE IMPOSITION OF A
MUNICIPAL LIEN FOR THE COSTS THEREOF**

WHEREAS, the property located at 390 Woodbine Road, Petersburg, New Jersey, also known as Block 10, Lot 132 on the official tax map of the Township of Upper (the "Property"), and owned by Frank Bowker, contains a structure determined by the Construction Official to constitute an unsafe structure; and

WHEREAS, the Construction Official has issued orders requiring the owner to repair or demolish the unsafe structure; and

WHEREAS, the owner has failed to comply with the Construction Official's orders; and

WHEREAS, pursuant to Chapter 10, Section 10-4 of the Revised General Ordinances of the Township of Upper, the Construction Official may cause an unsafe structure to be demolished upon authorization of the Township Committee; and

WHEREAS, the Township Committee has determined that demolition of the unsafe structure is necessary in the interest of the public health, safety, and welfare; and

WHEREAS, N.J.S.A. 40:48-2.5, N.J.S.A. 40:48-2.12b, and Chapter 10, Section 10-4 of the Revised General Ordinances of the Township of Upper authorize the Township to recover the costs incurred in connection with the demolition by imposing a municipal lien against the Property.

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 the Construction Official to cause the unsafe structure located at 390 Woodbine Road, Block 10, Lot 132, to be demolished and to take all actions necessary to accomplish such demolition in accordance with applicable law.

3. The Construction Official, Township Administrator, Chief Financial Officer, and all other appropriate Township officials are hereby authorized to undertake such actions and execute such documents as may be necessary to effectuate the demolition.

4. Upon completion of the demolition, the Construction Official and Chief Financial Officer shall certify the total costs incurred by the Township in connection with the demolition, including all administrative, engineering, legal, contractor, and related costs authorized by law.

5. The Township Committee hereby authorizes the imposition of a municipal lien against 390 Woodbine Road, Block 10, Lot 132, for all certified costs incurred by the Township in connection with the demolition.

6. The Township Committee further authorizes and directs that a certified statement of costs be filed with the appropriate municipal officials in accordance with applicable law and that all necessary actions be taken to record and enforce the municipal lien.

7. This Resolution shall take effect immediately upon adoption.

Resolution No. 269-2026

Offered by: Casaccio

Seconded by: S. Palombo

Adopted: July 13, 2026

Roll Call Vote:

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

ORDINANCES

30. Introduction and first reading of Ordinance No. 013-2026 RE: AN ORDINANCE AUTHORIZING SALE OF LANDS, TO WIT BLOCK 324, LOT 2 AND BLOCK 324, LOT 31. **Motion by Tyler Casaccio, second by Sam Palombo, to introduce Ordinance 013-2026 with a public hearing and final adoption scheduled for August 10, 2026. During roll call vote all three Committee Members present voted in the affirmative.**

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

ORDINANCE NO. 013-2026

**RE: AN ORDINANCE AUTHORIZING SALE OF LANDS,
TO WIT BLOCK 324, LOT 2 AND BLOCK 324, LOT 31**

WHEREAS, the Township of Upper is the owner, in fee, of certain parcels of vacant ground located within the Township of Upper, County of Cape May, and State of New Jersey, set forth on the municipal tax map as Block 324, Lot 2 and Block 324, Lot 31; and

WHEREAS, the Township has received an offer from Stewart and Marion Segin, the owners of real property contiguous with said parcels owned by the Township, to purchase said parcels; and

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

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

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

Block 324, Lot 2 and Block 324, Lot 31

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

Block 324, Lot 2 - \$13,000.00

Block 324, Lot 31 - \$3,700.00

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

SECTION 3: The list of parcels authorized to be sold, together with the minimum price thereof, shall be posted at Township Hall and advertisement of the sale shall be made in a newspaper circulating in the Township within 5 days following enactment of this ordinance. Offers for the parcels may thereafter be made to the Township Committee for 20 days following said advertisement. The Township Committee may reconsider this ordinance not later than 30 days after enactment and thereafter advertise the parcels for public sale pursuant to N.J.S.A. 40A:12-13(a). The Township Clerk shall file with the

Director of the Division of Local Government Services in the Department of Community Affairs sworn affidavits verifying the publication of the foregoing advertisements.

SECTION 4: Stewart and Marion Segin, shall submit to the Township Clerk a total deposit in the amount of \$2,000.00 to initiate the land sale process for the parcels authorized herein. Said deposit shall be allocated as follows:

(a) \$500.00 shall be applied toward the Township's administrative costs, including legal review, engineering review, advertising, notices, and other administrative expenses incurred in connection with the preparation and implementation of this Ordinance; and

(b) \$1,500.00 shall be held by the Township as a non-interest-bearing escrow to be applied toward the cost of title reports and related title examination expenses for the parcels authorized herein. The title escrow shall be applied to one or both parcels as necessary. Any unused portion of the escrow shall be refunded to the applicants or credited at closing, as deemed appropriate by the Township Clerk in consultation with the title company. If the applicants are not the successful purchasers of a parcel, the escrowed amount attributable to that parcel shall be refunded to the applicants, and the successful bidder shall be required, as a condition of closing, to reimburse the Township for the actual title and related costs incurred for that parcel.

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

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

SECTION 7: In the event the highest bid at such auction exceeds the minimum bid established herein and the Township Committee rejects the same in the exercise of its sole judgment and discretion, all deposits held by the Township shall be refunded to the original applicant or the highest bidder, as applicable, less any actual administrative, title, engineering, legal, advertising, or other costs incurred by the Township in connection with the sale.

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

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

IF THE BIDDER IS THE ORIGINAL APPLICANT:

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

IF THE BIDDER IS NOT THE ORIGINAL APPLICANT:

- (B) The sum of \$2,000.00, payable to the Township of Upper, representing reimbursement to the Township for title and administrative expenses previously advanced on behalf of the original applicant.
- (C) (i) The sum of \$100.00 for the preparation of the Deed.
- (ii) The sum of \$70.00 for recording the Deed.

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

- (A) Any additional sum required for title search or title insurance.

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

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

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

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

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

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

SECTION 14: The title to be delivered by the Township shall be under and subject to all easements and rights of way, recorded and unrecorded, whether for utilities or for others, and shall also be subject to all conditions, reservations and restrictions of record, if any. If the title report discloses an unmarketable condition of title, except as specified herein, the remedy of the bidder shall be limited to the return of payments made to the Township of Upper on account of the purchase price and closing costs only.

Any and all other amounts paid to the Township shall be non-refundable. This sale is under and subject to any riparian claim which may affect said property. If any such claim exists, it shall be the sole responsibility of the purchaser to meet and satisfy all requirements of the State of New Jersey with respect to said riparian claim and the payment of any compensation to the State of New Jersey on account thereof. Nothing herein shall be construed as obligating the Township of Upper to construct or maintain access roads to any portion of the property being sold. Such property may not qualify for a building permit due to lack of water supply, lack of sewer or septic facilities, lack of access, inadequate lot size, or other reasons, including those reasons set forth below. The purchaser is required to comply with all applicable zoning, building and health ordinances and codes and regulations. The property being sold may be situated in a Flood Hazard Zone. The Township of Upper makes no warranties or representations, express or implied, as to the property being offered for sale, the condition or marketability of the title or any other matter. The Township of Upper makes no warranties or representations, expressed or implied, as to whether or not the property being offered for sale contains wetlands anywhere on the property. The Township makes no warranties or representations as to any matter of an environmental nature, or otherwise, which may prevent or limit building or construction.

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

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

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

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

shall complete the consolidation as a condition of the sale. The provisions of this Section shall survive closing and shall not merge into the Deed.

SECTION 19: This Ordinance shall take effect immediately upon final adoption and publication as required by law.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 13th DAY OF JULY, 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 TO BE HELD ON THE 10th DAY OF AUGUST, 2026, AT 5:30 P.M. AT THE TOWNSHIP HALL, PETERSBURG, NEW JERSEY.

JOANNE R. HERRON, TOWNSHIP CLERK
TOWNSHIP OF UPPER

CORRESPONDENCE

NEW BUSINESS

31. Order of Eastern Star Shekinah Chapter #82 of New Jersey request to hold Raffles RA-626 and RA-627 at the Tuckahoe Inn, 1 Harbor Road, Marmora on October 21, 2026. **Motion by Tyler Casaccio, second by Sam Palombo, to approve the request. During roll call vote all three Committee members present voted in the affirmative.**
32. K of C #9113 Monsignor James J Zegers/Resurrection Council request to hold Raffle RA-628 at 200 Tuckahoe Road, Marmora on March 17, 2027. **Motion by Tyler Casaccio, second by Sam Palombo, to approve the request. During roll call vote all three Committee members present voted in the affirmative.**
33. Country Shore Women's Club request to hold Bingo BA-629 and Raffle RA-630 at the Upper Township Community Center on October 24, 2026. **Motion by Tyler Casaccio, second by Sam Palombo, to approve the request. During roll call vote all three Committee members present voted in the affirmative.**
34. Strathmere Fishing & Environmental Association request to hold Raffle RA-631 at Prescott Beach, Strathmere on August 15, 2026. **Motion by Tyler Casaccio, second by Sam Palombo, to approve the request. During roll call vote all three Committee members present voted in the affirmative.**

UNFINISHED BUSINESS

PAYMENT OF BILLS

34. "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 Sam Palombo. During roll call vote two Committee members voted in the affirmative. Committeeman Casaccio abstained from voting on PO #26-00175 and voted in the affirmative on the remaining items.**

Bills approved for payment: **\$525,883.94**
Payroll 6/25/2026: **\$285,345.44**

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

Nathalie Neiss, Petersburg, spoke on Agenda Item No. 29, and inquired about the demolition process and appeal rights, and supported providing the property owner additional time. She also commented on the proposed beach tag program and suggested that Township residents/taxpayers should receive a discounted fee.

Alice Marsh, Strathmere, inquired as to when beach tags may be introduced for further discussion. It was stated that the Ordinance will most likely be introduced in August.

Lou Barbuto, Petersburg, spoke on the proposed beach tag program and asked questions regarding the proposed fee, revenue, and the use of beach tags instead of paid parking.

Nathalie Neiss, Petersburg, commented on the proposed Beesley's Point redevelopment and expressed concerns regarding the project's impact on the community, including traffic and future growth.

Lou Barbuto, Petersburg, spoke about the Beesley's Point redevelopment process and the Township's role in the selection of a developer. It was stated that the property owner is responsible for selecting a developer and that the Township's role is to participate in the redevelopment planning process.

Roy Zehner, Beesley's Point, spoke on the proposed Beesley's Point redevelopment and expressed concerns regarding the impact of the project on the community, including traffic, growth, and quality of life. The Committee advised that no final redevelopment plan has been submitted and that there will be future opportunities for public input as the process moves forward.

CLOSED SESSION

35. 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

There being no further business this evening the meeting was adjourned at 6:30 P.M., with a motion by Curtis Corson, second by Tyler Casaccio, and all three Committee members present voting in the affirmative. The next regular Committee meeting is scheduled for July 27, 2026 at 5:30 P.M.

Minutes prepared by,

Joanne R. Herron, RMC
Township Clerk

Bill List

87755 07/13/26 A0017 ATLANTIC CO. MUNICIPAL JIF 152,043.00 3507
87756 07/13/26 A0018 ACTION SUPPLY INC. 720.53 3507
87757 07/13/26 A0091 ATLANTIC CITY ELECTRIC 11,317.00 3507
87758 07/13/26 A0117 AT&T 809.65 3507
87759 07/13/26 A0212 ANCERO, LLC 993.40 3507
87760 07/13/26 A0222 ANZELONE ELECTRIC COMPANY, LLC 1,107.00 3507
87761 07/13/26 A0225 AUTOZONE NORTHEAST LLC 1,575.08 3507
87762 07/13/26 A0248 AIRESRING, INC. 1,230.39 3507
87763 07/13/26 A0260 AMENHAUSER, JOHN P. 7,500.00 3507

87764 07/13/26 A0265 ARC REPROGRAPHICS SJ, INC 818.00 3507
87765 07/13/26 A0268 ARTHEON, INC. 18,472.25 3507
87766 07/13/26 B0039 BEESLEY'S PT. SEA DOO, INC. 12,553.94 3507
87767 07/13/26 B0220 BERGEY'S TRUCK CENTERS 308.33 3507
87768 07/13/26 B0287 BIGLEAF NETWORKS, INC. 780.64 3507
87769 07/13/26 B0288 KINGBARNES LLC 1,462.50 3507
87770 07/13/26 B0307 BAKER TURF SOLUTIONS LLC 8,323.00 3507
87771 07/13/26 C0019 CITY OF OCEAN CITY 71,309.25 3507
87772 07/13/26 C0048 CAPE MAY COUNTY MUA 47,957.38 3507
87773 07/13/26 C0068 COMCAST 2,208.38 3507
87774 07/13/26 C0143 CODY'S POWER EQUIPMENT 413.31 3507
87775 07/13/26 C0194 CUMMINS EQUIPMENT COMPANY, INC. 3,787.00 3507
87776 07/13/26 C0223 CASA PAYROLL SERVICE 1,659.50 3507
87777 07/13/26 C0279 CASA REPORTING SERVICES LLC 244.00 3507
87778 07/13/26 D0014 DAN'S AUTO BODY 1,000.00 3507
87779 07/13/26 D0040 DELTA DENTAL OF N.J. INC. 5,743.73 3507
87780 07/13/26 D0171 UNITED STATES TREASURY 168.96 3507
87781 07/13/26 D0252 DEBLASIO & ASSOCIATES PC 75,170.00 3507
87782 07/13/26 E0012 EHRlich PEST CONTROL INC 155.58 3507
87783 07/13/26 G0028 GENTILINI FORD, INC. 100.32 3507
87784 07/13/26 G0120 PATRICK F. MARTIN 2,083.33 3507
87785 07/13/26 G0147 GREATAMERICA FINANCIAL SVCS. 165.00 3507
87786 07/13/26 G0169 CORE EQUIPMENT GROUP 1,133.11 3507
87787 07/13/26 H0098 HERITAGE TOWERS, INC. 552.00 3507
87788 07/13/26 J0079 JAMES WYERS LANDSCAPING, LLC 200.00 3507
87789 07/13/26 L0075 LEXISNEXIS 444.00 3507
87790 07/13/26 M0032 MARINE RESCUE PRODUCTS, INC. 4,200.50 3507
87791 07/13/26 M0076 MGL PRINTING SOLUTIONS 3,634.00 3507
87792 07/13/26 M0188 MCCARTHY TIRE SERVICE OF PHILA 1,978.00 3507
87793 07/13/26 M0313 MAVIS TIRE SUPPLY, LLC 1,241.92 3507
87794 07/13/26 M0345 MAJESTIC OIL 4,285.45 3507
87795 07/13/26 M0348 MIDDLE TOWNSHIP BOARD OF ED 2,009.49 3507
87796 07/13/26 N0004 NJ-AMERICAN WATER CO. 155.92 3507
87797 07/13/26 N0154 NEW HORIZON COMMUNICATIONS 1,236.93 3507
87798 07/13/26 N0171 NATIONAL HIGHWAY PRODUCTS INC. 4,712.48 3507
87799 07/13/26 P0056 TURF EQUIPMENT AND SUPPLY CO 786.90 3507
87800 07/13/26 P0221 PITNEY ELM, LLC 525.00 3507
87801 07/13/26 P0224 Pelechaty, John 51.75 3507
87802 07/13/26 Q0009 QUALITE SPORTS LIGHTING INC. 2,029.00 3507
87803 07/13/26 R0030 RIGGINS, INC. 4,797.23 3507
87804 07/13/26 R0100 ROBERTS OXYGEN COMPANY, INC. 354.95 3507
87805 07/13/26 R0147 REVASCENT LLC 1,500.62 3507
87806 07/13/26 S0018 SUBURBAN PROPANE, LP 515.39 3507
87807 07/13/26 S0056 SEASHORE ASPHALT CORPORATION 108.27 3507
87808 07/13/26 S0057 SERVICE TIRE TRUCK CENTERS 825.68 3507
87809 07/13/26 S0130 SOUTH JERSEY CHIEFS ASSOC. 200.00 3507
87810 07/13/26 S0134 SO. JERSEY GAS COMPANY 636.54 3507
87811 07/13/26 S0185 STOCKTON UNIVERSITY 9,680.55 3507
87812 07/13/26 S0201 SURREN'S NURSERY LLC 153.00 3507
87813 07/13/26 S0253 SAMPLE MEDIA, INC. 321.00 3507
87814 07/13/26 S0363 STARR SEPTIC, LLC. 2,694.00 3507
87815 07/13/26 T0080 TREASURER STATE OF N.J. 857.00 3507
87816 07/13/26 T0192 MARSH & McLENNAN AGENCY/TRION 223.25 3507
87817 07/13/26 U0067 UT HEALTH REIMB. ACCOUNT 15,406.68 3507
87818 07/13/26 U0076 U.S.BANK NATIONAL ASSOCIATION 247.62 3507
87819 07/13/26 U0078 UT Soccer Assoc 300.00 3507
87820 07/13/26 U0778 UGI ENERGY SERVICES, LLC 134.00 3507
87821 07/13/26 V0001 VCI EMERGENCY VEHICLE 666.08 3507
87822 07/13/26 V0004 VAN DUYNE SURF BOAT LLC 15,750.00 3507
87823 07/13/26 V0013 VERIZON WIRELESS 926.37 3507
87824 07/13/26 V0025 V.E. RALPH & SON, INC. 655.65 3507
87825 07/13/26 V0052 VIKING TERMITE & PEST CONTROL 14.82 3507
87826 07/13/26 W0030 WEST PUBLISHING CO. 975.00 3507
87827 07/13/26 W0123 WIRELESS ELECTRONICS, INC. 350.00 3507
87828 07/13/26 W0135 THE LAW OFFICE OF BRANDON D 1,048.46 3507
87829 07/13/26 W0137 WARWICK GROUP CONSULTANTS LLC 5,000.00 3507

87830 07/13/26 X0008 XEROX FINANCIAL SERVICES 184.88 3507
Total: \$525,883.94